

## INDEX TO EVIDENCE OF THE WITNESSES

**APPLETON, F. F., Publisher:**—The Musson Book Company—Printing of "Jimmy Gold-coast," "Smoking Flax," "Zane Grey," "Mysterious Rider," "Thundering Herd," and other publications, 18-20—Licensing clauses and American authors—Copyright protection and the publishing industry, 20-23.

*Communication.*—Mr. Appleton writes desiring to qualify his evidence in respect to licensing clause as applied to books, 102.

*Recalled.*—Certain statements contained in previous evidence, reviewed—Printing of books in Canada is commercially possible—Viewing the question of copyright from two standpoints respecting licensing clauses—Suggests a provision in the Act that no compulsory license be granted for an edition of less than 2,000 copies—The fourteen days provision in the Act—Copy of the publisher's agreement—Ideals recognized in Bill 2., 191-193—The American publisher, a competitor—The ideal agreement—The publisher is frequently the owner of the copyright—Registration not necessary but is advisable, 193-194.

**BECK, EDWARD, Member of Canadian Pulp and Paper Association:**—Concerned in producing the kind of paper required for books, magazines, etc.—Capital invested, equipment and workmen—Effects of licensing clauses on production of paper—Describes kind of paper produced and explains how the tariff works out in respect of printing paper—Does not want to take away from authors what rightfully belongs to them—The manufacturing clause in the old Bill, 37-41.

**BERLINER, EDGAR M., President, Victor Talking Machine Company of Canada Limited:**—Interested in Bill 2 regarding musical works and mechanical reproduction—Manufacturers of records in Canada—Submits memorandum comprising several proposed amendments to proposed legislation; also amendments to certain provisions in the Act, 71-77—Effect of radio broadcasting on sale of records, 77-79.

**BURKAN, NATHAN, Counsel, American Society of Composers, Authors and Publishers:**—Have had 25 years' experience with copyright law in United States—A Canadian citizen is entitled to the same protection with respect to his work as an American citizen by virtue of a Presidential proclamation dated December 27, 1923—The printing clause or what is called the manufacturing clause applied only to books and periodicals in the English language—Cites the case of Lieutenant Gitz Rice, a Canadian citizen regarding a song which he wrote, 215-217—Domicile—Is of opinion that law of United States protects the Canadian authors as well as the American authors in the broadcasting of compositions by radio—Cites cases—218-220—Under United States law a performance given for charitable, religious or educational purposes is exempt from copyright control—Certain decision appealed against—Broadcasting stations operating as commercial institutions must pay royalty; 85 out of 137 of such are operating to-day under license from the Society—Case of The General Electric referred to—Decision of Hon. Judge Knox in respect of copyrighted musical compositions—Submits three decisions for the record—220-223—Nationality of author not considered in the arrangement of a programme for broadcasting—Five companies through ownership of radio patents control the radio industry in America, 223-226—Cites Mr. Sarnoff's testimony respecting super-stations—Royalties, 226-227—Discusses Bill to enable United States to adhere to Berne Convention—Companies not using copyrighted compositions, 228-230.

**BURPEE, LAWRENCE J., National President, Canadian Authors' Association:**—Mainly concerned in proposal to repeal licensing clauses of the Copyright Act—Prefers to consider the matter as one of principle—Interests other than authors' which benefit—Certain authors' works to which the licensing clauses do not apply—Paramount object of a copyright law—Do publishers and printers in Canada greatly benefit by the licensing clauses?—Effect of the Amending Act of 1923—Resolutions adopted by various societies in support of the proposed amendments, read into the evidence, 1-9.

**CARTIER, J. N., Representing "La Presse" Broadcasting Station:**—Asks for repeal of paragraph (g) clause 4 of Bill 2, and gives reason therefor, 124-126—What radio is accomplishing in educating Canadians, 126-127—Receiving sets in Province of Quebec—Purpose of broadcasting in the case of "La Presse"—Objects to interpretation of word "performance" as defined in Bill 2—"La Presse" operates its station at a loss—Impossible for a newspaper to trace a profit—Type of letter received asking that certain songs be broadcast—Average proportion of Canadian and foreign works on a programme, 127-131—Royalties, 132-134.