

**Governmental Attempts to Regulate the Stage after the Jeremy Collier Controversy**



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## VI. GOVERNMENTAL ATTEMPTS TO REGULATE THE STAGE AFTER THE JEREMY COLLIER CONTROVERSY

Although Jeremy Collier's attack on the drama of his time and the subsequent "reform" of the stage in the direction of propriety and dullness have been regarded ever since as commonplaces of literary history, the relation between them has never been adequately investigated, and about this the greatest difference of opinion still exists. Ward declares: "In truth the position in which he [Collier] stood . . . had been proved impregnable. From this time forward a marked change became visible in the attitude of the Court, the Government, and a section at least of the ruling classes, towards the stage, and its own consciousness of the purposes and restrictions proper to the exercise of its art."<sup>1</sup> On the other hand, Mr. Whibley asserts: "The poets bowed their knee not an inch in obedience to Collier. They replied to him, they abused him, and they went their way. . . . The pages of Genest . . . make evidence the complete failure of Collier's attack."<sup>2</sup>

Before estimating justly the importance of Collier in the history of the stage, it is obviously necessary to determine to what extent a reformation actually took place, and also to what extent there was a reform movement unconnected with Collier. Moreover, as a preliminary to this inquiry, it is important to know what legal steps were taken toward exercising a stricter control of the stage. It is with this last matter that the present paper deals. The manuscript documents here quoted have never before been printed, and many of them seem never to have been examined by historians of the stage.

The Societies for the Reformation of Manners, which are mentioned by Burnet, included among their rules for members the requirements that they should "wholly avoid lewd play-

<sup>1</sup> A. W. Ward, *History of English Dramatic Poetry*, III, 514.

<sup>2</sup> *The Cambridge History of English Literature*, VIII, 191.

houses." These Societies published many accounts of their activity in causing the arrest of swearers, sabbath-breakers and the like, and in the earliest of their preserved publications<sup>3</sup> it was proposed to "supplicate their majesties, that the public play-houses may be suppressed" on the ground that all agree that "in these houses, piety is strongly ridiculed, the holy, reverend, and dreadful name of God profaned, and his glory and interest rendered contemptible or vile." Since the Societies believed in proving their doctrine orthodox by apostolic blows and knocks, it is probable that they were responsible for the arrest of certain of the actors.

Such an arrest did take place, and is referred to by Gildon in his *Comparison of the Two Stages* and by nearly all subsequent historians of the stage, although no one seems to have taken the trouble to investigate, and little more than a vague tradition has been known. Owing to the incomplete and confused state of the legal records of the time, it is impossible to give a full history of the affair, but I have collected considerable information, and shall present those points which are of some interest.

There are many difficulties and pitfalls. Mr. Gosse<sup>4</sup> quotes Narcissus Luttrell (May 12, 1698): "The Justices of Middlesex did not only prosecute the play-houses, but also Mr. Congreve for writing the 'Double Dealer,' D'Urfey for 'Don Quixote' and Tonsen and Brisco, booksellers, for printing them." Now although this is interesting as an illustration of feeling against the persons mentioned, it is likely to be misunderstood. An actual legal action involving Congreve and D'Urfey would be very important, and of this the records would probably have been preserved, but it is extremely unlikely that any such legal action was taken. A note in Dawkes' *News-Letter* No. 297 (May 12, 1698) presents the matter in a clearer light. It reads simply: "Last day of

<sup>3</sup> *Proposal for a National Reformation of Manners*, etc. London, 1674. Collier's *A Short View of the Immorality and Profaneness of the English Stage* was not published until 1698.

<sup>4</sup> Congreve, *English Men of Letters*, p. 118.

the session, at the Old Baily, the grand jury of London delivered a presentment against all stage-plays and lotteries (which tend so much to the corruption and debauchery of youth) and the Bench were pleased to say they would take the same into consideration." The identity of dates makes it certain that Luttrell and the news letter refer to the same event, but a presentment to the grand jury is not a legal prosecution. Congreve and D'Urfey probably were not prosecuted, for if they had been it would most likely have been noted in Dawkes' *News-Letter*. The presentment of the grand jury means simply that certain citizens exhibited the popular prejudice against the stage, and that they mentioned it to the judge. He evidently let the matter drop.

However, there were cases of actual trial and arrest. One of the many controversial pamphlets concerning the stage<sup>6</sup> mentions three alleged trials. It states, first, that in 1699 several players were prosecuted in the Court of Common Pleas upon a statute of 3 Jac. I, for profanely using the name of God on the stage, and that verdicts were obtained against them; second, that in the Easter Term of 1701 the players of one house were indicted at the King's Bench Bar before the Right Honorable the Lord Chief Justice Holt, for certain speeches contained in *The Provok'd Wife*; and third, that the players of the other house were indicted in the same term for expressions in *The Humour of the Age*, and *Sir Courtly Nice*, but that owing to a technical error they were acquitted.

Of the first of these trials I have been able to find no record. There is perhaps some error in the statement, since it is hard to see how a criminal charge could be considered by the Court of Common Pleas. The offense was a statutory one, and consequently this case should have been considered, like the others, by the Court of the King's Bench.

In regard to the second of these alleged trials, however, I have succeeded in discovering documentary evidence. In

<sup>6</sup> *A Representation of the Impiety and Immorality of the English Stage, etc.* (1704).

the Coram Rege Roll No. 2147 for Michaelmas Term 13 William III<sup>6</sup> one may read, if he has the patience to decipher the obsolete handwriting and translate the barbarous Latin, that in October of the 12th year of the reign of William III, Thomas Betterton, Thomas Doggett, John Bowman, Cave Underhill, Elizabeth Barry, George Bright, Elizabeth Bowman, and Abigail Lawson, were charged in the Court of the King's Bench with having set up a common play-house in Little Lincoln's Inn Fields, in which the said Thomas Doggett did on the 25th day of December in 1700 "several times profanely and jestingly used the sacred name of God upon the public stage in the said theater—in the hearing of divers persons being then and there present in these words viz: 'E God there isn't more fear of his head aching than my heart. 'E God I wou'd be hanged first before I wou'd be your husband. 'E God take care of your own helm 'E God I shall stick like pitch, God! I'll tell you one thing," and that the said Cave Underhill did on the said five and twentieth day of December in the year aforesaid jestingly and profanely use the sacred name of God upon the public stage in the said theatre. Cave Underhill and Abigail Lawson are similarly charged, and the indictment sets forth, in addition, that daily, Sundays excepted, between the 24th day of June and the 12th day of February the players acted irreligious and immodest spectacles tending to excite to fornication and adultery, on account of which there resulted many evil deeds and the shedding of blood, besides the corruption of youths and virgins to the great sorrow of their parents and friends. To all this, the actors pleaded not guilty.

In another part of the same roll it is charged that Thomas Betterton, Thomas Doggett, Cave Underhill, Elizabeth Barry, Ann Bracegirdle, George Bright, George Pack, and John Hodgson did between the 24th day of June and the 7th day of March in the 13th year of William's reign present a certain obscene, profane and pernicious comedy entitled *The*

<sup>6</sup> Preserved in the Public Records Office, London.

*Anatomist or Sham Doctor* in which were contained the following obscene and profane words: "*I'me sure he left his breeches long ago the devil take him, a curse on his systol and dyastol with a pox to him, the devil fly away with him, the devil pick his bones.*" The actors are further charged with having presented *The Provok'd Wife* from which a number of quotations are given, including the following: "But more than all that, you must know I was afraid of being damn'd in those days for I kept sneaking cowardly company, fellows that went to church and said grace to their meat, and had not the least tincture of quality about 'em—woman tempted me lust weaken'd and so the devil overcame me, as fell Adam so fell I." To this, as to the other indictments, the actors pleaded, through their attorney Simon Hartcourt, not guilty.

The actors would seem to have adopted a policy of delay, to judge from further records of the case in the Rule Book,<sup>7</sup> where we read under the heading of Friday next after Michaelmas 13th William III, that in the case of the King vs. Betterton and others a decree of "nihil dicunt" (i. e. judgment by default) will be entered unless the several defendants separately answer sufficiently by the following Wednesday. Then on the Thursday after the Morrow of All Souls of the same year, it is entered that unless sufficient answer be made by Monday next, the decree "nihil dicunt" shall be entered. On that Monday there is another entry stating that unless sufficient answer is made by the following day, the decree shall be entered peremptorily against them. The next entry occurs on Saturday after Christmas in the first year of the reign of Ann, and orders that separate recognisances of the defendants be estreated into the Exchequer. On the following Monday it is ordered that upon the payment of such costs as shall be taxed, and upon the withdrawing of the indictment at the first session of the next term, the estreat of the recognisance of the defendants shall cease, and on Wednesday in the Morrow of the Purification of the Virgin it is ordered that the estreat of the recognisances of

<sup>7</sup> Public Records Office, King's Bench 21-26.

Thomas Betterton and Elizabeth Verbruggen shall cease until next term.<sup>8</sup>

These records inform us merely that the case dragged on into the reign of Anne, and that the actors had considerable success in securing postponements. I have not been able to find any further reference to the case in the court records themselves, but fortunately further information is afforded by two letters preserved among the records of the Lord Chamberlain's office.<sup>9</sup> Since these letters have never been published, and are very interesting, I give them in full.

The first is particularly interesting since it refers to Betterton, though it was overlooked by Mr. Lowe in his interesting life of that actor:

To the Queens most Excell<sup>t</sup> Maj:<sup>ty</sup>  
The humble Petition of Thomas  
Betterton Elizabeth Barry Ann Brace-  
girdle & others Your Maj:<sup>ty</sup> Comedians  
Acting in the New Theatre in  
Little Lincoln's Inn—fields.

#### Sheweth

That ever since the happy Restauration of your Royal Uncle King Charles the second (of ever blessed memory) for prevention of any indecent expressions in any playes which might be Acted, The Lord Chamberlaine of the Household for the time being hath constantly restrained the acting of all new playes until they were first perused by the Ma:<sup>ty</sup> of the Revells who used to Expunge whatever he thought unfit to be acted. And your Petition:<sup>ers</sup> ever since they have had the hono:<sup>r</sup> to serve your Maj:<sup>ty</sup> and your Royal predecessors in that quality have constantly given all due obedience to the said order and have not been till very lately disturbed for acting any plays that had passed such Examinations, and always thought they might safely act any play so perused & approv'd by the Ma:<sup>ty</sup> of the Revells—

Notwithstanding which your Petition:<sup>ers</sup> have been lately prosecuted by Indictm<sup>t</sup> for acting plays perused & approved as aforesaid in which were (as is alleged) divers expressions not lawful to be used and the petition:<sup>ers</sup> have been put to great expenses and are yet prosecuted on such Indictment.

<sup>8</sup> In this case a recognisance is an agreement to appear in court at a certain time. The estreat of a recognisance is a process by which a recognisance, forfeited by a failure to appear, is made the basis of a plea for judgment by default. The stopping of an estreat of a recognisance is a blocking of this attempt to gain a judgment by default.

<sup>9</sup> Public Records Office. L. C., 7-3.

To the end therefore since the prosecutors of such Indictments are not satisfied with the method that hath soe long been used to prevent the Imorality of the Stage that your petition:<sup>rs</sup> may be quiet for the future.

May it please your Maj:<sup>tie</sup> to give such orders and directions as in your princely wisdom you shall think fitt for perusing & correcting plays prepared to be Acted, that your petition:<sup>rs</sup> may not be misled to act any plays wherein may be contained any expressions that may give just occasion of offence and that the prosecution on such Indictment against your petition:<sup>rs</sup> may be stayed.

And yo:<sup>r</sup> Pet:<sup>rs</sup> (as in all Duty bound shall ever pray etc.)

The second, which also has not been printed, is as follows:

The Case of Geo: Bright.

Comoad: at y<sup>e</sup> Theatre in Lincolns Inn fields.

That some time since, y<sup>e</sup> saide Bright was playing his part, in y<sup>e</sup> play called S<sup>r</sup> Fopling Flutter, & in y<sup>e</sup> Conclusion of his part, these woꝝds are Exprest (Please you Sir to Commission a young couple to go bed together a—Gods name) w<sup>th</sup> being Lyconced & permitted, y<sup>e</sup> said Bright did humbly conceive, y<sup>t</sup> there was neither imorality or prophainese therein, y<sup>e</sup> said Bright as well as sev<sup>ll</sup> others, having often Exprest y<sup>e</sup> said words publickly on y<sup>e</sup> stage, & no notice ever before taken thereof; But some maliciously buissy person or psons informing ag<sup>st</sup> ye said Bright have taken hold of y<sup>e</sup> Law, prosecuted him unknowingly, & have surreptitiously obtained a verdict against him for 10£ besides Cost & Charges w<sup>th</sup> amounts to as much more, so y<sup>t</sup> the s. Bright is in Continual danger of being taken up for y<sup>e</sup> s<sup>d</sup>: 10£: & Cost & committed to Gaol.

The said Bright therefore humbly Begs yo<sup>e</sup> Honor to consider the hardness of this his case, & hopes y<sup>t</sup> since the whole company are equally concerned in this matter, That you will be Pleased to Order it so, That y<sup>e</sup> s<sup>d</sup> Company may be Equall shares in y<sup>e</sup> payment of y<sup>e</sup> s<sup>d</sup> 10£ w<sup>th</sup> cost of suit, since by Law it is ordered to be paid, or y<sup>t</sup> you would be pleased to protect him. Otherwise the s<sup>d</sup> Bright & family must suffer.

This [i.e. the law against profanity on the stage] was Enacted in y<sup>e</sup> 3d year of King Jeams 1st as appears by Keebles Collections & Statuts.

These petitions are interesting in several respects. They bring up the whole question of the licensing of plays, which will be discussed presently, but are quoted here only to show that in at least one case a large fine was actually assessed against an actor.

The statement made by the author of *A Representation of the Impiety and Profaneness of the English Stage* concerning the unsuccessful prosecution of the actors at the other theater, may also be given documentary support, but is less interesting. Among a collection of very much battered documents,<sup>10</sup> may be found an indictment charging John Powell, John Mille, Robert Wilkes, Elizabeth Verbruggen, Mariah Olfield, Benjamin Johnson, William Pinkman, William Bullock, Philip Griffin, Colly Cibber, and Jane Rogers, with having acted, and continued to act after public notice, obscene and profane comedies in the theater called Drury Lane between the 24th day of June in the 12th year of the reign of William III and the 24th day of February in the 13th year of the reign of William III. The specific passages on which the charge is based are taken from *Volpone, or the Fox*, *The Humor of the Age*, and *Sir Courtly Nice*. These actors also pursued the method of delay and they were finally dismissed *sine die*.<sup>11</sup>

Strangely enough I have not been able to find in any contemporary source a definite statement concerning the conclusions of these attempts on the part of certain people to invoke the law against the actors. We do read however in *The Laureat: or, The Right Side of the Colly Cibber* (Anon. 1740) that Anne stopped the prosecution by a *noli prosequi*. This seems extremely probable, for though Anne promised to take the state of the stage under consideration, and certainly made efforts to reform it, the arrest of the actors was obviously unfair, and those who resorted to such methods showed only the intemperate zeal of reformers who can see no wrong except that against which they are incensed. Poor Bright was but a subordinate, and to send him to jail for performing a play which his superiors, under the license of the Crown, had ordered him to act, was a manifest injustice. Moreover the Crown, as he pointed out, was morally bound to protect him since the speeches for which he was convicted

<sup>10</sup> Public Records Office. King's Bench 10-11.

<sup>11</sup> Public Records Office, Coram Rege Roll. 2-147.

had been licensed by the Master of the Revels. As will be seen later, Anne made an effort to deal with the situation through the instrumentality of that officer and so, no doubt, in fairness, stopped the prosecution of the actors.

An illustration of the widespread interest among the official class in the regulation of the stage is afforded by the following "Proposal" drawn up by Nahum Tate, Poet Laureate and preserved in the library of Lambeth Palace.<sup>12</sup>

A Proposal for Regulating the Stage & Stage-Players.

All Endeavors for a National Reformation being likely to prove Ineffectual without a Regulation of the Stage, the following is humbly offered to Consideration.

First, that supervisors of Plays be appointed by the Government. Secondly, that all Plays (capable of being reform'd) be rectify'd by their Authors if Living—and proper Persons appointed to Alter and reform Those of Deceased Authors and neither old or modern Plays permitted to be Acted till reform'd to thee satisfaction of the S<sup>d</sup> supervisors. Thirdly, that sufficient Encouragement be for such Persons a make y<sup>e</sup> Aforesaid Alterations &c as likewise for supervisors, and Penalties upon Default in Either. And this Matter so adjusted as to have due Effect, as long as any Stage shall be Permitted. Fourthly, the Theatres & Actors to be Under Strict Discipline & Orders, that no gentlemen be suffered to come behind the Scenes, nor Women in Vizard-Masques admitted to see a Play &c. Such Regulation of Plays and Play-houses will not only be a publique Benefit, but also Beneficial to the Stage itself—if Continued: for whether the present stages be Reform'd or Silenc'd is left to the Government, but the one or Other is Absolutely necessary, (Endorsement.) Mr. Tate's Proposal for Regulating the stage, Rec'd Feb. 6, 1698-99.

Particularly worthy of note is the fact that Tate speaks of his suggestion as valuable only in case it is decided not to suppress the theaters entirely. So great, indeed, was the outcry that this was evidently actually considered, for Dennis in his *Person of Quality Answer etc.* (1721) tells us that "there

<sup>12</sup> Lambeth MSS. 933, Art. 57. This is from the miscellaneous collection belonging to Edmund Gibson, Bishop of London, to whom it was perhaps sent, but in the opinion of the Reverend Claude Jenkins, Librarian at Lambeth Palace, the endorsement is in the handwriting of Archbishop Tenison. There is another manuscript in the Lambeth Palace (MSS. 953, Art. 131) which is a sort of memorandum or petition, addressed apparently to the Archbishop, and setting forth the evils of the stage.

was warm report about town, that it had been twice debated in council, whether the theater should be shut up or continued." Moderate councils, however, prevailed. The documents quoted earlier show how earnest Anne, at least was in her desire to regulate the stage, but she was not averse to play herself and had no intention of listening too seriously to the fanatic. The orders which were sent out by the Lord Chamberlain show the method which she intended to pursue.

Since the court was on the side of reformed plays, it may well be asked why such reform could not have been easily brought about through the control nominally exercised by the Master of the Revels. There were two difficulties. In the first place, the custom of actually censoring plays had fallen more or less into disuse, and in the second place, as the letter from Bright shows, plays which had been licensed in looser days no longer seemed excusable, though they had legal sanction. For some reason, the records of the Lord Chamberlain's office covering this period have never been published. An examination of them shows, however, that the Crown was extremely anxious to gain control over the drama on the ethical side, but that it found it difficult to do so. Since these records have not been published, and this phase of the subject not fully studied by historians of the stage, I shall print some of the most interesting documents.

There had never been such a thing as a technically free stage in London. In Elizabeth's time the drama came, of course, under the control of the Master of the Revels, and there are recorded instances of the prohibition of certain plays, but though the Master had considerable power, it is not likely that he influenced to any great extent the development of the Elizabethan drama.<sup>13</sup> When the theaters were reopened after the Restoration, Sir Henry Herbert, who had been Master of the Revels under Charles I, eagerly reassumed his supposed right to what he evidently looked upon as a profitable sinecure. The published records of his

<sup>13</sup> Gildersleeve, *Government Regulation of the Elizabethan Drama*.

office show how assiduous he was in demanding tribute for the licensing of every sort of popular spectacle down to the exhibition of a "monster," but do not reveal any particular desire to regulate the stage, except in so far as it was financially profitable to do so.<sup>14</sup> When he died in 1673, and the office was handed over to Killegrew, the latter apparently continued Herbert's tradition, and so the office continued to be regarded chiefly as a source of revenue.<sup>15</sup>

From the order to be quoted below, it is evident that plays were sometimes performed without having been licensed. Probably the fee was paid, and no more said on the subject. Cibber states that this was the censor's practice later. Now when the crown had undertaken to reform society, and turned its attention to the stage, it discovered that it had lost the power of controlling the drama, and the records of the Lord Chamberlain's office show a long and unsuccessful effort to regain this authority. On the 24th of January 1695-6 the Earl of Dorset, Lord Chamberlain, sent out the following order:

Whereas Several Playes &c are Acted & prologue Spoken wherein many things ought to be struck out and corrected, And y<sup>e</sup> plays approved and Licensed by y<sup>e</sup> Master of the Revells according to y<sup>e</sup> Antient Custome of His place and upon the Examination of the said Master I find that he complanes that of Late several new & Revived plays have been Acted at y<sup>e</sup> Theater of Drury Lane & Dorsett Gardens without any License And that of Late y<sup>e</sup> Managers of that Company have refused to send such play<sup>es</sup> to be pursued Corrected & allowed by y<sup>e</sup> Master of y<sup>e</sup> Revels We therefore Order and Command that for y<sup>e</sup> future noe playes shall be Acted but such as shall first be sent (and that in due time) to Charles Killegrew Esq. Master of y<sup>e</sup> Reveles by him to be pursued and diligently Corrected & Licensed And I Order all Persons concerned in the Management of both Companys to take notis hereof on y<sup>e</sup> Penalty of being Silenced according to ye Antient Custom of His place for such default. And I Order all y<sup>e</sup> said parties to pay to ye said Master His Antient Fees for such new & revived plays soe Licensed And Doe further Order & Command the said Master to be very careful in Correcting all Obsenitys & other Scandalous matters & such as any ways Offend

<sup>14</sup> Joseph Quincy Adams, *The Dramatic Records of Sir Henry Herbert*. These extend to 1673 only.

<sup>15</sup> Chambers, *Apology for Believers in the Shakespeare Papers*.

against y<sup>e</sup> Laws of God Good Manners or the Knowne Statutes of this Kingdome as hee will answer y<sup>e</sup> same to me Given under my hand & seal this 24<sup>th</sup> day of Janu 1695/6 in the seventh yeer of His Ma<sup>ties</sup> Reigne.

DORSETT (i. e. Lord Chamberlaine.)<sup>16</sup>

This order seems to indicate a desire for a general tightening up. It is directed not only against the negligence of the players, but also against the Master of the Revels himself, who is ordered to take his office seriously. The phrase "and that in due time" seems to indicate that copies of new plays had sometimes been submitted at the last moment, under the assumption that only the payment of fees was required for licensing.

Evidently all this did not have the desired effect, for on the 4th of June 1697 we find Sunderland, then Lord Chamberlain, sending out the following order:

Order to the Comedians in  
Lincolns Inn fields.

Wheras I am informed that many of the new plays acted by both companys of his Maj<sup>ty</sup> Comedians are Scandalously lew'd and Prophane, and contain Reflections against his Maj<sup>ty</sup> Government. For Preventing therefore so notorious abuses for the time to Come I do hereby strictly order that you do not presume to Act any new Play till you shall have first brought it to my Secretary, and Receive my directions from him therein as you shall answer the Contrary att your Perill. Given under my hand and seal this 4th day of June, 1697. In the Ninth year of his Maj<sup>ty</sup> Reign.

SUNDERLAND

To Mr. Thomas Betterton and the rest of his Majesties  
Comedians Acting in Lincolns Inn Fields.

The like order verbatim as above to the Pattentees for his Maj<sup>ty</sup> Company of Comedians acting in Dorsett Garden and Drury Lane.<sup>17</sup>

Two years later we have two more orders as follows:

Whereas I am informed that not w<sup>th</sup> Standing an order lately made for the better regulating of the Stage: Severall new Plays have been since Acted containing expressions contrary to Religion and good manners. These are therefore to Signify his Maj<sup>ty</sup> Pleasure, that you take great care not to License any plays, wherein there are any such expressions, and if you

<sup>16</sup> Public Records Office. L. C. 7-1.

<sup>17</sup> Warrant Books of Lord Chamberlain. Public Records Office. L. C. 5-152.

shal find that at any time, either company of his Maj. Comedians do presume to Act any thing which you have though fitt to strike out, that you immediately give notice thereof. Given under my hand this 18th of Februry In th<sup>e</sup> Eleventh year of his Maj<sup>e</sup> Reign.

PERE: BERTIE (i. e. Peregrine Bertie,  
Vice-Chamberlain.)

To Charles Killegrew Esq.  
Master of the Revels.

Whereas I am informed that notwithstanding an Order made the 4th of June 1697 by the Earl of Sunderland then Lord Chamberlain of his Maj. Household to prevent the Profaness of the stage Several new Plays have lately been Acted, containing expressions contrary to Religion and good manners. And whereas the Master of the Revells has Represented to me; that in contempt of the Said Order, the Actors do often neglect to leave out such prophane expressions, as he has struck out. These are therefore to Signify his Majesties Pleasure, that you do not hereafter presume to act any thing in any new play, which the Master of the Revells shall think fitt to be left out; as you shall answer it att your utmost perill. Given under my hand 10<sup>th</sup> of February. In the Eleventh year of his Mat<sup>e</sup> Reign.

PERE: BERTIE

To Mr. Thomas Betterton &  
the rest of his Mat<sup>e</sup> Comedians  
acting in Lincolns—Inn Fields.

The like order verbatim to the Patenties for his Majesties Company of Comedians acting in Dorsett Garden or Drury lane. 18<sup>th</sup> of Feb. 1698/9<sup>18</sup>

Queen Anne inherited the difficulty from her predecessor, and her Lord Chamberlain made similar orders as the following will show:

Whereas Complant has been made y<sup>t</sup> notwithstanding y<sup>e</sup> severall orders lately made for y<sup>e</sup> regulation of ye Stage, many of y<sup>e</sup> Old as well as New Plays are still acted w<sup>th</sup> out due Care taken to leve out such Expressions as are contrary to Religion & Good Manners. And whereas I am informed that this Abuse is in great Measure owing to y<sup>e</sup> Neglect of both Companys, by not sending Plays to y<sup>e</sup> Master of y<sup>e</sup> Revels, to be Licens'd but all y<sup>e</sup> Parts are got up, & ye play ready to be acted, by which Means his Censure & License cannot be so well observed And also that Prologues, Epilogues, & Songs w<sup>th</sup> are often indecent, are brought upon y<sup>e</sup> Stage w<sup>th</sup> out his License. These are therefore to Signify her Majesty's Special Command that you do not Presume to Act upon the Stage any Play New, or Old, containing Profane or Indecent Expressions which may give Offense. And that you hereafter bring

<sup>18</sup> Lord Chamberlains Warrant Books. Public Records Office. L. C. 5-152.

to y<sup>e</sup> Master of y<sup>e</sup> Revels fair Copys to be Licens'd of all Plays, Songs, Prologues, & Epilogues before they be given out in Parts to be study'd, & Acted, which copys so Licens'd shall be kept safe by you for your Justification—And you are hereby Requir'd not to fail in Observing these Orders upon pain of her Ma:<sup>ty</sup> high Displeasure and being silenc'd from further Acting. Given under my hand, this 15th day of January in y<sup>e</sup> second year of her Majesty's Reign.

To y<sup>e</sup> Company of her Ma:<sup>ty</sup> Sworn Comedians Acting in Little—Lincoln's Inn—Fields.

The like Warrant Verbatim was sent to the Company of Comedians Acting in Drury Lane:<sup>19</sup>

Whereas I am inform'd that the orders hitherto made for Reformation of the Stage are yet ineffectual thro' the Neglect of both Companies of Comedians in not sending Plays to you for your Inspection and License till they are ready to be acted, by which means, what you strike out as indecent, is often spoke upon the Stage and also that of late Several Prologues, Epilogues and Songs have not been brought to you for your License.

I do therefore hereby Order you to take special Care not to License anything that is not Strictly agreeable to Religion and good Manners And to give Notice to both the Companies of Comedians acting in Lincolns Inn Fields and Drury Lane that they do not presume to give out any new Play into parts before they have brought you a fair Copy thereof to be Licens'd; nor do presume to bring upon the Stage any Prologue, Epilogue or Song without your License, and if you shall at any time know that either Company do act any thing which you have thought fitt to strik out that you immediately give me notice there of. Given under my hand this 17th day of Jan<sup>ry</sup> in the second year of her Majesties Reign.

To Charles Killegrew Esq. Master of the Revells to her Majesty.<sup>20</sup>

In these last orders two new features may be observed. First great stress is laid on songs and epilogues (especially attacked in Collier's book which had by this time made its impression) and second, that a play containing "profane and indecent expressions" is not to be permitted even though it has been formerly licensed. The phrase "which copies so Licens'd shall be kept safe by you for your justification" is evidently a reference to the arrest of the actors and no doubt a reply to Bright's appeal for some means of security. Per-

<sup>19</sup> Warrants of Several Sorts. Public Records Office. L. C. 5-153.

<sup>20</sup> Jersey. Public Records Office. L. C. 5-153.

haps it coincides with the suspension of prosecution against the actors.

Unfortunately no records of the censor's excisions seem to have been kept, but Cibber tells us that he became much more strict. His activity however was founded only on tradition and since that tradition had been allowed to lapse it could not be effectively revived. Finally Cibber<sup>21</sup> flatly defied him and there was an end of an effective authority although the office continued to exist. This defiance, however, did not take place until after George I had granted a patent to Steele and his assigns. Meanwhile, in 1709 an elaborate set of rules was formulated for the Haymarket Theater which include the following sentences: "That you forthwith prepare and transmit to me an exact list of all such Comedyes you propose to act the next year that were Lisenc'd before her Majestys accession to the Crown, in Order to their being more carefully revis'd and new licens'd by the Master of the Revells and that from and after Lady Day next you shall not suffer or permit any such play to be acted until it has received new license." From what Cibber says, however, the managers may have now began considering that the right of final judgment rested with them, and this fact lent especial force to the plea of Steele, to be mentioned later, who asked to be made manager in order that he might undertake the reform of the stage.

Anne was evidently anxious to satisfy, in some measure, the reformers, but she did not desire, as they did, the complete suppression of the stage. Nor did she show any inclination to take its management out of the hands of those men to whom the Reformers especially objected. Bedford in the *Evil and Danger of Stage Plays* (1706) notes triumphantly that her Majesty has been graciously pleased by letters patent, dated 14th of December 1705, to authorize Sir John Vanbrugh and William Congreve to inspect into plays, for the better reforming of abuses and immoralities. At first-

<sup>21</sup> *An Apology for His Life*. Chapter VIII.

sight this looks like the establishment of a new sort of censorship, which indeed, Bedford took it to be. But such was not Anne's intention. Bedford himself probably did not know just what he was referring to, or he would not have been so pleased, for the patent to which he refers provided for the establishment of a new theatrical company which was established in the Haymarket. The warrant does, indeed, read as follows:

Whereas We have thought fit for the reforming the abuses, and Immorality of the Stage That a New Company of Comedians should be Established for our Service, under stricter Government and Regulations than have been formerly.

We therefore reposing especial trust, and confidence in our trusty and welbeloved John Vanbrugh & Will<sup>m</sup> Congreve Esq. for the due Execution, and performance of this our Will and Pleasure, do Give and Grant unto them the s<sup>d</sup> John Vanbrugh and Will<sup>m</sup> Congreve full power and authority to form, Constitute and Establish for us, a Company of Comedians with full and free License to Act & Represent in any Convenient Place, during Our Pleasure all Comedys, Tragedies, Plays, Interludes, Operas, and to perform all other Theatrical and Musicall Entertainments Whatsoever<sup>r</sup> and to Settle such Rules and Orders for the good Govern<sup>mt</sup> of the said Company, as the Chamberlain of our Household shall from time to time direct and approve of. Given at our Court of St. James this 14<sup>th</sup> day of December in the third year of our Reign.

By her Majestys Command

KENT.<sup>22</sup>

But if Anne thought that this new project would conciliate the Reformers, she must have been greatly disappointed. Vanbrugh was, no doubt, a very suitable person to manage a new theater, but the choice of him was not likely to please the party which had taken speeches from his plays as a basis for securing the arrest of the actors. Before the theater was opened, his appointment brought a protest from the Societies for the Reformation of Manners in an impudent pamphlet called "A Letter . . . To the Most Reverend Father in God, Thomas [Tenison] . . . Arch Bishop of Canterbury" (1704).

<sup>22</sup> Warrant Books. Public Records Office. L.C. 5-154. Congreve resigned his share in the management of the Company the same year. See Gosse *Congreve*, in the Great Writers series.

In it Vanbrugh is denounced as having debauched the stage "to a degree beyond the looseness of all former times," and the Archbishop is called upon to use his influence to prevent the confirmation of Vanbrugh's appointment. The Society has, it says, been less active of late in attacking the theater because of confidence in the Queen's promise that she had given special orders to the Master of the Revels for the correction of irregularities, but that it has learned the general report that the management of the new theater in the Haymarket is to be intrusted to Vanbrugh "the known character of which gentleman has very much alarmed us, and a full consideration of which, has given us so warm a concern of Her Majesty's honor, as to inform Your Grace, whose post and degree in the church and state give you so happy an opportunity of giving Her Majesty an account of these reports, Tho' this [Vanbrugh's appointment] be given out both by him and his friends, yet we must suspect the truth, because 'tis impossible that Her Majesty, who has declared against immorality and profaneness, and against these crimes on the stage, should act so directly contrary to the end she proposed, as to commit the management of the stage to that very man, who debauch'd it to a degree beyond the looseness of all former times. Both the present houses were indicted and found guilty by the court of Queen's Bench, for the several obscene and profane expressions in the *Relapse*, *Provok'd Wife*, *False Friend* and the rest of his plays, in which he is not satisfied to reflect on the teachers of the Christian religion, but carries his impious fury as far as the church, morality, and religion itself."

The Reformers were certainly not won over by the opening of the new theater. Defoe, a good index of bourgeois opinion, devoted a whole number of his *Review* (Vol. II, No. 26, 1705) to the event. Speaking ironically of the unfilled promise of reform, he falls into verse thus:

The fabrick's finish'd, and the builder's part,  
Has shown the reformation of his art,  
Bless'd with success, thus have their first essays,

Reform'd their buildings, not reform'd their plays.

Never was charity so ill employ'd  
Vice so encourag'd, virtue so destroy'd.

The new theater had made a brave bid for popularity with the moderate element by beginning with Shirley's *The Gamester*, which had some claims to be considered as a moral play. They were however, indiscreet with their prologue which contains the lines:

The architect must on dull order wait,  
But 'tis the poet only can create.

In the good age of ghostly ignorance,  
How did cathedrals rise, and zeal advance!

But, now that pious pageantry's no more,  
And the stages thrive, as churches did before.<sup>23</sup>

The sentiment expressed in the last four of these lines was obviously not calculated to conciliate the clerical parties, and experience with the vagaries of the reformers should have warned the managers of the new theater that some one would find, as indeed Defoe did find, blasphemy even in the apparently innocent reference to the poet as the only creator. Bedford<sup>24</sup> finds this first performance at the Haymarket such "That the horrid blasphemy is so rash, as to raise the blood at the reading thereof."

The reformers, were, indeed, determined not to be satisfied under any circumstances, and did not wish it to be thought that any progress had been made towards a reformation. Thus, Bedford in his *Evil and Danger of Stage Plays* is careful to note that the two thousand instances of corruption which he has gathered are taken from the plays of the last two years "against all the methods lately used for their reform," and to analyze *The Gamester* in order to show how bad a supposedly moral play can be. He, and his tribe, wished the complete destruction of the stage.

<sup>23</sup> By Dr. Garth.

<sup>24</sup> *Evil and Danger of Stage Plays* (1706).

A study of the plays written about this time shows that the movement of reform was having a very definite effect, but this was produced to a considerable extent from within, and at no time during the period under consideration did the Crown succeed in gaining quite the power which it wished over the theaters. George I inherited Anne's difficulties, but power seemed to slip from his hands rather than accrue to him. Steele, in conjunction with Wilks, Cibber, Doggett, and Booth, received a theatrical patent signed October 18th 1704. He replied with a petition,<sup>25</sup> in which he showed "That the use of the theater has for many years last past been much perverted to the great scandal of religion and good government," and protested that since the reformation would be an arduous task, he should be given power for the term of his natural life, and for three years thereafter. This petition was referred to the attorney general who replied with more about the need for reforming the stage and with an expression of the opinion that such power might be given to Steele "subject to such regulations as have been usual in grants of the like nature." But on October 25th, 1718, we find a letter to the attorney general<sup>26</sup> in which it is stated that the managers of Drury Lane refused to obey orders and regulations from the Lord Chamberlain. And on the 23rd of January, 1719, Steele's license was revoked.

Throughout this attempt to establish the authority of the Lord Chamberlain, the government had been animated by variety of motives, by no means all of which were connected with a desire to improve the moral state of the stage, but in the case of Anne at least, the wish to exercise a moral censorship was strong. The passage of the Licensing Act in 1737 ends the struggle, but falls without our period, and has, besides, been treated fully by other writers.<sup>27</sup> It is sufficient

<sup>25</sup> Public Records Office. L. C. 5-156. I do not print this and the remaining documents referred to as they have already been published in Aitken's *Life of Richard Steele*.

<sup>26</sup> Public Records Office. L. C. 5-157.

<sup>27</sup> See Watson Nicholson. *The Struggle for a Free Stage in London*. Also Cross's *The History of Henry Fielding*.

here to point out that though the law was partially political in purpose, it was nevertheless passed under the guise of a moral measure, and that when Sir John Barnard brought in the bill, he made a considerable point of the mischief which had been done in the City of London by the theaters which had corrupted the youth and encouraged vice.<sup>28</sup> Accordingly, the bill may be regarded as, to some extent, one of the results of the government's interest in the movement against the stage which we have been considering. It is also, in one sense, the end of the story. From that time on the morals of the theater were under the control of a government censor whose decisions have so often aroused feelings of anger or amusement according to the temper of the observer.

As was stated at the beginning, this paper attempts simply to gather some information necessary as a preliminary to a study of the effect of Jeremy Collier on the English drama. The present writer has continued the investigation in all the directions which seemed likely to prove fruitful, and it may be proper for him to state his conclusions, although lack of space forbids more than a statement of results.

1. With regard to the difference of opinion between Whibley and Ward, an examination of the comedies written from 1630 to 1685 shows the development and firm establishment of a distinct tradition of comedy marked by sophistication and a cynical morality. This tradition seems to have continued without change until Cibber's *Love's Last Shift* (1696), which appears rightly to be regarded as the first play to introduce a distinctly sentimental and moralizing note. An examination of all the comedies written during a series of years taken at five year intervals from this time until 1725, shows a gradual growth in the popularity of the play which was both "clean" and sentimental, so that by the latter date the play of the Restoration type had practically ceased to be written and afterward enjoyed, as with Fielding for example, only sporadic revival.

<sup>28</sup> Cobbett. *The Parliamentary History of England*.

2. A search for controversial literature concerning the stage resulted in augmenting the bibliography of the Collier controversy and in bringing to light several attacks upon the stage previous to the publication of *A Short View of the Immorality and Profaneness of the English Stage*, but showed that Collier continued during twenty-five years the acknowledged inspiration of a movement against the stage.

3. A study of the social life of the time tends to emphasize the importance of the general interest in the reform of manners, which began during the last decade of the seventeenth century and led the early eighteenth century to think and speak of itself as a "reforming age." Account must be taken not only of the various royal proclamations and the Societies for the Reformation of Manners, but also of the general spirit which expressed itself in Steele and Addison as well as in men like Sir Richard Blackmore, who devoted some of his works to a specific attack upon the Restoration opinion that "wit" justified all things.

4. From a study of all available dramatic criticism written between 1660 and 1725 two particular observations may be made. First, that during those years there was a marked increase in popular interest in criticism and a growing *rapport* between critical theory and dramatic practice; and second, that orthodox critical theory tended to the opinion that the teaching of morality was the proper function of the stage.

By examining the drama itself, the social life which it reflects, the movement for general reform, specific attacks on the stage, and the development of criticism, we get a truer idea of the phenomena than is possible by confining attention to any one of these departments. We can see at least what happened. As the reaction produced by the Restoration died away and life returned to something more like normal conditions, comedy continued for a time to picture the social life of the time which had given it birth, rather than expressing the ideas of the new generation which had grown up and taken its place in the theater.

In the closing years of the Seventeenth Century a general movement for reform predisposed the public to receive favorably the violent but pointed attacks of an able fanatic, and it awoke violently to the realization that popular comedy did not express the ideals of its age. Finally, criticism, just establishing a *rapport* with popular literature, evolved a set of critical theories, based partly on old and partly on new ideas, which encouraged, and, to some extent, directed the development of a new sentimental and moralizing comic tradition more closely suited than the old to the taste of its generation.

Thus the question with which was started, "To what extent was Collier responsible for the development of sentimental comedy?" is seen to be an extremely complicated one, and one which is perhaps unanswerable. Since all the characteristics of the movement were discernible before Collier wrote, he cannot be said to be responsible for it. On the other hand, since it became accentuated considerably immediately after the appearance of his book, and since Steele, the principal protagonist of the New Comedy acknowledged himself as Collier's follower, the latter must have been at least the most effective mouthpiece of the opposition. He formulated the argument which was the result of the opinion of his time, and he led the people where they were ready to go. Without him restoration comedy would inevitably have died, but he hastened its death. He no more produced sentimental comedy than Rousseau produced the French Revolution, but like Rousseau he gave a movement articulation. And as Rousseau's is the name most closely associated with the French Revolution, so justly enough that of Collier is the one most closely associated with the literary triumph of morality and dullness.

JOSEPH WOOD KRUTCH