

"tranquility". It is difficult to develop any business at the present time, but these difficulties will be greatly magnified if the legal foundations of our business are to be undermined from time to time by tinkering with the copyright law.

While assuming the general position that the law as it stands is a satisfactory compromise, this association wishes to state certain principles that should underlie any legislation on the subject of copyright.

#### RE-LICENSING CLAUSES

While no actual licenses have been granted in the field of music, yet the publication of certain works has been granted to Canadians as a result of these clauses. This association is in favour of the *retention of these provisions*.

#### RE RADIO BROADCASTING

This association is firmly convinced that the *present Act fully covers the broadcasting of music by radio*. Stripped of any verbal quibbles, the fact remains that radio presents the latest and most effective means of making ideas public. Copyright is designed to protect the making public—or publication—of any literary or musical work. It covers publication by means of manuscript, vocal rendition, printing press, moving picture and gramophone. Is there any reason to suppose that the principle of copyright should not apply to the newest method of disseminating ideas by mechanical means—viz. radio?

This principle is recognized in Great Britain where the British Broadcasting Company, which has been granted a monopoly in broadcasting, pays the copyright owner a small fee for every rendition of his work. The Government of Australia have recognized the rights of the author and share with him their receipts from license fees charged for owning a receiving set. In the United States the courts have held in two cases out of three that radio is a public performance under the Act and the third has been appealed and is awaiting judgment. In the face of these precedents, would it not be rash for Canada to bring down radio broadcasting legislation, especially when there has been no attempt whatever on the part of copyright owners to interfere in any way with the broadcasting of music in Canada?

*This association favours the reasonable control of copyright property, rather than drastic penalties or heavy charges imposed on broadcasters.* While the sales of radio appliances have increased phenomenally, the sales of sheet music has steadily declined. The importations of sheet music and music books in 1924, were only 70 per cent of their value in 1920, this in spite of the fact that popular music retailed in 1920 at fifteen cents per copy as against thirty-five cents as at present. The total sales of single hits have steadily decreased since the advent of radio.

It is true that certain songs have been popularized by radio. "IT AIN'T GOING TO RAIN NO MO" is probably the most outstanding instance. A canvas of the sheet music dealers shows that the total sales of popular music have decreased in about the same ratio as the imports have declined over the period of the development of radio.

It is claimed that radio offers remarkable publicity for popular songs. This is quite true. However, in the music business, too much publicity is at times even more harmful than too little. You may be attracted by a melody the second or third time you hear it but by the tenth time you are tired of it and at the fifteenth, it is an undoubted cause of profanity. Radio listeners