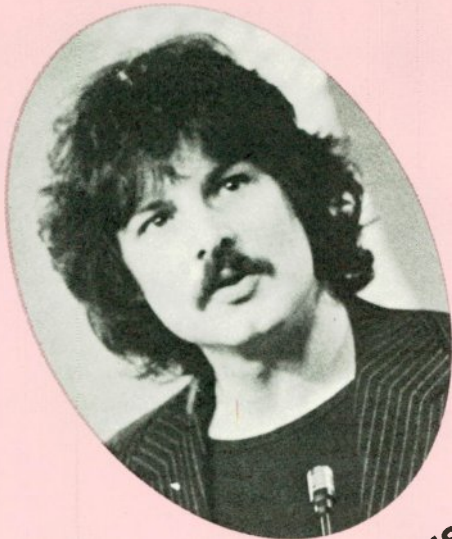




THE MUSIC SCENE

1976
CERTIFICATE
OF
HONOUR

MAY - JUNE 1977



TOP ARTIST
BURTON CUMMINGS, best
new male vocalist AND
male vocalist of the year.



COUNTRY MUSIC
CARROLL BAKER, country female
vocalist of the year.

CONGRATULATIONS

to the BMI Canada
affiliates who took
top honours at the
Juno Awards
and excel in a
variety of areas.

TOP 40
NICK GILDER and **JIM McCULLOCH**,
composers of "Roxy Roller", recorded
by Sweeney Todd and voted
best-selling single.

PRODUCERS
MIKE FLICKER, producer of
the year, for the Heart
Album, "Dreamboat Annie".



INSTRUMENTAL
HAGOOD HARDY, instrumental
artist of the year.



JAZZ
PHIL NIMMONS — Nimmons
'n' Nine Plus Six, "The
Atlantic Suite".



NEW GROUPS
IAN GUENTHER (and Willi
Morrison) of the THP
Orchestra, best new
group.

COMMENT

The big news for the music industry during the past month of course was the publication of *Copyright in Canada: Proposals for a Revision of the Law*. The proposals — and they are just that — were prepared by A. A. Keyes and Claude Brunet, consultants to the Department of Consumer and Corporate Affairs, Ottawa. The study is the result of numerous consultations by the authors with various groups across Canada which have interest in copyright affairs. These proposals will be the subject of considerable debate before a draft act may be brought forth.

BMI Canada's legal department is preparing an analysis of the publication for your perusal. It will follow as a special mailing. We ask you to assist us in presenting your views when you have had an opportunity to read the analysis. BMI Canada will prepare briefs and presentations on your behalf and we would sincerely appreciate having your thoughts so we may properly represent you.

If you have comments you wish to express yourself on the Working Paper, as it is called, you are invited to write to The Hon. Anthony Abbott, Minister of Consumer and Corporate Affairs, Hull, P.Q., or to Dr. David E. Bond, Assistant Deputy Minister, Bureau of Intellectual Property, Consumer and Corporate Affairs, also in Hull.

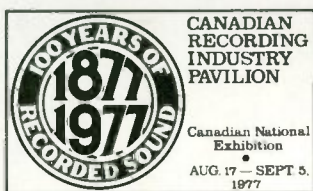
Other news of importance to you is the proposed change of name for BMI Canada. Your President, Gordon F. Henderson, Q.C., announced at our successful awards dinner on April 27th that BMI Canada will apply for the name Performing Rights Organization Canada Limited, a wholly Canadian-owned and operated not-for-profit corporation. It is too early to give you an effective date for this change but approval has been given by your Board of Directors and the machinery is working to effect this change as soon as possible. We'll keep you advised.

This edition of *The Music Scene* contains all the news of our Ninth Annual BMI Canada Awards Dinner so permit me to say only that I am proud of all your efforts to contribute to the improvement of Canadian music. Congratulations to the winners; next year it could be you.

Sincerely,

S. Campbell Ritchie

S. Campbell Ritchie
MANAGING DIRECTOR



MAY-JUNE, 1977 No. 295

THE MUSIC SCENE



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THE MUSIC SCENE incorporates and succeeds the BMI Canada Newsletter and In Tune With The Times.





Applause and standing ovation greet **HAGOOD HARDY** as he is named recipient of Wm. Harold Moon Award. Left, **PAUL HORN**, W. Paterson Ferns of Niesen-Ferns Ltd., and Mrs. Ferns. Seated is Mrs. Hardy. Right, Gordon F. Henderson, Q.C., presents Award to Hardy.

BMIC's 30 years' activity celebrated

HAGOOD HARDY TOPS LIST OF AFFILIATES HONOURED AT DINNER

by Nancy Gyokeres

"The recipient of the Wm. Harold Moon Award this year received Junos a year ago as composer of the year and top instrumentalist," announced Gordon F. Henderson, Q.C., BMI Canada's President. There were a few murmurs from the audience of more than 200. "This year he received a second Juno as top instrumentalist" . . . the murmurs grew to general whispering . . . "and at the end of 1976 was honoured by *Billboard Magazine* as instrumentalist of the year." By this time there was a scattering of applause and when Henderson announced, "The Harold Moon Award could only go to **HAGOOD HARDY**," guests were on their feet, excitedly applauding the popular Canadian composer. The award is presented to a BMI Canada affiliate for international contribution to Canadian music.

Hardy bounded to the stage where he accepted his engraved plaque and cash prize of \$500, then moved to the microphone, "... I really do appreciate this very much. Wonders never cease!"

In the citation Henderson pointed to Hardy's successes as a composer for television and film, but mentioned especially his tune "The Homecoming". It has been released in Britain where last year it was the 18th most-performed single on BBC Radio; the Philippines where it reached No. 5; and in Australia, New Zealand, Belgium, Japan and Italy. Credit also went to Al Mair and **ABOVEWATER PUBLISHING** for the success of "The Homecoming".

The black-tie dinner in the Ballroom of Toronto's Hyatt Regency this year marked the ninth in a row for the event, and was very special as it also was a celebration of the activation of BMI Canada 30 years ago. Three long-time employees were the evening's presenters: Wm. Harold Moon and Betty Layton who were with the organization when doors were opened in May, 1947, and Denise Meloche who has marked 25 years with the Montreal branch office. A theme of red and white was carried from the table centrepieces of red and white carnations with white daisies and miniature white chrysanthemums to the flowers on the stage that were used as a backdrop for the award presentations. Each placecard had a miniature Canadian flag affixed and guests were encouraged to take home these tiny lapel pins. A trio headed by **NORMAN AMADIO** performed in the mezzanine during the hour-long reception preceding dinner, then moved into the diningroom where the traditional roast beef was pre-

ceded by miniature shrimps and consommé and followed by raspberry mousse.

The brevity of the speeches is also a tradition at these dinners, the only event in Canada arranged specifically to honour songwriters. They began this year with BMIC's Managing Director S. Campbell Ritchie introducing former president Edward M. Cramer. Cramer is President of Broadcast Music, Inc. in New York. "Most of you know this is the 100th year of recorded sound," began Mr. Cramer. "It is being celebrated around the world, but I really think the greatest thing that is happening is that Canada is putting on this great exhibition." He was, of course, referring to plans by the Canadian Recording Industry Association for the mammoth display at the Canadian National Exhibition this year. "On behalf of countries around the world I want to thank you for doing something in recognition of this great event," he concluded.

Other special guests introduced included CRTC commissioners Pat Pearce, Réal Therrien and John Hylton. A. A. Keyes, who is co-author with Claude Brunet of *Copyright in Canada, Proposals for a Revision of the Law*, was also introduced, as was Eber J. Rice, Chairman of the Ontario Liquor License Board, a man who by his position represents a great number of the "users" of Canadian music. John Maxwell, Director General of Ontario Place, was presented as well.

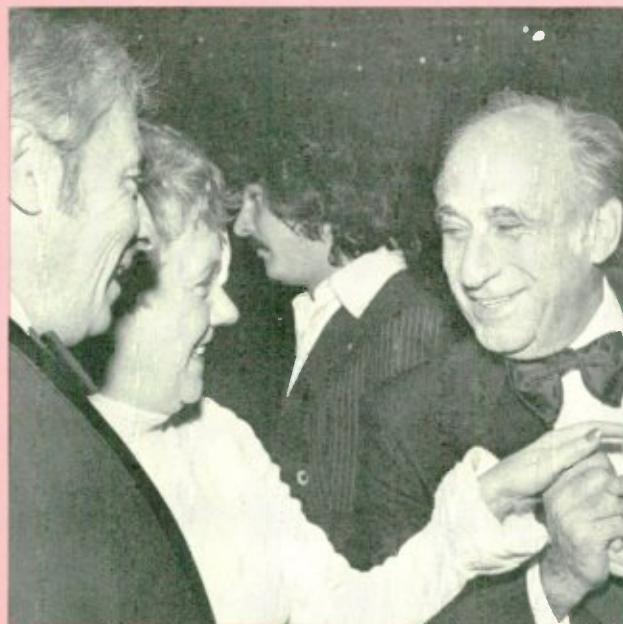
Gordon Henderson prefaced his remarks by explaining that in keeping with BMI Canada's independence, now a year old, the name of the performing right organization would be changed to Performing Rights Organization Canada Limited, shortened to PRO Canada. There are still legalities, but hopefully the name will be in general use by the end of the year.

Top award winners were **KEN TOBIAS** and **BURTON CUMMINGS**, with three each. Then followed **RANDY BACHMAN**, **DOMENIC TROIANO**, **GEORGES THURSTON** of Montreal and **RAY MATERICK** with two each. Publishers receiving three awards were **ABOVEWATER PUBLISHING** (Attic Records); **GLOOSCAP MUSIC LTD.**, responsible for publishing material by Ken Tobias; **CIRRUS MUSIC**, publisher of music by the Guess Who.

West Coast winners on hand included **RA MCGUIRE** of Trooper, **CRAIG WOOD** from Richmond, B.C., country writer **DICK DAMRON** from Alberta. From Quebec came **MICHEL PAGLIARO**, **TONY GREEN** and **ROGER MAGNAN**. **TERRY CARISSE** and **BRUCE RAWLINS** came in from Ottawa. In all 50 songwriters and 42 music publishers received Certificates of Honour.



Top award winners were **KEN TOBIAS** and **BURTON CUMMINGS** with three awards each for their songs. Right, from Montreal: **TONY GREEN**, **ROGER MAGNAN**, Denise Meloche of BMIC, Lyse Kelly, and Roger Belair of RCA.



Ms. Nona Macdonald, Miss Kathleen McMorrow, **JOHN BECKWITH**, BMIC board member; Réal Therrien and Pat Pearce, both CRTC commissioners, with Sam Sniderman, S. C. Ritchie of BMIC with A. A. Keyes, consultant to the Department of Consumer and Corporate Affairs.

**ALL PHOTOS BY
ROBINSON PHOTOGRAPHY**

Ben Kaye and **MICHEL PAGLIARO** of Montreal with S. Campbell Ritchie, BMIC; Rick Hahn, Ottawa, **LISA HARTT**, Mrs. Bob Hahn, **RAYBURN BLAKE**.





GEORGES THURSTON accepts from Edward M. Cramer, President of Broadcast Music, Inc. Publisher is Muscote Shoals Sound, affiliated with BMI-NY; Wm. Harold Moon presents to John Driscoll, **MOOSEHEAD MUSIC**; Jerry Renewych accepted three awards for **CANADIANA MUSIC**.



DON GRASHEY of **D & L MUSIC PUBLICATIONS**, left, **JERRY PALMER**, right; below: **RAYBURN BLAKE**, left, **BOB HAHN** of **CANCON MUSIC**, right.



DICK DAMRON with Mrs. Salazar and Lonnie Salazar, Condor Records; Sam Sniderman and CRTC commissioner John Hylton.



S. C. Ritchie with Gerry Rochon, CFTO-TV, and Mrs. Rochon; John Stewart of **MANITOU MUSIC** (A Division of MCA Canada Ltd.) and Mrs. Stewart.



TERRY CARISSE and **BRUCE RAWLINS** with **LLOYD MERCY** of **THE MERCERY BROTHERS PUBLISHING COMPANY** and Harold Moon; **ART SNIDER** of **TROIKA PUBLISHING**, Harold Moon and Lloyd Mercy.





KEN TOBIAS accepted awards for three of his tunes. Shown are **Al Mair**, ABOVEWATER PUBLISHING, **Harold Moon**, **TONY TOBIAS** of GLOOSECAP MUSIC LTD. and **Ken**; **Harold Moon** presents to **Brian Chater** of SAVAGE SLOGAN MUSIC.



Joanne Brandston, **PETER FOLDY** and **Bill Kearns** of **QUALITY MUSIC PUBLISHING LIMITED**; **GEORGE TAYLOR** of Rodeo Records and Melbourne Records, **Mrs. Taylor**, **Mrs. C. C. Devereux**.



Harold Moon presents to, above: **Gary Muth** of **DON VALLEY MUSIC LIMITED** and **RAY MATE-RICK**; below, **John Stewart**, **MAWITOU MUSIC**.

Don Stewart, guest of **Miss Janice Rae**, right, of **Manta Sound**, **Mrs. Coutts** and **David Coutts**, **Smile Records**, centre.



Betty Layton of **BMIC** and **Graeme Waymark**, **RANBACH MUSIC**; **Claude Palardy** of **IRVING MUSIC OF CANADA LTD.**, **Mr. Moon**; **Mr. Moon** and **Wayne Patten**, **BLACKWOOD MUSIC (CANADA) LTD.**





DICK DAMRON passed his hat over to Harold Moon just long enough to accept award from Betty Layton. Arnold Gosewich, BEECHWOOD MUSIC OF CANADA, watches. Right: DALLAS HARMS accepts for "Paper Rosie" as do GARY BUCK, DOUBLEPLAY MUSIC OF CANADA, and Bill Kearns, QUALITY MUSIC PUBLISHING LIMITED, co-publishers.



Betty Layton presents to MICHEL PAGLIARO, above, and Terry Flood, SLALOM PUBLISHING CO.



Donald Martz, CFCF-TV, Montreal; D. H. Hartford, CFRB, Toronto; Ms. Nona Macdonald; Ms. Phyllis Switzer, CITY-TV, Toronto; Lorne Mahoney, CRTC, Ottawa.



Mrs. Bill Kearns, John Driscoll, Skyline Records, Mrs. Driscoll, Mr. Kearns.



Denise Meloche, BMIC Montreal, presents to ROGER MAGNAN; RA McGUIRE of Trooper, Harold Moon and Graeme Waymark, LITTLE LEGEND MUSIC.





Betty Layton presents to **CRAIG WOOD**; **BURTON CUMMINGS** (triple award winner); Arnold Gosewich, **BEECHWOOD MUSIC OF CANADA**, and **PETER FOLDY** writer and co-publisher, **BONDI MUSIC**, of "Roxanne".



MICHEL PAGLIARO, Madeleine Chartrand, Bonnie Walsh, **GEORGES THURSTON**; **RA MCGUIRE** of Trooper and Donny Underhill.

Joy and **RAY MATERICK**, Gary Muth of **DGN VALLEY MUSIC LIMITED**; Mr. and Mrs. Ross Reynolds, **GRT Canada Limited**.



DON GRASHEY, **D & L MUSIC PUBLICATIONS**, Betty Layton, **CARROLL BAKER**; Nancy Ruhnke accepts for husband **CRAIG RUHNKE** while Keith Patten accepts for **UNART MUSIC (CANADA) LTD.**



TONY GREEN accepts from Denise Meloche, **BMIC**, Montreal; Below, Edward M. Cramer, Broadcast Music, Inc., presents to **RAY DURRITT**. Publisher is Acuff-Rose, affiliated with **BMI-NY**.



\$500,000 tab to date

BILL AMESBURY'S CAREER SPANS NORTH AMERICA AND EUROPE

by Alan Guettel

When **BILL AMESBURY** was a kid he heard Marty Robbins sing "El Paso" and decided to be a singer.

When he started to sing and play guitar as a teen-ager in late-'60s Toronto bar bands, he discovered it was too much trouble to sing other people's songs; so, as he now explains his life, he decided to become a songwriter.

And if it weren't for the songwriting royalties on his 1974 North American hit "Virginia", Amesbury would be a very poor 27-year-old musician today—despite success as a producer and recording artist.

Last year, for example, three of his records were charted in England and one in Canada. He also produced in England one of the best-selling Canadian records ever: **J. J. BARRIE's** "No Charge", written by Nashville's Harlan Howard. Now, he says, he's temporarily retired from producing other artists' records.

Barrie's hit was covered in the language of nearly every European country, according to Amesbury. European producers are quick to cover a hit, and they do it well. He said he heard the song in Dutch when he was in Holland, and he couldn't tell the difference between the instrumental tracks he produced and the ones on the cover version until he sat down in the studio with both records and a set of earphones.

Barrie's recording of "No Charge" was kept off charts in Canada by the coincidental release of the same song recorded by CHUM-radio's John Gilbert almost the very week it appeared.

Chappell Music, Amesbury's publishing representative outside Canada, has been successful in getting European cover versions of Amesbury's own recent British hits: "Every Girl In The World Tonight", "Saturday Night I'll Be Waiting" and "I Remember". "Every Girl" is also being recorded by a new Australian group.

Those three songs and "Can You Feel It", a moderate hit in Canada the end of last year, are on his Capitol-label LP "Can You Feel It".

Amesbury records for Power Exchange Records, a British company owned by **BARRIE AUTHORS** (a.k.a. J. J. Barrie), ex RCA New York man Paul Robinson and Chappell Music of Britain — which is now getting very much involved in record production there.

He's signed directly to Bill Gilliland's Ahd Music Corporation in Canada which also controls his publishing (**BAY MUSIC CO. LTD.**) and personal appearances, and retains an exclusive on Amesbury's career as a producer. Power Exchange deals independently with each subsidiary of EMI-(Capitol) outside of Britain.

Amesbury, who has performed on just



Bill Amesbury

about every major TV variety show in Europe — in addition to record hits there — knows he has to perform in North America to make his records successful here. This spring he put together a 10-member group, and Capitol (U.S.) is subsidizing appearances at New York's Bottom Line and Los Angeles' Roxy Showcase clubs while Gilliland is lining up a U.S. management deal for the group.

By June, Capitol will release a new Amesbury LP which Amesbury himself is producing in New York. He's had his pick of Big Apple studio men for the LP — people like The Brecker Brothers on horns, drummer Steve Gadd, pianist Kenny Asher and string arranger Tony Camillo.

In New York studios, Amesbury says, he can work faster and get the sound he wants: "A lot of it is a matter of taste. I like the New York sound; I can't hear what I like in Toronto studios," he explained. He uses a lot of string arrangements and wants to create a clear, high and loud top-40 sound. String players in New York can track that faster and more economically than their Toronto counterparts, he says.

Amesbury spent February and March commuting between Toronto and New York — working on his record on weekends and rehearsing his band in Toronto on weekdays.

Gilliland, Power Exchange, Chappell

(Britain) and Capitol have invested more than \$500,000 in his career in recent years, Amesbury estimates. That means it will be a long time before he starts to make big money — unless he has a very big hit.

"People think I must be rich from a hit like "Virginia," Amesbury says, but he claims he's made only \$15,000 from it in three years since the song was released — and he's still waiting for royalties to come in from European sources.

In the meantime, Amesbury and his new group are touring western Canada (where "Can You Feel It" did quite well) and tuning up for a U.S. debut to match the release of the new album.

The sound of the album? He says it's all commercial — rock, country, pop, gospel. "It's all there."

Commercial success, if it comes, won't be accidental for Amesbury. He's never denied that his eyes are primarily on the Top-40 charts — but with his own twists. His "Can you Feel It" LP included an ode to Jean Harlow, a "gay" anthem (featuring a boys' choir) and a song about a golden-throated DJ, "Frogman Bradley", like the '60s hit "Mr. Bassman".

Amesbury and Wolfman Jack's management are working on the "Frogman" song with hopes for an international off-the-wall hit for the aging howler. If they're right, that would be about as commercial as success could be. ♦

ORCHESTRAL COLOUR A FEATURE OF JEROME SUMMERS' WORK

by Rick MacMillan

JEROME SUMMERS was at a loss for words. The "favourite composer" question was not easy to respond to. As a performer and listener Summers has come to admire styles ranging from Mozart, Brahms, Mahler and Strauss to Schoenberg, Stravinsky, Penderecki and **SCHAFFER**. As a composer he has often adapted the tools of his language to conform to the resources and limitations of a particular individual or group. Although he has produced more than 20 works in every conceivable genre he does profess to be rather uncomfortable with the piano, having used it on only one occasion: to supplement the rich sonorities of "Kaleidoscope" (1970), the composer's first work for full orchestra.

Summers is one of those rare individuals who has learned to practice simultaneously, and excel in, a variety of occupations. Born in Kamloops, B.C., in 1944, he undertook his first musical training in Vancouver, studying the clarinet under Ronald de Kant and Henry Ohlemann and conducting with Kazuyoshi Akiyama. Since that time he has served as assistant principal clarinetist with both the Vancouver Symphony Orchestra and the CBC Vancouver Chamber Orchestra and has had solo engagements with the VSO, Calgary Philharmonic Orchestra and the orchestras of the National Ballet of Canada and the Royal Winnipeg Ballet.

Summers the composer (who, in an attempt to avoid the inevitable confusion with **HARRY SOMERS**, has come to use the professional name of Jerome rather than Jerry) began to evolve at the University of British Columbia where he received a Master of Music Degree in theory and composition, studying composition with Cortland Hultberg. He began to teach wind instruments and conducting in several secondary schools in the Vancouver area and later accepted a similar post at the Calgary Conservatory. In Calgary he was also a special student of Luigi Zaninelli (a former pupil of Gian Carlo Menotti). After several sessions of guest lecturing at California's Humboldt State College he joined the faculty of the University of British Columbia. In 1974 he was invited by former Vancouverite Hugh McLean, dean of the Faculty of Music at the University of Western Ontario, to join that faculty as an assistant professor and conductor of wind ensembles. At present his duties also include teaching clarinet and conducting the University of Western Ontario Symphony Orchestra. The composer accepted the position at Western in the hope that more free time for composing would be available. His hopes were soon shattered. Aside from the generally time-consuming nature of the routine university procedures, Summers' creative faculty demands extreme concentration and, as a result of the detailed craftsmanship of his out-

put, he manages to complete an average of only one work per year — each around 10 to 12 minutes long, a duration which he jokingly refers to as "the classic Canadian length".

Through his extensive orchestral experience Summers has developed a definite feel for orchestral colour. This is perhaps the most notable characteristic of his work and is clearly evident in "Kaleidoscope", composed for and premiered in 1970 by the University of British Columbia Symphony. "When writing for orchestra I find that I think like an orchestra player more than I do when writing for chamber groups or for choir," he explains. "This is a very practical consideration." "Kaleidoscope" has since been performed by the Humboldt State College Orchestra, California, the CBC Vancouver Chamber Orchestra and the Vancouver Symphony Orchestra.

On listening to "Kaleidoscope" one is often reminded of the Stravinsky of "Petrouchka" and "Le Sacre du Printemps"; indeed, the rhythmic vitality and pulse of the work offer considerable balletic potential. In addition to a characteristic prominence of wind instruments, "Kaleidoscope" also shows Summers employing a device which has become a favourite among certain contemporary composers. In compositions such as Stravinsky's "Canticum Sacrum" (1955) and **PIERRE MERCURE**'s "Triptyque" (1959) the composers have designed closing movements which are exact retrogrades of their respective opening movements. In another vein **JEAN PAPINEAU-COUTURE** has composed an entire piece, "Piece Concertante No. 1 (Repliment)" (1957), which, at its central point, reverses upon itself in a perfect palindrome.

Most works of this type have been serial compositions, a technique which lends itself particularly well to symmetrical constructions. Summers, on the other hand, has never actually employed the 12-tone technique, although many of his works are quite pointillistic and often boast intervallic properties which avoid implying tonality. Nevertheless "Kaleidoscope" contains at its core a brief palindrome of only 13 measures, adorned by a colourful palette of wind instruments and a perfectly static string section.

Summers returned to the orchestral medium in 1976 with "Images". Commissioned by the Canada Council on the occasion of the 40th anniversary of the London Symphony Orchestra the work was first performed on January 19, 1977, in London, Ontario. "The idea of composing a series of continuously shifting moods or impressions which evolve prismatically from a single germinal motive has interested me for many years", notes the composer in the programme for the works' premiere. "In writing 'Images', I chose to develop the opening measures of the work in this way. Although the

music is through-composed in a single movement, there are seven major sections of contrasting character which may suggest images or impressions to the listener."

Summers' brief encounter with electronics began in 1970 with "Elegy" for clarinet, cello and prepared tape and ended the following year with "Extensions", for clarinet and tape. At this point he is disturbed by the difficulty encountered in the avoidance of clichés within the electronic medium. In the resultant homogeneous textures of the above-mentioned works it is not always easy, particularly in "Extensions", to distinguish the tape sounds from the "live" clarinet sounds as the former have only occasionally been "tampered with", usually through a method of filtering the basic clarinet tone. "I really have no desire", he explains, "to exploit musical instruments to the extent that some composers have — getting into multiphonics, for example. I've heard it done occasionally extremely successfully but generally it doesn't come off in performances. I love the sound of the instruments as they are — we can make good music with them like that. That's probably why I've moved away from the electronic medium . . ."

"Extensions" is very pointillistic, the closest the composer has ever come to serialism. Rapid scale passages and huge skips, some over two octaves, are integral to the work's structure. Techniques such as flutter-tonguing and overblowing are also employed, as is a rather unique quarter-tone trill using a novel fingering devised by the composer. Summers refers to "Extensions" as "the most un-melodic piece" he has written. The method of coordinating live and tape materials requires the soloist to fit with the cues on tape. "Elegy", however, is

Cont'd on page 18



Jerome Summers

History of performing rights in Canada

BMIC'S PRESIDENT DISCUSSES COPYRIGHT WITH U.S. EXPERTS

Gordon F. Henderson, Q.C., of Ottawa, President of BMI Canada Limited and an internationally respected copyright lawyer, was invited to give on February 23 the Jean Geiringer Memorial Lecture on International Copyright in New York. His talk was titled *Canadian Copyright Law in the Context of American Canadian Relations* and was given before members of the Copyright Society of the U.S.A. and New York University.

Mr. Henderson outlined Canada's constitutional background, the history of the present Copyright Act and spoke at length on broadcasting and copyright, discussing particularly border problems concerning cable television. Another area receiving in-depth attention was simultaneous publication and importation. It was the final section of his address, however, dealing with Performing Rights Societies and the Copyright Appeal Board, that is probably of the greatest interest to *Music Scene* readers.

In outlining Canada's constitutional background, Mr. Henderson explained that The British North America Act of 1867 is the legal base to Canada's constitution. It confers exclusive jurisdiction in matters of copyright to the Parliament of Canada which, in turn, by statute, grants such powers to the Copyright Appeal Board in relation to performing rights. The centralization of the constitutional authority in copyright has significance in Canada because of the bicultural nature of our country.

In 1932, The Privy Council, then the court of last resort for Canada, decided that the Federal Parliament has exclusive powers to regulate all matters in relation to the transmission and reception of Hertzian waves. Accordingly, the Canadian Radio-Television and Telecommunications Commission has been created to regulate the operation of broadcasting pursuant to the broadcasting policy mentioned in the Broadcasting Act. The CRTC has also assumed jurisdiction over cable companies. Provincial authorities are now contesting the federal authority relating to the operation of cable companies on the ground that a cable company is a local work and undertaking under a section of the BNA Act and therefore within the competence of the provinces. They also challenge the right of the Federal power to control the content of programs of the cable operation. "This controversy becomes important in what has emerged to be known as the 'border war' between the United States and Canada with respect to programs broadcast by the Buffalo stations," said Mr. Henderson.

HISTORY OF COPYRIGHT

He described Canadian copyright as it exists today from the federal enactment in 1921, which enactment became effective in 1924. It was fashioned after the Imperial Copyright Act, 1911, of the United Kingdom. Various Royal Commissions have studied the Act and made recommendations for its reform. "In spite of these recommendations, no substantial amendment to the Copyright Act has ever been made. Many of its provisions are now dated and the tremendous technological development in the recent past has rendered many of its provisions inapplicable."

At the International level, on June 2, 1928, Canada signed the Rome Revision of the Berne Convention. The further revisions of the Berne Convention in Brussels, Stockholm and Paris have not been adhered to by Canada. The Canadian Copyright Act gives effect to the principles of the Berne Convention. Our

Copyright Act provides that copyright subsists in Canada upon satisfaction of two conditions:

- (1) the creation of an original literary, artistic, dramatic or musical work; and
- (2) the creator is a British subject or a citizen or subject of a foreign country that has adhered to the Berne Convention, or a citizen of the United States to which country the benefit under the Canadian Copyright Act has been extended.

No formalities are required for the acquisition of copyright in Canada. In Canada copyright is granted to the Nationals of a Berne participant on the basis of the national treatment principle.

With respect to citizens of the United States, their position is different (because the United States is not a signatory to the Berne Convention). The principle applicable to the nationals of the United States is the reciprocity principle. The Canadian Copyright Act protection may be extended to foreign countries after formal procedure. "Canada extended the benefit of our Copyright Act to United States nationals on December 26, 1923. Such extension was paralleled on the reciprocal Proclamation of the President of the United States on December 27, 1923 . . . Therefore, citizens of the United States obtain copyright in Canada automatically on the creation of works and without further formalities. Prior to your new statute, American citizens obtained copyright in Canada more readily than Canadians obtained copyright in the United States. Such was the case because there is no requirement in Canada to print the work in Canada, although there are several importation provisions respecting United States works . . ." Canada has adhered to the Universal Copyright Convention although it has not been implemented by legislation.

INCREASED PAYMENTS

Going on to Broadcasting in Canada, Mr. Henderson outlined the CRTC policy regarding 30 per cent Canadian content. "The manifest intention of the policy is to encourage the performance of Copyright works of Canadians, and thus give Canadian composers and authors assistance in the form of an exposure of their copyright works in Canada. Once this exposure occurs, it is often found that Canadian works are of the same caliber and quality as the best in the world. These works are now being performed in the United States and elsewhere. The success of the encouragement to develop Canadian composers, authors and artists through the policy developed by the CRTC has been reflected in increased payments to Canadian composers, artists and authors by each of the two Canadian Performing Rights Societies."

He continued that "one of the most contentious problems under the Canadian Copyright Act arises by virtue of the coaxial cable distribution of signals received off air. Because of the desire of Canadians to watch and listen to United States entertainment, educational and sports programs, it is not surprising that Canada has the most developed cable operation of any country in the world . . . 70 per cent of Canadian households have access to cable today in comparison to 8 per cent in the United States."

"Canada's sensitivity to the incursions of foreign cultural thought is tempered:

1. ". . . due to the small and thin numbers of the Canadian market we are unable to support the luxury of full cultural independence.
2. ". . . our people demand the best in entertainment, education and cultural development for which they are prepared to pay an economic price.

3. "by the realization that by geography and the flow of Hertzian waves we could not stop the impact of copyright material even if we wanted to.

"It is through the segmentation of our market through cable that we have exercised restraint. The growth of the cable industry in Canada and the popularity of English language programs broadcast from the United States has accentuated internal problems of a cultural and copyright nature. The flow of English language programs from the United States into the Province of Quebec off air as extended by cable has a special significance in the Province of Quebec where a serious attempt is being made to preserve the French language and culture. Copyright works in the French language are inhibited if an economic base doesn't exist for their support. Moreover Federal Government control of cable prevents the Quebec Government from giving full effect to its educational and language programs . . .

"The delicate interplay of Canadian and Quebec concern on the one hand and American strength on the other creates the dynamism of Canadian policy toward the United States and Quebec policy to English Canada and the United States."

Mr. Henderson discussed the application of Section 28 of the Canadian Copyright Act insofar as it affected importation of U.S. books into Canada. He strongly recommended that U.S. copyright owners should not use Canada as a country for the purpose of simultaneous publication with a view to obtaining copyright protection in those countries that adhere to the Berne International Copyright Convention.

BMIC ACTIVATED IN '47

Mr. Henderson concluded his address by discussing copyright and Canadian performing right organizations.

"The powers of a Performing Rights Society came for consideration before a Royal Commission chaired by Judge Parker in 1935. At that time, the only Performing Rights Society in Canada was CAPAC, then known as the Canadian Performing Rights Society Limited, which was organized shortly following the recognition of performing rights in musical works on the passage of the Canadian Copyright Act 1921. As a result of the recommendations of Judge Parker, a comprehensive code respecting performing rights societies was incorporated into the Copyright Act. The second performing rights society, which was founded in 1940, but became active in 1947, is BMI Canada Limited. For all practical purposes, these societies are the only performing rights societies in respect of licensing of performing rights in musical works in Canada.

"CAPAC was originally controlled by ASCAP, whereas BMI Canada was originally controlled by BMI (U.S.). Both societies have now taken steps to become independent of their original founders; in respect of CAPAC, it is now Canadian controlled, whereas in respect of BMI Canada, it is now controlled and owned by a Canadian charitable foundation dedicated to the development and performance of musical works.

"The scheme of the Canadian statute differs materially from Section 801 of your (U.S.) statute. In Canada, a performing rights society must meet three conditions before it can obtain payment from music users.

1. "It must file an up-to-date list of all works in which it has the right to license.
2. "It must file by October 31 of each year a tariff of all fees, charges and royalties which it proposes to charge music users. The filing of the tariff results in opposition proceedings by any music user who opposes. The determination is made by a Government Board known as the Copyright Appeal Board. After a hearing, a tariff of fees applicable to each particular music user is fixed by the Board. A Performing Rights Society has no cause of action against the user of music unless it has an approved tariff for that use . . .
3. "There must be a use of music in respect of which no payment or tender of payment has been made in accordance with the approved tariff. You will observe, therefore, that the music user has an absolute right in law to use the music without fear of infringement as long as he pays or tenders the fee to the Performing Rights Society.

"The major users are the television companies and radio stations. The Copyright Appeal Board fixes the tariff annually. Historically, the Board has consisted of a Judge as Chairman, a lawyer from the Department of Justice as a member and another Government lawyer as a third member. The Board is not a permanent body. It does not have permanent staff and it is dependent upon the representations made by the parties. This is a simple scheme of compulsory licensing by determining the rate through an independent body such as the Copyright Appeal Board.

INDUSTRY INPUT NEEDED

"In my opinion the principle involved in this composition of the Board is wrong. It has been a deficiency of the Board that none of its members has any familiarity with the industry. It has tended to follow precedent rather than to adjust to economic conditions and the vicissitudes of the time. I have constantly urged before the Board that today's music must be paid for today or an injustice can be caused to a composer whose work has no lasting quality. Works that become established favorites receive payment over a long time but short-run works do not receive appropriate recognition. A Board with an input from music users and from composers and publishers is more realistic and would be more able to adjust the tariff according to the circumstances of the market place. The decision that should be made by the Board is largely economic rather than legal and I would hope that the composition of your (U.S.) Tribunal will avoid the deficiencies that have become apparent from our experience.

"As a result of the scheme of our Act, it is interesting to note that music users organized themselves to negotiate with the Performing Rights Societies rather than engage individually in an annual "head-knocking" before the Board. In fact, four years ago, each of the Performing Rights Societies made an agreement with the private sector of the broadcasting system and with each other for a definition of payments which would endure for a five-year period. This period ends and negotiations will reopen next year.

"Individual users have formed associations to negotiate with Performing Rights Societies in order to arm themselves with equal bargaining strength. They have negotiated through the Exhibition Association for the exhibitors and the Hotel Association for hotel music users and the music protective societies for general users . . .

LOGS ARE REQUIRED

"The general scheme of our Act relating to performing rights is a good one. Once a fee has been fixed, the performing rights society is free to administer its repertoire by collecting against the various categories of users. The performing rights society makes payment directly to its affiliated authors and composers without delay. Having regard to the arrangement made between the authors and composers on the one hand and the performing rights society on the other, the distribution does not create an insurmountable problem. One problem, however, is that nothing in the statute requires the music user to provide a performing rights society with logs as to its music use. The television and radio stations have agreed to provide logs on a reasonable basis to enable the performing rights society to extrapolate music use for the purpose of paying its members. We hope this will be remedied in the new legislation."

Finally, "In effecting new copyright legislation, Canada must face the issue as to whether copyright should be weakened on the narrow view that Canada is an importer of copyright material resulting in a net export of royalties, or whether copyright should be strengthened in Canada in recognition that works wherever created require a recognition of payment.

"In view of the fact that Canada is intensely pre-occupied with the encouragement of Canadian culture and economic development, I would hope that we will acknowledge the right of those who create to receive recognition and payment irrespective of nationality." ♦

Tony Green busy with producing

TEACHING TAUGHT QUEBEC SONGWRITER TO COMMUNICATE

by Claire Caron

In the world of music, there are those musicians who pursue their art in a spirit of "Let those who like me follow me", without attaching too much attention to the results; and there are those for whom every success implies a struggle and who, while primarily concerned with music, believe that many other attributes are necessary for success. **TONY GREEN** is one of these. Musician by nature, singer by predilection, he is also a producer . . . by virtue of his business sense.

A Quebecker (both French- and English-speaking) of Italian origin, Tony Green has been composing for ten years. Originally his inspiration came from teaching mathematics to teen-agers, a profession which he followed for three years. "They always assigned me to the difficult classes, because with my long hair and jeans I had a better rapport with the students". It was here that he learned what it took to communicate with an audience. He finally abandoned teaching to devote himself to music. "I made my first record seven years ago, with a group called Green and Stagg. It went fairly well. Since then, I have practically been living in recording studios." He felt no one was able to produce his records satisfactorily and therefore decided to do it himself, a step which changed the course of his career. Since that time Tony Green has produced all his own records, and those of other artists as well.

He produces for several labels: for Deram, "Si j'avais beaucoup d'argent" (If I had lots of money) by a group called Les Chômeurs; for RCA, a group called Désir, and finally, two records on the

Red Bus Temp label ("Love Life" and a disco version of "Love Story"). In one month alone he turned out seven singles. Several of these are disco, including his own "Kelei-disco". "Disco is for fun and experience. I do it mainly for others. I've got an album on RCA which has no disco music on it. Personally I prefer ballads and rock and roll but I think disco is going to last, because it changes every day. Today it's funk, tomorrow it will be something else. As long as people like to dance, there will be disco music."

The album, composed, sung and produced by Tony, is entitled "Fusion." The nine songs are in French, and he wrote the words himself. Five musicians worked with him, the same five with whom he has given several live performances. Although his production work is taking first place at the moment, it's not preventing Tony from composing. "Composing isn't really work for me. I just sit down at home with my guitar and come up with a tune. But I sure couldn't do it to order!"

In spite of his heavy studio schedule (he puts in from 10 to 15 hours a day), the musician in him is demanding more and more time. "I'd like to be a full-time artist. But it's difficult here, especially for Anglophones. It's not so bad for the French-speaking ones, but we don't get any support from the radio stations. They are too taken up with the U.S. and European scene to play English-Canadian records. They only play the really well-known artists, like Gordon Lightfoot and Joni Mitchell. We put out a good single, and then they don't even use it! I think the French-speaking Quebec industry is bigger than the English-speaking industry in the whole of the rest of Canada put together. If you're not distributed in the

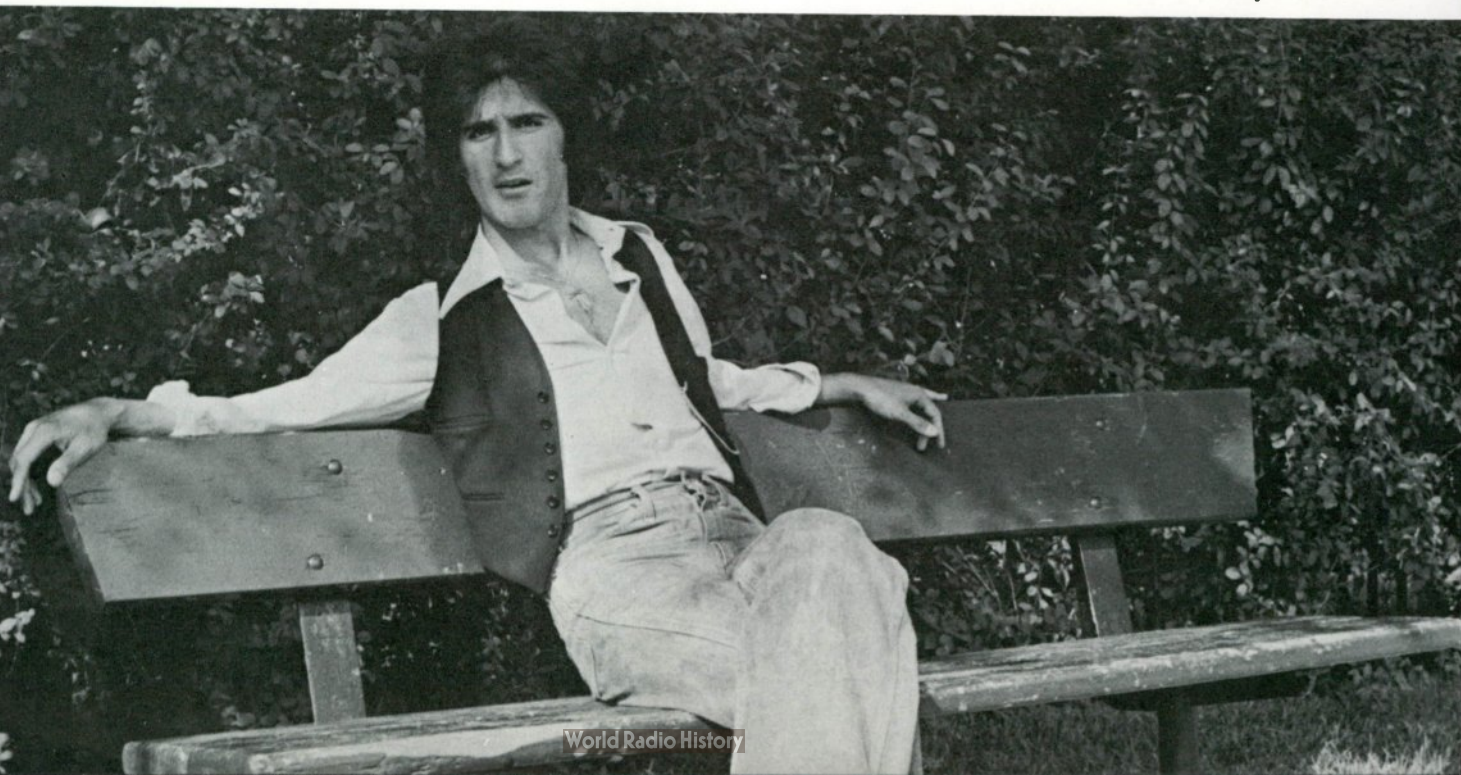
United States, you're nobody. You always have to go via the United States. Once you get known down there, everyone is proud to say 'He's a Canadian!' But at that point it's really no longer true. At that point you've become an American, because it's the Americans who have done something for you. The problem is that the talent is *here*, and people are always looking for it somewhere else. And as long as we don't get support from the radio stations, we're never really going to succeed."

Tony has been nursing his grievances for a long time; he has been in the artistic milieu long enough to know that he is not the only one in this plight. Many other musicians of his acquaintance share the same problem. However, he is not giving up, and his production work is growing constantly.

"I should like to do something new which would be helpful to others. It's not really important to be a superstar; the important thing is to work a lot, and I've always got productions on the go. I should also like to prove to the public that there is a great deal of talent here. We haven't got enough self-confidence. Of course, you can't change the world, but you can nudge it along in a certain direction. When I was teaching, I learned that one had to find a way to catch people's interest in order to make them understand. For example, people have to be able to identify with songs."

Tony refuses to be identified with one city more than another, or even with one country rather than another. "I'd like to be a citizen of the world. Why do people want to put boundaries everywhere? That's not important. What counts is to be at ease wherever you are." ●

Tony Green



MUSIC IN CANADA

MARG OSBURNE's CBC-TV network show *That Maritime Feelin'* began April 8, about the same time she and her trio were touring the Prairie Provinces. The CBC reports that following her popularity on the *Don Messer Show* years ago, she is now solidly middle of the road, a versatile singer who includes folk, country and light rock in her programme. The show is from Halifax and each features a young Maritime performer as well as an established one . . . Early spring found **DAISY DeBOLT** performing for two worthwhile causes. On April 1 she joined **MYRNA LORRIE, MENDELSON JOE** and others for a benefit for Treaty 9 Native People of Northern Ontario to finance finding and publicizing information about forestry activities in Northern Ontario. On May 10 she is scheduled to do a solo concert as part of the Women's Cultural Centre series at St. Lawrence Centre in Toronto. She plans to give the first performance of some of her new songs. March saw the premiere of her dance piece "Don't Push the River" with music co-written by Michael Rosen and choreography by Gloria Grant and Daisy . . . **BILL HENDERSON** and **ROSS TURNEY** of Chilliwack wrote the group's latest single, "Fly At Night" from the album "Dreams, Dreams" on the Mushroom label. This should follow the success of the previous top-10 single, "California Girl" . . . **ANDRE LEJEUNE** has a new album out, titled "Avec Tendresse Avec Gaiété". On the Totem label, it contains new arrangements of a number of traditional folk tunes . . . Dixie Lee Innes has recorded "Queen of Colby Kansas" and "Sea of City Lights", both written by husband **BRUCE INNES**, for the PLP label, Box 6294, Station D, Calgary. As lead singer of The Original Caste Dixie has gold records for two hits, "Mr. Monday" and "One Tin Soldier" . . . Another release from PLP Records is the first solo recording by **BRUCE KIELY**. Bruce wrote "Hello Carol" while **MURRAY WALKER** wrote the flip side, "End of the Highway" . . . **LISA HARTT** is the focal point of The Lisa Hartt Band and writer of the group's new single, "All Over the World". The tune is backed by "Didn't You Know" co-written by Lisa and band member **RICHARD YUEN**. Both songs are from the group's first album for Rising Records, "Starwatcher" the name of their earlier hit. London distributes . . . Details for the Fourth Annual American Song Festival (deadline June 3) and the XII Castlebar International Song Contest (deadline June 11) can be obtained by writing to *The Music Scene* . . . "A record label is the final link that will (make) **MARC JORDAN** a household name," reads the songwriter/performer's publicity material. And indeed, his commitments so far this year lead one to believe that contract will be forthcoming. He's taped a segment for ETV's *In Concert*, has appeared on CBC's *90 Minutes Live* and Global's *Caught in the*

Act (twice in February), and is taping a second transcription for CBC Radio. University concert dates arranged include the University of Toronto, McMaster, York, Saint Clair College and Trent University . . . Vancouver flautist **PAUL HORN** was signed earlier this year to the busy Mushroom label, also out of Vancouver. His double album release, "Inside the Great Pyramid" is just where the recording took place. "The silence inside the Pyramid was overwhelming," says Horn. "The natural echo inside the King's chamber provided an eight-second delay which virtually allowed me to accompany myself" . . . A recent release by **RHETT DAVIS** is the self-penned tune "I am the Eagle" from the Quality/Broadland album "For my Friends" . . . **KEITH TEDMAN** composed the score for a film by Budge Crawley for the NFB film "Waterways to Explore" and a second affiliate, **JOHNNY COMEAU**, wrote and performed the score for "La Nuite du 8", a non-theatrical NFB film released last year . . . Nexus, the Toronto-based percussion ensemble which includes **ROBERT BECKER, WILLIAM CAHN, MICHAEL CRADEN**, Robin Engelman, Russell Hartenberger and **JOHN WYRE**, presented a special concert at Massey Hall February 20 performing selections from the ragtime and African drum concerts which they took on tour to Japan last year. Robert Becker's arrangements of George Hamilton Greene's xylophone ragtime will appear on the group's upcoming album for Polydor. Nexus was joined at Massey Hall by cellist David Darling and Toronto jazz musicians **KATHRYN MOSES** and **BERNIE PILTCH** . . . **PAUL HOFFERT** has agreed to score an off-beat feature musical called "Outrageous", produced by Bill Marshall for Film Consortium of Canada . . . According to *Rolling Stone*, Phil Spector is producing a new **LEONARD COHEN** album. Bob Dylan, Allen Ginsberg and Ronee Blakely are singing backup for Cohen's tunes . . . All songs on **MEL HYLAND's** upcoming album "Rodeo, Life & Friends" are from real-life experiences in rodeos. His single "Look Reality in the Eye" and "Mismatched" has been released by Highwood Records, Box 44, High River, Alberta. Mel makes his home in Salmon Arm, B.C. and last year won the World Championship in saddle bronc riding . . . **GENE MacLELLAN's** first album since 1970 was released at press time by Capitol. "If It's Alright With You" was totally self-penned. Capitol calls the lyrics "poignant, sensitive and uncontrived, like the man himself". The single "Shilo Song" and "Canterbury Song" has been pulled from the album . . . A second recent Capitol release is Deja Vu's "Get It Up for Love". Deja Vu's members include **PAUL GORDON** and **RALPH COLE** . . . **DAVID THOMPSON's** only interest in high school was the choir, and when he was turfed from that for smoking in the washroom, he left school behind as well.

A few years later he returned to Kapuskasing, Ontario, where he was born, and began working in a paper mill. "It was during this time at the mill that I began writing songs. I would wander about the mill, and make up songs to the beat of the paper machines". Soon he was known as "One-song-a-shift-Dave". A few years later he met **CHUCK WILLIAMS** of Gaiety Records in Thunder Bay and it is Chuck who can be credited with giving David the encouragement and support to extend his career. This spring saw the release of his first single for RCA, "Love, Love, Love" backed by "I Just Want To", both originals. David describes his music as contemporary pop with many songs having overtones of blues to uptown-country . . . CBC-Radio has commissioned **JOEY MILLER**, a participant in BMI Canada's Musical Theatre Workshops, to write a musical for the programme *Special Occasion*. Joey attributes the assignment directly to the workshops and contacts made there. Also, he has completed arrangements for a new Dean Regan club act . . . The Royal Winnipeg Ballet included "What to do till the Messiah Comes" in its programme of three ballets for performances in Toronto during Easter week. The ballet is set to music by **CHILLIWACK, SYRINX** and **PHILLIP WERREN** . . . **BILL** and **SUE-ON HILLMAN** recorded their album "The Hillman Express, Track 15" at Winnipeg's Century 21 Studios and in England at Gooseberry Sound Studios. "Nice blend of vocals and instrument backup," reported RPM upon release. Bill wrote all the material . . . **DON COCHRANE** wrote both sides of his recent Snocan release: "Country Music Isn't Country anymore" backed by "Old Bill Jones" . . . **MICHAEL T. WALL**, The Singing Newfoundlander, has a new single in the stores, "Sweet Nellie". It's from his latest Banff album, "Michael T. Wall on Stage at Molly 'n' Me". Michael has included on the album songs by a host of Canadian country writers, including **DICK NOLAN, ELLIS COLES, BEN WEATHERBY, LYNN RUSSWURM, GERRY MASSOP, ROLAND MOULAND** and **OMAR BLONDAHL**. A new interest for Michael is raising show cats, a hobby introduced to him by his wife . . . Brian Chater, administrator of **DEBCAR MUSIC**, tells *The Music Scene* **MIKE GRAHAM's** "Would You Still Love Me" single has been getting excellent programmer and listener reaction. Mike was the hit of CFGM's *Opry North* in late March and a deal has been signed to release his product in Europe with MAM Records, beginning in May. He appeared again on WWVA in February and was rebooked for April 9. Another single was expected in April and the summer was booked with Ontario dates, preceding fall release of an album . . . **DAVID WIFFEN** was featured as the first Canadian artist played and interviewed on Ottawa's new FM station CHEZ 106, on March 25. At press time three U.S. companies were discussing record contracts with Wiffen . . . **DAVE BRADSTREET's** debut album for A&M was recorded at Toronto's Phase One Studios. For nearly a decade Brad-

street has toured the U.S. and Canada with folk material. This album, however, "exposes him as a writer/arranger/singer/musician of intense and enormous consequence", according to his label. Tunes range from the VALDY hit "Renaissance" to "Long, Long Road," a love song with background vocals and strings . . . Roger Whittaker introduced a new ERIC ROBERTSON tune, "Canada Is", at the end of a CBC-TV show Feb. 20 devoted to Whittaker. The two have worked together for several years now . . . Reborn is four young men from the Oakville, Ontario, area who have joined together to write and perform their own gospel-folk music. Most of the writing is by GORD JOHNSTON with some by GLYN STEPHENS. Rick Butler and Bruce Fisk complete the foursome. Last October they released their first album, titled simply "Reborn", distributed by HARMUSE PUBLICATIONS or from Reborn at 558 Third Line, Oakville. One cut

on the album, "Oh Jesus" is particularly appealing and a good indication of the style of Reborn. The four are available for performances, including radio and television . . . Nomination for a Juno in the Best Country Group category has given the Emeralds, an Edmonton show and dance band, an added boost. Members ALLAN E. BRODER, DAVE HNATIUK, AL OSWALD, WALLIS PETRUK and DON REMEIKA plan a European tour in August. This should coincide with the release of their fourth single and sixth album. Label details were not announced . . . It was earlier reported that ROBBIE McDUGALL's album "Celebration of Hope and Joy" was released by RCA. The album is on Robbie's own label, Adoramus Music, 139 St. Michael's Road, Winnipeg . . . Kebec Disc has released a country album by ROBERT PAQUETTE. Titled "Prends Celui Qui Passe", all the material is original. A second release from the label is "La Tête en Gigue" by BERTRAND GOSSELIN and JIM

CORCORAN . . . BILL SKOLNIK is best known for his musical "Horse Muse", with book and lyrics by PADDY CAMPBELL. A popular production with first the Alberta Theatre Projects where it played to 98 per cent houses in 1975, it is published by Simon & Pierre. Skolnik has also worked with Festival Lennoxville, Manitoba Theatre Centre, and Toronto theatres. Presently he's working as composer and musical director for the TV Ontario series (OECA) *The French Show*, a situation comedy due to begin in September. Bill has written the theme and all incidental music for the series . . . The Kitchener-Waterloo Oktoberfest in Ontario is seeking a theme song. The festival is offering a \$500. first prize and five additional prizes of \$100. each for a song appropriate to Oktoberfest: waltz, march or polka tempo. Deadline for submission is June 30th and more information may be obtained by contacting *The Music Scene* or the festival directly. ♦

JIM McHARG'S TRADITIONAL JAZZ BANDS BEGAN IN U.K.

by Ken Waxman

JIM McHARG has earned his title as tireless promoter of traditional jazz in this country.

A ruddy-faced, balding, bass player who leads the 1930s styled Midnight Special band in Toronto, Scottish-born McHarg has spent his 14 years in Canada hammering away at those who refuse to recognize the talents of local Canadian musicians. At Toronto's Harbourfront McHarg had presented a traditional jazz concert every week for the last three months when I spoke with him; concerts which have drawn anywhere from 250 to 800 people. This experiment has proved so successful that he's done the same thing in a suburban shopping centre, with similar results.

But then, again, traditional jazz has always been McHarg's burning passion, ever since that day in the early '50s in his native Glasgow when he saw the film "New Orleans" starring Louis Armstrong and Billie Holiday. It transformed him from the drummer in a traditional Scottish country dance band to a banjo player in a Dixieland group working an English seaside resort.

Later McHarg joined another band as a bass player, and then put together his own group. It took part in the British Trad Jazz boom of the late '50s and '60s.

McHarg's bands — which at the end included a very young Jack Bruce, soon to find fame with Cream—worked steadily, recorded a couple of albums, and received a good deal of airplay with a tune called "Forgotten Dreams". At the same time he was beginning to write himself, turning out folk tunes for different singers, including a bit-before-its-time song called "Nessie, The Monster of Loch Ness".

But the Trad boom waned, and soon McHarg hied himself off to Canada. He heard somewhere that Muggsy Spanier,

the legendary cornetist, often played a place called Toronto. McHarg says one of the first contacts he made in this country was with BMI Canada, when he discovered that a musician back in the United Kingdom had taken advantage of his absence and put his name to one of McHarg's compositions on a recording. BMI Canada's Harold Moon investigated and the situation was quickly rectified.

In Toronto, McHarg put together another Dixieland aggregation called the Metro Stompers. With gigs at the Penny Farthing and a club called The Inn-on-the-Parking Lot, the Stompers became one of the first bands to work Yorkville before it was famous as a bohemian gathering place. Between 1964 and 1969 the Stompers travelled across Ontario, recorded albums for RCA, Columbia, Arc and the Canadian Talent Library, and

had its razz-a-ma-tazz version of "Can-na-da" on the airwaves.

McHarg himself contributed about 15 of his own compositions to the book, reasoning this was a way to keep the tradition alive. But in 1970, maintaining that "my ears are always wide open," he left the group to form the Django Reinhardt-styled Midnight Special. That band, too, has become a Toronto favourite, and has made a few well-received radio and TV broadcasts, including appearances on the CBC radio series *Morningside*, which introduced that style of music to many people.

The question remains, though, why so many Scots are attracted to traditional jazz. "Well," says McHarg, "It's because of the affinity between Hebridean music and black New Orleans jazz." Both stem from social conditions or the work being done at a given time, and both are spontaneous. The "blues" of the New Orleans' musician is the "lament" of the Hebridean musician. "I'm dealing with a form of American black music", he explains, and for this reason he doesn't pretend to look upon it as any more than an appreciation and recreation.

Still he sees his work as a way to "expand and improve on the idiom. To me something good is always good. If it was art 100 years ago, it's art today." Why, then, doesn't he go one step farther and bring his sound into the modern era? "I don't think I have the skill to play contemporary music," he admits modestly. "But I'd never put it down."

McHarg is the antithesis of the hype-encrusted pop musician, the latter interested only in record sales and his newest release. For McHarg the joy is in the playing. "What matters to me is that I've played with Lil Hardin Armstrong, Muggsy Spanier and Willie the Lion Smith and recorded with (skiffle-king) Lonnie Donegan. For me it's all been a fairy tale come true." ♦



Jim McHarg

CONCERT

Micmac Audio Creations, Montreal, which has the audio programme contract for Air Canada, has announced, following a formal protest by the Association of Canadian Orchestras concerning the absence of Canadian artists and music on the airline's in-flight music system, that two relevant items will be available as of May, 1977. These are a movement of Berlioz's "Symphonie Fantastique", in a performance by the Toronto Symphony under conductor Seiji Ozawa and **VIOLET ARCHER's** "Sinfonietta", performed by the CBC Vancouver Chamber Orchestra conducted by John Avison. The latter is, therefore, the first concert work by a Canadian composer to be used in Air Canada's in-flight music system.

Violet Archer's "Suite Solo Flute" was given its world premiere February 3 in the third concert of the University of Alberta's *Explorations* series. The work, composed in 1976, was performed by Jonathan Bayley.

ANDRE PREVOST recently completed a two-week tour during which he heard performances of three of his large works for orchestra. On March 8, 9 and 11 the Toronto Symphony performed "Fantasmes" (1963) as part of its regular subscription series and on March 17 and 18 performed the work at New York's Carnegie Hall and Washington's Kennedy Center, respectively. Prior to the U.S. performances the composer attended the March 15 world premiere of his "Chorégraphie III", performed in Paris by the Nouvelle Orchestre Philharmonique de Radio-France under the baton of Yves Prin. The work was commissioned by the French Services Division of the Canadian Broadcasting Corporation and was broadcast in France and in Canada.

While in Paris Prévost was interviewed for a broadcast prepared by the Canadian Cultural Centre for Radio-France which was aired on February 24. Two other important programmes were included in this series: One, aired on March 10, familiarized Parisian audiences with the work of **GILLES TREMBLAY**, a second was dedicated to **SERGE GARANT**.

On March 18 André Prévost flew to the University of Ann Arbor, Michigan, to attend the premiere of Martine Epoque's choreographic production of the composer's "Chorégraphie I" (1972). Further performances of the ballet, all of which employed a prerecorded tape of the music, took place on two days following.

During the current season Prévost has received at least six commissions. The "Concerto pour Violoncelle", completed last fall, is a CBC commission originally intended for cellist Guy Fallot. At this point the composer is unsure who will perform the work. A cycle of songs for baritone and orchestra has been commissioned for Canadian baritone Pierre Mollet and the Orford Quartet has requested a concerto for string quartet and



André Prévost

orchestra. Montreal violist Sylvie Laville has commissioned "Sonate pour alto et piano" and Ontario's London Symphony Orchestra has commissioned a work for the 1978-79 season.

The composer's plans include the completion of his first large-scale symphony.

On March 10, the Société de musique contemporaine du Québec presented the world premiere of a commissioned work by **OTTO JOACHIM**. "Each rendition of 'Uraufführung' will always be a 'first performance', hence its title", remarks the composer in a programme note. "The aleatory elements and the semi-programming of electronic apparatuses, which are triggered by the sound of the guitar [played by the composer's son, **DAVIS JOACHIM**], do not allow an exact repetition of this work."

Jacob Siskind of the *Gazette* called the piece "a rather brief mood painting quite unlike anything else the ingenious composer has ever devised... Built in shades of pianissimo it generated enough tension to sustain interest throughout."

A special performance of **DEREK HEALEY's** two-act opera "Seabird Island", written in conjunction with librettist Norman Newton and premiered May 7 at the 1977 Guelph Spring Festival, will be broadcast June 27 over the CBC-FM network on the programme *CBC Monday Evening*.

A February 17 concert at the Art Gallery of Greater Victoria included the premiere of "Reflections" for two pianos by **JEAN ETHRIDGE**. The programme also included other works by the composer as well as **DAVID DUKE's** "Toccata and Fugue", for two pianos, and **FRANCIS CHAN's** "The Daughter of Master Chin", for soprano and two pianos. On January 20 the Art Gallery presented a similar programme of works by Canadian composers. David Duke and Jean Ethridge were well represented on that programme as were **JEAN COULT-HARD**, **RON HANNAH**, **JOAN HANSEN** and **ERNST SCHNEIDER**.

THOMAS SCHUDEL's "Symphony No. 1" was given its Canadian premiere on February 12 by the Regina Symphony Orchestra under conductor Bill Phillips. The composer recently completed his "Variations for Orchestra" for the CBC Vancouver Chamber Orchestra which eventually will be broadcast. Dr. Schudel is Head of the Department of Music at the University of Regina.

Competitions for composers which have come to the attention of *The Music Scene* include:

— 15th International "Premio Città di Trieste" Competition for Symphonic Music; deadline for entries October 1, 1977; contact "Premio Città di Trieste", Palazzo Municipale, Piazza dell'Unità d'Italia 1-34100 Trieste, Italy;

— 28th "G.B. Viotti" International Music Competition, composition division; deadline for entries October 30, 1977; contact Società del Quartetto, Casella postale 127, 1-13100, Vercelli, Italy;

— The International Competition for a Musical Composition based on the theme "Holocaust and Rebirth", symphonic composition (orchestra, choir, max. 60; up to 4 soloists; prepared tape opt.); deadline for entries September 1, 1977; contact The International Competition for a Musical Composition "Holocaust and Rebirth", P.O. Box 11180, Tel-Aviv, Israel.

The National Arts Centre Orchestra, conducted by Mario Bernardi, made its third tour of Western Canada between February 11 and 25 performing, among other works, **JACQUES HETU's** "Symphonie No. 3" (1971). Concerts were given in Ottawa, Winnipeg, Brandon, Yorkton, Moose Jaw, Swift Current, Saskatoon, Vancouver and Victoria. The Hetu work was also performed on January 18 and 19 by the Toronto Symphony.

ROBERT TURNER's "String Quartet No. 3" received its Canadian premiere February 6, 1977, in the Eva Clare Hall of the University of Manitoba in a performance by the Purcell String Quartet. It was commissioned in 1975 by the Vancouver-based group with assistance from the Canada Council and is in two connected movements, a chaconne and a theme and variations. "The work, though short, contains much inventive music", writes Ronald Gibson in the *Winnipeg Free Press* (February 7, 1977), "and in the vigorous episodes, was very well organized, with plenty of effective string writing. The meditative variations were quite beautiful."

The Faculty of Music of McGill University sponsored, on March 26 and 27, Canada's biennial Young Composers' Symposium to which several universities from Ontario and Quebec were invited to participate. **JOSEPH NATOLI** of the University of Toronto was represented by "Moonlight Sonata" for tape while Joël Pasquier performed "Variations pour piano" by **ANDRE LAMARCHE**, a student at the Université Laval.

On December 2, 1976, the Art Gallery of Ontario presented "WATEARTHUNDAIR: music of the tenth moon of the year of the dragon", a nature-sound-mix with verbal and visual commentary conceived, compiled and co-ordinated by **UDO KASEMETS**. The performance marked the centennial year of the Ontario College of Art.

The Halifax new music group, inNOVATIONS in MUSIC, presented a special concert February 27 devoted to another major work by Kasemets. The composer describes "KANADANAK" as "a celebration of our land and its people on the fourth day of the waxing phases of the first moon of the year of the serpent. The piece has a strong social content focusing on our relationships with native Canadian Indians and Eskimos, our feelings about the northern land, our lifestyles, etc." "KANADANAK", which involved several readers and drummers and invited audience participation, was also performed February 15 at the Art Gallery of Ontario.

Melbourne Records of Canada has announced the release of the eleventh album in its continuing series of recordings of works by Canadian composers. Czech-born Canadian pianist **ANTONIN KUBALEK** appears for the second time on Melbourne (SMLP 4031) in a recital which includes **VIOLET ARCHER**'s "Improvisations for Piano", **JEAN COULTHARD**'s "Aegean Sketches", **RHENE JAQUE**'s "Deuxieme Suite", **BARBARA PENTLAND**'s "Suite Borealis" and **ANN SOUTHAM**'s "Four Bagatelles". Melbourne Records are distributed by London Records of Canada Limited.

On March 13 a Toronto audience heard at the Royal Conservatory of Music an audition of a 21-year old recording of the premiere broadcast performance of **HARRY SOMERS**' "Second Piano Concerto" (1956). The acetate recording, which had been presumed lost for years, recently turned up in the collection of the late CBC producer Terence Gibbs and was transferred to tape for this occasion. The work was performed by Reginald Godden with the CBC Symphony under conductor Victor Feldbrill and, after receiving one CBC airing, was never heard again. Somers and the other principal participants were on hand to introduce the performance.

John Kraglund of the *Globe and Mail* referred to the "Second Concerto" as "essentially a lyrical work, technically demanding, intensely emotional, sometimes densely orchestrated, but always remarkably clear in texture". Pianist **ANTONIN KUBALEK** has shown interest in organizing a modern performance of this major work.

ALLAN RAE has been engaged to compose incidental music for the 1977 Stratford Festival production of Shakespeare's "Much Ado About Nothing". The Alberta-born composer has provided music for several National Arts Centre productions including "The Tempest", "Can You See Me Yet" and "Sainte Marie Among The Hurons".

The Music Gallery, 30 St. Patrick St., Toronto, which has recently become an important centre for the presentation of venturesome works by local composers, presented on March 12 the premiere of "Memories of the Forgotten Stream" by Toronto composer **JIM HISCOTT**. The six-part composition is more than an hour in length and explores various combinations of five selected instruments. A second performance is scheduled for May 15 at Toronto's David Mirvish Gallery.

A student of **DR. SAMUEL DOLIN**, Hiscott was recently awarded, through Toronto's Royal Conservatory of Music, the 1976 BMI Canada Limited Centennial Scholarship.

The Vancouver New Music Society presented a special concert January 23 in honour of **BARBARA PENTLAND**'s 65th birthday. The programme featured the composer's "Interplay" (1972), for accordion and string quartet (soon to appear on Melbourne Records in a performance by **JOSEPH MACEROLLO** and the Purcell Quartet) as well as the premiere of a specially commissioned work, "Disasters of the Sun", based on a cycle of seven poems by Canadian Dorothy Livesay.

"The music Pentland weaves through these lyrics is in delicate harmony with their disturbing discords of the spirit", wrote Lloyd Dyck in the *Vancouver Sun* (January 24, 1977). "... it is alternately sere and rattling, like dry sticks, or luxuriant in long singing lines, and uses each grouping of instruments suggestively, sometimes ironically, as a tonal translation of ideas and images in the text." The work is scored for mezzo-soprano, nine instrumentalists and prepared tape.

A January 30 concert presented by the Halifax new-music group Nova Music was entirely devoted to works by Canadian composers. Included in the programme were **ISTVAN ANHALT**'s "Chansons d'Aurore" (1955), **JACQUES HETU**'s "Quatre Pieces pour Flûte et Piano" (1965), **SERGE GARANT**'s "Asymetries No. 2" (1959) and **GILLES TREMBLAY**'s "Solstices" (1971). Flutist **STEPHEN PEDERSEN**, a regular at Nova Music concerts, was featured in several works.

The Canada Council has announced a total of \$163,165 in grants to musicians, music groups and organizations to commission works by Canadian composers for performance during the 1976-77 season. Applications for grants were submitted to a selection committee which, for the 1976-77 season, comprised Robert Creech, **ROGER MATTON**, Keith MacMillan, **R. MURRAY SCHAFFER** and **GILLES TREMBLAY**.

Commissions which have not been previously mentioned in *The Music Scene* include one to **JOHN BECKWITH** (Orford String Quartet, Toronto, \$2,500); **JEAN COULTHARD** (violinist Robert Verebes, Montreal, \$1,800); **JACQUES HETU** (Institut international de musique du Canada, St-Lambert, Quebec, \$1,700); **FRANCOIS MOREL** (McGill Chamber Orchestra, Montreal, \$3,300) and one to **ALLAN RAE** (flutist David Edgar, Calgary, \$1,500).

SUMMERS — from page 11

approached from the opposite direction: Here it is the tape operator's responsibility to cue with the performers. Although the composer prefers the former method, in general, he considers "Elegy" to be the better piece, perhaps the best piece he has written.

"I like to stage them a bit", he comments. "With the 'Elegy' I put the performers on either side of the stage and speakers likewise and I have the room bathed in a dark blue sort of gel — so it sets the 'elegaic' kind of mood — in one performance I even had a single lit candle in the middle of the stage in a hypnotic kind of arrangement. It worked. I thought it might be a bit tacky but it worked quite well. The lights were down and as each player finished he turned off his music-stand light and everything faded out. So I am interested in some theatrical things."

Although comprising only two works, Summers' catalogue of choral music displays a distinct familiarity with the vocal medium. Both were composed for the Vancouver Chamber Choir, a remarkably polished ensemble, well-respected for its performances of contemporary music. In direct contrast to the generally more conservative nature of choral music, it is in these works that this composer displays a more adventurous harmonic and structural vocabulary. The long, drawn-out, beautifully placed dissonances of "Lacrymosa" (1973), a short *capella* work, recall the late works of Stravinsky — one particular exposed, static, minor triad echoing the nocturnal whistle of a freight train passing through a small northern settlement.

The lyricism of this work is contrasted in the eclectic "Four Inuit Preludes and Songs", commissioned in 1975 by the Canadian Broadcasting Corporation for 1976 performance by the V.C.C. As the title suggests the work is structured as a series of alternating preludes and songs, employing styles ranging from tonal to aleatoric modes. The preludes use Inuit and English texts from the Drum-Dance Preludes of the Copper Eskimos, translated by Helen Roberts for the Canadian Government *Arctic Report*, published in 1925. The four songs were translated by Peter Freuchen for *Book of the Eskimos* (Fawcett Publications, Inc., 1961).

The texts of the latter are particularly enigmatic:

*I have grown old,
Many things I understand,
But four riddles I cannot solve:
The origin of the sun,
The nature of the moon,
The minds of women,
Why people have so many lice.**

Jerome Summer's plans for the future include the scheduling of a performance of his recently completed "Rhapsody for Clarinet and String Orchestra", which he composed for colleague Ronald de Kant and, perhaps, the realisation of a large vocal work on a subject which he has cherished since childhood. He speaks enthusiastically of the latter but is reluctant to reveal the nature of what may prove to be his most original inspiration. **The Old Man's Song* © Copyright 1961 by Fawcett Publications, Inc.

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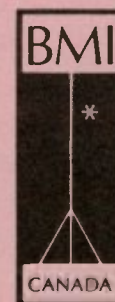
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