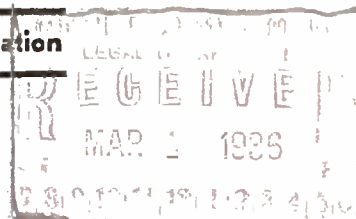


HEINL RADIO BUSINESS LETTER

2400 CALIFORNIA STREET

WASHINGTON, D. C.

CONFIDENTIAL — Not for Publication



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March 3, 1936

NORMAN BAKER TO CONDUCT CANDIDACY OVER MEXICAN STATION

The 1936 political campaign obviously is going to set numerous broadcasting records, but it is doubtful whether any will be as unique as that of conducting a campaign for the United States Senate over the facilities of a Mexican radio station.

Norman Baker, long a stormy petrel in broadcasting circles, has already started his campaign over his station, XENT, Nueva Laredo, Mexico, just across the border from Laredo, Texas. He is a candidate for the Senate from Iowa, presumably on an independent ticket, although Senator Dickinson, a Republican, is up for reelection.

Mr. Baker first came into national prominence in 1931 when the Federal Radio Commission closed his station, KTNT, at Muscatine, Ia., following complaints by the American Medical Association and others against claims of cancer cures allegedly broadcast by him. Undaunted, Mr. Baker erected a station just across the Mexican border and now, with a power of 150,000 watts, reaches a larger range of listeners in this country than he did from Muscatine. It is conceded that he will have little trouble blanketing the whole State of Iowa with his appeals for votes in the senatorial race.

Baker's unusual procedure is not Iowa's first taste of political campaigns via radio. Henry Field in 1932 came dangerously close to being elected to the Senate merely because his name had become a household word through the operation of Station KFNF at Shenandoah, Ia. Field polled 399,929 votes against 538,422 for Louis Murphy, Democrat, who now sits in the Senate with another session to go.

Dr. John R. Brinkley, famed goat-gland specialist, also conducted a campaign for the governorship of Iowa over the air via KFKB, Milford, Ia. Brinkley's station was also put off the air by the old Federal Radio Commission, and the doctor, like Baker, transferred operations to Mexico. He now operates Station XERA at Villa Acuna, just across the border from Del Rio, Texas.

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WORK ON COAXIAL CABLE TO START AT ONCE, JEWETT SAYS

The American Telephone & Telegraph Company, finding the terms of the Federal Communications Commission coaxial cable order acceptable, will begin work at once on the circuit that may prove a milestone in television development. Dr. Frank B. Jewett, Vice-President of the A. T. & T., said that at least six months will be needed to complete the physical aspects of the link between New York and Philadelphia.

Coincident with the A. T. & T. announcement, television by cable became a reality in Germany with the opening to the public of a circuit between two cities at the Leipzig Fair under the auspices of the German Postal Ministry. This television transmission between Berlin and Leipzig was opened to the public at a cost of \$1.40 for three minutes of visible conversation. Special booths are equipped with an ordinary telephone receiver, a microphone, and a window-like apparatus in which the face of the party at the other end of the line appeared on a surface approximately eight inches square.

The coaxial cable to be laid between New York and Philadelphia will be made at the Westinghouse cable plant in Baltimore, while the terminal equipment and experimental amplifier will be manufactured either by Western Electric or the Bell Telephone Laboratories in New York. When completed, the cable must be available to any television experimenters, under the terms of the FCC order.

"We have found the FCC order acceptable", said Dr. Jewett. "Our acceptance has been filed with the Commission. We estimate the time necessary to complete the job as about six months, but this will depend on the difficulties encountered. If things go well our first physical tests of the conductor will begin when laying of the cable is completed.

"We are primarily interested in the cable only because of its telephonic or telegraphic possibilities, and extensive experiments must be carried out along this line before it is ready for tests by others. It may be late next Fall before the circuit can be made ready for actual tests by television interests."

It has been estimated that "repeating" stations, to amplify the strength of television signals sent over the system, must be installed along the route of the cable at intervals of about ten miles. The range of image frequencies the cable is capable of conducting is said to be in excess of one million cycles

The cable's estimated telephone-circuit capacity is about 240. Approximately twenty times that number of telegraph messages, however, can be handled simultaneously, it is said.

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O'CONNOR, BLOCKING FCC PROBE, WARNS STATIONS OF LIBEL

Although Representative O'Connor (D.), of New York, so far has refused, as Chairman of the House Rules Committee, to permit a special committee to investigate broadcasting and the Federal Communications Commission, he has become somewhat riled at the use being made of radio in personal attacks on him.

He has disclosed that he has warned twenty large stations he would hold them responsible for any libelous statements concerning him delivered over their facilities. The warning was an outgrowth of his controversy with the Rev. Charles E. Coughlin, who has twice attacked the record and integrity of the Tammany Congressman during his weekly radio addresses. Mr. O'Connor refused to name the stations or to make public the text of his telegram.

Following Father Coughlin's first attack on O'Connor, the latter in an address on the floor of the House demanded that stations record all political addresses so that speakers might be held accountable for what they actually said rather than for what appeared in their prepared statements.)

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RADIO EXPORTS FOR 1935 SET NEW RECORD

A new peak for exports of radio apparatus from the United States was attained during 1935 with sales abroad of \$25,454,188, compared with \$24,856,592 in 1934, according to compilations by RMA of the official export statistics of the Bureau of Foreign and Domestic Commerce, Department of Commerce.

The new modern short-wave sets apparently figures in the 1935 increase in receiving set exports to \$15,472,291, as compared with \$15,338,143 of sets exported in 1934, while the number of units in set exports decreased from 612,084 in 1934 to 589,209 in 1935.

A decrease in tube exports, however, was recorded in 1935, slightly in units but materially in value. Tube units exported in 1935 were 6,588,060, compared to 6,682,083 in 1934. Dollar value of tubes exported in 1935 was \$2,882,268, compared with \$3,209,946 in 1934.

Increases in exports of radio parts, loud speakers and transmitting apparatus also were recorded.

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GREEN SAYS SPEAKERS, NOT STATIONS, SHOULD BE RESPONSIBLE

William Green, President of the American Federation of Labor, believes that political speakers and not broadcasting stations should be held accountable for statements made over the air. His views, expressed during a recent radio interview conducted by Boake Carter over the Columbia Broadcasting System, were that "under no circumstances should those in control of a radio station be accorded the privilege of censoring speeches."

Questioned about the incident caused by the refusal of the networks to grant time to the National Republican Committee comparable to that given President Roosevelt, Green said that the broadcasters must be the sole judge in such matters but that "public sentiment would support the exercise of tact and sound discretion rather than arbitrary judgment."

Finally, Green said he saw no need at this time for a "Supreme Court of the Air", with members to be appointed for long terms so that they might be independent of political considerations.

"Experience has shown that the public, those who compose the radio audience, exercise a greater influence than a Supreme Court of the ether could possibly exercise in the extension of approval or a veto to addresses, commercial programs, and entertainment supplied by the broadcasting companies."

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LA GUARDIA OPPOSES WNYC WAVE CHANGE; REVEALS BIG OFFERS

Opposition to a proposal to change the wavelength of Station WNYC, New York's municipally-owned station, from 810 to 1130 kc. was voiced this week by Mayor LaGuardia. A resolution which would authorize the Board of Aldermen to apply to the Federal Communications Commission for the shift in frequency was offered by John J. Cashmore, Brooklyn Democrat.

Mr. LaGuardia at the same time disclosed that since he took office he had received and rejected several "six-figure" offers for Station WNYC. He said the offers were refused because he wants to expand the station, and he pointed out that \$10,000 is now being spent on improvements. A change in the wavelength to 1130 kc., LaGuardia contended, would make the station inaudible to large sections of Manhattan, Queens, and the Bronx.

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KENDALL, LAFOUNT MENTIONED FOR PAYNE'S PLACE ON FCC

Although the term of George Henry Payne on the Federal Communications Commission does not expire until July 1, efforts have already been started to obtain endorsements for candidates to succeed him.

Among the contenders for whom senatorial support is said to be sought are Judge John C. Kendall, Portland (Ore.) attorney, and Harold A. Lafount, former Republican member of the Federal Radio Commission from Utah.

Mr. Payne is a Republican and a member of the Telegraph Division. Because of his frequent attacks on the FCC policies, it is not expected that he will be reappointed. His present term was for two years.

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NETWORKS SET JANUARY RECORD FOR TIME SALES THIS YEAR

The largest January billings in their histories were recorded this year by the CBS and NBC-Red networks. NBC-Red time sales amounted to \$1,755,394 and have been exceeded only by its March, 1935, record of \$1,802,741. The CBS January billings were \$1,901,023 and have been surpassed only by the October, 1935, record of \$1,930,512. NBC-Blue network revenues for January amounted to \$926,421, making the combined NBC total \$2,681,815. This is below the January, 1935, figure, chiefly because the Metropolitan Opera is this year being carried as a sustaining program.

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RECORDING URGED TO END "LIBELOUS ATTACKS"

Recommendation that radio addresses be recorded as a means of discouraging "libelous attacks" was made to the Federal Communications Commission last week by Aimee Weber, of Baltimore, President of National Housewives, Inc.

Miss Weber had previously protested against remarks made by Governor Talmadge in a radio address at Macon, Ga., as "abusive". Herbert L. Pettey, Secretary of the Commission, informed her that the Communications Act gave the FCC no authority to censor radio.

In another letter, Miss Weber suggested that if all broadcast addresses were recorded, speeches of value would be preserved and "a practically helpless citizenry" would be afforded protection "from libelous attacks."

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CBS DENIES INFRINGEMENT IN ANSWER TO HARMS

Replying to the complaint of Harms, Inc., the Columbia Broadcasting System on February 28th reiterated its claim that CBS stations are still licensed to broadcast music published by the Warner group in U. S. District Court, in New York. Columbia, however, is continuing its policy of not broadcasting any Warner music, it was added.

The suit brought by Harms, Inc., contended that a performance of "I Get a Kick Out of You" shortly after midnight on New Year's Eve over WABC constituted a copyright infringement. Columbia denies that it is guilty of infringement, and sets forth in addition the grounds on which it contends that WABC was entitled to perform the number.

The answer points out that both Harms and Cole Porter, the composer, were members of ASCAP at the time WABC obtained from ASCAP the license which grants performing rights in the Warner Bros. compositions up to 1941. Cole Porter, the answer further asserts, remains a member of ASCAP and has specifically assigned his rights to ASCAP for this period.

Not only does Columbia continue to claim that the performance is licensed, but it also claims that Harms, by reason of its actions and representations, is barred from asserting any infringement claim.

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RCA ANNOUNCES QUARTERLY DIVIDEND ON "A" STOCK

The regular quarterly dividend on the "A" Preferred stock of the Radio Corporation of America for the first quarter of the year 1936 was declared February 28 by the Board of Directors, David Sarnoff, President of the Corporation announced.

The dividend is one and three-quarters per cent for the quarter, amounting to 87½ cents a share. It is payable on April 1, 1936, to holders of record of the stock at the close of business on the eleventh day of March, 1936. It applies to all outstanding shares of "A" Preferred stock, including shares of "A" Preferred represented by outstanding unexchanged certificates of original Preferred stock - ten of these unexchanged shares being equal to one share of "A" Preferred.

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INDUSTRY NOTES

A general increase in cost of time on the air during 1936 is predicated by James L. Free, President of Free & Sleining Inc., radio station representatives. Already most of the stations represented by his firm have announced increases in their rates, Mr. Free stated in Chicago last week, and further raises are anticipated. The steepest rise has been in the cost of spot announcements, he said, both because previous rates for this type of broadcasting have been comparatively low and because of a desire on the part of broadcasters to encourage advertisers to use fewer announcements and more program periods.

The Detroit News is conducting an investigation of interference to radio sets in that city. A coupon is printed daily in the paper asking for details on the type of interference. A fully equipped radio interference car is then sent to find the source of the trouble and suggest ways for eliminating it. To date the work placed upon this department indicates that it is a valuable service for the readers of the News.

To carry out plans of Virginia authorities for establishment of a police radio system in the State, a bill has been introduced in the Virginia Legislature providing for appropriations and operation.

A direct radiotelegraph circuit between the United States and Brazil was opened to the public March 2nd by the Mackay Radio and Telegraph Company. All classes of telegraph traffic will be accepted and distributed to all parts of both countries, the company said. The circuit is operated between the high power stations of Mackay Radio here and the stations at Rio de Janeiro of the International Radio Company of Brazil, associated company of the International Telephone and Telegraph Corporation.

The Federal Communications Commission has adopted amendments to the following rules, copies of which may be obtained from the Commission Secretary: Rule 100.6, Rule 105.34, Rule 105.35, and Rule 105.36.

Martin Codel, publisher of Broadcasting, is the father of a second daughter, Martha, born only last week.

COUZENS OFFERS RESOLUTION TO FORCE "BRIBERY" DATA

Although the Federal Communications Commission refused to disclose its evidence in the "Willard Hotel incident" upon request of one of its members, George Henry Payne, it may be compelled to do so by the Senate.

Senator Couzens (R.), of Michigan, on March 2 introduced a resolution to require the FCC to submit all data and evidence upon which it based its finding that no member of the Commission had been charged with being susceptible to bribery and political influence.

Irvin Stewart, Vice Chairman, who headed the Investigating Committee, said that the evidence would be made available at once if the resolution is adopted.

The text of the resolution follows:

"Whereas the Federal Communications Commission, on January 9, 1936, appointed a subcommittee from its membership to investigate what was known and described by the Commission as 'The Willard Hotel Incident'; and

"Whereas on February 14, 1936, the Commission issued a report on its findings on that investigation; and

"Whereas it would be helpful to the Committee on Interstate Commerce of the United States Senate to have all memoranda, statements, testimony, and reports made to or obtained by the Commission and by the Department of Justice for the Commission during the investigation herein referred to; Therefore be it

"Resolved, That the Federal Communications Commission shall forward to the United States Senate all of the memoranda, documents, statements, testimony, reports made to or obtained by the Commission and by the Department of Justice for the Commission in relation to and as part of that investigation."

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OLDEST CITY IN U. S. MAY GET FIRST RADIO STATION

The oldest city in the United States, St. Augustine, Fla., will get its first broadcasting station if the Federal Communications Commission approves the recommendation of one of its Examiners, R. H. Hyde.

The Examiner recommended that the application of the Fountain of Youth Properties, Inc., for a permit to build a station for operation on 1210 kc., with 100 watts power, unlimited time, be granted as the area has no satisfactory broadcast reception at present.

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Although it has a resident population of but 12,111, according to the Examiner's report, St. Augustine has upwards of 20,000 persons during the tourist season and approximately 500,000 visitors annually.

A new station for New London, Conn., to be built by the Thames Broadcasting Corp., was recommended to the FCC by Examiner Ralph L. Walker. It would operate on 1500 kc. with 100 watts power, daytime only.

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PRALL TO HOLD FCC CHAIRMANSHIP ANOTHER YEAR

Anning S. Prall, a New York Democrat, will remain as Chairman of the Federal Communications Commission for another year, or until Marcy 11, 1937.

President Roosevelt has reappointed him, it was disclosed this week, as his present term as Chairman will expire on March 11. His appointment as a member of the FCC, however, is for seven years from July 1, 1935.

The reappointment discredited rumors that the Chairmanship might be made rotative as on the Interstate Commerce Commission. Irvin Stewart, of Texas, is Vice Chairman and would have been in line for the chairmanship under such a policy.

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SINCLAIR LEWIS BLAMES RADIO FOR SLUMP IN BOOK SALES

Radio, among other things, was blamed by Sinclair Lewis for the slump in book sales in an article written for the Yale Literary Magazine. He wrote:

"Many novels which 15 years ago would have sold 50,000 copies sold only 10,000 copies in 1935. One might almost declare that books do not sell any more in this country. The movie, automobile, road house, bridge, and, most of all, the radio, are the enemies of magazine-reading, book-reading and of book-buying."

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"AMOS 'N' ANDY" LIQUIDATE TWO-YEAR-OLD \$2 RFC LOAN

Jesse Jones, Chairman of the Reconstruction Finance Corporation, had the last word in the publicized RFC transactions with "Amos 'n' Andy" two years ago when he disclosed this week that the \$2 loan to the famed radio comedians has been repaid.

Chairman Jones, in mimeographed press releases, revealed that he had dunned the funsters, who talk in millions over the air, for the \$2 although there had always been some doubt whether the loan was ever made.

Freeman F. Gosden and Chalres J. Correll, the off-stage names of the comedians, in a letter accompanying the \$2 said:

"We has laid down a lot of financial reports 'cause we couldn't read 'em, but when we opened dis one, we was afraid to pick it up. We is both big business mens an' we know figures an' we has seed some figures in our day, but we ain't never seed ne figures like you got in dat book.

"Now, you asked us 'about de \$2.00 you loaned us when we repealed to you for de loan some time ago. If dat \$2.00 will straighten out de mess you is in, take it. We is puttin' it in dis letter."

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HYDERABAD, INDIA, TO HAVE UP-TO-DATE BROADCASTING SERVICE

A radio broadcasting service of the most up-to-date type is to be established in the Indian State of Hyderabad, according to a report from Consul Curtis C. Jordan, Madras, made public by the Commerce Department. For some years the Nizam of Hyderabad has evinced a keen interest in radio broadcasting.

A plan has been drawn up whereby the State will be provided with four fully-equipped broadcasting stations. The main station will be located in Hyderabad and will transmit its programs both in the vernacular and in English. The other three stations will be located in strategic centers so that the whole state may be adequately served.

It is proposed to equip about 2,000 villages in the State with community receivers, these to be installed in schools and public squares where a large percentage of the population will be able to listen-in. The programs planned for the sub-stations, will be especially arranged to suit the tastes and needs of the rural population. It is proposed to give periodic talks on such subjects as sanitation, agriculture and community improvement.

The new stations will be installed by the Marconi Co. The Hyderabad station will have a power of 3 to 5 kilowatts and is capable of being increased to 10 kilowatts.

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11 NEW INFRINGEMENT SUITS BEGUN BY WARNER BROS.

Eleven new suits, two in New York and nine in other States, have been filed by M. Witmark & Sons, Remick Music Corp. and T. B. Harms, music publishing subsidiaries of Warner Bros. Pictures, Inc., against several radio stations for the alleged infringement of song copyrights owned by the companies, according to a Warner Bros. press release.

The New York actions include T. B. Harms vs. WNEW for alleged infringement of the song "Every Now and Then"; and M. Witmark & Sons vs. WHN for the alleged infringement (two times) of the song "Where the River Shannon Flows". In each case \$5,000 damages and an accounting of the profits are sought.

Other suits filed with songs allegedly infringed and damages asked, follow:

M. Witmark & Sons vs. KHJ, Los Angeles; "Mine Alone", \$5,000.

Remick Music Corp. vs. KHJ, Los Angeles; "Whistle and Blow Your Blues Away"; \$5,000.

M. Witmark & Sons vs. WMEX, Boston; "Gypsy Love Song"; \$5,000.

Remick Music Corp. vs. WFBL, Syracuse; "Get Happy"; \$5,000.

M. Witmark & Sons vs. WSYR, Syracuse; "The Words Are In My Heart"; \$5,000.

Remick Music Corp. vs. WCFL, Chicago; "Put On Your Old Grey Bonnet"; \$250.

M. Witmark & Sons vs. WWL, New Orleans; "Let's Have Breakfast in Bed"; \$5,000.

M. Witmark & Sons vs. WCFL, Chicago; "That Old Irish Mother of Mine", "Lulu's Back In Town", and "Sunrise and You"; \$750.

Remick Music Corp. vs. KSFO, Los Angeles; "Sweet Georgia Brown"; \$300.

The eleven latest suits of the Warner Bros. music companies bring the total actions filed to date to thirty-six.

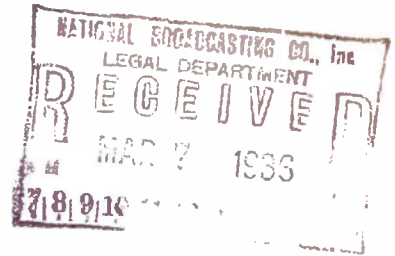
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HOUSE ATTACK ON CBS HINTS ROUGH ROAD AHEAD FOR RADIO

Preliminary outbursts in Congress and out indicate that the broadcasters, and especially the networks, are going to be between the devil and the deep blue sea until after the November elections. The trouble began when the networks declined to meet the demands of the Republican National Committee for time and facilities to match the address of President Roosevelt to Congress, which was broadcast at 9 o'clock at night to reach the largest radio audience. Since then the Republicans have been zealously watching all New Deal speeches over the air and have been quick to insist upon the right to answer in another G.O.P. broadside.

This week, however, the Columbia Broadcasting System again found itself in the center of the ring with Democratic Members of the House of Representatives doing the shooting because the network had scheduled a talk by Earl C. Browder, General Secretary of the Communist Party in the United States.

The outbursts in the House followed a vitrolic editorial attack on CBS and Communism in the Hearst newspapers. Immediately, anti-red Congressmen took up the cry and hurled charges of "treason" at the network for daring to follow the Communications Act and the United States Constitution.

Representative McClellan (D.), of Arkansas, was the most outspoken in his criticism of the network and William S. Paley, its President. Inviting his colleagues to join in a protest against the "un-American conduct" of CBS, he added:

"This action on the part of the Columbia Broadcasting System and its President, William S. Paley, constitutes a flagrant insult and defiance to every believer in Almighty God and every lover of our Christian institutions."

Congressman McClellan said he had learned from the Federal Communications Commission that "there are letters and telegrams pouring in to it from the American people throughout the nation protesting the free use of these facilities being made available to public enemies of this government."

Representative Pierce (D.), of Oregon, chided Mr. McClellan with lack of knowledge about Russia and added:

"Is the gentleman aware that the doctrine he is now preaching, if it had been in existence some years ago and been in force, there would have been no America, no independence?"

Mr. Browder is the first national official of the Communist party in this country to speak over a national hookup.

On the night following his address, CBS gave an equal amount of time to Representative Hamilton Fish, Jr. (R.), of New York, an arch Red-baiter, to answer Mr. Browder.

Besides the constitutional guarantees of free speech, CBS might well justify its action by Section 315 of the Communications Act, which requires a licensee who makes radio facilities available to one candidate for public office to afford equal opportunities to all other candidates.

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FCC ON SPOT AGAIN FOR LENDING AID TO SENATE LOBBY GROUP

The Federal Communications Commission was on the spot again in Congress this week but not for any reason of action having to do with broadcasting operations or control. The Commission, it developed, had rendered valuable aid to the Senate Lobby Committee in obtaining copies of private telegrams from offices of Western Union and Postal.

Representative Wadsworth (Republican), of New York, among others, took the floor of the House to denounce the FCC for its work. Before he had concluded, Representative Connery (D.), of Massachusetts, had obtained his endorsement of the Connery resolution calling for a thorough investigation of the Commission.

The Commission had access to all records and files of the telegraph offices, it was explained, under the Communications Act. Chairman Anning S. Prall denied having any part in the seizure of telegrams believed to be concerned with the public utility holding company bill of last year. He said that he understood the Telegraph Division, of which Irvin Stewart is Chairman, had "cooperated" with the Senate Committee. Commissioner Stewart declined to comment.

Representative Wadsworth, sometimes spoken of as a possible Republican candidate for President, had this to say, in part, about the disclosure:

"My information is that tens and tens of thousands of telegrams passing between citizens have been seized by the Communications Commission. They have been pawed over and examined. No warrant has been issued for the seizure of this private correspondence; no search warrant emanating from any court of competent jurisdiction. A Commission of the Government has taken upon itself the power to step into the offices of the Western Union Co. or the Postal Telegraph and to say, for example, 'We want a copy of every telegram sent by John Smith or to John Smith', and the companies, fearful of the regulatory power of the Commission over them, have handed over these copies.

"Mr. Chairman, it strikes me that we have reached a strange stage in the development of demoralization when, without a search warrant issued by a competent court, a Commission of the United States Government can seize private correspondence without limit and restraint and make any use of it it pleases."

After Congressman Wadsworth had concluded, Representative Rankin (D.), of Mississippi, arch foe of the power trusts, defended the FCC.

"The Federal Communications Commission was entirely within its rights", he said, "and, instead of being subject to criticism, they should be supported for doing their duty."

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NEW POWER TUBE DEMONSTRATED BY FARNSWORTH

An amplifying and power tube for use in radio and television, described as capable of tremendous current amplification in a fraction of a second, was demonstrated March 4 by Philo T. Farnsworth, youthful television inventor, at a meeting of the Institute of Radio Engineers at the Engineers' Club in New York City. The demonstration as reported by the New York Times follows:

Using a tube about the size of a quart container, fitted with a cylindrical cold cathode rather than the usual hot filament, Mr. Farnsworth produced 1,000 watts of power. He explained that in the design of his tube he had taken advantage of the secondary emission of electrons - an effect hitherto avoided by radio tube designers.

Pointing out that it had long been known that metals have electrons in suspension on their surfaces which may be released when bombarded by other electrons, Mr. Farnsworth explained that the elements of many of the present tubes are purposely coated with graphite or carbonized so secondary electrons will not be given off.

In the newer-type tube, which Mr. Farnsworth called the Multipactor, the sides of the cylindrical cold cathode act as opposing surfaces for bombardment of these secondary electrons. When the current is turned on the primary electrons bombard the metal surfaces, striking them at high speed, and act as recruiting sergeants to pick up the secondary electrons in suspension on the metal.

These in turn join the army and perform the same function, swinging back and forth across the cylinder so that the multiplication is by geometrical progression. The trips across the tube, Mr. Farnsworth said, are at such astronomical speeds that fantastic increase in current is achieved in fractions of a millionth of a second.

Because it operates without a hot filament, the tube has a greatly increased efficiency, it was declared, and future radio transmitters can be built with fewer tubes, which, Mr. Farnsworth pointed out, is of particular importance in airplane radio sets.

He also emphasized the importance of the tube in the development of television transmission and its virtually noiseless amplification. The tubes are especially suited to the amplification of high frequencies, he said. The tube owes much of its success, he said, to the discovery of a metal of high efficiency as an emitter of secondary electrons.

Mr. Farnsworth said "These tubes will give any power they are called upon to give instantly", but added that he did not yet know what their life was. Each one was different, he said, and they had not been in use long enough to determine their useful life.

In answer to questions, he said the tube had produced frequencies of 300 megacycles.

"I see no reason why it should not produce 1,000 megacycles", he declared. "It is an electronic oscillator, and I see no limit to it."

He declined to reveal the nature of the metal of the surfaces, though he said the new metal's efficiency was due both to the use of an alloy and to the manner in which the surfaces were coated.

Mr. Farnsworth is Vice-President of Farnsworth Television, Inc., which has done much experimentation and development in the radio and television field. A tube somewhat similar to the one he showed, but described as a "multiplier", was demonstrated before the Institute of Radio Engineers last Fall by Dr. V. K. Zworykin, television research expert of the RCA Victor Company.

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NETWORKS WATCH NON-TELEPHONE HOOKUP IN CORN BELT

Both the National Broadcasting Company and the Columbia Broadcasting System will watch with interest the inauguration of what has been called the "Corn Belt Wireless Network" on March 9 in the Middle West.

Under the leadership of Station WHO, Des Moines, a hook-up is being arranged for the first time without utilizing telephone lines. Other stations reputedly in the network, to be linked by short-wave circuits, are: WNAX, Yankton, S. D.; KOIL, Omaha; KFAB, Lincoln, Nebr.; KMA, Shenandoah, Ia.; KFJB, Marshalltown, Ia.; WOC, Davenport, Ia.; and KMBC, Kansas City.

Kellogg's is the first sponsor to accept the network and will present Gene and Glenn, former NBC team now on WHO staff, in the initial program for a half-hour March 9.

Operating under Rule 177 of the Federal Communications Commission, which permits the rebroadcast of programs, the Corn Belt network will be fed from WHO by short-wave. Individual stations will then put the program out over long-wave. WHO has short-waved sustainers to WOC, Davenport, for years. WLW, Cincinnati, and WSM, Nashville, also feed smaller stations similarly by short-wave.

Estimates of the cost of telephone wires to link the same number of stations for the same program on a 13-week contract run between \$6,000-\$7,000. Substantial savings as compared with electrical transcriptions are promised. An odd feature of the setup is that members of the Corn Belt group are both NBC and CBS affiliates. However, the Mutual network in the East provides precedents in that Mutual links are also links for NBC (WLW) and CBS (WNAC, Boston).

Advertising rates for Corn Belt is the total of the national card rates of all its members. Such individual discounts as would ordinarily be earned by any national spot advertiser will accrue individually, but there will be no over-all discount.

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SHARP EXCHANGE IN HOUSE AS SIROVICH RAPS DUFFY BILL

Although public hearings are still in progress on the Duffy and other copyright bills, Chairman Sirovich, of the House Patents Committee, on March 3 made an hour's speech on the House floor attacking the Duffy bill, favored by the broadcasters, and praising his own measure, which is endorsed by the American Society of Composers, Authors, and publishers.

At the conclusion of his address several members jumped to their feet to defend the Duffy Bill and the point of view of the organized broadcasters.

ASCAP was charged by Representative Zioncheck (D.), of Washington, with using the \$250 minimum penalty for copyright infringement "as a club to blackmail people into damages", while Representative Boileau (Progressive), of Wisconsin, criticized ASCAP for assessing dance halls and other places of amusement in Wisconsin for playing copyrighted music.

Mr. Sirovich made a spirited defense of the Society and authors, of whom he claimed to be one, and argued at length against any legislation which would make the United States join the Berne Convention. He said that his bill would "protect the innocent infringer", would protect an author from losing his copyright

except by his own act, and provides a single term of 56 years in place of the dual terms of 28 years for copyright holders.

The New Yorker challenged any member to bring as a witness before his Committee any owner of a tavern, beer saloon, hotel or restaurant who has ever been called upon to pay any copyright assessment unless he staged a public performance for profit.

Representative Zioncheck in a subsequent five-minute talk pointed out that Sirovich refused to hold hearings on the copyright bills until a petition to discharge the Committee had been filed in the House.

"Hearings have been going on, somewhat in the nature of a circus, I admit, and somewhat out of order, for I have never yet in my brief experience in Congress known of a Committee to start hearings upon a bill and have the opponents of the bill testify first."

Congressman Boileau suggested that ASCAP, if it insists upon more revenue, might get it from the broadcasting stations and the orchestras rather from hotels, restaurants, and the like that merely turn on loudspeakers.

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SENATOR BONE ANSWERS SIROVICH ON COPYRIGHT CHALLENGE

Senator Bone (D.), of Washington, answered the challenge hurled by Representative Sirovich (D.), of New York, in the House this week for any member to produce an instance in which ASCAP has called upon any tavern, beer saloon, hotel owner, or restaurant keeper to pay for copyright music unless that music was played in a public performance for profit.

Senator Bone, after quoting Representative Sirovich from the Congressional Record, said:

"Mr. President, just so that the Record may be straight, because Mr. Sirovich has referred to the State of Washington, I wish to say that I happen to have personal knowledge of one instance in which the American Society of Composers, Authors, and Publishers compelled a small inn-keeper on what is known as the Seattle-Tacoma Highway to pay money because he had a little radio in his very small roadside inn, a dinky little place of no size at all and very inconspicuous. I wired the owner of that inn yesterday, and I have this answer from him:

"Yes, we have paid to Clark R. Belknap, attorney for account of ASCAP, at the rate of \$6.60 per month for using radio in dining room.

J. O. Gates.'

3/6/36

"I want this in the Record and I want to add also, Mr. President, that upon a number of occasions and from a number of groups in the State of Washington I have had very bitter complaints that they have been approached by men representing the society and threatened with lawsuits that might have occasioned them all great financial loss had the lawsuits been pressed to the conclusion which the law seemingly permitted."

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TELEPHONE HEARINGS SCHEDULED TO START ON MARCH 17

The initial public hearing in the investigation of the American Telephone & Telegraph Company authorized last year by Congress was scheduled this week for March 17 at 10 A.M., before the Telephone Division of the Federal Communications Commission.

The hearing will cover all other companies engaged directly or indirectly in telephone communications in interstate commerce, including all their subsidiary, affiliated, associated, or holding companies. The procedure, the FCC said, will be informal and similar to that of special investigating committees of Congress.

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JANUARY RADIO ADVERTISING \$8,035,160; ABOVE 1935

Total broadcast advertising volume in January amounted to \$8,035,160, according to the National Association of Broadcasters. The usual seasonal declines occurred during the month, gross time sales slumping 7.5 per cent from the December mark.

The radio advertising volume, nevertheless, exceeds that of January, 1935, by 8.7 per cent. The heaviest increases were in the regional network and national non-network fields. National network volume was approximately the same as during the corresponding month last year.

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ASCAP ENDS DIRECT TESTIMONY; RADIO TO BE HEARD NEXT WEEK

The American Society of Composers, Authors, and Publishers concluded its direct testimony before the House Patents Committee on the pending copyright bills March 5 after being allowed two weeks.

While the agenda for next week has not been prepared, it was said that radio interests and others will be given an opportunity to be heard next week. James W. Baldwin, Managing Director of the National Association of Broadcasters, expects to take the stand Tuesday morning. ASCAP representatives will have a chance for rebuttal testimony at the conclusion of the hearing, the Committee Clerk said.

E. C. Mills, General Manager of ASCAP, was the principal witness this week, the other two principal witnesses being showmen - Rudy Vallee and George M. Cohan.

"Pride of authorship is inherent in a creator", Mr. Mills said, "and the creator should be protected and adequately compensated for his work."

Appearing in opposition to the Duffy Bill, which the broadcasters favor, he said: "Without music, the radio is inarticulate."

He told the Committee that copyright laws were passed for the public and not for creators, "because it is the public which accepts or rejects a man's creation, is entitled to its benefits and in turn should provide compensation for the creator."

He assailed copyright provisions which, he said, specified the same remuneration to the author of "Flat Tire Papa, Mamma's Gonna Give Him Air", that John Philip Sousa received for phonograph renditions of his marches.

Mr. Mills urged the Committee against approval of adherence to the Berne Convention which provides automatic copyrights in all countries which are signatory.

"We would be no better off under the Berne Convention despite the fact there is no nationality in music", he said. "It is impossible for United States citizens to protect their rights in Italy or Germany, for example.

"Why not an aristocracy of these people who create?" he asked. "Give them protection and encourage them as guaranteed under our Constitution. Or if you do not believe in that theory, then let's kill all copyright laws and kill creation with it."

Mr. Mills told the Committee that \$80,000,000 worth of radio time was sold on the air in one year, that \$50,000,000 was paid by radio listeners to power and light companies for energy to operate their sets, and that \$500,000,000 was spent for radios.

"Yet the 45,000 composers and authors who are members of our Society received only \$2,680,406.46 out of what must have been a billion dollars' worth of business", he said. "The radio is inarticulate until created material is made available."

Rudy Vallee, while admitting that he had not read the Duffy Bill but was familiar with ASCAP views on it, said the Duffy Bill would "damage irreparably" the creative inspiration of the country. While he talked the House members on the Committee bickered.

Representative O'Malley (D.), of Wisconsin, questioned Mr. Vallee and placed into the record complaints of small beer parlors in Wisconsin that ASCAP had used "hijacking tactics" on.

Coming to the defense of ASCAP, Representative Daly (D.), of Pennsylvania, said dryly:

"Mr. O'Malley saw 'Roberta', and the 'smoke' is still in his eyes."

George M. Cohan got a great reception from the Committee members, who expressed deep interest in his colorful career.

"I'm not a poet laureate or anything like that". Mr. Cohan said. "I'm just a handy man to have around - or at least Sol Bloom seems to think so."

Mr. Cohan also admitted he had read neither the Duffy nor the Daly bills, but he protested against the provision in the Duffy Bill which would eliminate the \$250 minimum penalty for copyright infringement.

"I'm not here to plead for myself", he said. "I'll get along all right, but I am here to plead for those whose only source of revenue is the compensation they receive through ASCAP for their performed works."

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MPPA VOTES TO CHANGE NAME TO NACO

The Music Publishers' Protective Association will cease to exist under that name as soon as Francis Gilbert, General Counsel for the organization, has obtained legal permission to make a change. The trade group is to be known as the National Association of Copyright Owners. Decision to assume a new title was made at a general meeting of publishers last week in New York.

The change in names was motivated by two reasons, it is reported. One was to relieve the organization of its original purpose, the enforcement of a code of trade practices or ethics. The other had to do with the realization by the publishers of the movement started among writers to establish themselves as the real owners of the copyrights to their works.

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: : : INDUSTRY NOTES : : :
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Charging that the International Broadcasting Company, operators of KWKH, Shreveport, La., performed a breach of contract in consenting to move from half-time sharing of 850 kc channel to 1100 kc in order to allow WWL, New Orleans, the cleared full-time channel, the Hello World Broadcasting Company last week was victor in a breach of contract suit. A jury awarded \$21,500 damages to the Hello World Company and the judge of the court overruled objections to reading of the decision pending outcome of a motion by defense for a new trial which is as yet pending approval.

Glen Parker has joined the announcing staff of Station WMCA, New York City. He started in radio while in High School at Erie, Pa., when he wrote continuity for Station WERE of that city. Later he became an announcer at WIBO, Chicago, and then was connected with WCAU, Philadelphia, and WPG, Atlantic City, going to New York from WIP, Philadelphia.

Charging unfair representations in radio programs, newspapers and other printed matter concerning washing machines sold in interstate commerce, the Federal Trade Commission has issued a complaint against Taylor Washing Machine Co., 2921 West Madison St., Chicago. Friday, April 3, next, is the final date for the respondent to show cause why the Commission should not issue against it an order to cease and desist from the practices alleged.

NBC has issued a folder which quotes the "NBC early bird" as saying: "In 1935 advertisers invested \$5,452,890 in NBC daytime hours." The figure does not include Sundays, it is explained.

Copies of the annual report of the American Telephone & Telegraph Company for 1935 are now available at A. T. & T. headquarters, 195 Broadway, New York City.

The place of radio in the modern war against crime will be discussed by David Sarnoff, President of the Radio Corporation of America, in a talk on "Radio as a Force in Crime Control" over an NBC-WJZ network on Thursday, March 12, from 2:30 to 3:00 P.M. EST

A direct radiotelegraph service between the United States and Haiti was opened today, March 6, for all classes of telegraph service, between the stations of the Mackay Radio and Telegraph Company here and the government stations of Haiti at Port au Prince.

3/6/36

So great has been the popular appeal of the informal talks, according to Columbia, by W. J. Cameron on the Ford Sunday Evening Hour over CBS that a total of 5,130,000 copies of his remarks have been printed to meet the demand created by the series of the past and present years.

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CBS ISSUES REPORT ON AUDITORY ADVERTISING

Investigations over a period of 34 years concerning the effectiveness of the spoken word are summarized in a report just published by the Columbia Broadcasting System under the title of "Exact Measurements of the Spoken Word, 1902-1936." The findings of 21 scientists in all are tabulated in the booklet, which is presented, in a non-competitive spirit, as a scientific tabulation of available material.

The last group of findings is concerned with advertising copy specifically. Included here are Dr. Henry N. DeWick's experiments at the University of North Carolina in 1933; Dr. Frank N. Stanton's experiments at Ohio State University in 1934, and Mr. Frank R. Elliott's summary, in 1936, of experiments conducted with Columbia University students and a group of non-university adults. Taken together these three experiments show conclusively that the auditory presentation of advertising copy is superior on the counts of pure recall, aided recall, and recognition.

An appendix contains a summary of the elaborate experiments conducted over an 18-month period at Harvard University, on the psychology of radio. These resulted in much the same conclusions as the previous work cited, and have been presented in a book entitled "The Psychology of Radio" by Dr. H. Cantril and Dr. G. W. Allport.

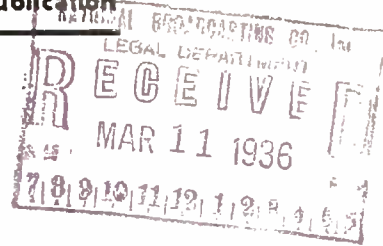
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HEINL RADIO BUSINESS LETTER

2400 CALIFORNIA STREET

WASHINGTON, D. C.

CONFIDENTIAL — Not for Publication



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Handwritten signatures and initials:
A large, stylized signature, possibly 'John', is written in the lower left.
Below it, there are several other handwritten marks, including what looks like 'L. E. X.' and some initials.

March 10, 1936

TRANSMISSION OF WRITTEN MESSAGES EFFECTED IN TESTS

Written messages and photographs are being transmitted between New York and Philadelphia in experiments conducted by the Radio Corporation of America under authority of the Federal Communications Commission. Still in an experimental stage, the service eventually may be made available to the public and be broadened to include Washington, Baltimore, and other cities, if it proves commercially feasible.

The transmission is via facsimile radio on the ultra high frequencies of around three meters. While these waves have been used heretofore for two-police communication over short distances, the RCA experiment marks the first application of them to a regular radio-telegraph service.

The New York-Philadelphia circuit is broken by two relay stations, which operate automatically. So far the tests are said to have proved satisfactory, although experiments may continue for several months before an effort is made to commercialize the service.

The transmission of written messages differs from the ordinary tape communication machines familiar to users of even telegraph facilities. It resembles more nearly the teletype equipment of the American Telephone & Telegraph Company in that transmission is by page rather than by printed word. Thus the sender is able to write out a message in long hand on a prescribed sheet of paper, and the receiver copies the message in the original handwriting. The communication, it is pointed out, would be invaluable in identifying signatures for financial transactions.

Transmission of photographs is similar to the radio-telephone transmissions now used by newspapers. The only essential difference is that radio, instead of wires, is the carrier.

Whether the new RCA service will prove commercially feasible will depend upon the outcome of the experiments and on the final determination of the cost of the equipment, now said to be complicated and expensive.

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CBS COMMUNISM BROADCAST DEFENDED ON FLOOR OF HOUSE

Following the broadcast of a talk by Earl Browder, General Secretary of the Communist Party in this country, Representative Pierce (D.), of Oregon, took the floor to defend the Columbia Broadcasting System, in the House of Representatives on March 6.

Earlier in the week the CBS had been denounced by Representative McClellan (D.), of Arkansas, and others as well as the Hearst newspapers. Congressman Pierce is a former Governor of Oregon.

"I rise in defense of the Columbia Broadcasting System for granting the use of their magnificent facilities to the leader of the Communist Party to tell his story", he said. "I am in no manner, shape, or form a Communist. The roots of my family go deep into the first settlers and the first families on American shores. I do believe in free speech and the free discussion of public questions. I think one of the worst things that could happen is to have the idea broadcast throughout the world that America is pursuing Russia's method under the Czar of suppressing free speech and the examination and study of various subjects; or pursuing the methods of Hitle, of Germany, or Mussolini, of Italy. This is America."

He then talked at length on his views of Communism, its causes and cure.

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LOBBY PROBERS EXAMINE MESSAGES OF RCA IN WASHINGTON

Employees of the Federal Communications Commission, working under the direction of the Senate Lobby Committee, examined and copied many messages transmitted by RCA Communications, Inc., and received at its Washington office during the investigation now under fire, it was learned this week.

The investigators were obviously on a fishing expedition and insisted on seeing copies of all messages, from which they had their own copies made of a few that concerned the utility holding company bill or related topics.

Employees in the Washington telegraph offices had to do the copying for the probers. It was said, however, the investigators were extremely courteous though firm in their demands.

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HEARST EXPANDS RADIO CHAIN TO EIGHT STATIONS

Expansion of the Hearst Radio chain from six to eight stations will be accomplished when the Federal Communications Commission puts its approval upon the purchase of two Texas stations KTSA, San Antonio, and KNOW, Austin, from the Southwest Broadcasting System at a price said to be above \$200,000. The entire move is subject to FCC approval.

Elliott Roosevelt, son of the President, and Vice-President of the Southwest system, secured options on the five stations owned by the group and made possible the Hearst purchases by assigning his options on the two named to Hearst Radio, Inc.

If Hearst buys WMAL, Washington, of which there exists a possibility, this will bring the Hearst radio interests to nine stations, including WCAE, Pittsburgh, WBAL, Baltimore, WINS, New York, KYA, San Francisco, and KEHE, Los Angeles.

The two Texas stations, which the group plans to bring under its management, have the following assignments: KNOW, 1500 kc., 100 w.; KTSA, 550 kc., 5000 w. day, 1000 w. night.

Hearst operates the San Antonio Light, but has no paper in Austin, Texas.

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RCA RADIO COLLECTIONS TURNED OVER TO TWO MUSEUMS

The entire collection of material for a radio museum, gathered by the Radio Corporation of America over the last decade, is being turned over to the Museum of Science and Industry in Chicago and the Ford Radio Museum in the Edison Institute, Dearborn, Mich.

The RCA exhibit even precedes Marconi, the inventor of radio, as it covers the earlier methods of communication without wires as done by Dolbear, Edison and Loomis before the discovery of the Hertz waves.

The two museums have also almost persuaded the Navy Department to lend its collection of obsolete radio equipment on the same basis as RCA.

Referring to the exhibits now in preparation, the RCA Family Circle said: "When these two displays of radio's progress shall have been set up, and properly labeled, and when RCA's projected series of booklets describing the exhibits as well as the general history of the art is available, the American public will for the first time know 'what it is all about', and doubtless 99.9 per cent of those who view it will learn, for the first time, that radio did not begin when KDKA opened up!"

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RADIO LEADERS AT WHITE HOUSE CORRESPONDENTS' DINNER

There was quite a sprinkling of radio people at the 15th Annual Dinner of the White House Correspondents, given in honor of President Roosevelt in Washington last Saturday night.

There were no speeches except a few facetious words from the President at the conclusion of the dinner who said he was glad that the ice cream course had been omitted otherwise he might have eaten so much that he would have snapped the black buttons off his vest, a sally which the crowd quickly caught.

The entertainment was presented by the National Broadcasting Company, its new President, Major Lenox R. Lohr, attending to this detail personally.

Frank Fay acted as master of ceremonies. Among those who appeared were Gladys Swarthout; Ethel Merman, singer; Jimmie Savo, comedian; Mario Cozzi, operatic baryton; the Westerners, five singers of ranch songs; Rafael, concertina virtuoso; Jemma Hurok, gypsy barytone; Niela Goddelle, pianist and vocalist, and Frank Black, who directed a 37-piece orchestra.

There was comment when a lady member of the Westerners, evidently annoyed at an interruption, stopped her song and said, "If you don't want to hear this, I'll quit", or words to that effect.

Among those present in one way or another identified with the radio industry were:

James W. Baldwin, Managing Director, National Association of Broadcasters; K. H. Berkeley, National Broadcasting Co., Washington; Col. Thad H. Brown, Federal Communications Commissioner; Harry C. Butcher, Vice-President of Columbia Broadcasting System, Washington; Vincent Callahan, assistant to Vice-President, NBC, Washington; Norman S. Case, Federal Communications Commissioner; James Chinn, Radio Editor, Washington Star; Ted Church, CBS, Washington; Martin Codel, publisher, Broadcasting Magazine; Comdr. T. A. M. Craven, Chief Engineer of the Federal Communications Commission; Thomas P. Dowd, Postal Telegraph Co., Washington; Hampson Gary, General Counsel, Federal Communications Commission; J. G. Gude, In Charge of Public Relations, Columbia Broadcasting System, New York; John W. Guider, radio counsel; F. P. Guthrie, R.C.A. Communications, Inc., Washington; R. D. Heintz, Heintz News Service, Washington; E. P. H. James, NBC; G. W. Johnstone, in Charge of Public Relations, Station WOR, New York; Lynne M. Lamm, radio news writer; Maj. Lenox R. Lohr, President, National Broadcasting Co., New York.

Also, Alfred H. Morton, NBC; Herbert L. Pettey, Secretary, FCC; George B. Porter, Assistant General Counsel, FCC; Herluf Provenson, radio counsel; Andrew D. Ring, Assistant Chief Engineer, FCC; Joan F. Royal, Vice-President, NBC, New York; Frank M. Russell, Vice-President, NBC, Washington; Kurt Sell, German Broadcasting Co.; E. O. Sykes, Federal Communications Commissioner; Sol Taishoff, editor, Broadcasting Magazine; Hon. Burton K. Wheeler, Chairman Interstate Commerce Committee; Frederick William Wile, radio commentator; Frank Wisner, Press Relations Department, FCC.

WARNER BROTHERS FILE 25 MORE COPYRIGHT SUITS

Twenty-five new actions based on the alleged infringement of song copyrights have been filed by the Warner Bros. music publishing firms. Damages sought range from \$250 to \$5,000 each for a single infringement. The twenty-five new suits, which bring the total of actions filed to date to sixty-six, are against the following stations:

WEST (two), WGAL WGST WDRC WLBZ WKBW WHEC WOKO WJAS (two)
WESG WGST (two), WORK (two), WEBR KFSO WSJS WDNC WBIG WMBR WDAE
WDBO WLAC and KMOX.

Widening the filed of their copyright litigation, Warner Brothers also has filed the first ten suits against prominent New York hotels and night clubs for the alleged infringement of copyrights owned by four Warner Bros. music publishing subsidiaries. The company said that it will continue to bring actions against additional hotels and radio stations which use their songs without license.

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COLUMNIST COMMENTS ON PRALL REAPPOINTMENT

Paul Mallon, Washington correspondent, had this to say in his syndicated column regarding the reappointment of Anning S. Prall, as Chairman of the Federal Communications Commission:

"Radio people stiffened when they learned that Mr. Roosevelt had quietly reappointed Anning Prall as Chairman of the Federal Communications Commission for another year.

"Chairmanships of such Commissions usually rotate from year to year (Interstate Commerce, Federal Trade). In fact, the chairmanship of this very Commission rotated last year from Judge Sykes to Prall.

"Men behind the mikes did not have to stretch their imaginations very far to explain the departure from custom in this campaign year.

"Mr. Prall is a good Democrat. The next in line for the chairmanship is Norman Case, who is not only a Republican, but a Rhode Island Republican.

"Note - The FCC is the strangest of all Commission. The in-fighting there has been so heavy that two of the Commissioners are not on speaking terms."

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INDUSTRY NOTES

W. A. Winterbottom, Vice-President and General Manager of R. C. A. Communications, Inc., sailed for Europe on the S.S. "Aquitania" on February 26th, accompanied by Loyd Briggs, European Communications Manager.

Judge A. L. Ashby-Vice-President and General Counsel of the National Broadcasting Company, was recently elected a member of the Executive Council of the American Section of the International Committee on Radio.

David Sernoff, President of the Radio Corporation of America, will talk on "Radio as Force in Crime Control", in the Herald-Tribune Forum over the NBC-WJZ network at 2:30 P.M. EST, Thursday, March 12th.

James A. Emery, General Counsel of the National Association of Manufacturers, will speak over the WABC-CBS network at 10:45 P.M., EST, March 12th, on the Wagner Labor Relations Bill.

The Columbia Broadcasting System has reprinted in pamphlet form a copy of a letter from Harry F. Jones, Advertising Manager of the Campbell Soup Company, to Victor M. Ratner, of CBS, suggesting that a check be made in advance of the efficiency of radio by anticipated sales of a new scotch broth.

"We are so certain that the results are going to be close to the sensational side", the letter stated, "that we believe you can safely suggest to your mailing list that they take the trouble - or have Mrs. Mailing List take the trouble - to check sales in grocery stores where they deal."

Last April laws were passed in Norway to restrict interference with radio reception, and since then 4,100 sources of interference have been investigated and 2,635 motors and other electrical apparatus have been modified to eliminate disturbances.

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FCC ORDERED BY SENATE TO REPORT ON WIRE SEIZURES

Climaxing a series of attacks on the Federal Communications Commission for aiding the Senate Lobby Committee in seizing telegrams in connection with the lobby probe, the Senate on March 9th adopted a resolution ordering the FCC to submit a detailed report on all of its activities in connection with the investigation.

The resolution, introduced by Senator Borah, reads as follows:

"Resolved, That the Federal Communications Commission be, and the same hereby is, requested to report to the Senate all activities of its agents in any inspection or alleged seizure of telegrams and records and telephone communications, or other private communications, to or from any point in the United States; or investigation of forged or destroyed telegrams; and that the Federal Communications Commission inform the Senate by what authority and under what law and at whose direction the action of the Commission was taken."

Senator Borah acted on reports that the Black Committee and the Communications Commission had made "wholesale seizures" of telegrams and telephone records, it being alleged that Committee agents had inspected more than 5,000,000 telegrams. Senator Borah said he did not offer the resolution in any spirit of censure, and added that when the facts were known he might be found among those who approved the action of the Committee.

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NEW JERSEY PREPARES TO BAN RADIO FROM COURTS

Broadcasting of court trials would be prohibited in New Jersey by a bill pending in the Legislature. It is an outgrowth of the trial a year ago at Flemington of Bruno Richard Hauptmann as the Lindbergh baby murderer.

The radio-photograph bill, which is designed to protect the dignity of court proceedings, would bar all such equipment from court rooms, except as a part of the evidence in any case.

"In recent years", declares a statement preceding the body of the bill, "impulses inspired and prompted by commercial instincts and desire for monetary gain have from time to time threatened to impair a proper and efficient administration of our courts despite the quiet dignity, the abounding courage, and the high degree of intelligence of New Jersey judges.

"It is most essential to the proper administration of all the courts of record in this State and especially those dealing with cases where the life of a citizen is at stake that rigid decorum be maintained free from influences which tend to divert the attention and thoughts of persons responsible for the proper functioning of our courts, as well as those involved as jurors, litigants, and witnesses from the fundamental issues and proper and legal evidence relevant thereto."

The bill (S27) introduced by Senator Hendrickson, has been passed by the Senate and is awaiting action by the Assembly, which is expected to concur.

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RADIO TELEGRAPHISTS OPEN FIGHT ON COPELAND MEASURE

Vigorous opposition to the Copeland Bill intended to promote safety of life at sea through revised regulations governing the use of radio was voided last week by the American Radio Telegraphists' Association.

Through Hoyt S. Haddock, President, the Association attacked the measure (S. 3954) on eight grounds. Labelling it "anti-social" and the work of the ship owners, Haddock charged that the bill:

"Takes away the rights of radio operators to strike.

"Permits the willful revocation of radio officers' licenses by pressure from steamship and radio companies through the Federal Communications Commission, a political body appointed without consideration as to the knowledge of its members regarding communications.

"Endangers the lives of passengers and seamen aboard American vessels by permitting persons other than the masters of such vessels to control radio communications in times of emergency.

"Reverses a basic principle of American law by making a radio officer prove his innocence, instead of the State proving his guilt.

"Allows the Federal Communications Commission to control the radio officer's personal habits and desires.

"Places the radio officer on a twelve-hour minimum day where in most cases he is on an eight-hour minimum at present.

"Permits the use of an auto-flare, a device purported to receive a distress signal mechanically, despite the fact that use of the device has proved it to be of no practical value.

"Sets up a censorship of free speech and freedom of the press by radio officers and other persons."

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HIGH PRAISE FOR HARBORD'S NEW BOOK

No better war book has thus far appeared than "The American Army in France", by Major Gen. James G. Harbord, U.S.A., Retired, now Chairman of the Board of the Radio Corporation of America, according to Major Gen. David C. Shanks, who, reviewing the publication for the Sunday New York Times of March 8th, wrote:

"At the outset it may be stated that General Harbord's book does not suffer by comparison with any that have preceded it. In many respects Harbord is the best qualified man in our army to tell the story of our participation in the great conflict. Secretary Baker did not overstate the facts when he said: 'There is no soldier in the American Army whose contact with the whole Expeditionary Force was comparable to that of General Harbord.'

"The first duty that confronted General Pershing was to select his staff. Of all staff officers the Chief of Staff is the most important. He is the keystone of the arch. He submits to his chief all matters that demand his attention; he lifts from the shoulders of his chief all business not involving questions of policy. In the absence of the commanding general, the Chief of Staff is his representative and interpreter. Loyalty, ability, judgment, tact and personality are the ingredients of a successful Chief of Staff. I think that those who know General Pershing will agree that one of his greatest assets is sound judgment - especially judgment with reference to men. General Pershing might have chosen for his Chief of Staff almost any officer in our army. He chose Harbord, and he chose wisely.

"Harbord's services in the A.E.F. covered a wider field than fell to the lot of any other officer. His work as Chief of Staff had been outstanding. But, like the true soldier he is, he wanted service on the firing line. General Pershing granted his wish and he was assigned to command of the Marine Brigade, which was one of the infantry brigades of our famed Second Regular Division. . . . It was in the vicinity of Belleau Wood and Vaux that the Second Division made its gallant stand that stopped the German onrush - and saved Paris."

General Shanks concludes:

"I do not know where else our national effort is better set forth than in this book by General Harbord. He is gifted both with facts and with the power of setting down these facts in a pleasing and informative way."

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3/10/36

STORY OF "LUTHERAN HOUR" TOLD IN BOOKLET FROM KFUE

The story of a unique radio program, whose sole purpose is to broadcast the messages of the Christian church over the country, is told in a booklet just issued by the Concordia Seminary, St. Louis, which operates KFUE.

"The Lutheran Hour" has its own network, comprising eight stations in addition to KFUE, and is broadcast each Sunday at 1:30 P.M., EST. The other stations are WCAE, Pittsburgh; WLW, Cincinnati; WGAR, Cleveland; CKLW, Detroit; WINS, New York; WJJD, Chicago; KSTP, St. Paul, and KFAB, Lincoln, Nebr. Short-wave Station W8XAL, Cincinnati, also carries the program.

Sponsors of "The Lutheran Hour" pay full station rates for the program and claim "a wider response than any other purely religious program on the air today."

"The Lutheran Hour" has been heard in every State east of the Rockies, the booklet states, and in remote sections of Canada. "Short-wave Station W8XAL, Cincinnati, takes the program to the corners of the earth", it adds.

Dr. Walter Arthur Maier is the principal speaker on the "Lutheran Hour". Rev. H. H. Hohenstein is Director of KFUE.

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WLS RETAINS CST SCHEDULE AS CHICAGO CHANGES

Station WLS, 50,000-watts Chicago, which serves a huge rural audience, remained on Central Standard Time after Chicago's City Council decreed the city would adopt Eastern Standard Time on March 1st.

A poll of WLS listeners brought in a 65 to 1 vote against the switch in time. Chicago and suburbs alone voted 34 to 1 against the change. The exact figures in the Midwest vote were 65,718 against 1,211 for the change. WLS officials regarded this vote as a mandate from listeners. Weather, temperature, time, news, and above all, market reports services would be disrupted by the change, station executives pointed out.

All other Chicago radio stations are adopting Eastern Standard Time.

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3/10/36

WOR STAFF GIVES DINNER TO NEFF AND ROGOW

The management of WOR, Newark, tendered a dinner on March 5th in the Hotel Waldorf-Astoria for its sales staff and executives to Sales Manager Walter J. Neff and William O. Rogow, senior salesman, both of whom have resigned. The dinner was presided over by Theodore C. Streibert, assistant to the President, and attended by Chief Engineer Poppele, Program Director Seebach, Public Relations Head Johnstone, and the entire sales staff.

In the absence of President Alfred J. McCosker, away on Winter vacation, Mr. Streibert presented attractive desk clocks to Messrs. Neff and Rogow. The sales force gave them desk cigarette humidors.

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REMARKABLE NEW DX AERIAL IS DESIGNED

Heinie Johnson, 1006 S. Barker St., Bloomington, Ill., well known short-wave writer, experimenter and designer of numerous circuits, after two years research, is about ready to spring a remarkable new custom built, tuneable, short-wave antenna, according to Charles Morrison, editor, The Globe Circler, published by the International DXers Alliance, Bloomington, Ill.

Mr. Johnson asserts the antenna will double the volume over most conventional aerials now in use. An entirely new type of wire has been developed to go with the antenna. This is an aerial designed exclusively for DX work by a pioneer Dx'er. Advance orders will be filled in order received, when the aerials are ready.

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A Mexican Presidential decree recently established separate tariff classifications for radio antenna, loud speakers and cabinets, without, however, changing the existing rates of import duty, according to a report from Commercial Attache Thomas H. Lockett, Mexico City, to the Commerce Department, Washington, D. C.

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HEINL RADIO BUSINESS LETTER

2400 CALIFORNIA STREET

WASHINGTON, D. C.

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"SATELLITE STATIONS" SEEN SERVING URBAN AREAS OF U. S.

The formation of groups of "satellite radio stations" to serve urban areas in place of one high power transmitter constitutes "an interesting possibility", Lloyd Espenschied, of the American Telephone and Telegraph Company told one of the committees preparing for the Fourth Meeting of the C.C.I.R. at Washington last week.

Reading a paper on "Synchronization of Broadcast Stations" Mr. Espenschied said:

"Instead of employing one high power transmitter at a distance from the region to be served, a number of very low powered transmitters could be located throughout the area, effecting a great reduction in the total required power. Also, because of the low power required, the same frequency could be used for other similar groups about the country without interference."

Some of the arguments and background leading up to this conclusion as brought forth in the paper, follow:

"In recent years it has been recognized that it is technically possible to operate more than one broadcasting station on the same frequency assignment in the same geographical area, especially when they radiate the same program. To be successful, such common frequency broadcasting imposes fairly stringent technical requirements which must be met. It is attractive, however, because of the opportunity it presents of making more efficient use of the available frequency assignments.

"Common frequency broadcasting is in successful commercial use in several countries. Thus, in Great Britain a network of a dozen or more stations is operated on the same frequency. In Germany there are two networks, one in the North and one in the South, each comprising several stations. The United States, although in the forefront from the standpoint of technical development, has lagged behind in the commercial application of common frequency broadcasting. There are at present in operation in this country only three pairs of synchronized stations. These are WBZ and WBZA in Massachusetts, WJZ and WBAL in New Jersey and Maryland, and KFAB and WBBM in Nebraska and Illinois, respectively. The common frequency operation of two other pairs of stations which were previously synchronized has been discontinued. These are WHO and WOC in Iowa, and WEAJ and WTIC in New York and Connecticut. In addition to these, a test was made for a short time involving the operation on the same frequency of a number of other eastern stations.

"Over the past five or ten years the Bell System has done a considerable amount of work in determining the technical requirements and limitations of common frequency broadcasting. In addition to laboratory work, a large volume of data was collected from measurements in the field including a series of measurements in the neighborhood of WHO and WOC, an extended series of tests in cooperation with the Columbia Broadcasting System involving the experimental synchronization during early morning hours of stations WHK, WKBW, and WABC, and some cooperative work with the National Broadcasting Company. Similar work has also been done in England, Germany and elsewhere. The investigators in the various countries have arrived at very closely the same results.

"Surrounding a broadcasting station is a 'normal service area' within which good reception can be counted upon, and outside of which the reception is not good for at least part of the time either because the signal is too weak or because there is fading and distortion due to interference between the ground wave and the sky wave. The radius of the normal service area is a function of the station power and of the particular characteristics of the territory such as noise level and radio attenuation. When two stations are operated on the same frequency assignment, there will be an interference zone, where reception is characterized by fading and distortion, in the intermediate region where the fields laid down by the two stations are of nearly the same strength. The desired requirement is that the interference zone shall not infringe on the normal service areas of either station, but shall lie wholly between them.

"From this, two things are evident. First, there is a limit on how close together it is satisfactory to operate stations on the same frequency. The distance which should separate the stations is dependent upon the station powers and the other factors which affect the size of the normal service areas, and also on the size of the interference zones. Secondly, since the service areas of two stations operating on the same frequency cannot be contiguous, a given geographical area cannot be completely served by a network of stations operation on a single frequency. At least two, and theoretically three, frequencies must be used, the stations being so staggered that the normal service areas of the stations on one frequency fall on the interference zones of the others.

"A further matter which affects the size of the interference zone and therefore the spacing of the stations is the equalization of the program delays. If, because of the propagation time of the program circuit, the program reaches one station slightly later than another, an additional source of interference to the listener who can hear both stations is produced, which tends to increase the size of the interference zone. The experimental work showed a definite improvement in certain regions on the fringes of the interference zone when the program delays were equalized, but opinion differs as to whether as a practical matter the improvement justifies the expense. It may be noted that the program delays are equalized in the case of

the Columbia stations KFAB and WBBM. However, the difficulty of doing this increases with the number of stations on the network, in view of the desired flexibility as to possible points of origin of the program.

"There are four principal methods of obtaining common frequency operation of broadcasting stations:

- "(1) Equipping the stations with carrier generators of sufficient stability to permit independent operation with the necessary accuracy on the same frequency.
- "(2) Adjusting the frequency of one station to that of another, the adjustment being based upon or controlled by the carrier beat at some intermediate monitoring point. This method is probably not adaptable to a system of more than two stations.
- "(3) The derivation of the station carriers directly by frequency multiplication from control or reference currents transmitted to the stations by wire from the same source.
- "(4) The control of the frequency of the locally generated carriers, by automatic comparison with control or reference currents transmitted to the stations by wire.

"The first method is the one in use in England. The second was used with considerable success in the case of WOC and WHO. The third is used by one of the German networks, by the pair of stations WBZ and WBZA, and by the pair WJZ and WBAL, while the fourth is employed in the other German network, and in this country in the case of Stations KFAB and WBBM.

"We have in mind a variation of method (4) in which instead of furnishing continuous control to the stations over special control circuits, intermittent control may be furnished over the program circuits themselves for a few seconds every 15 minutes during the station announcements. With the present day stability of crystal oscillators, a correction every 15 minutes should suffice to meet the requirements. This would considerably reduce the cost. The development of this method has not been carried through to completion because of the lack of activity in common frequency broadcasting in this country.

"It appears to us that the advantages of common frequency broadcasting warrant its further development with the aid of the broadcasting companies and of the Federal Communications Commission."

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3/13/36

WARNER BROTHERS REPORTED THREATENING TO FORM NETWORK

Warner Brothers, now engaged in a dual scrap with the American Society of Composers and the major networks over copyright issues, is reported to be threatening to organize a radio network of its own to form not only an outlet for its motion picture talent but for the popularization of the songs it controls as well.

Harry Warner was reported to have made an indefinite statement at Kansas City last week that Warner Brothers would establish a coast-to-coast broadcasting chain.

Commenting on the report, Billboard, under a Los Angeles dateline said:

"The rumors of a planned third chain backed by Warner Brothers' money, has been in circulation for many weeks; in fact, ever since the break with ASCAP. Rumor has been gaining impetus on the Coast with the presumption that Warners seek greater outlet for their music from films and product from several publishing subsidiaries.

"It appears that the deals now on tap will be consummated within several months, in time for agencies and sponsors to buy time for the Fall. Inside tips are linking WOR, Newark, 50,000 watt, as a possibility for the Eastern big station which will stretch a web to KFNB here, which is owned by Warners."

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ZENITH BIDS \$750,000 FOR GRIGSBY-GRUNOW PROPERTY

At a Receiver's Sale, Irving Herriott, General Counsel for Zenith Radio Corporation, on March 10th, bid \$750,000 cash for the real estate, good-will, patents, trademarks, machinery, personal property, etc., of the Grigsby-Grunow Company, according to the Dow-Jones Exchange.

Frank McKey, Trustee in Bankruptcy for Grigsby, recommended to the Referee that the Zenith bid be rejected. The Referee continued the hearing until 11 o'clock Monday, March 16.

John Ready, whose principals are unknown, was the only other bidder for the property. Bidding started at \$600,000 and Mr. Ready's last bid was \$725,000.

Zenith is known to be considering moving into larger quarters because the substantial improvement in business it has enjoyed in the past year has taxed the present facilities, the Dow-Jones report stated.

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3/13/36

STEWART PROBABLY NOT GOAT IN FCC PROBE

The Federal Communications Commission is preparing its defense of the aid given the Senate Lobby Committee in examining thousands of telegrams in the Washington offices of telegraph and radio-telegraph companies last Fall.

The defense, it is said, will point out that the procedure was merely incidental and supplementary. The FCC will assert that Senator Black (D.), of Alabama, has no telegrams in his possession not obtained under subpoenas issued by his Committee and that telegraph companies were not ordered by the Commission to permit Lobby Committee investigators to inspect messages.

Minutes of an FCC meeting of September 25, 1935, show that the full Commission gave Irvin Stewart authority to cooperate with the Senate Committee. This, it is believed, will prevent Commissioner Stewart from becoming the goat of the inquiry as it appeared after Anning S. Prall, Chairman, denied having anything to do with the investigation.

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SARNOFF TALKS ON "RADIO AS FORCE IN CRIME CONTROL"

"What is the relationship of radio to crime?" David Sarnoff, President of the Radio Corporation of America, asked in an address on "Radio as a Force in Crime Control" before the Herald-Tribune Round Table in New York March 12th. The address was broadcast by the NBC-WJZ network.

"Radio is the greatest means of mass communication at our command", he said. "It is a distributor of knowledge, of culture and of entertainment. Radio, therefore, can contribute the moral and mental enlightenment which should be the most effective deterrent of crime.

"But once the crime has been committed, radio takes its place as the longest arm of the police department, the speediest method of capturing the fleeing criminal.

"The part which radio plays in the detection and apprehension of the criminal is of recent date, but despite its youth, radio equipped police cars now patrol the principal cities of forty-three States. These cities have an area of 61,000 square miles, and more than 40,000,000 inhabitants. Such police cars are as closely in touch with headquarters as if a wire connected each one of them with their central police station.

"Radio has been used effectively against kidnapping, the most terrible of all crimes. Strangely enough, one of the

earliest instances of this use was in the kidnapping of the four year old son of Dr. E. F. W. Alexanderson, inventor of the famous Alexanderson alternator, one of the most important developments in the history of radio. When his child was abducted in 1923, Station WGY in Schenectady broadcast a description of the boy for several days and Dr. Alexanderson personally used the microphone and asked the public to help in the search. Four days later, a man who heard the broadcasts in a nearby town was passing what he supposed to be an abandoned shack when he heard a child singing. He investigated and found the Alexanderson boy in the custody of an old woman, who, it was determined later, had no idea that she was taking care of an abducted child.

"What is believed to be the first use of radio to capture a fugitive from justice took place in a short-to-ship transmission in 1910. The criminal was the famous Dr. H. H. Crippen of England, who had murdered his wife and was caught on the high seas.

"Today, if a criminal is known to have escaped by ship, a warning and description can be put into the hands of the master of every ship, whether it is an hour or a week out of port. Recently, the police of Poland flashed by radio, a photograph of a suspected forger. As he walked down the gang-plank in New York, he was quickly identified and arrested.

"Among other radio aids now at the command of the police are such devices as the photoelectric cell activated by a beam of invisible, or infra-red light, thus forming a surprise 'crime alarm' which an intruder on the protected premises cannot circumvent. Then there is the so-called 'gun detector', now in use in an increasing number of prisons, to prevent the smuggling of weapons or tools by convicts from workshops to their cells.

"Many other radio devices aid the work of the police. By means of facsimile transmission, rogues' gallery pictures and finger-prints can be flashed instantly across the continent or across the sea."

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PRALL BEGINS SECOND TERM AS FCC CHAIRMAN

Anning S. Prall, of New York, who on March 11th began his second year as Chairman of the Federal Communications Commission, issued the following statement:

"Naturally, I am gratified over my reappointment by President Roosevelt to serve as Chairman of the Commission for another year. It will be my constant effort to justify his trust in me by equipping my office in the best interests of the people of the United States.

"In appraising the work of the Federal Communications Commission it should be kept in mind that, except for radio, the Commission has undertaken an entirely new work. It is breaking new ground in the regulation of telephones and telegraphs. Of necessity, this work has been slow and arduous. The Commission was desirous of avoiding mistakes that might result from undue haste.

"The Commission has not been infallible. It may have made errors of judgment but, I am confident, if it has made any they are inherent in the functioning of any new organization and it will profit by them in its future work."

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ELLIOTT ROOSEVELT IS NEW DIRECTOR OF KTSA

Elliott Roosevelt, who has taken the leading role in the Hearst acquisition of two Texas stations - KTSA, San Antonio, and KNOW, Austin - was recorded in Austin this week as a Director of the KTSA Broadcasting Company, which is the Hearst subsidiary.

The Southwest Broadcasting Company, of San Antonio, at the same time filed an application with the Federal Communications Commission, for permission to assign the license for KTSA to the KTSA Broadcasting Co.

The latter organization was chartered with a capital stock of \$500,000 paid in 500 shares. R. F. McCauley, of New York City, holds 498 shares, and W. L. Mathews and Clinton G. Brown, Jr., of San Antonio, one each.

A report meanwhile came from Philadelphia that Hearst is angling for WFIL, Philadelphia. Apparently engaged in forming a new radio chain, the publisher now controls eight stations, subject to FCC approval of the Texas purchases, and is seeking to buy WMAL, one of the NBC outlets in Washington.

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HEARING IN "BROOKLYN CASES" AGAIN POSTPONED

The Federal Communications Commission this week again postponed the new hearings on the so-called "Brooklyn" cases until May 7, 1936. The hearing had been scheduled to start April 6.

Involved in the cases are the former FCC proposal to delete WLTH, WARD, and WVFW and to increase the time of WBBC on 1300 kc. and to grant a new construction permit to the Brooklyn Daily Eagle for operation part-time on the same frequency.

The cases have become deeply involved in politics since the Commission agreed to rescind its order for deletion and to hold new hearings.

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COMMITTEE WRANGLES AS COPYRIGHT HEARINGS CONTINUE

The House Patents Committee ended its third week of hearings on the Duffy, Sirovich and Daly Copyright Bills March 12th in a row between Senator Duffy (D.), of Wisconsin, and Representative Daly (D.), of Pennsylvania, with Representative Deen (D.), of Georgia, threatening to withdraw from the Committee.

Although James W. Baldwin, Managing Director of the National Association of Broadcasters, had expected to be called early in the week, the only witnesses heard were Senator Duffy and Dr. Walter McClure, of the State Department. Mr. Baldwin hopes to be heard next Tuesday, when the hearings are resumed.

Congressman Deen's threat to withdraw from the hearings was made after Messrs. Duffy and Daly had exchanged sharp words and the Senator had complained that he was being "badgered".

Senator Duffy had reiterated previous charges of "racketeering" on the part of the American Society of Composers, Authors and Publishers, particularly in their dealings with inn and tavern keepers.

On Tuesday Senator Duffy characterized as "silly" charges that the power trusts had influenced the preparation of his copyright bill. He said the measure had been drafted by two State Department employees, two Government copyright experts, and a Department of Commerce authority in a series of meetings with him. In answer to a question, he said the bill had the approval of the Administration at its inception and he believed it still had.

Most of his testimony had to do with the provision eliminating the \$250 minimum copyright infringement penalty. He spoke of officials of ASCAP as "arbitrary and arrogant" in their dealing with hotel and inn owners.

Dr. McClure, who was one of the State Department men who aided in drafting the Duffy Bill, appeared to defend the measure. Speaking on the exclusion of the \$250 infringement penalty, he said:

"It is a question of whether there is to exist in American law protection for the thousands of Americans who own radio sets or the 1,000 members of the American Society of Composers, Authors and Publishers.

"Owners of radio sets, even if they do use them incidentally for profit, should be free to use them without this type of molestation."

Under cross-examination neither Mr. Duffy nor Dr. McClure offered any specific instances of alleged extortion by ASCAP and both said they were unfamiliar with the rates and fees charged by the Society.

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INDUSTRY NOTES

Because of delay in printing report forms required under Section 219 of the Communications Act of 1934, the Federal Communications Commission has extended the period for filing such reports by carriers and persons directly or indirectly controlling carriers for 45 days. The reports would have been due April 1 without the extension.

The Old Dominion Broadcasting Co., CB^D subsidiary which operates Station WJSV, has filed an application with the Federal Communications Commission for a construction permit for a new general experimental station to be operated on 31,600, 35,600, 38,600, 41,000, 86,000-4000,000, 401,000 kc. and above, 100 watts, A3 and special emission.

The National Broadcasting Company has applied to the Federal Communications Commission for a construction permit to install new equipment for Station KGO, San Francisco, and to increase its power from 7½ KW to 50 KW and to move transmitter to near Belmont, Cal.

Sutton Laboratories, Inc., Chapel Hill, N. C., is charged in a Federal Trade Commission complaint with unfair competition in the sale of "Linoil", offered as a remedy for treating diseases of the feet. The respondent's representations, allegedly made in radio broadcasts and in advertising matter, to the effect that "Linoil" will cure exzema, that it is effective in the treatment of athlete's foot, ringworm, or other fungus infections of the feet, in all cases, and that it is an adequate and safe treatment for toe itch of all forms, are untrue, according to the complaint.

With the acquisition of two new men, the NBC Radio City announcers staff officially attains its full complement of twenty-six. These latest recruits are Jack Costello, formerly of KSTP, St. Paul, and John Fraser, who received his microphone training at Massachusetts and Connecticut stations.

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ASCAP ISSUES FIRST INTERNATIONAL COMPOSERS' DIRECTORY

A directory of composers, authors and publishers of musical works and of performing rights societies throughout the world, as of January 1, 1936, has just been compiled by E. C. Mills, General Manager of the American Society of Composers. A copy of this work, which contains the names of 45,000 composers and publishers in twenty-five countries, and which is about the size of a telephone directory of one of our large cities, has been sent to every licensed broadcaster in the country with the compliments of the Composers. The directory is not for sale.

It is believed to be the first publication of its kind ever issued and, according to Mr. Mills, has received 100% approbation of the broadcasters and other users of the works.

The composers are identified by nationality, and the society to which they belong. There is a foreword containing a resume of the copyright laws of the United States and the copyright relations of this country with all foreign countries as well as an extensive bibliography of copyright and citation of leading decisions throughout the world under litigation affecting copyright.

"It is our hope that a substantial service will be rendered to licensees of the American Society of Composers through publication of this listing", Mr. Mills said in the foreword. "So far as we know, it is the first publication of such a listing that has ever been attempted, and errors incident to translation and unavoidable delays conducting correspondence with foreign countries may have occurred. We shall be grateful to have any such called promptly to our attention."

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RCA "B" STOCK REPLACEMENTS IN N. Y. EXCHANGE

Holders of "B" stock in the Radio Corporation of America are being advised that the certificates of deposit which they will receive in exchange for their stock under the company's plan of recapitalization have been listed on the New York Stock Exchange.

In making that announcement, David Sarnoff, President of the RCA, added that the corporation had received from its counsel an opinion that stockholders exchanging their "B" stock under the plan will not realize taxable gain or deductible loss under the present Federal Revenue Act.

The Radio Corporation will issue the new First Preferred Stock, bearing dividends from April 1, 1936, as soon as the recapitalization plan has been declared operative. A special meeting of stockholders to vote upon the plan has been called for April 7, the date of the annual stockholders' meeting.

The recapitalization plan provides for the redemption of all the outstanding 7 per cent "A" Preferred stock of the Radio Corporation at the call price plus accrued dividends, and for the exchange of its "B" Preferred stock for a new \$3.50 Convertible First Preferred stock and Common stock, at the rate of one and one-fifth shares of the new Preferred stock and one share of Common stock for each share of the present "B" stock.

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WARNER MUSIC FIRMS FILE 21 MORE DAMAGE SUITS

With 239 radio stations throughout the country licensed to broadcast songs copyrighted by the Warner Bros. music publishing companies, additional actions against non-licensed stations continue to be filed. Twenty-one new infringement suits have just been filed throughout the country by correspondent attorneys for the music companies, bringing the total number of actions against unlicensed radio stations to ninety-seven.

The twenty-one latest suits filed include seventeen against radio stations KSCJ KTRH WHAS KVOR WBRC WALA KLRA WSBT WREC WCAO WBT KWKH WQAM WFBL WSJS WWL and WJR for the alleged infringement on January 23rd of "That Old Fashioned Mother of Mine." The suits are being brought by Harms, Inc., publishers of the song, and damages of \$5,000 are being sought from each of the seventeen stations. Other stations named in similar suits are: KWKH, \$5,000 damages Station KWKH for alleged infringement on February 17th of song "Three Little Words; Remick Music Corp., another Warner music publishing subsidiary, bringing suit against Station WOCL, Jamestown, N.Y., for alleged infringement Feb. 26th of "Whistle and Blow Your Blues Away"; M. Witmark & Sons is also suing WOCL for alleged infringement of "The Words Are In My Heart" on February 26th; Witmarks have also filed an action against WSOC, Charlotte, N. C., for the alleged infringement on February 23rd of Victor Herbert's "Gypsy Love Song".

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APPLICATIONS GRANTED BY FCC BROADCAST DIVISION

WDBJ, Times-World Corp., Roanoke, Va., CP to install new equipment, increase day power from 1 to 5 KW, move transmitter and studio locally in Roanoke; WIOD-WIBF, Isle of Dreams Brdcstg. Corp., Miami, Fla., CP to install new equipment; WRJN, Racine Brdcstg. Corp., Racine, Wis., Mod. of CP covering changes in equipment, approval of antenna and transmitter site from Racine to Mt. Pleasant, Wis.; KBIX, Oklahoma Press Pub. Co., Muskogee, Okla., Mod. of CP approving transmitter site and studio in Muskogee, and proposed antenna system; KYA, Pacific Brdcstg. Corp., San Francisco, Cal., Consent to voluntary assignment of license to Hearst Radio, Inc.; KWBG, W. B. Greenwald, Hutchinson, Kans., consent to voluntary assignment of license to The Nation's Center Broadcasting Co., Inc.; WHBL, Press Pub. Co., Sheboygan, Wis., CP to move station locally and make changes in equipment and antenna system.

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HEINL RADIO BUSINESS LETTER

2400 CALIFORNIA STREET

WASHINGTON, D. C.

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BORAH REPORTED BACKING PAYNE FOR REAPPOINTMENT

Prospects for the reappointment of George Henry Payne, of New York, for a place on the Federal Communications Commission have increased considerably, it is reported on reliable authority, with the non-public statement by Senator Borah that he would exert his influence in that direction.

Not only because he is a candidate for the Republican nomination for President but on account of his seniority among the Western group of Republican Senators, Senator Borah would prove a powerful factor in the selection of the Republican Commissioner before July 1, when Mr. Payne's two-year term expires.

Only two serious obstacles appear to stand in the way of Commissioner Payne's renomination, according to persons close to the Administration. One is his bitter feud with Anning S. Prall, Chairman of the FCC, and the other is that some of the Western Senators have complained that their section of the country is not represented on the Commission.

Offsetting this, however, is the fact that Mr. Payne ranks as probably the outstanding liberal and progressive member of the Commission and so typifies most faithfully the character of a Commissioner preferred by this same group of Western Senators.

Washington political observers are inclined to discredit earlier published reports that Judge John C. Kendall, an attorney of Portland, Ore., or former Commissioner Harold A. Lafount might be named to succeed Mr. Payne. Judge Kendall is said to have such a lucrative law practice that he would not accept the commissionership if it were offered to him, while Mr. Lafount is reported out of the running, having been once turned down by President Roosevelt.

While the friends of Chairman Prall, both in Congress and in administrative circles, will doubtless do all they can to prevent Mr. Payne from continuing with the Commission after July 1st, Mr. Payne is no mean politician himself and also has influential friends of which Senator Borah is an outstanding example.

Friends of Commissioner Payne point out that Mr. Prall will not remain as Chairman of the FCC during his 7-year tenure and that consequently his feud with Mr. Payne will not be so important once he reverts to the rank of a Commissioner without a Chairman's prestige.

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Of interest in connection with the FCC reappointments is the fact that Irvin Stewart, of Texas, Chairman of the Telegraph Division, is the next Commissioner to come up for reappointment. Generally recognized as one of the ablest Commissioners from the point of view of technical knowledge of radio and communications, Mr. Stewart is assured of reappointment if Mr. Roosevelt is reelected. His term expires July 1, 1937.

However, should a Republican be elected President this Fall, Mr. Stewart would be the first Commissioner to suffer as a Republican would be appointed to succeed him so that the 4-3 majority would be shifted from the Democrats to the Republicans.

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DEMAND FOR RADIO SETS GROWS IN IRELAND

The demand for radio receiving sets in the Irish Free State is steadily expanding, according to a report from Vice Consul E. J. King, Dublin, made public by the Commerce Department. Official figures show that at the beginning of the current year there were 78,600 licensed receiving sets in the country compared with 30,000 at the same period of 1932.

As there is no domestic manufacture of radio sets, the demand can be gauged by imports, the report states. In 1935 imports were valued at £235,000; in 1934, £225,000; in 1933, £226,000; in 1932, £136,000; and in 1931, £132,000.

It is estimated that 55 percent of the receiving sets sold in the Free State at the present time are electric and the remainder battery operated. However, as the spread of electric current continues throughout the country the number of battery sets is being reduced each year.

Approximately 80 per cent of the radio sets sold in the Irish Free State market are mantel models. The most popular type is the five-tube sets with a wave length of from 200 to 2,000 meters, but the trend is toward all-wave sets, sales of which showed marked improvement in 1935. Practically all of the all-wave sets sold last year were of American manufacture. This year most of the British manufacturers are including all-wave sets in their models, it was stated.

The most popular radio on the Irish Free State market today is an American make locally assembled, with the Dutch make "Philips" ranking second, the report shows.

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NEW METER RECORDS POPULARITY OF RADIO PROGRAMS

While not the first device to record radio program popularity by means of checking the use of electric power, a new radio meter has been invented and put to use at the Massachusetts Institute of Technology in Boston. It is the invention of Louis E. Woodruff, Professor of Electrical Engineering.

Studies conducted by Robert F. Elder, Associate Professor of Marketing, show that radio listeners increased in Greater Boston when Herbert Hoover spoke and also when President Roosevelt addressed his constituency over the air.

The meter is attached to the radio and shows the time when the radio receiver is turned on and off, the station tuned in, and all station changes. One hundred meters have been in use ten weeks, covering 1,000 homes.

They were distributed by neighbors to obtain a cross-section considered representative; 5 per cent of the meters went to homes of upper income levels; 20 per cent to upper middle class; 45 per cent to skilled mechanics, small merchant class; 30 per cent to low-paid and relief class. This approximates distribution of radios in the entire population.

Two Hoover talks were caught at 10 P.M.; the number of listening sets rose each time 10 to 15 per cent.

President Roosevelt's message, coming at 9 P.M., showed a rise in listeners from 38 per cent, the previous hour, to 48.

Professor Elder said that the power drop might be accounted for by families turning out two or three lights in the house while gathering around the radio.

Although news is outstanding in favor, it shows scrambled results at 6 P.M. The top class in income then chooses news, the middle income class takes jazz and the low income group chooses melodrama.

The top incomes are those more than \$2,500 and the low under \$1,200.

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INSULL CHAIN TO START IN APRIL WITH 17 OUTLETS

The Affiliated Broadcasting Company, a regional chain of which Samuel Insull, former Chicago utility magnate is President, will begin operations between April 15 and May 1 with 17 stations, according to a statement issued in Chicago.

The hookup will comprise the following outlets:

Wisconsin - WRJN, Racine; WCLO, Janesville; WHBY, Green Bay; WOMT, Manitowac; KFIZ, Fond du Lac; WHBL, Sheboygan.

Indiana - WWAE, Hammond; WTRC, Elkhart; WLBC, Muncie; WBOW, Terre Haute; WEOA, Evansville.

Illinois - WCLS, Joliet; WJBL, Decatur; WTAX, Springfield; WHBF, Rock Island.

Minnesota - WDGY, Minneapolis; Missouri - WIL, St. Louis

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RIGHT TO USE NEWS NAMES IN SPONSORED PROGRAM UPHELD

The right of a broadcaster to use the names of persons who figure in the news on a sponsored radio program without violating the Civil Rights Law was upheld last week in New York Supreme Court at Rochester. The decision accorded the same privilege to radio that has long been used by newspapers and other printed publications.

Joseph J. King, Rochester carpenter, sued Walter Winchell, the Jergens Company and the National Broadcasting Company for \$50,000 alleging that the use of his name on a broadcast on October 7, 1934, was a violation of the Civil Rights Law prohibiting the unauthorized use of any person's name for advertising purposes.

The news paragraph in question was as follows:

"Rochester, N. Y. - Joe King is old enough to know better, but perhaps he was absent-minded that way. Anyway, Joe climbed a tree, sat down on a limb and then, believe it or not, sawed off the branch he sat on. He will be out of the hospital soon."

King further claimed that his reputation had been so ridiculed and damaged by the broadcast that he was unable to obtain work at his trade, and asked that damages be awarded on the additional grounds of libel and slander.

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Supreme Court Justice Willis K. Gillette, on motion of counsel for the defendants, dismissed both causes of action at the close of the plaintiff's case.

It was held that, in the first instance, King's name had not been used to advertise Jergens, and that the commercial announcements on the program were separate from the news. In the second instance, the Justice said, while the news item was humorous, it was not defamatory because it did not attack King's reputation, character or ability. He held that more than notoriety was necessary to substantiate charges of libel or slander.

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NEW CALIFORNIA STATION RECOMMENDED BY EXAMINER

Examiner George H. Hill last week recommended to the Federal Communications Commission that it grant a construction permit to Christina M. Jacobson, d/b as the Valley Electric Co., San Luis Obispo, Calif., for a station to operate on 1200 kc. with 250 watts power daytime.

The applicant is a woman who apparently has a keen sense of business. The Examiner's report points out that she "was first employed by the Valley Electric Company in 1920 and became sole owner thereof in 1930. Under her management the business has shown a consistent growth."

The Examiner recommended that an application of E. E. Long Piano Co., of the same town, for a permit on 1200 kc., with 100 watts power, unlimited time, be denied.

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POWER COMPANIES IN SWEDEN STOP INTERFERENCE

A Scandinavian correspondent reports that the Chief Engineer of the Swedish Post Office, Mr. Siffer Lemoine, declared in the course of an interview the other day that more than a hundred electricity works in Sweden have decided that all their consumers must silence any source of radio interference for which they are responsible, otherwise their electrical installations will be disconnected. Mr. Angstrom is reported to have constructed a new type of trolley which is being tried out on trams to avoid sparking.

A record increase of about 100,000 in the number of radio licenses issued during 1936 is reported. This increase is 50 per cent higher than during any of the 9 preceding years, and Sweden is now rapidly approaching the level of Denmark and Great Britain as regards the number of sets in proportion to the population. Three months ago Sweden had 129.2 sets per 1,000 inhabitants against Denmark's 163.1 and Great Britain's 153.7. The number of licenses in use on Dec. 31 was 883,000.

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SENATOR COUZENS GIVEN "WILLARD HOTEL" FILE

Before the Senate had been called upon to act upon a resolution requiring the Federal Communications Commission to submit all of its evidence in the so-called "Willard Hotel Incident", the file has been turned over to Senator Couzens (R.), of Michigan.

Whether the action was concurred in by the whole Commission or whether the report was merely sent upon the initiative of one or more Commissioners was not clear. FCC officials were vague about the matter, while even John Carson, secretary of Senator Couzens, said he did not know the file had been submitted.

Just what Senator Couzens may do, now that he has the information, is conjectural, but it is presumed he will examine it closely and decide whether to ask for a Senate investigation of the whole incident, now twice investigated by the FCC and the Department of Justice.

The "Willard Hotel Incident" arose when a son of Chairman Anning S. Prall, of the Commission, reported an alleged conversation in which one Commissioner was said to be susceptible to bribery and political influence. Both the FCC Special Committee and the Justice Department discredited the report.

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RADIO AUDIENCE NOW 84,000,000, PALEY REPORTS

The American radio audience now numbers about 84,000,000, or approximately two-thirds of the country's population, William S. Paley, President of the Columbia Broadcasting System, declared in his annual report issued this week. Some 5,000,000 listeners were added in 1935, he said.

Mr. Paley stated that the American public is growing increasingly conscious of its interest in and responsibility toward maintenance of freedom of the air in broadcasting. He paid special tribute to the press for aiding in maintaining this freedom and sustaining the American system of broadcasting.

New policies inaugurated by CBS involving the freedom of the air in political controversies, closer supervision of programs in the interest of good taste in radio advertising, and the fixing of more exact standards for programs designed for children have proved successful, the report sets forth.

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WPA PROJECT SERIES TO TEST RADIO-EDUCATION THEORIES

The new series of Government radio programs, inaugurated by the Office of Education, Interior Department, on March 16th, is being watched by broadcasters and educational groups alike for hints as to which way the radio-education trend may go.

Financed by a \$75,000 allocation of WPA funds, the Office of Education is engaged in an experiment that may determine the policies of the Radio-Education Committee named last December by the Federal Communications Commission.

Newspapers gave the initial program a great play on the morning of March 17th almost every prominent paper carrying the stories of the broadcast on the front page. The emphasis, however, was on the humorous nature of the questions and answers exchanged between a Miss Information and a Mr. Test Master.

The United Press led its story with:

"The New Deal settled for all time last night in a nation-wide broadcast the question of how many feet has a full grown Caucasian."

Further on, it added:

"There was so much giggling and so much guffawing on the part of the actors and studio audience that the program never did reach its climax - concerning the real reason why monkeys scratch."

The Associated Press treated the broadcasts more seriously but quoted some of the more ridiculous questions and answers. It pointed out that some of the questions were "rather tricky".

William Dow Boutwell, of the Office of Education, is in charge of the series. He is assisted by Maurice Lowell, on leave from the National Broadcasting Company, and Rudolph Schramm, Washington musician. The programs are carried on NBC. They probably will continue until September.

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NEW NEWSPAPER STATION URGED BY EXAMINER

A construction permit for the Champaign News-Gazette, Inc., of Champaign, Ill., was recommended this week to the Federal Communications Commission by Examiner George H. Hill. The applicant would be permitted to operate a station on 1370 kc. with 100 watts power, daytime only.

An increase in daytime power from 100 to 250 watts was recommended for the Ardmoreite Publishing Co., which operates KVSQ, Ardmore, Okla. A request for unlimited time, however, was disapproved by the Examiner.

Examiner John P. Bramhall submitted an adverse report on the application of the Shepard Broadcasting Service for an increase in power from 500 to 1,000 watts for Station WEAN, Providence, R. I., on 780 kc., unlimited time. The grounds were that the area involved is already receiving ample service and some interference would result with WGY, Schenectady.

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BRITISH RADIO CABINET MINISTER PROPOSED BY COMMITTEE

The appointment of a British Cabinet Minister for broadcasting was recommended March 16th by Viscount Ullswater's Committee of Inquiry in a report urging that the Government renew the charter of the British Broadcasting Corporation for another ten years, according to the New York Times.

J. Ramsay MacDonald, now Lord President of the Council, was suggested at Westminster as an appropriate choice.

The Committee upheld the ban on radio advertising and said it has worked "to the advantage of listeners." A majority of the committee members suggest, however, that revenue from commercial advertisers may be needed to finance television programs in the next few years.

In the field of political broadcasting the committee found the scales have been balanced evenly between various parties although "it must recognize as inevitable that more prominence is given to leaders of the political party in power than to the opposition."

During a general election, however, the committee recommended apportioning radio time by agreement between the government Opposition and other parties.

It also suggested that all political broadcasting cease three days before polling day.

Altogether the committee found Great Britain's great experiment of a semi-official broadcasting monopoly financed by a listeners' tax and operated by a chartered corporation has worked excellently for the past decade and needs only a few minor changes.

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Reports on the radio markets in Italy, Switzerland, and Venezuela have just been issued by the Bureau of Foreign and Domestic Commerce and may be obtained at 25 cents each from the Electrical Division, Department of Commerce, Washington. D. C.

"Radio 10 Years Ago" is the title of an article by Mark O'Dea in the February 13th issue of Printer's Ink. It is one of a series of articles on "A Preface to Advertising."

Henry A. Bellows, former Federal Radio Commissioner and former Vice-President of the Columbia Broadcasting System, has been appointed Special Advertising Representative of General Mills, Inc., which is one of the largest users of radio on the air.

An important new channel of communication with Central Europe was opened yesterday, March 16th by the Mackay Radio and Telegraph Company. In cooperation with the Czechoslovakian Government Telegraph Administration a direct radiotelegraph service between the United States and Czechoslovakia for all classes of messages is to be operated. The circuit will be between the Mackay Radio stations here and the Government stations at Prague.

Contracts calling for a working agreement between the Santa Ana Journal and Station KVOE have been signed, to become effective as soon as the station moves its studio to a new site and constructs a modern vertical antenna. Formerly known as KREG, the station at present has quarters in the Santa Ana Register building.

On June 1st, General Mills will open the most extensive radio campaign in the history of commercial broadcasting. The program - five full hours a week, - will go on the air over 38 Columbia stations for an hour each day, Monday through Friday. The first broadcast will take place from 10 to 11 A.M., over 24 Columbia stations; and the program will be re-broadcast over 14 Western stations from 1 to 2 P.M.

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"Your Hit Parade", sponsored by the American Tobacco Company for Lucky Strike cigarettes, will be heard once a week over the entire Columbia network beginning May 2nd. The program will be broadcast every Saturday from 10 to 11 P.M. EDST - over 93 CBS stations, one of the largest networks in the history of radio.

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RAILWAYS WITHDRAW BAN ON RADIO ADS, PLAN CAMPAIGNS

Restrictions against radio advertising imposed by Eastern and Central railroads since 1930 have been withdrawn, according to Broadcasting Magazine (March 15 issue), and several of the larger carriers are already planning spot and network advertising campaigns.

The Eastern Trunk Line Association and the Central Passenger Association, controlling East-West service operations, agreed last December to drop the bans on radio advertising.

Chesapeake & Ohio, however, has been using radio with marked success for several years, and it is likely its experience was instrumental in effecting the change in policy by other railways.

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NBC PLANS CEREMONY FOR MILLIONTH RADIO CITY GUEST

Milton J. Cross, NBC announcer, is Chairman of a Committee that is arranging a special ceremony to mark the arrival of the millionth guest of the NBC Radio City tours. Up to March 14th, some 989,251 guests have been received since Jessica Dragonette bought the first ticket in November, 1933.

Fred Allen, Jack Benny, Ray Knight, Irene Rich, and Lucy Monroe are on the Reception Committee. The millionth guest will be introduced to Maj. Lenox R. Lohr, President of the National Broadcasting Company, and other officials. He also will be given a late model RCA Victor radio set, presented with the key to Radio City, and will be the guest of NBC overnight and for dinner.

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A. T. & T. INVESTIGATION IS BEGUN BY FCC

The biggest business investigation ever attempted by a Federal agency opened public hearings today (March 17) with the New Deal inquiring into affairs of the American Telephone & Telegraph Co. to determine, among other things, whether phone rates are low enough. The inquiry, directed by the Federal Communications Commission, brought to the capital a group of industrialists heading the world's largest corporation.

The first witness ordered to appear was Walter F. Gifford, President of the company, which has been the subject of a Commission inquiry for months. With him were Edgar S. Bloom, President of Western Electric; T. G. Miller, Vice-President of A. T. & T. in Charge of the Long Lines Department; Charles M. Bracelen, Vice-President and General Counsel of A. T. & T. and eight other officials of the \$6,000,000,000 phone monopoly.

Directing the investigation was Communications Commissioner Paul Walker, who has charged repeatedly that the company sought to block the work of his investigators. As regularly, the company has insisted it cooperated to the fullest degree. There are 215 men on Walker's staff, mostly attorneys and accountants, who have delved into records of A. T. & T. offices in practically every large city in the country. They have been spending money, for salaries and expenses, at the rate of \$60,000 a month.

Congress appropriated \$750,000 for the proceedings, to see whether phone rates are as low as they should be and in addition whether contracts between the numerous A. T. & T. companies are fair, and whether equipment prices charged by Western Electric are equitable. The investigation also will seek to discover all facts concerning patents, royalties and inventories.

The hearings being held in the meeting room of the Interstate Commerce Commission, are expected to last a month. They may develop into bitter controversy, if the numerous clashes between the Commission and the phone company are brought into the open.

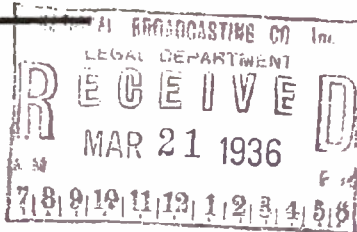
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HEINL RADIO BUSINESS LETTER

2400 CALIFORNIA STREET

WASHINGTON, D. C.

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TRADE PRACTICE RULES SUBMITTED TO FTC BY RMA

Trade practice rules proposed for the radio receiving set manufacturing industry have been submitted by the Radio Manufacturers' Association to the Federal Trade Commission and will be the subject of a hearing on April 7, the Commission disclosed on March 20. The proposed rules are designed principally to bar false or misleading advertising, particularly in claims for "all wave" receivers.

The FTC stated that briefs would be accepted up until April 7 at which time anyone concerned may be heard. Application for a trade practice conference, it was explained, was made by RMA on behalf of the radio receiving set division, which represents approximately 90 per cent of the firms in the radio set business.

Directors of the RMA will meet in Washington on April 6 to prepare for the FTC hearing, Bond Geddes, Executive Vice-President, said.

Following are the proposed rules, save for the specified division of services referred to in Rule 1 (d):

- Rule 1: (a) The making or causing or permitting to be made or published any false, untrue, or deceptive statement by way of advertisement or otherwise concerning the grade, quality, quantity, substance, character, nature, origin, size, or preparation of any product of the industry having the tendency and capacity to mislead or deceive purchasers or prospective purchasers, and the tendency to injuriously affect the business of competitors, is an unfair trade practice.
- (b) The use of the term "Standard Broadcast" in description in advertising or otherwise of radio receiving sets, unless the "Standard Broadcast" sets so described and advertised in the American market shall cover a continuous spectrum of frequencies from 540 kilocycles to at least 1600 kilocycles, is an unfair trade practice. This definition and rule shall apply in the present state of the art, subject only to possible change or modification in the interest of the public and the industry.
- (c) The use of the term "All Wave" in description in advertising or otherwise of radio receiving sets, unless the "All Wave" sets so described and advertised in the American market shall cover a continuous

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- Rule 1: (c) spectrum of frequencies from 540 kilocycles to at least 18,000 kilocycles (16.65 meters), is an unfair trade practice. This definition and rule shall apply in the present state of the art, subject only to possible future change or modification in the interest of the public and the industry.
- (d) In the advertising and merchandising of all other radio receiving sets having less than continuous coverage from 540 kilocycles to 18,000 kilocycles, failure to detail specifically, either in kilocycle bands covered or in description of broadcast services covered by such receiving sets in accordance with below-detailed definitions recognized by the Federal Communications Commission, shall be an unfair trade practice.
- Rule 2: Commercial bribery is immoral, against public interest, and is an unfair trade practice.
- Rule 3: The imitation of the trade marks, trade names, slogans, or other marks of identification of competitors, having the tendency and capacity to mislead or deceive purchasers or prospective purchasers and the tendency to injuriously affect the business of such competitors, is an unfair trade practice.
- Rule 4: The false marking or branding of products of the industry, with the effect of misleading or deceiving purchasers with respect to the quantity, quality, size or measurements, grade or substance of the goods purchased, and the tendency to injuriously affect the business of competitors, is an unfair trade practice.
- Rule 5: The use of a label, brand or trade name on a receiving set or cabinet which is similar, akin, or closely related to that of another manufacturer that tends to mislead or deceive purchasers or prospective purchasers of such radio sets is an unfair trade practice.
- Rule 6: The distribution and sale of radio receiving sets from which the name plate, serial number, or other identifying mark of the original manufacturer has been altered, effaced or removed with the purpose and effect of deceiving purchasers or prospective purchasers, is an unfair trade practice.

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HEARST REPORTED READY TO BUY THREE MORE STATIONS

As Elliott Roosevelt, son of the President, became Vice President of Hearst Radio, Inc., it was widely reported this week that Hearst is negotiating for the purchase of the three stations remaining in the Southwest Broadcasting System, of which young Roosevelt was Vice President and Sales Promotion Manager.

Two units of the Southwest System have been sold to Hearst, subject to approval by the Federal Communications Commission, for \$225,000. Station KTSA, San Antonio, was sold for \$180,000, and KNOW, Austin, for \$45,000.

The three stations which are expected to be acquired by Hearst Radio, Inc., are KTAT, Fort Worth, WACO, Waco, Tex., and KOMO, Oklahoma City. William P. Day, Executive Vice President of Lambert & Feasley, Inc., New York agency, is reported to be negotiating the deal for the newspaper publisher.

Young Roosevelt will receive a Commission of \$35,000 for his services if all five Southwest stations are sold, according to a report in Variety.

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LITTLE CHANGE IN QUOTA TABLES IN THREE MONTHS

Revised tables issued this week by the Federal Communications Commission to show the standing of States and Zones relative to broadcasting facilities due and assigned show little change from the record of January 2, 1936.

The First Zone, comprising the Northeastern States, remains the only zone that is under its night-time quota because of the density of population. The other four zones have slightly increased their excesses above night-time quotas, while the Fourth or Middle Western Zone has exceeded its day quota. It is the only zone to utilize more daytime facilities than are due it under the quota system.

The FCC meanwhile is awaiting action by the Senate repealing the Davis Equalization Amendment as carried in the Communications Act to remove the requirement that radio allocations be made on the basis of population. The repeal has been recommended by the Senate Committee on Interstate Commerce.

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FCC DEFENDS WIRE SEIZURES; TREADWAY DEMANDS OUSTER

As the Federal Communications Commission filed a 14-page report of its activities in examining telegrams in Washington telegraph offices in cooperation with the Senate Lobby Committee, a demand was made in the House that all of the Commissioners be dismissed for "meddling" in private business.

The ouster demand came from Representative Treadway (R.), of Massachusetts, who charged the Commissioners with being ignorant of its own authority.

"The first duty of the Commission itself should have been to acquaint itself with its own authority", Treadway said, "and to know the contents of the law under which it is functioning. The ignorance which its members have shown is culpable and deserves the severest condemnation, even to the extent of removal from office. I advocate the latter procedure. I doubt if it will be taken, but I advocate removal from office of the members of the Commission.

"Here we have another example of the Government meddling in business. I do not hesitate to say there is absolutely no authority in law for compelling telegraph companies to break confidence with their customers and provide any committee with their entire file of messages.

"The FCC should have known the contents of Section 220 of the Act, which permits investigation and examination only for the purpose of checking accounts".

The FCC report cited the same section as proof of its authority to investigate the telegram files.

"It is only by an inspection of the telegram itself", the report said, "that the Commission can determine that the telegraph company is obeying the law with respect to the proper charges, non-discrimination in the order and method of handling telegrams, and observance of the company's tariffs and the Commission's regulations including that for the preservation of records."

Assuming full blame for initiating its own investigation, the FCC cited testimony before the Senate Lobby Committee regarding the wholesale forgery of telegrams by utility representatives and the destruction of records in telegraph offices.

While there is nothing in the Communications Act to prevent forgery of telegrams, the Commission indicated a need for remedial legislation. Destruction of copies of telegrams, it pointed out, is a penal offense.

FCC employees copied only 65 telegrams, the report stated, and these showed on their face "irregularities in handling" or the "existence of practices which need further study" by the Commission for the protection of the public.

"The assertion that has been made that every telegram passing through Washington between the dates covered by the Senate Committee's subpoenas was read by the Commission employees is without foundation in fact", it added. "Such a procedure would have taken the Commission personnel assigned to the task many years."

The FCC admitted, however, that after the telegrams were examined by the Commission employees, they were then examined by the Senate Committee investigators.

The FCC study, the report stated, "brought to light several aspects of the practices of the telegraph companies which must be further studied to correct discrimination and irregularities."

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BROADCASTERS AND "HAMS" KEEP U. S. INFORMED ON FLOOD

Broadcasting stations and radio amateurs or "hams" kept even the newspapers informed on developments in the eastern floods this week as other forms of communication failed.

Stations in Pittsburgh, Johnstown, Washington and other flood-stricken towns were hooked up to the major networks for eye-witness accounts, until power in some sections failed and forced them to discontinue. Other stations throughout the flood areas stayed on the air day and night with reports of developments.

Even the newspapers were forced to rely upon reports from radio amateurs regarding the conditions at Johnstown, Pa., on March 18, when a false news report was published that the dam at Johnstown had given way. A radio amateur denied the report, and the fact was duly headlined in late afternoon papers.

Amateurs in the 3500-4000 kc. band were particularly active in keeping a waiting world informed of developments in the flood area. They were on the air day and night.

NBC engineers and announcers were endangered when a small dam burst in Johnstown, and they were ordered to flee to the hills. Both CBS and the Mutual Broadcasting System had station connections, as did NBC, which enabled them to broadcast flood reports frequently and graphically.

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RADIO PART OF AMERICAN HOME, SAYS CONGRESSWOMAN

Speaking on the "Woman's Radio Review" program over the NBC-Red network March 20th, Representative Virginia E. Jenckes (D.), of Indiana, said with regard to radio:

"The radio is a definite part of the American home. It brings to our women the voices of the Nation. In the quiet of their homes, they have the opportunity of judging the utterances of all who address them, it matters not whether it be the President of our Nation, or a Dictator in a foreign land. I say, therefore, to the women of America, jealously protect your new found friend - radio broadcasting. Strive to keep it an efficient servant of all of the people which I am sure it was intended to be."

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NEW STATION FOR ALABAMA URGED BY EXAMINER

An application for permission to construct a new broadcasting station at Tuscaloosa, Ala., for operation on 1200 kc. with 100 watts power, daytime only, was approved this week in a report to the Federal Communications Commission. The applicant is James R. Doss, Jr.

Increase in daytime power from 500 watts to 1 KW for WFBR, Baltimore, WOOD, Grand Rapids, Mich., and WASH, Grand Rapids, was recommended by Examiner Melvin H. Dalbert. All the stations operate on 1270 kc. He urged denial of a similar increase in night-time power, however.

Examiner Ralph L. Walker recommended denial of an application by KVI, Tacoma, Wash., for permission to increase its daytime power from 1 KW to 5 KW.

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PAYNE TALKS ON CLEVELAND MEMORIAL DAY PROGRAM

George Henry Payne, Progressive Republican member of the Federal Communications Commission, was one of the principal speakers on a Grover Cleveland Memorial day program March 18th in New York City. Mr. Payne is up for reappointment as his present term expires June 30th.

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I. T. & T. TO REFUND DEBT TO BANKS

A letter has been addressed to stockholders of the International Telephone and Telegraph Corporation by Sosthenes Behn, President, advising them that steps are to be taken to refund bank loans and part of the funded debt and that at a special meeting on May 13th they will be asked to approve a reduction in the value of the common stock, the cancellation of employees' stock purchase plans and the creation of general reserves exceeding \$100,000,000.

A preliminary annual report shows consolidated net income of \$5,787,411 for 1935, equal to about 90½ cents a share on 6,399,002 capital shares, compared with \$3,670,110, or 57 cents a share, in 1934.

Gross earnings of I. T. & T. and subsidiaries were \$52,892,482, including gross profits on sales of manufacturing companies, against \$51,247,336 in 1934, and net earnings were \$16,009,220, against \$14,118,183.

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TEN MORE STATIONS NAMED IN WARNER BROS. SUITS

Warner Brothers music subsidiaries have filed additional copyright infringement suits against the following broadcasting stations: WACO KGKO WDOD WTOG WHBI WWL WJBW WOWO and WDSU.

Numerous suits also have been filed against hotels, night clubs, and the like.

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OWEN YOUNG TO GET DISTINGUISHED SERVICE MEDAL

The 1935 Gold Medal of Fellowship for distinguished service will be awarded to Owen D. Young at the annual dinner of the Society of Arts and Sciences at the Waldorf-Astoria, New York, on April 22nd.

Mr. Young is cited for "great services in the cause of improved international good-will and in behalf of the principles of good government, and also for unique services toward raising the responsibility of organized business in its relations both to the public and to the State."

Among the jurymen who selected him for the honor was A. Atwater Kent, President of the Atwater Kent Radio Co., Philadelphia.

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FCC REVEALS EVIDENCE FILE ON "WILLARD HOTEL" CASE

Taking the bull by the horns, the Federal Communications Commission on March 18th made available to the press the file of evidence in the so-called "Willard Hotel Incident" while a Senator and a Member of the House pondered over whether to call for a Congressional inquiry.

The transcript had at first been withheld by the FCC even after Commissioner George Henry Payne had asked the Commission to release it. Senator Couzens (R.), of Michigan, introduced a resolution directing the FCC to submit the data to the Senate. Before the Senate had time to act, a copy was given to him.

It was made public after J. Edgar Hoover, Director of the Bureau of Investigation, Department of Justice, had denied a statement attributed to Chairman Anning S. Prall, of the FCC, that the Justice Department objected to releasing the file.

Chairman Connery, of the House Labor Committee, author of a resolution calling for a Congressional investigation of the FCC, is understood to be studying the evidence with a view to making another demand for action on his resolution.

The file discloses nothing sensational that had not been brought out previously in the report of the Special FCC Committee, but it provides interesting reading. Replete with testimony, letters, transcripts of telephone conversations, and the like, the report also reveals dissension among the Commissioners.

The name of Major Malcolm M. Kilduff, identified only as a resident at Wardman Park Hotel, is more prominent in the evidence than in the report. He, rather than Mortimer Prall, son of Chairman Anning S. Prall of the Commission, was the first to overhear the conversation which led to the investigation by the Justice Department and the FCC.

From a closet in a room adjoining one in which several officials from the Knox Broadcasting Co., Binghamton, N. Y., were allegedly having a party, Major Kilduff reported that he overheard the following conversation involving Harry C. Butcher, Vice-President of the Columbia Broadcasting System, Washington, and the Commission:

One of the unidentified persons said: "Butcher said to me he would deliver the political end of it for \$25,000."

"Well, can he do it?" another asked.

"What in the hell do you suppose Columbia keeps him in Washington for?" responded the first.

Mr. Butcher, the report shows, received letters from Harold E. Smith, General Manager of KOKO, Albany, and Cecil D. Mastin, of WNBC, Binghamton, denying that any such conversation had taken place.

Alfons B. Landa, a Washington lawyer, in a telephone conversation, denied making any statement such as reported by Major Kilduff, while C. M. Jansky, Jr., Washington radio engineer, said he was at the party and heard no conversation of the nature alleged.

Herbert Pettey, Secretary of the Commission, also reported that the alleged conversation, as reported to him involved a Commissioner who could be "gotten to", but young Prall's report to the Department of Justice did not mention the unidentified Commissioner or the report by Pettey that the Commissioner had instructed an Examiner as to how to act on the Knox case.

The report disclosed that the Justice Department had been instructed to ascertain why young Prall was occupying a room next to the Binghamton officials but had not done so. It also revealed that he had met the radio officials on the train while returning to New York and had tried to draw them out further on their views of the FCC but without success.

All reports appeared to agree that the conversation in question was made in a loud and boisterous fashion that indicated the participants were drinking heavily.

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COPYRIGHT BILLS SEEN BLOCKED; NAB ENDORSES DUFFY BILL

The National Association of Broadcasters presented its case on the copyright legislation before Congress this week at a three-day hearing before the House Patents Committee, but it was generally conceded there is little likelihood that any copyright legislation will be enacted at the current session.

James W. Baldwin, Managing Director of NAB, and Louis G. Caldwell, of Washington, and Sidney M. Kaye, of New York, attorneys, were the spokesmen for NAB. They endorsed the Duffy Bill and denounced both the Sirovich and the Daly Bills.

The hearing was featured by frequent heckling of witnesses as had been that in which representatives of the American Society of Authors, Composers, and Publishers had appeared. It revealed that the Committee itself is so split that it is doubtful whether any measure will be even reported to the House.

Mr. Kaye denied that the elimination of the \$250 minimum copyright infringement penalty, which would be stricken by the Duffy Bill, would put ASCAP out of business.

"There are more remedies in this bill than a man has under any other law and more than the creator has in any other country", he said. "In the light of that it is my judgment that the Duffy Bill will not put ASCAP out of business. I am convinced that it will not cost ASCAP a penny and is quite likely to give them additional benefits."

Significant was the testimony brought out that ^{Mr.}Baldwin, who is leading the fight of the broadcasters for copyright law revision, is paid but \$11,000 a year, whereas Gene Buck, President of ASCAP, is paid \$35,000.

Partly because newspapers were filled with accounts of the flood, but chiefly because there were no showmen, such as ASCAP presented, to catch the public eye, NAB's testimony was presented with little notice taken of it in the press.

The only story that got any play at all was a story told by Mr. Kaye that "The Music Goes 'Round and 'Round" originated in a Ford joke book and that only the failure of the publisher to carry out the technicalities of the copyright law prevented him from collecting "more money than there is".

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FCC ASKS G-MAN INQUIRY AS PHONE HEARINGS OPEN

Before the investigation of the American Telephone & Telegraph Company had occupied a week, the Federal Communications Commission on March 19th called upon the Department of Justice to probe activities of the A. T. & T. in furnishing wires and equipment to racing news organizations.

The FCC request was made by Paul Walker, Chairman of the Telephone Division, in a communication to J. Edgar Hoover, Director of the Bureau of Investigation.

Charles M. Bracelen, general counsel of the telephone company, was quoted by the press as stating that representatives of the company had "gone much too far in doing things they were not expected to do and which I cannot approve and which are deplorable".

Walter S. Gifford, President of A. T. & T., said he was unfamiliar with the racing news set-up but added that telephone company employees had shown themselves to be "over zealous" in soliciting such business. He said this zealousness will be curbed in the future.

Earlier testimony revealed that the telephone company was furnished information by the Massachusetts State Police prior to raids on gambling establishments so that telephone equipment could be removed and thus escape damage. The equipment was restored to the same place or at another location after the raid.

Mr. Gifford was one of the first witnesses before the FCC. He was questioned by Samuel Becker, Special Commission Counsel, regarding the relation, if any, between Western Electric and the Graybar Electric Company. The A. T. & T. head denied that Graybar is controlled by Western Electric. He also repudiated a suggestion by the FCC counsel that A. T. & T. had recouped depression losses by payroll reductions.

Mr. Gifford stated that his own salary is now \$206,000 a year.

After the request for Justice Department intervention was disclosed, he said: "We will be delighted to cooperate with Mr. Hoover. There has been nothing illegal about our activities as far as I know. Our record is an open book."

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AMERICAN RADIOS STRONG IN GREEK MARKET

American makes account for approximately two-thirds of the radio receiving sets sold in Greece, a report to the Commerce Department from its Athens office shows. Practically all the better known American radios are represented in the market and with the exception of Philips, American radio dealers hold the largest individual quota allotments.

Although only 6,000 receiving sets are officially registered in Greece, it is reliably estimated that the total number in use approximated 14,000. Under the present import quota scheme the extent to which sales of radio apparatus can be developed is definitely limited and regardless of the demand the total cannot be exceeded unless extra-quota imports are authorized, it was stated.

Another factor tending to curtail radio sales in Greece is the fact that the country has not a single broadcasting station. In order to obtain adequate reception of foreign broadcasts, it is essential to employ a more powerful and therefore more expensive receiving set than would be the case if there were a local station broadcasting, according to the report.

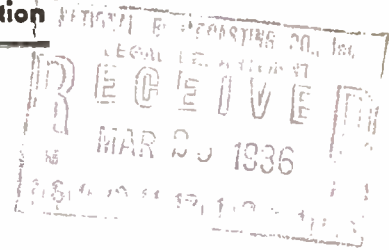
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HEINL RADIO BUSINESS LETTER

2400 CALIFORNIA STREET

WASHINGTON, D. C.

CONFIDENTIAL — Not for Publication



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March 24, 1936

MORE EVIDENCE FROM THE SECRET "WILLARD HOTEL INCIDENT"

Although twice dismissed as unsubstantial, the "Willard Hotel Incident" is proving popular reading among members of Congress and newspaper men since the complete secret file of evidence was released by the Federal Communications Commission. Incidentally, it was stated this week that the Commission did not reverse itself upon releasing the evidence to the public until after J. Edgar Hoover, Director of the Bureau of Investigation, Department of Justice, had withdrawn an injunction he placed upon the file.

Both the FCC and the Department of Justice found no grounds for the report that the Commission, or any member of it, was susceptible to bribery or political influence or that Harry C. Butcher, of Washington, Vice-President of the Columbia Broadcasting System, exercises any undue influence with the FCC. The report was an outgrowth of a conversation overheard by Mortimer Prall, son of the Chairman of the FCC, and his friend, Major Malcolm M. Kilduff, when next door to a party of broadcasters at the Willard Hotel.

The investigation was made at the request of Commissioner E. O. Sykes and had to do with the refusal of the Commission to grant the applications of the Howitt-Wood Radio Company, Inc., owners of Station WNBC, Binghamton, N. Y., and the Knox Broadcasting Company, Schenectady, N. Y., both of whom desired the 1240 kc. band.

Following are some of the verbatim highlights of the record upon which the Commission and the Department of Justice based their acquittals:

In a letter to Anning S. Prall, Chairman of the Fcc, J. Edgar Hoover wrote:

"I have your letter in which you request to be furnished with a complete report regarding the findings of this Bureau relative to the circumstances surrounding a conversation which was overheard in the Willard Hotel, Washington, D. C.

"As you know, on the night of September 5, 1935, a Special Agent of this Bureau called at the Shoreham Hotel, Washington, D. C., where you, together with your son, Mr. Mortimer A. Prall, Mr. Herbert L. Pettey, Secretary of the Federal Communications Commission, and Major Malcolm M. Kilduff were present. At this time Major Kilduff informed the Agent that at about 6:30 P.M. on September 5, 1935, while visiting with your son, Mr. Mortimer A. Prall in your son's room at the Willard Hotel, he had occasion

to step into the closet in this room where his attention was directed to a conversation which was going on in the adjoining room; that it seemed to Major Kilduff that about three or four persons were participating in this conversation; that the subject of the conversation was some radio station which someone was trying to get at Binghamton, New York; that a man was heard to say 'Butcher said to me that he would deliver the political end of it for \$25,000', this statement being repeated two or three times; that another voice asked, 'Well, can he do it?'; and that the first voice replied, 'What in hell do you suppose that Columbia keeps him in Washington for?' At this point Major Kilduff called Mr. Mortimer A. Prall into the closet and invited him to listen in, whereupon Major Kilduff left the room.

"Mr. Mortimer A. Prall stated that when his attention was called by Major Kilduff to the conversation coming from the adjoining room, he overheard a conversation, the substance of which follows: That a man said that Butcher of the Columbia Broadcasting Company, would deliver politically what was wanted from the Commission; that he heard \$25,000 and \$50,000 mentioned in connection with the above remark; that he also heard the man say that if the decision of the Commission went against the Knox people, Station WNBC at Binghamton would also lose; that one of the men addressed a man present by the name of Jansky and told him that he was empowered, in the event the decision went against them, to make a reapplication; and that if necessary, he would put up the \$50,000 to get the thing through because Binghamton must have that radio service. Mr. Mortimer A. Prall also heard a voice say, 'It is unfortunate for you and us that we are politically wrong with the Commission'. He also heard someone say that he was the Chairman of the New York State Committee of Broadcasters, and that he would work with Butcher in getting what was necessary from the Commission. According to Mr. Mortimer A. Prall, there were about five voices talking in the adjoining room.

* * * * *

"A few days after the Agent's interview with you at the Shoreham Hotel, you were again interviewed at 6111 New Post Office Building, at which time Mr. Herbert L. Pettey was present. Both you and Mr. Pettey stated that you had no information in addition to that which had already been furnished* * * * *

"At this interview you informed the Agent that you failed to see how monetary consideration could have been mentioned in connection with this matter and how any influence alleged to be exerted by Butcher or anybody else could have a tendency to sway the decision of the Commission one way or the other. You further stated that in your opinion it was rather unfortunate that there was no occasion to hear some previous conversations, and that with the passing of the hearings there was no further lead that could be effectively followed to arrive at any result at that particular time. You also stated that you realized that further investigation at that time might tend to create undue publicity, and that the information at hand might be utilized more advantageously later after the Commission had rendered its decision, and if the interested parties decided to renew their efforts in some other direction.

"You also advised the Agent that you had known Mr. Harry C. Butcher since your affiliation with the Commission; that you had never heard anything detrimental to Butcher's character either officially or socially; that Butcher is very friendly with all of the members of the Commission and is rather close, socially, to White House Secretaries and to some Members of Congress; that he appears to be some sort of a lobbyist representing radio interests; and that his main attention seems to be directed toward transferring Station WJSV at Alexandria, Virginia, of which he is part owner, into the District of Columbia. You further stated that the transfer of this station as desired by Mr. Butcher is out of the question owing to the quota having been reached in the District of Columbia, and that Mr. Butcher had been so informed."

* * * * *

"The investigation failed to disclose any information which would indicate either the tendering to, solicitation by, or acceptance of a bribe by anyone associated in any capacity with the Federal Communications Commission, and accordingly no further action has been taken by this Bureau in view of the fact that you stated to the Special Agent of this Bureau that the above information might be utilized more advantageously at a later date."

A portion of a letter from Harold E. Smith, General Manager of Station WOKO, Albany, N. Y., who was in the room where the broadcasters met at the Willard, to Mr. Butcher:

"During these three days (Sept. 4, 5 and 6, 1935) the case was discussed by a group of persons which included Messrs. Masten, Landa, Lohnes, Johnston and myself. At no time was your name or the names of Commissioners Prall and Sykes brought into the discussion in any connection. There was no reference made to you or the Commissioners whatever. Mr. Kellert of this organization, was in Washington on September 6 and in my company during the entire day. He will vouch for the truth of this statement on the day he was with me."

Cecil D. Mastin, Manager of Station WNEF, Binghamton, N. Y., in whose room the broadcasters gathered, wrote to Mr. Butcher in part as follows:

"To my best recollection your name was never mentioned. I definitely and emphatically say that there was no mention of the payment of money to anybody on behalf of the Howitt-Wood Radio Company in my presence or in my hearing and I believe that I was in the room all of the time. So that the denial may conform with the facts, to my knowledge there never has been the suggestion that money or political pressure be used to further the application of the Howitt-Wood Radio Company.* * * *

"I cannot understand why or how you were brought into the situation. In our own case we can only hazard the opinion that it was done for the purpose of prejudicing our application and for the purpose of securing favor for the Knox application."

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Excerpt of a telephone conversation between Alfons Landa, a Washington lawyer, and Mr. Butcher, the latter speaking:

"Masten says he did not say that Harry Butcher said he could buy the whole damn Commission for \$25,000."

Mr. Landa to Mr. Butcher:

"Why they dragged you into it, I don't know, other than to make a better story * * * It was brought up at a full meeting of the Commission, and when confronted with the story, immediately a different story is told. Now, somebody says \$20,000 to \$40,000, and it isn't to be given to the hooked-nose, long-eared so-and-so, to which we draw our own conclusions as meaning Sykes, but 'I guess we will have to buy the whole Commission'."

From a report of the Federal Bureau of Investigation:

"Concerning a rumor that reached Chairman Prall through Commissioner Stewart to the effect that Senator Black (Hugo L., of Alabama) told Commissioner Stewart that a newspaper man friend told him it was alleged money had been passing in the application case (WNBK-Knox) under consideration by the FCC., Senator Black advised Agents that he did not care to disclose the name of his informant."

Evidence of an unidentified conversation/heard by A. Mortimer Prall not previously given in this present account read:

"Knox and his gang must be beat because we need this power over 360,000 people. That Schenectady crowd cannot beat us."

A portion of testimony of Mr. Butcher to Special Agents of Bureau of Investigation contained this assertion:

"I emphatically deny that either my company or I had any interest whatsoever in the Binghamton-Albany case. I never made in my lifetime any such bolsterous and derogatory statements as some of the rumors attribute to me. * * * I never made any statement on any occasion that anyone on the Commission, or in the Government service, or anywhere, could be bought or controlled. The policy of my company and of myself in dealing with the Commission has been to present the facts and trust to the good judgment of the Commission."

Commissioner Irvin Stewart asked Mr. Hoover if Mr. Mortimer Prall reserved room 804 at the Willard in advance, if he asked for a particular room, and if he inquired as to a reservation by Mr. Mastin or as to who was to occupy room 803? Also, did Mr. Mastin make his reservation at the Willard in advance; if so, when, and when was room 803 reserved for or assigned to him. (The alleged conversation of the broadcasters was supposed to have been heard in Room 803).

Mr. Hoover replied that no advance hotel reservations were made at the Willard Hotel by Cecil D. Mastin or A. Mortimer Prall. The room clerk couldn't recall that Prall inquired as to occupancy of room 803 or that he requested to be assigned to room 804.

Chairman E. O. Sykes appearing at an investigation held by the Communications Commission finally declared:

"I want to say, for the benefit of this record, that any alleged statement that I am or ever have been in the employ of the Columbia Broadcasting System is absolutely false. I want to say further that Mr. Butcher, whose name is coupled with mine in this matter, never approached me in any way about either of the applications concerned."

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McNARY REPORTED AS NOW BACKING PAYNE REAPPOINTMENT

Friends of George Henry Payne, whose term as Federal Communications Commissioner expires June 30th, report that Senator McNary, of Oregon, minority leader, has promised to support him for reappointment. While Senator McNary had been reported previously to have been backing Judge John C. Kendall, a Portland (Ore.) attorney for the post, it was said that he did not understand until recently that Commissioner Payne is a candidate for renomination. When so informed, he said he would support the New Yorker.

Judge Kendall was not believed to be interested seriously in the job, moreover, because he would have had to drop a lucrative law practice to come to Washington.

As Senator Borah had previously lined up behind Mr. Payne, the Idaho and the Oregon Senators, it is believed, could control the western bloc of Senators who had complained of lack of representation on the Commission, at least so far as the Republicans are concerned.

Because Senator Couzens (Re.), of Michigan, took a hand with Commissioner Payne in helping to dislodge the file of evidence in the "Willard Hotel Incident", Washington observers believe he may also be counted upon to endorse Mr. Payne for renomination.

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LANHAM REPLACES SIROVICH AT COPYRIGHT INQUIRY

Representative Lanham, of Texas, replaced Representative, of New York, as Acting Chairman of the House Patents Committee, on March 24th as hearings were resumed on pending copyright bills. The Clerk of the Committee stated Dr. Sirovich was ill, but at the time, the New Yorker was on the House floor. One report was that Congressman Sirovich was believed to be too prejudiced in favor of ASCAP by his colleagues on the Committee.

The Committee at an executive session on Monday decided to hold hearings four days a week instead of three and to conclude April 15th so that some bill could be submitted to the House in time for consideration.

Broadcasters and ASCAP have concluded their testimony, the Clerk said, and will not be recalled. Other organizations to be heard will be allowed but an hour and a half each, to be used as the witnesses see fit. Groups to be heard this week are: Authors League of America, Dramatists Guild, the Music Publishers' Association, and the Hotel Men's Association.

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SECOND MEETING ON C.C.I.R. AGENDA HELD BY FCC

The second general meeting of the committees preparing for the fourth meeting of the C.C.I.R. was held Tuesday morning (March 24) in the offices of the Federal Communications Commission. Reports were to be received from the several committees named to make specific studies. ✓

More detailed reports of the meeting will be carried in subsequent issues.

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NATIONAL RADIO INSTITUTE SALARIES ARE LISTED

Among the salaries of corporation officials disclosed in a supplemental list by the House Ways and Means Committee this week were the following for the National Radio Institute, of Washington, D. C.: James E. Smith, President, \$20,000, and E. R. Haas, Treasurer, \$20,000.

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IOWA CITY RADIO GROUP HIT BY FTC ORDER

The Federal Trade Commission has ordered T. O. Loveland and J. L. Records, of Iowa City, Iowa, trading as Commercial Manufacturing Co., and Brenard Manufacturing Co., to discontinue certain unfair trade practices in the sale and distribution of radios. Use of the word "Manufacturing" as a part of the respondents' trade name, or in advertising literature, as descriptive of their business, is prohibited in the order unless and until the respondents own and control a complete factory in which they manufacture the radios so represented.

The order directs the respondents to cease and desist representing through advertising literature, distributors' agency agreements, or through representations by traveling salesmen, that retail dealers, upon execution of agency agreements to sell the respondents' radios, will obtain certain advantages such as an exclusive franchise for a particular territory, and a guarantee by the respondent of a certain number of sales at a specified profit.

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RECORD YEAR IN RADIO MART SEEN BY DUN & BRADSTREET

Citing gains in demand for radio equipment from 15 to 20 per cent in January and February, Dun & Bradstreet predicts that the radio manufacturing industry in 1936 will enjoy an even greater business than in 1935, which was the best to date.

The approaching elections, the Olympic games, the payment of the bonus, and the development of improved receivers were cited as explanations for the growing demand for new sets.

The report uses the figures of Radio Retailing to point out that American manufacturers produced 5,375,000 radio sets in 1935, which was 14.5 per cent in excess of 1934 and which surpassed the previous 1929 record. Auto receivers marketed totaled 1,100,000, or 30 per cent more than in 1934, while battery-operated sets went up to 350,000. Tubes sold numbered 75,000,000, a gain of 16 per cent over the preceding year.

Fully 75 per cent of the sets sold during 1935 were in the all-wave, or combination long and short wave classifications, with the demand for more expensive larger models offering quality performance becoming increasingly evident. Consoles ranging in price from \$125 to \$350, it is reported, accounted for as much as 40 per cent of the sales. "Demand held closely to the nationally advertised receivers," the report adds, "with but small interest accorded the off-brand units."

That the market is far from saturated is evident from trade calculations that at least 20 per cent of the estimated total of 25,000,000 receivers in use in this country are more than five years old, the normal life of the average radio.

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Texas broadcasters met in San Antonio last week to organize the Texas Broadcasters' Association. A temporary organization was formed with the prediction that a permanent association will be formed at Fort Worth on May 23. J. Frank Smith, of KXYZ, Houston, is President. Uniformly lower card rates are expected to result.

Station KFAB, Lincoln, Nebr., has withdrawn from the Cornbelt Wireless Network, reportedly because of pressure brought to bear by the Columbia Broadcasting System.

Direct radiotelegraph service between the United States and the Republic of El Salvador, Central America, was inaugurated March 20th. The circuit is operated by the Mackay Radio and Telegraph Co. through its stations here and by the station of the Government telegraph and radio administration of El Salvador at San Salvador, capital and principal city.

The Bureau of Foreign and Domestic Commerce, Department of Commerce, has just released new radio market reports for the following countries: Paraguay, Tunisia, Ecuador, Gibraltar, and the islands of Miquelon and St. Pierre. Copies may be obtained for 25 cents each from the Superintendent of Documents, Washington, D. C.

Nine more suits against radio stations which, it is alleged, infringed on copyrights owned by the Warner Bros. music companies, were instituted last week. The stations are: KTFI, Twin Falls, Idaho; WDSU, New Orleans; WOWO, Fort Wayne; WTOG, Savannah (three); WTAL, Tallahassee, Fla.; WSPD, Toledo; and WHIO, Dayton, Ohio.

Muzak, Inc., wired radio subsidiary of North American Company, is setting its plans for commercial sale in New York of its service and the sales campaign is slated to start within the immediate future, according to Billboard.

The Arcturus Radio Tube Co., Newark, N. J., announces the addition of its line of the types 6N6 'Coronet' and 6R7 metal tubes. The type 6N6 'Coronet' is a duplex-triode power output tube, permitting circuit simplicity and its special characteristics rank it among the most efficient tubes for P.A. Systems and regular amplifier work, according to its makers.

The 6R7 'Coronet' is a duplex-diode triode, somewhat similar to the type 75 but has a mutual conductance of 1900 and a μ of 16.

The State of Washington's monopoly suit against the American Society of Composers, Authors and Publishers will be before the State Supreme Court March 27 after several months of battling in the lower courts.

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WIND JOINS ABC; THREE GROUPS FORMED

Station WIND will serve the Affiliated Broadcasting Company as the outlet for their programs in the Chicago metropolitan area, it was announced this week at the network headquarters in the Civic Opera Building. Station WKBH, at LaCrosse, Wis., has also joined ABC for commercial programs, making a total of 19 outlets for the programs of the new regional network, which will take to the air the latter part of April.

With the exception of WIND, all of the stations affiliated with ABC have been segregated into three State groups, which are available to advertisers as individual networks or in combination of one, two, or three groups, affording coverage of one, two, or three States, as the advertiser wishes. Each of these State groups, however, is available only as a unit; that is, the advertiser must purchase the entire State lineup and cannot select some stations and not others within any group.

These groups are made up as follows: Wisconsin Group: WOMT, Manitowoc; WHBL, Sheboygan; WRJN, Racine; WKBH, LaCrosse; WCLO, Janesville; WHBY, Green Bay; KFIZ, Fond du Lac; and WDGY, Minneapolis-St. Paul. Illinois Group: WTAX, Springfield; WJBL, Decatur; WHBF, Rock Island; WCLS, Joliet; and WIL, St. Louis. Indiana Group: WTRC, Elkhart; WEOA, Evansville; WWAE, Hammond; WBOW, Terre Haute; and WLBC, Muncie.

For the convenience of advertisers who may wish to add coverage of the Chicago metropolitan area to that of any State, WIND is not included in any one of the State groups, but may be obtained as an auxiliary outlet of any State hookup provided it is available at the time desired.

3/24/36

The Affiliated Broadcasting Company will have no ABC "key" station, either in Chicago or at any other point. Programs for the network will originate in the headquarters studios, which are located in the Radio Tower of Chicago's Civic Opera Building, and will be sent out from there to the individual stations. Remote control pickups will be brought into the headquarters control room and sent out again from there to the network.

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FCC ORDERS ALL TELEPHONE RECORDS PRESERVED

The Telephone Division of the Federal Communications Commission on March 24th issued an order calling on all telephone, telegraph, cable and wireless companies to preserve all records and accounts until further notice.

The order was issued in connection with the investigation of the American Telephone & Telegraph Company now under way.

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DONALD SHAW LEAVES NBC TO JOIN AGENCY

Donald S. Shaw, Eastern Sales Manager of the National Broadcasting Company for the past two years, has resigned to become Assistant to the President of McCann-Erickson, Inc., New York advertising agency. His resignation becomes effective as of April 1st. Mr. Shaw, in his new position, will assume the leadership of the agency in all radio activities.

Mr. Shaw joined the sales staff of NBC in 1933, and was made Sales Manager one year later. His previous business connections, after graduation from Brown University in 1920, were Larchar Horton Co., advertising agency in Providence, R. I.; George L. Dyer, the Blow Company, and Williams and Saylor, New York agencies; and the Vacuum Oil Co., Advertising Department. He was at one time a partner in his own agency of Cleveland & Shaw.

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SUPPLEMENTAL QUESTIONS ASKED IN PHILCO SURVEY

Supplementing a questionnaire distributed several weeks ago, Sayre M. Ramsdell, Vice-President of Philco Radio & Television Corp., Philadelphia, has issued three new questions to prominent persons over the country on the general subject of freedom of the air.

"In relation to the checks and balances to be used in attaining or maintaining this freedom", Mr. Ramsdell wrote, "there was a wide range of definition; in fact, so many interesting points were brought up by numbers of our correspondents, and called to our attention as not being included in our original questionnaire, that we are appending the more pressing of them to this letter."

The appended questions follow:

- "1. Importance of reaching a common understanding of such differences as exist between news publications, which have the right to be partisan, and radio broadcasting stations, which are believed by many to have some measure of obligation to present all recognized sides of a public question.

(Is it, or is it not, a fair statement "that the radio broadcasting station should enjoy a provisional franchise for the use of an allotted public radio channel as long as it fulfills its purpose to provide Service to the people of a community with news and entertainment and public instruction"?)

- "2. Importance of competition between broadcasting stations.

(The point is raised whether the application to radio of the constitutional guaranty of freedom of speech can be justified unless competition exists between the principal agencies for reaching the radio public.)

- "3. Importance of discovering and providing against the power of control that might be established over the broadcasting industry by third parties or groups.

- "a. Those furnishing programs either generally, (networks, transcription companies, etc.) or to a limited extent (news agencies, concerns having exclusive control over sources of news, such as market quotations, athletic events, etc.).
- "b. Those having control of patents necessary to engage in radio transmission or reception, or to make further advances in the art.
- "c. Those having control of communication facilities necessary to bring programs or any necessary program material to broadcasting stations."

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HEINL RADIO BUSINESS LETTER

2400 CALIFORNIA STREET

WASHINGTON, D. C.

CONFIDENTIAL — Not for Publication

MAR 30 1936

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No. 914

Handwritten signatures:
G. S. A. F. M.

NEW W-B 5-YEAR CONTRACT ON MONTHLY FEE BASIS

After rejecting the "per piece" plan of licensing copyrighted music, as urged by the National Association of Broadcasters, Warner Brothers through the Music Publishers Holding Corporation submitted a new five-year contract to broadcasting stations on March 26th.

The new contract, like the temporary licenses in effect since January 1st between the W-B music publishers and approximately 250 stations, is based upon a monthly fee to be paid by stations.

Earlier an Advisory Committee from NAB had called on Herman Starr, President of the Music Publishers Holding Corporation, and made a plea for adoption of the per piece plan. A statement by Warner Brothers announcing the new contract said that adoption of the per piece plan "was made impossible by the fact that about January 15th a majority of the radio stations signed an agreement with the American Society of Composers, Authors, and Publishers on a bulk (or flat fee) basis."

Continuing, the statement quotes Mr. Starr, as follows:

"If we had carried out the idea of a per-piece basis, in face of this agreement between ASCAP and most of the stations, we would have been exposed to discrimination against our publications. We still believe that a per-piece basis would be fairer to all concerned. The failure of the industry to achieve this basis is due to ASCAP's action in forcing a new bulk agreement upon the stations.

"Our own five-year contract is evidence of our determination to remain outside the American Society of Composers, Authors and Publishers, from which we resigned on December 31st last.

"One important feature of our contract is that the monthly fee for the use of our music will be based on the local quarter-hour rate of each station instead of the national rate - a much fairer arrangement for a large number of the smaller stations which announce a national rate but do practically no national business."

The new Warner contract, which takes effect April 1st, is summarized as follows in a letter sent to radio stations in all sections of the country:

"On December 30, 1935, after discussion with Mr. James W. Baldwin, Managing Director of the National Association of Broadcasters and a Committee appointed by him, there was sent to you a

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three-months' license for the use of the musical compositions controlled by our principals.

"At that time it was our hope and aim that during the term of the license it would be possible to work out a system of fees based upon actual use of individual compositions.

"However, shortly after the first of the year the great majority of broadcasters entered into a five-year agreement with the American Society of Composers, Authors and Publishers upon a bulk basis. The making of this agreement precludes the possibility of arriving at any per-use or measured basis of compensation which would not subject us to the possibility of discrimination against our catalog.

"After further discussion with Mr. Baldwin and the members of his Committee, we have prepared a new agreement for five years from April 1, 1936, which, while in the main similar to the temporary agreement, is different in the following particulars:

"1. It is for the period of five years from April 1, 1936.

"2. The monthly fee for each full time station is based upon the highest local quarter-hour rate instead of the highest published national rate. The monthly fee for the first month for each full time station having a local quarter-hour rate of more than \$25.00 is four times its highest local quarter-hour rate on March 1, 1936. The monthly rate for each month thereafter will be four times the highest local quarter-hour rate during such month. The license fee for full time stations, the highest local quarter-hour rate of which is \$25.00 or less, will be twice their highest local quarter-hour rate.

#3. Licensees will be required to report the use of our own musical compositions only, instead of all compositions.

"4. While the agreement contains a provision which guarantees that no station shall have more favorable terms than any other stations, we are given discretion in the fixing of license fees of stations which because of peculiar conditions or extenuating circumstances are entitled to more favorable terms.

"5. If at any time during the term of the license the Broadcasting Industry and the Music Publishing Industry shall agree upon a system of license fees based upon actual use of individual compositions, then you shall have the privilege of terminating the license agreement in the event that we fail to adopt such per-use system."

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HEARST NET RUMORS CONTINUE AS HE WARS ON PUBLICITY

As rumors continue to circulate regarding negotiations of William Randolph Hearst to acquire new broadcasting stations and to establish a third major network, the publisher has set the broadcasting and newspaper industries gossiping by abruptly paring all radio program publicity in his 38 papers to the bone.

Starting with the Los Angeles Examiner, Hearst papers over the country have been ordered to eliminate all but the essential program notices from their columns. Most radio editors have been transferred to other duties.

The new policy has proved doubly amazing because Mr. Hearst appears to be going into the broadcasting business on a large scale. Besides lending WCAE, Pittsburgh, to the Mutual Network for broadcasts on the flood, Mr. Hearst is reported to have made bids for WEEL, Boston, WXYZ, Detroit, and the Don Lee Network. No confirmations have been forthcoming.

Explanations for the ban on radio publicity have been both numerous and speculative with no statement coming from Sam Simeon. Among the guesses are:

Displeasure over the Columbia Broadcasting System broadcast of a speech by Earl Browder, Secretary to the Communist Party of the United States.

An alignment between Warner Brothers and Hearst against the National Broadcasting Company and Columbia Broadcasting System and the American Society of Composers in the copyright feud. ASCAP is blocking song plugs on the new Marion Davies picture released by Warners because of the copyright situation.

A scrap between Louella Parsons, Hearst syndicated movie columnist, and Mary Pickford over film names for their respective radio programs.

Hearst national advertising salesmen and advertising managers met at San Simeon and agreed that radio is taking much revenue away from newspapers.

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COURT REFUSES TO DISMISS LIBEL COMPLAINT AGAINST CANTOR

The New York State Court of Appeals has refused to dismiss the \$100,000 libel suit brought by Ben Gross, Radio Editor of the New York Daily News against Eddie Cantor, the comedian, and Radio Guide, Inc. In so doing it set forth a new aspect of the law of libel.

The opinion, written by Justice Loughran, held that a complaint in an action for libel which alleges that the

defendants published a defamatory statement concerning a small group, that the public knows that the plaintiff is a member of the group, that the statement was especially aimed at plaintiff and commonly understood to be an imputation against him personally, states facts sufficient to constitute a cause of action.

The article on which the suit is based was published in Radio Guide Magazine in the form of a telegram from Eddie Cantor. It was entitled "Cantor Bares Feud of Critics." It called attention to a feud between the comedian and the radio editors of New York newspapers.

In part, Cantor's wire said: "However, I shall continue to fight those New York radio editors who are experts at log-rolling, who use their columns for delving into personalities that have nothing to do with radio, and whose various rackets are a disgrace to the newspaper profession.

"There is but one person writing on radio in New York City who has the necessary background, dignity and honesty of purpose."

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ASCAP OFFICIALS INDICTED IN STATE OF WASHINGTON

Continuing its copyright war on the American Society of Authors, Composers and Publishers, the State of Washington has obtained indictments against leading ASCAP officials in the Snohomish Superior Court at Everett, Wash. The County prosecutor, A. W. Swanson, obtained the indictments.

Branding ASCAP as a "monopolistic institution" and charging its officers to be in "conspiracy and intimidation in restraint of public trade", Swanson named as defendants Louis Bernstein, Saul Bernstein, E. C. Mills, Gene Buck and Nathan Burkan of New York, and John L. Stanley, local ASCAP manager. Mr. Swanson said that he would seek extradition of the defendants. Judge Ralph C. Bell set the bail for each at \$1,250.

The action is an outgrowth of the vigorous attack recently made on the music society by the State's radio interests and Attorney General E. P. Donnelly. ASCAP at present is operating under receivership in Washington, and its fight to win back complete control for itself is pending in the State courts.

Mr. Donnelly had previously stated that ASCAP officials would be liable to criminal prosecution if they entered the State, but this move by Mr. Swanson is the first attack on the ASCAP officials themselves.

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CONGESTED S-W BANDS MAY BRING SEPARATE PARLEY

Discussing the overcrowded condition of the 49 meter and other short-wave broadcasting bands at a meeting of the C.C.I.R. (International Radio Committee) in Washington, Dr. C. B. Jolliffe expressed the opinion that this might assume sufficient importance to be considered at a separate conference. The question of widening the short-wave bands will be included in the agenda for discussion at the International Radio Conference at Cairo in 1938. If there is to be a meeting devoted to broadcasting in the high frequency bands, Dr. Jolliffe believed that it might be held following the main convention at Cairo or soon thereafter.

Dr. Jolliffe said that the present situation in the short-wave bands was analogous to that in the long-wave broadcasting field in this country before the Radio Commission brought order out of chaos. He said that everybody was getting aboard so that they would have to be recognized when the nations formally took up the subject, those who had too many frequencies would be cut down, but all who were on the air at that time would have to be considered. This obviously would bring up the question of widening the short-wave bands.

It was the opinion of Dr. Jolliffe that in the meantime we might expect to see considerable overcrowding of the 17 megacycle short-wave broadcasting band. He said that the British Broadcasting Company were anxious, on account of sun spots, to secure a short-wave broadcasting between 3 and 4 megacycles. This space is now occupied by amateurs and government aviation.

Dr. Jolliffe, formerly Chief Engineer of the Communications Commission now with the Radio Corporation in New York City, has just returned from Paris where he attended a meeting of the International Broadcasting Union, of which he is one of three vice-presidents, the others being M. Mugica, of the Argentine National Association of Broadcasters, and M. Kee Tsing Li, of China. Dr. Jolliffe was accompanied to Paris by E. K. Cohan, General Engineer of the Columbia Broadcasting System.

Mr. Cohan told the Washington gathering that a tremendous short-wave broadcasting station power increase may be expected in Europe during the next twelve months.

"England is building three new 75 KW short-wave transmitters, Germany a 100 KW transmitter and even Portugal has ambitions along these lines", Mr. Cohan said.

Commander T.A.M. Craven, Chief Engineer, FCC, presided at the Washington C.C.I.R. meeting. A number of committee reports were submitted in connection with the forthcoming Bucharest radio conference. The rest will be taken up at the next meeting of the group which Gerald C. Gross, its secretary, said would be held Thursday, April 23rd.

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CAIRO RADIO CONFERENCE COMMITTEES AND QUESTIONS

An outline of the organization of committees preparing for the Cairo Radio Conference in 1938 and the questions which they are considering has just been announced. Anning S. Prall, Chairman of the Federal Communications Commission is Chairman of the group. Commander T.A.M. Craven, Chief Engineer of the Commission is Vice-Chairman, and Gerald C. Gross, Assistant Engineer, of the FCC, General Secretary.

Committee on Technical Matters

Chairman: Dr. J. H. Dellinger
Vice Chairman: Lt. Col. D. M. Crawford

Articles to be considered:

Definitions; Classification of Emissions; Quality of Emissions; Table of Frequency Tolerances and of Instabilities, Table of Frequency-Band Widths Occupied by the Emission.

Committee on Traffic Matters

Chairman: Captain S. C. Hooper
Vice Chairman: E. M. Webster

Articles:

General Radiotelegraph Procedure in the Mobile Service; General Call "to all"; Calling; Use of Waves in the Mobile Service; Distress Traffic and Distress Signals - Alarm, Emergency, and Safety Signals; Order of Priority of Communications in the Mobile Service; Indication of the Station of Origin of Radiotelegrams; Routing of Radiotelegrams; Service of Low-power Mobile Radiotelephone Stations; Special Services: List of Abbreviations to be Used in Radio Communication, Scale Used to Express Strength of Signals, Procedure in the Service of Low-Power Mobile Radiotelephone Stations, Procedure to Obtain Radio Direction-Finding Bearings

Articles of Additional Radio Regulations:

Order of Priority of Communications in the Mobile Service; Time of Filing of Radiotelegrams; Address of Radiotelegrams; Doubtful Reception - Transmission by "Ampliation" - Long-Distance Radio Communication; Retransmission by Stations of the Mobile Service; Notice of Nondelivery; Period of Retention of Radiotelegrams at Land Stations; Radiotelegrams to be Forwarded by Ordinary Mail or by Air Mail; Special Radiotelegrams; Radio Communications for Multiple Destinations

Committee on Allocation

Chairman: T.A.M. Craven Vice Chairman: E. K. Jett

Articles:

Allocation and Use of Frequencies (Wavelengths) and of Types of Emission

Committee on Administration

Chairman: Comdr. F. A. Zeusler
Vice Chairman: Gerald C. Gross

Articles to be considered:

Choice of Apparatus; Amateur Stations and Private Experimental Stations; Conditions to be Observed by Mobile Stations; Operators' Certificates; Authority of the Master; Inspection of Stations; Reporting of Violations; Call Signals; Service Documents; Interference; Emergency Installations; Working Hours of Stations of the Mobile Service; Accounting for Radiotelegrams; Aeronautical Radio Service of Public Correspondence; International Radio Consulting Committee (C.C.I.R.); Expenses of the Bureau of the Union; Effective Date of the General Regulations.

Report of a Violation of the Telecommunication Convention or of the Radio Regulations; Hours of Service for Ship Stations in the Second Category; Service Documents; Service Symbols; Documents with which Mobile Stations Must be Provided; Statement of Radiotelegrams exchanged with Mobile Stations; Internal Regulations of the International Radio Consulting Committee (C.C.I.R.).

Articles of Additional Radio Regulations:

Application of the Telegraph and Telephone Regulations to Radio Communication; Charges.

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"WILLARD HOTEL" RESOLUTION REFERRED TO COMMITTEE

"The Willard Hotel Incident" resolution, introduced by Senator Couzens (Republican), of Michigan, was referred to the Senate Interstate Commerce Committee on March 26th by request of its author.

As the Federal Communications Commission already has released the file of evidence demanded by the resolution, it is presumed that the case is closed unless the Committee should decide that a Senate investigation is necessary. Senator Couzens, it is understood, does not intend to push the inquiry further.

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MUSICIANS' UNIONS WIN PAY RAISES FROM NETWORKS

Pay increases and shorter working hours for organized musicians engaged in broadcasting for the three major networks are embodied in a new two-year agreement between the radio chains and the Musicians' Union, Local 802, Jacob Rosenberg, Secretary of the Union, announced March 26th in New York.

The National Broadcasting Company, the Columbia Broadcasting System and the Mutual Broadcasting System are the networks included in the new agreement, which is retroactive to March 4, when the existing contract expired.

Under the terms of the new agreement, musicians employed on commercial and sustaining programs who formerly worked thirty-three hours a week will now put in thirty hours with no loss of salary. Furthermore, they will work five out of eight consecutive hours instead of five out of ten a day. Musicians engaged in commercial and sustaining programs will be paid \$140 minimum, while those employed only on sustaining programs will receive \$100 on the basis of a thirty-hour six-day week.

Musicians who play commercial and sustaining engagements twenty-four hours a week are raised from \$100 to \$105 on a four out of eight hour basis. House musicians employed on the seventh day of the week under the new contract will receive \$30 for their services, outside men receiving \$25 for the extra day. House orchestra conductors will be paid one and three-fourths times the wage scale.

The agreement also provides that musicians employed four or more consecutive weeks by any of the broadcasting companies shall not be discharged without eight weeks' notice, instead of receiving the four weeks' notification.

Mr. Rosenberg said that for the first time an agreement had been made governing arrangers and copyists of music. It affects more than 800 such workers in this city (New York).

The new arrangement with the networks calls for weekly salaries of \$115 and \$100 for music arrangers and \$65 for copyists for a thirty-five-hour week.

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DENIAL OF CAPE MAY APPLICATION RECOMMENDED

Examiner John P. Bramhall this week recommended to the Federal Communications Commission that the application of Alfred C. Matthews to build a new broadcasting station at Cape May, N.J., for operation on 1420 kc. with 100 watts power, specified hours, be denied. The Examiner stated that the applicant is not financially qualified to operate the station and that the area involved is already amply served.

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FCC CHANGES MEETINGS SCHEDULE DURING PHONE PROBE

Because all members are sitting in on the American Telephone and Telegraph Company inquiry, the Federal Communications Commission has changed the schedule of its weekly division meetings. The new schedule follows:

Telephone Division meets at 2:30 P.M., Mondays; the Telegraph Division at 3:30 P.M., same day.

Broadcast Division meets at 10:30 A.M., Fridays; the full Commission meets at 2:30 P.M., same day.

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NETWORKS' TIMES SALES GAIN IN FEBRUARY; CBS LEADS

The Columbia Broadcasting System led all other individual networks in time sales for February with a gross revenue of \$1,909,146. This represented a 15.4 per cent gain over billings for the same month in 1935 and an increase over January, 1936, when revenue totalled \$1,901,023.

The two NBC networks gained \$74,000 in business over January with a total of \$2,707,148, but fell 1.8 per cent under February, 1935. The NBC-WJZ network for the first time, however, passed the million dollar mark. The network gains become more significant when it is realized that in previous years, February sales have fallen below January because of seasonal trends.

The NBC-WEAF hookup grossed \$1,691,524 and the NBC-WJZ link \$1,015,624. Loss of the Palmolive Colgate business and the withdrawal of the National Biscuit Company's "Let's Dance" program accounted for NBC setback.

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JOHN BACHEM NAMED NBC SALES MANAGER

The appointment of John H. Bachem as NBC Eastern Division Sales Manager was announced March 24th by Roy C. Witmer, NBC Vice-President. Bachem succeeds Donald S. Shaw, who leaves NBC on April 1st to become Assistant to the President of McCann-Erickson, Inc., New York advertising agency.

The new sales executive came to NBC in 1932 after 14 years in the magazine field where his affiliations included The Butterick Company, Doubleday, Doran and Company and the International Magazine Company. He assumes his sales managerial duties immediately.

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COOPERATIVE SELLING OF RADIOS DISTURBING BELGIAN DEALERS

Retail distribution of radios through cooperative organizations is making headway in Belgium, a report to the Commerce Department from the American commercial attache at Brussels shows.

Within the past month, the report states, a new cooperative radio-distribution concern was formed with a capital of 1,000,000 francs (approximately \$180,000) to cover 19 communes in the populous Charleroi basin. Several small radio-distribution services have been functioning in Belgium, but the new organization is the largest which has yet appeared. The development of these cooperative radio distribution services, it is pointed out, is causing considerable concern among local radio dealers.

According to official statistics, there were 732,208 radio receiving sets in use in Belgium as of December 31, 1935, an increase of 63,701 as compared with June 30, 1935. Of the December total, 5,373 units represented crystal sets which is an increase of more than 1,000 units during the past year.

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BBC AWAITS RADIO STATION FOR TIE-PIN

"In the old crystal-set days we were all familiar with the ingenious receivers which fitted inside matchboxes. Now, apparently, it is the turn of transmitters to reach the ultimate minimum. A waistcoat-pocket transmitter, designed primarily for program work in crowds and large assemblies in which the announcer must be able to move quickly to any given point, has been perfected by the Engineering Department of the National Broadcasting Company", said the British Broadcasting Corporation commenting on the miniature transmitter recently developed by the NBC. "Small as it is, the waistcoat-pocket transmitter leaves the radio engineer's dream yet unfulfilled. He is still looking for one which he can carry in his tie-pin."

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A television transmitter has been erected in Stockholm by a Swedish radio manufacturing firm. The transmitter, which is an experimental one, has been designed by 2 Swedish engineers, in collaboration with a German company. Its present power is 0.5 KW., and tests, consisting of the transmission of talkie films, have given satisfactory results.

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 ::: INDUSTRY NOTES :::
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The Fourth Annual Convention of the Institute of Radio Service Men and its accompanying Radio Trade Show was to open today, Friday, March 27th, at Chicago, for a three-day session.

The Federal Communications Commission calls attention of all licensees to the fact that Rule 105.23 of the Practice and Procedure of the FCC, which supersedes Rule 24 of the Rules and Regulations, requires the licensee of a station to forward within three days after receipt of a notice of violation, a reply to the Commission at Washington and a copy to the office originating the complaint when that office is other than the FCC at Washington.

Reports on radio markets in Palestine and Bolivia have been issued by the Bureau of Foreign and Domestic Commerce, Commerce Department, and may be obtained for 25 cents each.

Misleading advertising of a cosmetic in newspapers, over the radio, and through other media, by Lur-Eye Products, Inc., 1501 Broadway, New York City, and W. R. Robinson Co., Kankakee, Ill., is prohibited by the Federal Trade Commission in an order to cease and desist, issued against those respondents.

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DAVIS NAMED N. Y. MANAGER FOR ABC

George Roesler, National Sales Manager of the Affiliated Broadcasting Company, has announced the appointment of David D. Davis, Jr., as Manager of the network's New York office, which is located in the Lincoln Building. Mr. Davis has been identified with advertising for several years, having been associated with The International Magazine Co., National Broadcasting Co., and Outdoor Advertising, Inc.

As Chicago sales representatives, the network has appointed Dr. George E. Halley, for many years on the sales staff of KMBC, Kansas City, and more recently with Free & Sleininger; and Calvin Austin, formerly a member of NBC's Chicago Sales Department. The ABC Detroit office in the New Center Building is managed by Earl Maxwell, who also represents the Roesler list of stations in that city. Bert Green, formerly with Edward Petry & Co., and with WIND, Chicago, will contact Chicago agencies and advertisers for the list of stations represented by Mr. Roesler independently of the network.

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HEINL RADIO BUSINESS LETTER

2400 CALIFORNIA STREET

WASHINGTON, D. C.

CONFIDENTIAL — Not for Publication

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March 31, 1936.

PRALL AND PAYNE FRIENDLY AS RENOMINATION IS ASSURED

For the first time in many months, Anning S. Prall, Chairman of the Federal Communications Commission, and George Henry Payne, Progressive Republican member and arch critic of the FCC in the past, are on speaking terms. It is reported they even appear friendly.

As an explanation of the sudden termination of a bitter inter-Commission feud, observers close to the Commission express the belief that President Roosevelt has taken a hand in bringing the Commissioners into harmony after all threatened opposition to Mr. Payne on Capitol Hill faded.

As a condition of his reappointment as Chairman of the Commission, Mr. Prall is understood to have been told by the President that he must maintain more cordial relations with his colleagues. The feud with Commissioner Payne was the outstanding example of disruption.

When it appeared that the Western Senators were perfectly willing to see Mr. Payne reappointed to the Commission when his present term expires June 30th, Chairman Prall is said to have changed his hostile attitude toward his fellow New Yorker into one of apparent cordiality. Commissioner Payne, to all appearances, responded in the same fashion. Observers are now wondering whether Mr. Payne will burst forth with any more of his scathing criticism of FCC policies and practices such as those made in several university addresses during the Fall and Winter.

The investigation of the American Telephone & Telegraph Company by the full Commission is also aiding in bringing the Commission into a more harmonious frame of mind. Because Paul A. Walker, Chairman of the Telephone Division, invited all of his colleagues to sit in on the inquiry, the Commission is for the first time in many months working with a singleness of purpose and in an atmosphere that can hardly do anything but reflect credit on them all from a public point of view and in the eyes of Congress.

The telephone inquiry actually was awarded to Mr. Walker in a game of buck-passing as some of his colleagues feared it was full of political dynamite. Commissioner Walker accepted the task confidently but insisted that he have a free hand in employing expert aides. When politicians sought to bring pressure upon him, he went to the White House and told the President that if the

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inquiry were to be conducted in a manner to reflect credit upon the administration, he must have able technical and legal assistants and not politically-minded job-holders.

Now that Mr. Walker appears to be making a success of the inquiry, the other FCC members are glad to be on the bandwagon and are presenting a united front against their critics. Unless some reversal occurs to discredit the Commission, it is probable that the Commissioners will emerge from the telephone inquiry in a more harmonious state than they have been since the FCC succeeded the Federal Radio Commission.

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CBS BUYS KNX FOR \$1,250,000; HEARST CHAIN GROWING

The Columbia Broadcasting System is awaiting approval by the Federal Communications Commission of its purchase of Station KNX, Los Angeles, for a reported price of \$1,250,000. The price is said to be the largest ever paid for a single station and will be paid in four yearly installments.

The deal, negotiated in New York City between William S. Paley, CBS President, and Guy C. Earl, Jr., President and principal owner of the Western Broadcast Company, is dependent upon both FCC approval and the renewal of KNX's license. Station KNX now holds only a temporary permit because of citations for questionable programs.

Station KNX will be substituted for KHJ as the Los Angeles outlet on January 1, 1937, it is said, if the deal is consummated. At that time the CBS contract with the Don Lee Network for the Los Angeles station and other Pacific Coast outlets will expire, and presumably will not be renewed.

Meanwhile, Hearst Radio, Inc., is continuing to expand its network-in-the-making. Arrangements have reputedly been concluded for the purchase of three more units of the Southwest Broadcasting System, as was expected. The stations are KTAT, Forth Worth, Texas; WACO, Waco, Texas, and KOMO, Oklahoma City.

Previously William Randolph Heart, with the aid of Elliott Roosevelt, now Vice-President of Hearst Radio, Inc., had acquired KTSA, San Antonio, and KNOW, Austin, from the Southwest Broadcasting System. All of the Hearst purchases are awaiting approval by the FCC.

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"WILLARD" BRIBERY CASE CLOSED BUT STING REMAINS

The shelving by Senator Couzens of his resolution to air the charges alleged to have been made that a member of the Federal Communications Commission, or the entire Commission, could be bribed, apparently ends that weird chapter. Not the least puzzling thing was that even after it had been dragged into the open, only one copy of the secret hearings was made available to the press - Commissioner Irvin Stewart's copy.

At that, the Commission had a lucky break for if the newspaper men had not been so occupied with the A. T. & T. hearings, and the papers so filled with flood news, the incident would have received plenty of publicity and might have caused as much of an uproar as the FCC seizure of lobby telegrams. Representative Connery, of Massachusetts, or other critics may still have something further to say about it.

Especially so since there are those at the Commission who are saying openly that the whole incident was the result of an ill-feeling between Anning S. Prall, Chairman of the Communications Commission and Commissioner E. O. Sykes, who was forced to surrender the FCC Chairmanship to Mr. Prall. They assert it was more than a coincidence that the son of Chairman Prall, who lives in New York, not only should have been in Washington at the exact time the charges were made, but at the same hotel and in an adjacent room to that occupied by the broadcasters. That the young man should continue his amateur detective role by trying to pass himself off under an assumed name on the train going back to New York in an apparent further effort to get something on Judge Sykes and Harry Butcher, Vice-President of Columbia, also has caused comment.

A significant aspect of the inquiry, soft-pedalled in both the FCC and the Justice Department reports, was that the second-hand version of the hotel conversation, as it came from Herbert Pettey, Secretary of the Commission, and Commissioner Prall differed from the first-hand testimony of Mortimer Prall. The difference was that the secondary witnesses mentioned the name of Judge Sykes, but young Prall didn't.

That there was more to the incident than the vaporings of a few inebriates in a hotel room is certain, but how much more only time or good healthy Congressional investigation may reveal. It is even possible that someone actually tried to dupe the broadcasters out of \$25,000 or \$50,000, with the claim that he could use Mr. Butcher to buy Judge Sykes or the entire Commission. If so, it is believed he would have used exactly the same tactics as a newspaper tipster who was once in the old Essex Market Police Court in New York City, who, through his newspaper connection, had the privilege of going into the enclosure and talking to the magistrate on the bench.

When some poor peddler would be haled into court for parking his pushcart in front of a fire hydrant, Louis, the tipster, would say to him: "You're in a tight place, but I know the Judge very well and for a dollar I'll speak to him and see if I can't get you out of this." If the pushcart vendor came through, Louis would pocket the dollar, go through the gate and talk to the Judge, with the peddler watching him intently.

"Good morning, Judge", Louis would say.

To which the Judge would reply, "Good morning, Louis!"

"Heavy docket this morning, Judge, have you any idea what time we'll adjourn?"

"I should say about 1:15 o'clock this afternoon."

"Thanks, Judge", Louis would reply.

Whereupon with a troubled look, he would go back to the peddler and say, "The Judge is very mad, but I think I got it fixed up all right."

R. D. H.

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RADIO MANUFACTURERS PREPARE FOR FTC HEARING APRIL 7

Radio set manufacturers are preparing for the hearing scheduled Monday, April 7th, before the Federal Trade Commission on the trade practice rules submitted by the Radio Manufacturers' Association. As the meeting may result in broad-scale regulation of radio industry practices, it is regarded as one of the most important hearings in the history of the radio manufacturing business.

Advertising phraseology as applied to "all-wave" sets will be the major point at issue. Ethical standards prohibiting commercial bribery, set counterfeiting, trademark piracy, misrepresentation of merchandise, and sale of equipment from which serial numbers or other identifying marks have been removed also will be considered.

The RMA, which is taking a leading role in the proposal, has called a meeting of its Directors on the day preceding the hearing. Its committee, which has been cooperating with the FTC since the move to set up trade practice rules for the radio industry began, comprises:

James M. Skinner, President of the Philadelphia Storage Battery Co., Chairman; Commander E. F. McDonald, Jr., President, Zenith Radio Corp.; James L. Schwank, Atwater Kent Mfg. Co.; George A. Scoville, Vice-President of Stromberg-Carlson Telephone Mfg. Co., and A. S. Wells, Wells-Gardner Corp.

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INTERNATIONAL UNION PLANS GREATER PROGRAM EXCHANGES

The Council of the International Broadcasting Union, which recently held its Winter meeting in Paris, decided to organize another international relay, similar to that of October last, labelled "Youth Sings Across the Frontiers", for presentation next December. According to a report of the meeting by the British Broadcasting Corporation. The Council also considered a number of proposals for the development of an international exchange of programs on a more regular basis.

M. Maurice Rambert, President of the Union, said that the number of radio listeners in Europe in 1935 increased by 16,000,000 as the receiving sets in use jumped from 23,560,000 to 27,650,000. The new Palestine Broadcasting Service was admitted to the Union as an active member, while that of the Vatican was given a special membership.

Delegates were present from 29 European national broadcasting organizations and from seven broadcasting organizations overseas.

The Winter meeting also included the first intercontinental meeting of broadcasters. This meeting, convened by the International Broadcasting Union for a study of the several problems created by the development of intercontinental broadcasting on short wavelengths, was attended by representatives of broadcasting activity in forty-three countries, including sixteen countries overseas. All the continents were represented, as well as the broadcasting service of the League of Nations. The Presidency General of the Conference was accepted by M. Georges Mandel. The direction of the work of the Conference was in the hands of M. Rambert, the President of the International Broadcasting Union, who had the assistance of three Vice-Presidents, one of which was Dr. C. B. Jolliffe, Chief Engineer of the Radio Corporation of America.

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CARNEGIE INSTITUTION TO EXPLORE RADIO IN STRATOSPHERE

With the granting of a special experimental license by the Federal Communications Commission, the Carnegie Institution of Washington, is preparing to explore the outer limits of the stratosphere in an attempt to learn new facts regarding radio frequencies and the effects of the 11-year sun spot cycle on broadcasting.

A station will be erected in Kensington, Md., just outside the National Capital, to transmit ultra-short signals into space at the fastest rate ever attempted. The signals will be transmitted at the rate of one every tenth of a second and will last only a thousandth of a second.

The experiments are to be under the direction of Dr. A. J. Fleming, Director of the Institute. The equipment to be used has been three years in the making. While the tests will be highly technical, they may well produce data that will eliminate much of the static and interference that disturbs reception from both long and short-wave broadcasting stations.

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SUPREME COURT INVALIDATES STATE BROADCASTING TAX

Broadcasters won a far-reaching victory on March 30th when the United States Supreme Court ruled that States cannot tax the business of radio broadcasting in holding unconstitutional the Washington State tax on gross receipts of broadcasters in its jurisdiction.

Washington State had levied a one per cent gross revenue tax on the Fishers Blend stations of Seattle, KOMO and KJR. The issue was of far more than local significance, however, and the Supreme Court decision will set a precedent that will prevent other States from following in Washington's footsteps.

The Supreme Court in an unanimous opinion held that broadcasting is interstate commerce and therefore under control of the Federal Government rather than the States.

The opinion, read by Justice Stone, said, in part:

"By its very nature broadcasting transcends State lines and is national in scope and importance - characteristics which bring it within the purpose and protection and subject to the control of the commerce clause."

As a similar tax has been levied in Missouri, broadcasters in that State expect relief as a result of the Supreme Court's ruling.

The issue involved in this case was not whether, because of the rebroadcasting of chain programs from outside the State, the radio station is a part of interstate commerce, but whether the broadcasting of programs originating within the State for local consumption is by the physical nature of radio transmission, interstate commerce simply because the radio waves cross the State line, with the result that radio advertising may sell products outside of Washington.

Another premise for this claim was that if, for all practical purposes, listeners outside of the State of Washington cannot hear the radio programs of KOMO and KJR, their receiving sets at least are affected by the "interference" of these stations in relation to others.

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Radio stations, if incorporated, are subject to the regular Federal taxes as are other corporations, but there is no original license fee or special tax levied prior to beginning operations.

Elmer W. Pratt, attorney for the National Association of Broadcasters, has been engaged in a study of the tax problems of the broadcasting industry, with a view to gathering information and legal precedents to clarify the taxing situation.

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LOWELL AND DUNMORE WIN ANOTHER ROUND ON PATENTS

Percival D. Lowell and Francis W. Dunmore, former Bureau of Standards technicians, on March 30th moved a step nearer to the fabulous fortune that would be theirs if the validity of their patents on electrically operated radio receivers were ever judicially established.

The United States Supreme Court ruled that the two inventors are entitled to a trial of the case in the United States District Court at Baltimore.

Lowell and Dunmore have been involved in litigation over their patents for more than a decade, and have several times appeared on the verge of collecting millions of dollars in damages from radio manufacturers only to see the fortune fade away in more involved litigation.

Back in 1921, when they were just struggling young scientists, the inventors evolved a device that would take the hum out of a radio receiver when raw alternating current was fed to it. Their invention eliminated expensive dry cells and unsatisfactory storage batteries and proved a boon to the radio industry.

Lowell at that time was earning \$1,980 a year, and Dunmore \$2,400 at the Bureau of Standards. Lowell also worked in a Washington bowling alley to supplement his income. Since then their lives have been occupied with a continuous round of litigation as they sought to collect damages from the radio manufacturers and at the same time defend their patents against other inventors who claimed to have developed the device.

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INDUSTRY NOTES

M. H. Aylesworth, former President of the National Broadcasting Company, will lecture this year at Bucknell University, Lewisburg, Pa., in a course on propaganda.

The Bureau of Foreign and Domestic Commerce has just issued a report on the radio market of the Irish Free State. Copies may be obtained for 25 cents from the Department of Commerce.

The United States had its first radiotelegraph contact with the British superliner "Queen Mary" during her trial trip down the Clyde River March 25th when messages from the ship were received at the station of the Mackay Radio and Telegraph Company at Southampton, L. I. This marine radio installation on the "Queen Mary" is the largest made to date. The apparatus complete, both for radiotelephone and radiotelegraph communication with the United States and Europe throughout voyages was supplied by the International Marine Radio Company of London, an associated company of the International Telephone and Telegraph Corporation.

Theodore C. Streibert was appointed Vice-President of Station WOR at a meeting of the Board of Directors, Alfred J. McCosker, President, stated March 27th. Mr. Streibert was also recently elected First Vice-President of the Mutual Broadcasting System, of which WOR is the New York key station, and was reelected to the Mutual Board of Directors.

Since 1933, the young executive has been assistant to Mr. McCosker and on June 20, 1935, was elected a member of the station's Board of Directors. Before entering radio, he had a distinguished career in business, and from 1929 to 1933 was Assistant Dean of Harvard Business School.

Tasmania, large island State of Australia, 180 miles south of the mainland, was connected by telephone with the rest of the world March 25th for the first time through the inauguration of a submarine telephone cable to Australia. The cable is one of the longest submarine telephone cables in the world and has six telephone circuits, numerous telegraph channels and a special circuit for radio broadcasting. Companies associated with the International Telephone and Telegraph Corporation in England and Australia were involved in its manufacture and installation.

The Committee on Organization and Technical Matters and on Broadcasting Questions (A and D, respectively), preparing for the fourth meeting of the C.C.I.R. will meet in Room 1413 of the FCC offices, new Post Office Building, on April 3rd at 9:30 A.M. and 2 P.M., respectively.

Former Senator Clarence C. Dill, widely known in radio circles, on March 30th filed suit for divorce against the erst-while Mrs. Rosalie Jones, advocate of women's rights and heiress, at Spokane, Wash.

Senator Austin (Re.), of Vermont, on March 30th placed in the appendix of the Congressional Record an unidentified analysis of the Farm and Home Hour on NBC for 1935. The conclusion of the report was that "the bulk of the time was allowed for propaganda purposes to representatives of the government."

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R. C. PATTERSON, JR., QUILTS AS NBC VICE-PRESIDENT

Confirming reports of several weeks past, Richard C. Patterson, Jr., resigned as Executive Vice-President and Director of the National Broadcasting Company on March 20th. His immediate plans were not revealed, but an announcement is expected within a few days.

Rumors that Mr. Patterson, a former Commissioner of Correction of New York City, would quit NBC started shortly after Major Lenox Lohr became President of the network. Mr. Patterson had been in line to succeed Merlin H. Aylesworth as NBC head.

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CBS ISSUES SECOND EDITION OF "TALKS" ON NETWORK

The Columbia Broadcasting System this week issued the second number of Talks, a quarterly digest of addresses broadcast over the CBS network. About the size of the Readers' Digest, the CBS publication follows the general plan of the British Broadcasting Corporation, which edits a similar magazine. Talks is distributed widely free of charge.

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SPEARMAN'S TELEGRAM OPINION COMES HOME TO ROOST

Submission of a voluminous report on the part the Federal Communications Commission played in seizing telegrams and radiograms during the Senate Lobby Committee's probe has not quieted the criticism directed at the FCC.

The New York Times unearthed the record to show that the FCC twice within the past year refused to make available to executive agencies of the Government, telegrams and telephone records. It published a letter sent by the Commission to Attorney General Cummings on April 18, 1935, with an opinion by Paul D. P. Spearman, then FCC General Counsel, that private telegrams and telephone records are inviolate.

The Justice Department had requested aid in checking telephone records in St. Paul to facilitate the catching of criminals.

The question uppermost in the minds of political observers seems to be who will be made the goat in an affair that promises to be a 1936 campaign issue: the Senate Lobby Committee or the FCC?

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NEW STATIONS IN NEW YORK AND ALASKA RECOMMENDED

Examiners this week recommended to the Federal Communications Commission that construction permits be granted to erect new broadcasting stations in New York State and Alaska.

Examiner Dalberg proposed that a permit be granted to the Watertown Broadcasting Corp., of Watertown, N. Y., for operation on 1270 kc. with 250 watts power, daytime. He recommended denial of an application for the same channel by A. W. Hayes, of Erie, Pa.

Fairbanks, Alaska, would get its first radio station if the recommendation of Examiner Hill is accepted by the FCC. He proposed that John A. Stump be given a permit to erect a station for operation on 1210 kc. with 100 watts power, unlimited time and that an application by Edwin A. Kraft, of Fairbanks, be denied.

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INFRINGEMENT SUITS FILED AGAINST 21 MORE STATIONS

Five Warner Bros. music publishing firms, Harms, Inc., M. Witmark & Sons, Remick Music Corp., T. B. Harms Co., and New World Music Corp., have filed 40 additional suits against radio stations, restaurants, night clubs and hotels through Wattenberg & Wattenberg, their New York law firm, and correspondent attorneys. Twenty-one of the actions filed are against radio stations, the remaining 19 being directed against night clubs and hotels.

Stations named as defendants are:

WOOA WBIG WGBB WIBA KGU WIXBS (2 suits) WSMB WGST
WOWO KTFI KPO KOA KTAR WDAY KFYR KSOO WCHS.

Lewis

WBC

WBC

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Phonix

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APPLICATIONS GRANTED BY FCC BROADCAST DIVISION

March 27 - WHA, University of Wisconsin, Madison, Wis., CP to make changes in equipment, increase power from 2½ KW daytime to 5 KW daytime; WHN, Marcus Loew Booking Agency, New York City, license to cover CP authorizing changes in equipment and increase in day power to 5 KW, 1010 kc., 1 KW night, unlimited time; also granted license to use old 1 KW transmitter as an auxiliary, and granted authority to determine operating power by direct measurement of antenna; WDZ, WDC Broadcasting Co., Tuscola, Ill., license to cover CP authorizing changes in equipment, change in frequency to 1020 kc. and removal of transmitter site locally, increase in day power to 250 watts; WFAM, The South Bend Tribune, South Bend, Ind., modification of license to change hours of operation from sharing with WWAE to unlimited day and sharing at night with WWAE; WWAE, Hammond-Calumet Broadcasting Corp., Hammond, Ind., The Commission on its own motion, reconsidered its action of March 17, 1936, in designating for hearing application for modification of license to change hours of operation from S-WFAM to unlimited day to LS, S-WFAM night, and granted same.

Also, WFBC, Greenville News-Piedmont Co., Greenville, S. C., license to cover CP authorizing installation of new equipment and increase in day power from 1 to 5 KW, unlt'd. time, 1 KW night, 1300 kc.; WTAQ, WHBY, Inc., Green Bay, Wis., license to cover CP covering move of transmitter from Eau Claire to De Pere, Wis., and studio location to Green Bay, install new eqpt., change hours of operation from sharing KSCJ night to unlt'd. and installation of directional antenna for nighttime operation; 1330 kc., 1 KW night, 1 KW day, unlt'd. time; WFBC authority to determine operating power by direct measurement of antenna.

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