from that time until 1788. In 39 Eliz. c. 4 there is a remark­able exception in favour of persons licensed by Dutton of Dutton in Cheshire, in accordance with his claim to liberty and jurisdiction in Cheshire and Chester, established in favour of his ancestor by proceedings in *quo warranto* in 1499.@@1 The stricter wording of this act as to the licence seems to show that the licence had been abused, perhaps that in some cases privi­leges had been assumed without authority. In 14 Eliz. c. 5 the privileges of a player attached by service of a noble or licence from justices, in the later act only by service of a noble, and this was to be attested under his hand and arms. The spirit of the acts of Elizabeth frequently appears in later legis­lation, and the unauthorized player was a vagabond as late as the Vagrancy Act of 1744, which was law till 1824. He is not named in the Vagrancy Act of 1824. The Theatre Act of 1737 narrowed the definition of a player of interludes, for the pur­poses of punishment as a vagabond, to mean a person acting interludes,@@2 &c., in a place where he had no legal settlement.

Before the Restoration there were privileged places as well as privileged persons, *e.g.* the court, the universities, and the inns of court. With the Restoration privilege became practically confined to the theatres in the possession of those companies (or their representatives) established by the letters patent of Charles II. in 1662. In spite of the patents other and un­privileged theatres gradually arose.@@3 In 1735 Sir John Barnard introduced a bill “ to restrain the number of playhouses for playing of interludes, and for the better regulation of common players.” On Walpole’s wishing to add a clause giving parlia­mentary sanction to the jurisdiction of the lord chamberlain, the mover withdrew the bill. In 1737 Walpole introduced a bill of his own for the same purpose, there being then six theatres in London. The immediate cause of the bill is said to have been the production of a political extravaganza of Fielding’s, *The Golden Rump.* The bill passed, and the act of 10 Geo. II. c. 28 regulated the theatre for more than a century. Its effect was to make it impossible to establish any theatre except in the city of Westminster and in places where the king should in person reside, and during such residence only. The act did not confine the prerogative within the city of Westminster, but as a matter of policy it was not exercised in favour of the non-privileged theatres, except those where the “ legitimate drama ” was not performed. The legitimate drama was thus confined to Covent Garden, Drury Lane and the Haymarket from 1737 to 1843. In the provinces patent theatres were established at Bath by 8 Geo. III. c. 10, at Liverpool by 11 Geo. III. c. 16, and at Bristol by 18 Geo. III. c. 8, the act of 1737 being in each case repealed *pro tanto.* The acting of plays at the universities was forbidden by 10 Geo. II. c. 19. It is not a little remarkable that the universities, once possessing unusual dramatic privileges, should not only have lost those privileges, but have in addition become subject to special disabilities. The restrictions upon the drama were found very inconvenient in the large towns, especially in those which did not possess patent theatres. In one direction the difficulty was met by the lord chamberlain granting annual licences for performances of operas, pantomimes and other spectacles not regarded as legitimate drama. In another direction relief was given by the act of 1788 (28 Geo. III. c. 30), under which licences for occasional performances might be granted in general or quarter sessions for a period of not more than sixty days. The rights of patent theatres were preserved by the prohibition to grant such a licence to any theatre within eight miles of a patent theatre. During this period (1737-1843) there were several decisions of the courts which confirmed the

operation of the act of 1737 as creating a monopoly. The ex­clusive rights of the patent theatres were also recognized in the Disorderly Houses Act, 1751, and in private acts dealing with Covent Garden and Drury Lane, and regulating the rights of parties, the application of charitable funds, &c. (see 16 Geo. III. cc. 13, 31; 50 Geo. III. c. ccxiv.; 52 Geo. III. c. xix.; I Geo. IV. c. lx.). The results of theatrical monopoly were beneficial neither to the public nor to the monopolists them­selves. In 1832 a select committee of the House of Commons recommended the legal recognition of “ stage-right ” and the abolition of theatrical monopoly. The recommendations of the report as to stage-right were carried out immediately by Buiwer Lytton’s Act, 3 & 4 Will. IV. c. 15 (see Copyright). But it was not till eleven years later that the Theatres Act, 1843, was passed, a previous bill on the same lines having been re­jected by the House of Lords. The act of 1843 inaugurated a more liberal policy, and there is now complete “ free trade ” in theatres, subject to the conditions imposed by the act. The growth of theatres since that time has been enormous. Nor does the extension seem to have been attended with the social dangers anticipated by some of the witnesses before the com­mittee of 1832.

The suppression of objectionable plays was the ground of many early statutes and proclamations. While the religious drama was dying out, the theatre was used as a vehicle for enforcing religious and political views not always as orthodox as those of a miracle play. Thus the act of 34 & 35 Hen. VIII. c. 1 made it criminal to play in an interlude contrary to the orthodox faith declared, or to be declared, by that monarch. Profanity in theatres seems to have been a crying evil of the time. Stephen Gosson attacked it as early as 1579 in his *School of Abuse.* The first business of the government of Edward VI. was to pass an act reciting that the most holy and blessed sacrament was named in plays by such vile and unseemly words as Christian ears did abhor to hear rehearsed, and inflicting fine and im­prisonment upon any person advisedly contemning, despising or reviling the said most blessed sacrament (1 Edw. VI. c. 1). A proclamation of the same king in 1549 forbade the acting of interludes in English on account of their dealing with sacred subjects. In 1556 the council called attention to certain lewd persons in the livery of Sir F. Leke representing plays and interludes reflecting upon the queen and her consort and the formalities of the mass. The same queen forbade the re­currence of such a representation as the mask given by Sir Thomas Pope in honour of the Princess Elizabeth at Hatfield, for she “ misliked these follies.” By the Act of Uniformity, I Eliz. c. 2, it was made an offence punishable by a fine of a hundred marks to speak anything in the derogation, depraving or despising of the Book of Common Prayer in any interludes or plays. In 1605 “ An Act to restrain the Abuses of Players ’’ made it an offence punishable by a fine of £10 to jestingly or profanely speak or use certain sacred names in any stage play, interlude, show, may-game or pageant (3 Jac. I. c. 21). In consequence of the appearance of players in the characters of the king of Spain and Gondomar, an ordinance of James I. forbade the representation on the stage of any living Christian king. The first act of the reign of Charles I. forbade acting on Sunday. Puritan opposition to the theatre culminated in the ordinance of 1648, making it a crime even to be present as a spectator at a play.@@4 After the Restoration there are few royal proclamations or ordinances, the necessary jurisdiction being exercised almost entirely by parliament and the lord chamberlain. Among the few post-Restoration royal pro­clamations is that of the 25th of February 1664-65, restraining any but the company of the Duke of York’s theatre from enter­ing at the attiring house of the theatre, and that of the 27th of February 1698-99 against immorality in plays.

Preventive censorship of the drama by an officer of state dates from the reign of Elizabeth. The master of the revels (see Revels) appears to have been the dramatic censor from 1545 to

@@@1 The “ advowry,” as it was called, over the Cheshire minstrels lasted until 1756, when the latest minstrel court was held at Chester.

@@@2 Interludes were acted in the open air at Berriew in Mont­gomeryshire as lately as 1819, when the players were indicted before the Great Sessions of Wales. They had been prohibited in the Declaration of Sports (1633) and in the Propositions of Uxbridge (1644).

@@@3 See W. Nicholson, *The Struggle for a free Stage in London* (1907)∙

@@@4 For the anti-theatrical Puritan literature see Courthope, *History of English Poetry,* ii. 381.