which stood the elder Colman, produced little advantage to any except the lawyers who received fees in the lawsuits between the proprietors. In 1766, a theatre in the Hay­market, not that which held the patent, but another which had been built in 1720, and which had received occasional licenses for performances during the summer, received a regular patent, granted in favour of Foote, which recog­nized its actors as the king’s servants, and allowed perfor­mances in it from the 14th of May to the 14th of Septem­ber. The patentee immediately pulled down the old house, and built a new one, which was opened in 1767.

In 1790 there was built, on the site of Sir John Van­brugh’s Haymarket Theatre, a new house devoted to the Italian opera, which received the name of the King's Theatre, and has since then suffered no very material alteration in the general structure of its interior. In 1794 was opened a new theatre in Drury Lane, built, after a plan by Hol­land, on the site of the former one ; and two or three years earlier, Covent Garden had received such improvements as amounted nearly to a total renovation. Long before these events, however, the management of Covent Garden had passed to Harris ; while at Drury Lane, Garrick had been succeeded by Sheridan, Ford, and Linley ; and Foote’s place at the Haymarket had been filled by Colman. In 1803 the stage-management of Covent Garden passed to John Philip Kemble; and the subsequent changes which took place for some time in that and the other theatres are not of such literary moment as to require notice. In Sep­tember 1808, Covent Garden Theatre was burnt to the ground ; and the present building, erected on its site, after a plan by Smirke, was opened within twelve months from the catastrophe. In 1809 a similar calamity destroyed the theatre in Drury Lane, which was rebuilt by Wyatt, and opened for performances in 1811. Foote’s summer theatre in the Haymarket made way, in 1821, for a new house planned by Nash, and possessing a patent extending its per­formances to seven months.

It would not be too much to say, that the excellence of the dramas which our modern stage has produced, bears, in comparison with those of our older times, a proportion nearly inverse to that of the dimensions and adornment of the edifices in which the works of the two ages have been respectively acted. The question as to the causes of our decay, and as to our probable prospect of revival, has been handled elsewhere, and would lead us beyond the proper province of this article ; but the discouraging state of the drama during the whole period which has elapsed in the present century may be admitted as a sufficient reason for declining to trace the history of our great theatres through that series of misfortunes which has hung over all of them, especially Drury Lane, for the last thirty years. The ruinous consequences of their injurious monopoly have not, it should appear, been even yet made sufficiently obvious to those who possess the power of remedying the evil ; and the many minor theatres, which, if allowed free scope, might perhaps become the nurseries of a new school in dra­matic art, are left to struggle against obstacles arising from this cause, and seconded but too faithfully by the general corruption of dramatic taste.

The evils produced by the monopoly of the great theatres in the metropolis were till lately aggravated tenfold by the laws affecting copyright in dramatic performances. Liter­ary property of this sort was continually invaded, and towards the end of the eighteenth century the courts of law formally authorized the encroachments. The decisions were founded on very curious and subtile distinctions.

The first case brought forward was that in which Mack­lin, in 1770, applied to the Court of Chancery for an in­junction to stay the printing of his farce of “ Love-a-la- Mode” in a magazine, in which it was appearing piecemeal. The farce had never yet been printed or published ; and the booksellers obtained their manuscript from a short­hand writer, whom they employed to attend the theatre and take down the dialogue from the mouths of the actors. The court held that this was a *publication* of the play, and forbidden by the act of Queen Anne. In terms of this decision, it was always afterwards held, that the author or his assignee retained the exclusive right of *printing* and *publishing* a play, although it might have been already acted.

But in 1790, the Court of King’s Bench laid down the law very differently for the case in which redress is claimed against the unauthorized *representation* of a play on the *stage.* O’Keeffe’s farce, “ The Agreeable Surprise,” had been acted on various stages, although the copyright had been sold by the author to Colman of the Haymarket. Colman prose­cuted the manager of the Richmond theatre for infringe­ment of the act of Queen Anne, maintaining that his act­ing of the piece was a publication of it in the sense of the statute. The court found that acting (or, as one of the judges called it, repeating a book from memory) was *not publication,* nor prohibited by the act. The provincial managers thenceforth continued to plunder dramatic authors with impunity, as soon as, by the publication of their works, or in other ways, they were able to procure access to them. No endeavour was made in the courts to shake the decision given in Colman’s case, til) the year 1822, when Murray the bookseller prosecuted Elliston for acting Byron’s tragedy of Marino Faliero, “ altered and abridged for the stage,” the play having been previously printed and published by Mur­ray, the proprietor of the copyright. The attempt in this case to found the action for redress independently of the statute, was equally unsuccessful with the previous attempt to rest it solely on the statutory words.

These decisions, it is true, left several very important questions still undetermined ; but the letter of the law, and the spirit of the interpretations which had been long put upon it, were equally unfavourable to the dramatic author. Writers of plays continued to depend for remuneration on the small sums which they could obtain from booksellers for the right of printing and publishing, with any other sum which the managers of the London theatres chose to give for the privilege of acting the drama till publication.

This unfair state of things was altered in 1833 by Sir Edward Lytton Bulwer's act, “To amend the laws relating to dramatic literary property.” By this statute it is enacted, first, that the author of every dramatic piece *not* printed or published (or the assignee of the author) shall have, as his own property, the sole liberty of representing it, or causing it to be represented, at any place of dramatic entertainment ; secondly, that the author of every dramatic piece which has been or shall be printed and published (or the assignee of the author) shall have, as his own property, the same liberty of representing it, or causing it to be represented, till the end of twenty-eight years from the date of the publication, and also during the residue of the author’s life ; thirdly, that the penalty for infringement of the act shall be, for each re­presentation, an amount not less than forty shillings, or the full amount of the benefit or advantage arising from the representation, or the injury or loss sustained by the proprietor of the drama, recoverable in an action to be brought within twelve months after the offence. (b. l.)

THEBES, the name of a celebrated city of ancient Greece. It is supposed to have been built by Cadmus, about the year of the world 2355. This Cadmus, according to the Greeks, was the son of Agenor king of Sidon or of Tyre ; but the Sidonians allow him to have been of no high­er quality than his cook, and tell us that his wife was a mu­sician at court, with whom he ran away into Greece. The Greek writers aver, that being commanded by his father to go in search of his daughter Europa, whom Jupiter in the shape of bull had carried off, and being forbidden to return