is to be granted except to the actual and responsible manager, who is to be bound by himself and two sureties for due observance of rules and for securing payment of any penalties incurred. The metropolitan theatres other than the patent theatres (as far at least as they arc included in the boroughs named in the act of 1843) are licensed by the lord chamberlain. By § 4 his fee on grant of a licence is not to exceed 10s. for each month for which the theatre is licensed. The lord chamberlain appears to have no power to make suitable rules for enforcing order and decency. He can, however, by § 8, suspend or revoke a licence or close a patent theatre where any riot or misbehaviour has taken place. He has issued a code of regulations.

Provincial theatres fall under three different licensing authorities. The lord chamberlain licenses theatres in Windsor and Brighton, and theatres situated in the places where the king occasionally resides, but only during the time of such occasional residence (§ 3). Theatres at Oxford and Cambridge, or within 14 m. thereof, arc licensed by the justices having jurisdiction therein, but before any such licence can come into force the consent of the chancellor or vice-chancellor must be given. The rules made by the justices for the management of the theatre are subject to the approval of the chancellor or vice-chancellor, who may also impose such conditions upon the licence as he thinks fit. In case of any breach of the rules or conditions, he may annul the licence (§ 10). All other provincial theatres are licensed by the county councils or county borough councils@@1 under s. 7 of the act of 1888, except in case of a special and temporary performance, where justices still grant the licence as they aid in all cases before that act came into operation. The regulations of the London County Council are dated the 27th of July 1897. Penalties are imposed by the act for keeping or acting in an unlicensed theatre, and for producing or acting in an unlicensed play. A contract to perform in an unlicensed theatre is unenforceable.

*Music Halls.—*Music was at no time the object of restrictions as severe as those imposed upon the drama. The present English act governing music halls, the Disorderly Houses Act. 1751, was passed probably in consequence of the publication in 1750 of Fielding’s *Inquiry into the Causes of the late Increase of Robbers.* It is remarkable that two works of the same writer should from opposite causes have led to both theatre and music-hall legislation of lasting importance. The act was originally passed for a term of three years, but was made perpetual by 28 Geo. II. c. 19. It applies only to music halls within 20 m. of London and West­minster. Every such music hall must be licensed at the Michaelmas quarter sessions, the licence to be signified under the hands and seals of four or more justices. The licence may be granted for music or dancing or both. Public notice of the licence is. to be given by affixing over the door the inscription “ Licensed in pur­suance of act of parliament for,” with the addition of words showing the purpose. The penalty for keeping an unlicensed music hall is £100. This act is amended as to Middlesex by the Music and Dancing Licences (Middlesex) Act 1894, putting the licensing into the hands of the county council. Regulations were made by the council under this act on the 31st of July 1900 and the 27th of June 1901. Music halls beyond the radius of 20 m. from London and Westminster are mainly governed by the Public Health Act 1890, the licensing authority being the licensing justices. There is no censorship of music-hall performance, the only remedy for anything objectionable is for the licensing authority to withdraw the licence or refuse to renew it.

See generally W. N. Μ. Geary, *Law of Theatres and Music Halls* (1885); C. Hamlyn, *Manual of Theatrical Law* (1891); A. A. Strong, *Dramatic and Musical Law* (1898); J. B. Williamson, *Law of Licensing* (1902).

*Scotland—* In Scotland the theatre has always exercised a smaller amount of influence than in England, and there has been little exclusively Scottish legislation on the subject. 1555, c. 40, dis­countenanced certain amusements of a semi-theatrical kind by enacting that no one was to be chosen Robert Hude *(sic),* Little John, abbot of unreason, or queen of May. A proclamation of James VI. in 1574, and 1579, c. 12, followed the lines of English legislation by making persons using unlawful plays, such as jugglery or fast and loose, punishable as vagabonds. In 1574 the General Assembly claimed to license plays, and forbade representations on Sunday. As in England, the licensing power seems then to have passed from the church to the crown, for in 1599 James VI. licensed a theatre at Edinburgh. 1672, c. 21, exempted comedians while upon the stage from the sumptuary provisions of the act respecting apparel. The chamberlain of Scotland., while such an office existed, appears to have exercised a certain police jurisdiction over theatres. The Theatres Act 1843 extends to Scotland, as did also the previous act of 1737, and further provisions are made by the Burgh Police Act 1892.

*Ireland.*—Theatrical legislation, as far as it went, was based upon English models. Thus ridicule of the liturgy was forbidden by 2 Eliz. c. 2 (Ir.); common players of interludes and wandering

minstrels were deemed vagabonds, 10 & 11 Car. I. c. 4 (Ir.). In 1786 an act was passed to. enable the crown to grant letters patent for one or more theatres in Dublin city and county, 26 Geo. III. c. 57 (Ir.). The preamble alleges that the establishing of a well- regulated theatre at the seat of government will be productive of public advantage and tend to improve the morals of the people. Exceptions from the restrictions of the act were made in favour of entertainments for the benefit of the Dublin lying-in hospital and exhibitions of horsemanship or puppet-shows. The existing theatre and music-hall acts do not apply to Ireland, except the Public Health Act 1890, s. 51.

*British Colonies.—*There is a large amount of legislation. An example is the Victoria Act, No 1430 (1897), giving the chief secretary power to cancel or suspend the licence of any theatre if used on Sunday without special permit.

*United States.—*Public entertainments, dramatic or other, are usually under the control of the. municipal authorities, and there is no act of Congress on the subject, except one of 1898 imposing a temporary war tax on the theatres. Inmost states there is state legislation, requiring places of public entertainment to be licensed by the proper authority. In many states it is a condition of the licence that intoxicating liquors shall not be sold in such places. Other conditions, more or less usual, are that there shall be no Sunday or dangerous performances, that acrobats shall be properly protected, and that female waiters shall not be employed. Structural qualifications are in some cases made necessary. Thus in. 1885 the New York legislature passed an act containing many minute provisions for ensuring the safety of theatres against fire. A characteristic piece of legislation is the New York Act of 1873, c. 186, enacting that no citizen is to be excluded from a theatre by reason of race, colour or previous condition of servitude. This act of course merely carries out the important principle affirmed in art. xiv. of the amendments to the constitution of the United States. There are two curious and conflicting decisions of other states on the matter. Missouri held that a manager could dis­criminate against a person of colour, Michigan that he could not (see Green’s *Digest,* vol. i. 642).

*Continental Europe.*—The principal points in which the continental theatre differs from the English are that Sunday is the most impor­tant day, and that the theatre is often owned or subsidized by the state or a municipality. In France there has been much legislation since the days of the Revolution, the principal law being one of 1864. A feature is the tax known as *le* *droit des pauvres,* which has been the subject of much discussion.. The *censure préalable* was abolished in 1906. The object is attained by police penalties. Most of the authorities will be found in Dalloz, Supplement, vol. xvii., and, for the older law, Lacan, *La Législation et la jurisprudence des théâtres* (1853), and Maugras, *Les Comédiens hors de la loi* (1887), may be consulted. Italy has produced at least two modern works on the subject, Rivalta, *Storia e Sistema del Diritto dei Teatri* (1886), and Tabanelli, *Codice del Teatro* (1901). What strikes one is how little special legislation there is on the subject. The penal code meets most cases. Spain retained the *autos sacramentales* much longer than other countries retained the religious drama. Legisla­tion begins very early. The *Siete Partidas* enacts that the clergy are not to take part as actors or spectators in scurrilous plays *(juegos por escarnio).* Cervantes in the first part of *Don Quixote* makes the canon of Toledo regret that the government had not appointed a censor to prevent the acting of plays not only injurious to morals but also offending against the classical rules of the drama. There is a considerable amount of law in the Ottoman empire; details will be found in G. Young, *Corps de droit ottoman,* vol. ii. 320 (1904). (J. W.)

THEBES (θήβαι), the Greek name of the ancient capital of Upper Egypt, presumably an Egyptian name *(e.g.* Zēmi, seen in *-σημιs, -τημιs)* assimilated to that of the Greek city. It occurs in Homer *(Il.* ix. 381-4) where it has the epithet ϵκαr0μπuλos, “ hundred-gated,” probably derived in the first place from the gateways of its endless temples, though perhaps misunderstood as if it referred to a city with a hundred gates in the circuit of its walls. Thebes was never a walled city in this sense, though its vast temple enclosures in different quarters would form as many fortresses in case of siege or tumult. Its Egyptian name was Wesi (or Wis?), later Ne, "the city" (sometimes Ne- Amun, hence No-Amon in Nahum iii. 8), and different quarters were known by special names. In non-literary Greek Thebes was regularly called Diospolis the Great. Ammon, Amen-Rē, or Amenrasonther (“ Ammon-Rē king of the gods ”) was its deity, with his consort Mut and their child Khons. Mont also was a local deity and Hathor presided over the western cliffs of Thebes. In very ancient times the city lay on the cast bank, the necropolis on the west. As it grew, however, al­though the necropolis was still confined to the west bank, a vast city of temples, priests and necropolis people, to which

@@@1 The councils may delegate their authority to justices, a district council, or a committee of their own body, such as the Theatre and Music Hall Committee of the London County Council.