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Nineteenth Century Views on Theatre and Drama in England

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With the passing of the Licensing Act of 1737 and until its repeal in 1969 the Lord Chamberlain's office has been legally able to censor any drama to be performed at established theatres in England. However, the 1737 Act left inconsistencies in the definition of censorship and the role of censor. People who were involved in theatre believed the Lord Chamberlain's office gained too much power from the Act. In the nineteenth century, actors, playwrights and members of Parliament agitated for the reform of the 1737 Licensing Act, which led to the establishment of three special parliamentary committees in 1822-1823, 1866 and 1892 as well as to the passage of a second Theatres [Licensing] Act in 1843. This paper will focus on the emerging view of the modern theatre as revealed by the witnesses examined by the special parliamentary committees and in the parliamentary debates. This paper will use the parliamentary debates, parliamentary committee reports and secondary historical scholarship including histories of drama and theatre.

Nineteenth Century Views on Theatre and Drama in England

The Licensing Act [Act] of 1737 restricted the production of plays to two patent theatres¹ and tightened up censorship, granting the Lord Chamberlain² the ability to censor any new drama performed at established theatres, as well as the ability to limit the number of theatres that could perform drama. The Act left inconsistencies in the definition of censorship and the role of censor. People involved in theatre believed the Lord Chamberlain's office gained too much power through the Act. In the nineteenth century, actors, playwrights and members of Parliament agitated for reform of the Licensing Act of 1737 as well as the establishment of three Select Parliamentary Committees in 1831-1832, 1866. In an attempt to assess the view of theatre and drama in nineteenth century England Select Parliamentary Committee reports as well as the parliamentary debates will be examined.

Modern scholarship on the censorship of drama in England focuses mainly on the Licensing Act of 1737 and the reform movements in the twentieth century. Most general surveys of modern English history do not even mention theatre, drama, censorship, or the Licensing Act.³

¹ The patent theatres, Drury Lane and Lincoln's Inn Fields (later Covent Garden), held the monopoly on performing "serious" drama. Throughout the years more theatres were given the privileges of performing "serious" drama and the monopoly on serious drama was revoked by the Theatres Act of 1843.

² The Lord Chamberlain is one of the chief officers of the Royal Household in the United Kingdom. The Lord Chamberlain is responsible for organizing all court functions and is a personal official to the monarch.

³ W.L. Burn, *The Age of Equipose* (W.W. Norton and Company, Inc., 1964); T.K. Derry and T.L. Jarman. *The Making of Modern Britain* (New York: University Press, 1956); R.J. Evans, *The Victorian Age 1815-1914* (Bristol: Western Printing Services Limited, 1968); Kenneth Morgan, *Oxford Illustrated History of Britain* (Oxford: Oxford University Press, 2002); Sir Charles Oman, *England in the Nineteenth Century* (New York: Longmans, Green and Co., 1923); Clayton Roberts, David Roberts, and Douglas R. Bisson, *A History of England Volume II: 1688 to the Present* (London: Pearson Education Ltd., 2002); G.M. Trevelyan, *British History in the Nineteenth Century and After (1782-1919)* (New York: Harper and Row, 1966).

Major works of the censorship of drama focus on the 1737 Licensing Act and briefly discuss the developments of the Act in the nineteenth century. *Censorship in England*, by Frank Fowell and Frank Palmer, focuses on the historical background, the Examiners of Plays, and examples of plays that were suppressed. This book briefly summarizes the legal changes in dramatic censorship since the Licensing Act of 1737, including consideration of three Select Parliamentary Committees and the 1843 Act. The authors also examine the 1909 Select Committee pertaining to the secrecy of why certain plays were censored.⁴ *The Censorship of English Drama* by L.W. Connolly provides a comprehensive account of the position of Examiner of Plays and motivations for censoring drama by using the published Larpent manuscripts.⁵ Vincent Leisenfeld, in *The Licensing Act of 1737*, examines the events leading up to the proposal of the Act, the passing of the Act and the reactions of the opposition in the press. Leisenfeld includes an important appendix including the full text of the Acts, the petitions to the Lord Chamberlain, the parliamentary speeches relating to the Licensing Act of 1737 and the Barnard

⁴ Frank Powell and Frank Palmer, *Censorship in England* (Bronx, NY: Benjamin Blom, 1913).

⁵ The Larpent manuscripts was a collection of the official copies of plays submitted to the Examiner of Plays between 1737 and January 1824 that were in the possession of John Larpent's possession at the time of his death. This collection was bought in 1832 by John Payne Collier and Thomas Amyot. L.W. Connolly, *The Censorship of English Drama* (San Marino: Huntington Library, 1976).

bill of 1735.⁶ These examinations of the dramatic censorship attribute the satire of Sir Robert Walpole in contemporary drama⁷ for provoking the ministry to pass the 1737 Act.

Most general surveys on Victorian Drama briefly mention the Licensing Act of 1737 and the Theatres Act of 1843. They all state the restriction of the number of playhouses with the 1737 Act and the lifting of the restriction in the 1843 Act. They also discuss the extent of the Lord Chamberlain's authority and the position of Examiner of Plays.⁸ In his general survey of Victorian theatre, Russell Jackson uses the Parliamentary Committee reports as well as other documents to illustrate the conditions of the theatre industry.⁹ In the dissertation, *Dramatic Anxieties: William Bodham Donne, Censorship and the Victorian Theatre, 1849-1874*, Robert Bell analyzes the cultural impact of dramatic censorship on Victorian England through the tensions between the Examiner Donne and the playwrights.¹⁰ However, there are many gaps in the scholarship concerning the development and importance of dramatic censorship, and there has been no particular focus on its development during the nineteenth century

⁶ Vincent J. Liesenfeld, *The Licensing Act of 1737* (Madison: The University of Wisconsin Press, 1984).

⁷ John Gay was the first to introduce Walpole on the stage with the song "When You Censure the Age" in *The Beggar's Opera*. The play mainly associated with the satirizing Walpole and the necessity for the Licensing Act is titled, *A Vision of the Golden Rump*, or *The Golden Rump*.

⁸ George Rowell, *The Victorian Theatre* (Oxford: Clarendon Press, 1956); Michael R. Booth, *Theatre in the Victorian Age* (Great Britain: Cambridge University Press, 1991); H. Barton Baker, *History of the London Stage and its Famous Players (1576-1903)* (New York: Benjamin Blom Inc., 1969).

⁹ Russell Jackson, *Victorian Theatre: The Theatre in Its Time* (New York: New Amsterdam Books, 1989) p. 18, 42, 301.

¹⁰ Robert Bell, "Dramatic Anxieties: William Bodham Donne, Censorship and the Victorian Theatre, 1849-1874" (Ph.D. diss., McMaster University, 2006).

There had been a censor of plays in England since the reign of Henry VII (1485-1509), but this office was not under the Lord Chamberlain's control. In 1494, a position of Master of Revels was established. This was a minor member of the household, whose duty was to arrange and control the royal entertainment on festive occasions.¹¹ The position of Master of Revels developed into a position of censorship with the third master of revels, Edmund Tylney (1579-1610). Tylney was the first person to exercise authority in licensing and correcting plays that were publicly acted. He seems to have done this in the same way as the Examiner of Plays; he read the plays and erased any parts he objected to, or if he objected to the play entirely, he forbade its production. When Sir John Astley (1622-1640) held the position of Master of Revels the role became more clearly defined. He was authorized to exercise complete control in every way over players and plays. He licensed or rejected plays, and committed performers in case of disobedience on his own responsibility. In 1624, the Lord Chamberlain is referenced in connection with the control of performers. In the instance certain performers committed an offence the Lord Chamberlain was instructed to remit the sentence given to them by the Privy Council.¹² In 1737, the Lord Chamberlain, Sir Robert Walpole,¹³ was able to expand his control of theater censorship in England and the office of Master of Revels was made redundant. On 5 March 1735, Sir John Barnard¹⁴ introduced a bill¹⁵ to restrain the number of houses that could

¹¹ Phyllis Hartnoll, ed., *The Oxford Companion to the Theatre* (London: Oxford University Press, 1983).

¹² *Parliamentary Papers. Report from the Select Committee on Dramatic Literature with the Minutes of Evidence* (London: Her Majesty's Stationary Office, 1832). Q.21.

¹³ Sir Robert Walpole (1676-1745), 1st E. of Orford, M.P. Castle Rising 1701-1702, Lynn 1702-1712 and 1713-1742.

¹⁴ Sir John Barnard (c.1685-1764), Whig, M.P. London 1722-1761.

play interludes and to better regulate the common players of interludes. Sir Robert Walpole defended the bill and added a clause that would enlarge the power of the Lord Chamberlain. Walpole also stipulated the bill would not be passed by the King unless the clause remained in the bill. Both the Master of the Revels and Barnard believed the power of the Lord Chamberlain would be too great and wantonly exercised with the inclusion of clause, and Barnard decided to withdraw the bill.¹⁶ At the end of the session of Parliament in 1737, Walpole reintroduced the bill as an act, and it was passed with little opposition.¹⁷

Since the debut of the system of licensing by the Lord Chamberlain in 1737 there has been dispute over the extent and power of the Licensing Act. On 31 May 1832, Edward Lytton Bulwer¹⁸ rose in the House of Commons to move for a Select Committee to inquire into the state of the law affecting dramatic literature and the performance of drama. Those speaking in favor of the motion believed drama and dramatic literature were deteriorating and the patents given to the theatres for producing plays had not preserved the quality of the drama.¹⁹ Satire of the government and of religion, which was what Parliament had originally wanted to suppress, had made way into the theatres. Bulwer asked the members of Commons to “look back fourteen or

¹⁵ Full title, Bill to restrain the number and scandalous abuses of Play-Houses, and particularly represented the mischief done by them in the city of London, by corrupting of youth, encouraging vice and debauchery, and greatly prejudicing industry and trade; and how much these evils would be increased if another Play-House should be built, as projected, in St. Martins le Grand.

¹⁶ *Parliamentary History of England*, vol. IX (5 March 1735), col. 944-946.

¹⁷ *Parliamentary History of England*, vol. X (20 May 1737), col. 319-341.

¹⁸ Rt. Hon. Sir Edward George Earle Lytton Bulwer, Bart. (1805-1873), Secretary of State for the Colonies from 1858-1859, elected Rector of the University Glasgow, author of numerous well-known novels, dramatic works, and poems.

¹⁹ *Parliamentary Debates*, 3rd ser., vol. 12 (31 May 1832), col. 239.

fifteen years without being struck with the extraordinary poverty of intellect which has been displayed in the legitimate drama, compared with that which any other department of literature had called forth.”²⁰ There were many reasons given as to why drama and dramatic literature had been declining. Bulwer believed the decline was to be found in the size of theatres, whereas George Lamb²¹ believed it was owed to the falling off of patronage as well as the encroachment of minor theatres.²² Members of Parliament believed the existing laws regarding drama were inconsistent which led to the powers of the Lord Chamberlain were called into question, which is also why the committee was formed.²³

The 1832 Select Committee concluded there had been a decline in both the literature of the stage and the taste of the public for theatrical performances.²⁴ Much of the decline was owed to the prevailing fashion of late dinner hours, the absence of royal encouragement of talent devoted to dramatic literature, and the need of a better legal regulation of the number of theatres.²⁵ The Committee confined the sole power and authority to license theatres in London and in a radius of twenty miles around London to the Lord Chamberlain. The theatres were

²⁰ *Parl. Deb.*, 3rd ser., vol. 12 (31 May 1832), col. 240.

²¹ Hon. George Lamb (1784- 1834), Barrister at Law, Under Secretary of State for the Home Department, sat for Westminster and Dungarvon.

²² *Parl. Deb.*, 3rd ser., vol. 12 (31 May 1832). col. 251.

²³ *Parl. Deb.*, 3rd ser., vol. 12 (31 May 1832), col. 249.

²⁴ Members in this Committee include, Edward Lytton Bulwer, George Lamb, Mr. Sheil, Galley Knight, Mr. Stanhope, John Stanley, Mr. Ellice, Lord Porchester, Mr. Lennard, Mr. Mackinnon, Mr. Gillon, Mr. William Brougham, Mr. Alderman Waithman. Mr. Jephson, Colonel De Lacy Evans, Mr. John Campbell, Sir Charles Wetherell, Sir George Warrender, and Lord Viscount Mahon.

²⁵ *Parliamentary Papers. Report from the Select Committee on the Laws Affecting Dramatic Literature (London: Her Majesty's Stationary Office, 1832). P. 3.*

allowed to host legitimate drama and any plays that had received the sanction of the censor. The Committee also concluded the present number of theatres was sufficient for the accommodation of the public, but if the majority of the public believed in the need of a theatre then the Lord Chamberlain has to comply with the request.²⁶ Since Drury Lane and Covent Garden Theatres, which had exclusive rights to perform drama, had not preserved the dignity of the drama, they were not longer allowed to hold their exclusive privileges. The Committee also reported on the lack of copyright protection afforded to dramatic literature; they concluded the author of a play should enjoy the same legal protection as the author of any other literary work. The Committee believed authors were subjected to hardships and disparity of protection which seem to divert the ambition of writers from dramatic literature, which also can account for the decline of dramatic literature. The last item the committee observed was that the more general exhibition of regular drama would grant more opportunities for new schools and their art. With regard to authors, a greater variety of theatres and a greater security in profits will give new encouragement to their ambition. The Committee also believed the public would be equally benefited by these advantages.²⁷

With the rise of music halls and other forms of entertainment on the stage, there arose new questions regarding the law of theatrical licensing. In February 1866 Joseph Locke²⁸ asked

²⁶ *Ibid.*, p. 4.

²⁷ *Ibid.*, p. 5- 6.

²⁸ Joseph Locke, F.R.S. (1805-1860), Civil Engineer extensively connected with railways, received Legion of Honor from the King of the French in 1845, Liberal.

the Secretary of State for the Home Department, George Grey,²⁹ if he was to present a bill on the present state of the law of the licensing theatres and other places of amusement. Grey replied that it was his intent, but the subject was very complicated. The law relied upon old statutes which, to an extent, had become obsolete. Edward Hugessen, Undersecretary for the Home Department,³⁰ intended that a select committee be appointed to inquire into the law before it was taken before the House.³¹

The Select Committee of 1866³² was appointed to inquire into the working of the acts of Parliament for licensing and regulating theatres and places of public entertainment. The double jurisdiction of theatrical licensing by the Lord Chamberlain and the licensing of music halls and other places of entertainment by the magistrates was considered “inconvenient and unsatisfactory”³³ in London. This was resolved by the transfer of power to a single authority who would be able to grant licenses to theatres, music halls and other places of entertainment as well as to control the entire regulation of the theatres. This power would be placed in the

²⁹ Rt. Hon. Sir George Grey, Bart. (1799-1882), educated at Oxford where he was 1st in classics in 1821, Secretary of State for the Home Department 1846-1852, 1855-1858 and 1861-1866.

³⁰ Rt. Hon. Edward Hugessen Knatchbull-Hugessen (1829-1893) a Magistrate and Deputy Lieutenant of Kent, liberal, sat for Sandwich.

³¹ H.C. Deb., 3rd ser., vol.181 (12 February 1866), col. 344-345.

³² Members in this Committee include, Rt. Hon. George Goschen, Hon. Frederick Walpole, Lord Eustace Cecil, Lord Ernest Bruce, Sir Arthur Buller, William Clay, Mr. Clive, Charles Du Cane, John Locke, Andrew Lusk, Mr. Taverner, John Miller, James Lyster O’Beirne, Mr. Powell, Charles Jasper Selwin, and Colonel Charles Napier Sturt.

³³ *Parliamentary Papers. Report from the Select Committee on Theatrical Licenses and Regulations with Minutes of Evidence.* (London: Her Majesty’s Stationary Office, 1866), p. iii.

department of the Lord Chamberlain, which would be organized so that it would deal with all places of public entertainment within London.³⁴

The second concern was the need for safety inspection of theatres. In this case, the Select Committee resolved there should be a compulsory inspection and surveys of places of public entertainment concerning fire ventilation, entrances and exits. The Committee also recommended there should be different licenses for places that permitted smoking and drinking. The first license would permit the consumption of drinks, refreshments and tobacco in the auditorium, while the second type would forbid the consumption of drinks, refreshments and tobacco. A concern of the Committee was to see if the licensing of plays by the Lord Chamberlain should continue. The Special Committee believed the censorship of plays had worked satisfactorily and should not only continue, but be extended to any performances in the music halls and other places of public entertainment. It was also the recommendation of the Committee that decisions of the Lord Chamberlain to not grant a license for a play to a theatre could be appealed to the Home Secretary by either the proprietors or managers of the theatres. As far as the law relates to the rest of the country, the Select Committee believed the licensing of new theatres should be granted to the Lord Chamberlain instead of magistrates, but the magistrates would retain their power to renew the licenses and regulate the operation of theatres. The licensing of music halls and other places of public entertainment would be best placed under the jurisdiction of the magistrates. The Committee suggested that the censorship of plays which were intended to be performed or produced in Britain should continue and should be extended to performances at music halls and performances at places of public entertainment.³⁵

³⁴ *Ibid.*, p. iii.

³⁵ *Ibid.*, p. iv.

In November 1890, Sir John Lubbock³⁶ presented a bill to provide for the control and regulations of music halls and other places of public entertainment.³⁷ In June 1891, Lubbock asked to remove the aforementioned bill since he was advised that there was going to be a Parliamentary Committee established to look into stage and theatre for which he wished to advocate the establishment of a committee. Thomas Henry Bolton³⁸ spoke that there were several serious questions raised by the bill that had not been agreed upon and that a committee should be appointed. The Home Secretary, Henry Mathews,³⁹ stated that the government would consider a Select Committee be appointed to examine the general subject, but did not know how soon it would be since it is so late in the session. Accordingly, the bill was withdrawn. In February 1892, Honorable Harry Lawson⁴⁰ asked the government to appoint a Select Committee to inquire into the law relating to the licensing of theatres and music halls in London. The Home Secretary explained that the motion would be made at an early date.⁴¹ On 4 March 1892, the Select Committee was appointed, and, shortly thereafter, the members of the Committee were named.⁴²

³⁶ Rt. Hon. Sir John Lubbock, Bart., F.R.S. (1834-1913), English banker, statesman and naturalist, 1880 M.P for University of London.

³⁷ *Parl. Deb.*, 3rd ser., vol. 349 (27 November 1890) col. 116.

³⁸ Thomas Henry Bolton (1841-1916), lawyer and a Liberal Unionist who sat for North St. Pancras.

³⁹ Rt. Hon. Henry Mathews (1826-1913), British Conservative politician and statesman, Home Secretary 1866-1892.

⁴⁰ Hon. Harry Lawson (1862-1933), Liberal Unionist who sat for West St. Pancras and was President of the Institute of Journalists.

⁴¹ *Parl. Deb.*, vol. (18 Feb. 1892), c.695.

⁴² The members include, Mr. Birrell, Mr. Thomas Henry Bolton, Lord Henry Bruce, Mr. Boulnois, Lord Burghley, Mr. Dixon-Hartland, Viscount Ebrington, Mr. Issacs, Mr. Maguire,

The Select Committee made certain reports on London, shires of England, Scotland and Ireland. In London, there were a large number of theatres and music halls closely gathered together; the great amount of capital risked in the theatres; the number of people employed directly and indirectly by public entertainment and the number of people who attended the theatre, caused London to be subject to special regulations. The Committee believed theatres in London have been managed soundly which can be seen in the improvement in the moral character of the theatres and they should continue to be managed in the same manner.⁴³

The Committee recommended that the Lord Chamberlain's authority to grant licenses for theatres should continue. However, the Committee also recommended extending the licensing of theatres within the county of London that were currently outside his jurisdiction. Many of the managers of the theatres believed it would be beneficial to have a state department handle the licensing of theatres, but the Select Committee recommended that it would be too expensive to establish such a department and believed the Lord Chamberlain should retain his authority to license theatres. This also meant that powers of licensing theatres were not recommended to be transferred to the city council. The Committee recommended that the licensing of music halls of London should have been administered by a small standing joint committee from the county council.⁴⁴

Mr. Alfred Pease, Mr. Plunket, Mr. Samuelson, and Mr. Woodall. *Parl. Deb.*, vol. (15 March 1892), col. 864.

⁴³*Parliamentary Papers. Report from the Select Committee on Theatres and Places of Entertainment with the Minutes of Evidence* (London: Her Majesty's Stationary Office, 1892). P. iv.

⁴⁴ *Ibid.*, p. iv-v.

The Select Committee also made some general recommendations. The first recommendation was there should be three classes of licenses, one for theatres in which smoking and drinking would not be permitted, one for music halls, commonly called theatre of varieties, and a third for concert and dancing rooms. The Committee also stated the theatre of varieties should be able to present ballet, ballet divertissement,⁴⁵ ballet of actions⁴⁶ and sketches publicly without possession of a license. There were other limitations stipulating that the duration of each sketch may not exceed forty minutes, that there could be no more than six principal performers, that there be an interval of at least thirty minutes between any two sketches, and no two sketches performed on the same evening could have a connected plot.

The Select Committee made recommendations to help define the way in which licenses for theatres should be handled. The Committee believed there should be a termination of all current patents and that if someone were holding a perpetual patent then it should be considered on a case-by-case basis. The Committee decided that all licenses should expire a year after they were issued, and that licenses would only be given if one could present a certificate demonstrating the safety of the building and its show arrangements with regard to the character of performance to be given.⁴⁷ Overall, the Committee stated, “the censorship of plays has worked satisfactorily, and that it is not desirable that it should be discontinued; on the contrary,

⁴⁵ The term was used at the French court to describe any kind of musical or theatrical spectacle. It could describe a self-contained concert or ballet. The ballet divertissement can also be seen in the third act of an opera.

⁴⁶ A stage work in which a drama story is told through gesture, dance and instrumental music.

⁴⁷ *Report...Theatres and Places of Entertainment (1892)*, p. vi.

that it should be extended as far as practicable to the performances in music halls and other places of entertainment.”⁴⁸

England has had a history of great dramatic literature from playwrights such as Christopher Marlowe (1564-1593), William Shakespeare (1564-1616) and William Congreve (1670-1729) among others. Parliament tried to sustain this tradition, first through the Master of Revels, and then through the Lord Chamberlain in London and the magistrates and the county councils in the shires. These positions tried to keep drama at high a moral character by not allowing any political, religious or personal satire on the stage. Throughout the nineteenth century some questioned whether the high character of English drama and the theatre was declining. This purported decline of theatre and drama led to the question of whether the position of the Lord Chamberlain was even effective.

During the 1831-1832 Select Committee, four main themes of decline were brought to light. Many of the reasons given were connected to the evolution of society in recent years. One of the most prominent answers explaining the decline of theatre was given by the proprietors of the theatres, authors and the manager of French plays,⁴⁹ who responded with the lateness of dinner hours. Another reason, given by Captain John Forbes, proprietor of Covent Garden Theatre, and George Rowland, Magistrate at Bow-Street, suggested the passion for theatrical

⁴⁸ Ibid., p. vii.

⁴⁹ These people included Charles Kemble, proprietor of Covent Garden Theatre; George Bolwell Davidge, proprietor of Coburg Theatre; David Edward Morris, proprietor of Haymarket theatre as well as the two authors, Thomas James Serle and Thomas Morton; and Pierre Francis Laporte the manager of French plays at the Tottenham-Street Theatre and the Opera House. *Report...Dramatic Literature* (1832), Qs. 733; 1360; 2490-91; 2082; 2590; and 2194.

amusement was on the decline.⁵⁰ George Bolwell Davidge said that dramatic entertainments were not as fashionable as they were forty years ago.⁵¹ A third reason widely accepted for the decline was attributed to other attractions that existed, given by Charles Kemble, Edmund Lenthall Swifte, and George Bartley, the stage manager of Covent Garden Theatre.⁵² Both Kemble and Morton believed the decline was also to be attributed to religious feeling.⁵³ William Charles Macready, agent for Drury Lane, believed the decline was due to the competition caused by the diffusion of literature. “Any person can procure the same excitement and amusement for only a small price paid to the circulating library.”⁵⁴

The second theme of decline of theatre and drama was that the drama would be destroyed if the monopoly held by the patent theatres were to be abolished⁵⁵. The proprietors of theatres and the opera house believed a smaller monopoly would help ensure the purity of the drama, but they may have been biased since their income derived from attendance at their theatres.⁵⁶ David Edward Morris, proprietor of the Haymarket Theatre, claimed the decline was due to the French company that was established in the summer as well as the English Opera House.⁵⁷

⁵⁰ Ibid., Q. 2011; and 3386.

⁵¹ Ibid., Q. 1360

⁵² Edmund Lenthall Swifte was a man of literary habits. Ibid., Qs. 733; 2596; and 3274.

⁵³ Ibid., Qs. 733; and 2592.

⁵⁴ Ibid., Qs. 2393-94.

⁵⁵ See footnote one.

⁵⁶ These men include, Samuel James Arnold, proprietor of the English Opera House, Charles Mathews, proprietor of the Adelphi, and Edward Kean. Ibid., Qs. 812; 2989 and 1459.

⁵⁷ Ibid., Qs. 2490; and 2491.

A third theme of decline was the fact that dramatic literature had been waning. William Dunn and William Wilkins, who was concerned in the building of several theatres, believed there was a scarcity of good writers in London.⁵⁸ John Payne Collier and Thomas Morton thought that there were enough writers in London, but their talent for playwriting was at a low.⁵⁹

The last theme of decline of drama and theatre was due to the expanse of the theatres. Thomas James Serle and John Payne Collier believed it was difficult in large theatres to hear the performances, thus the audience was less inclined to return. Collier also believed large theatres were “an inducement to houses of ill fame to establish.”

There were also those who believed that drama had not deteriorated or at least not as greatly as some were saying. Captain John Forbes replied to the question of whether drama has deteriorated stating that “many of those parties, reporters to the newspapers, send in dramas which in their estimation are invaluable, but in the estimation of the public are not worth one farthing⁶⁰. Those parties are irritated by their not being represented, and they give that misstatement to the public which you have now stated.”⁶¹ Some believed opening up the monopolies on theatres would be beneficial. Even though Collier believed drama was declining, he believed if legitimate drama was to be performed at other theatres the public would hear better plays in the “best way” in smaller theatres. He also believed that variety was necessary for actors and plays.⁶² John Ogden, an occasional visitor to the theatre, believed the general opinion

⁵⁸ *Ibid.*, Qs. 1136; and 3805.

⁵⁹ *Ibid.*, Qs. 378; and 3999.

⁶⁰ Farthing is defined a coin worth a quarter of a penny.

⁶¹ *Ibid.*, Q. 1672.

⁶² *Ibid.*, Q. 279.

of the public was that the monopoly should be taken away from the patent theatres.⁶³ James Kenney, an author, believed there are many pieces of literature that would benefit more from being performed in a smaller theatre.⁶⁴

During the 1866 Select Committee, the question of the decline of drama and theatre came up again, but with different results. One of the causes of the deterioration of drama and theatre was attributed to the allowance of smoking and drinking in the auditorium. J. Stirling Coyne, secretary to the Dramatic Author's society and a dramatic author, believed if drama was to be performed in music halls it would lower its value as an intellectual entertainment because the drama would be degraded in the presence of smoking and drinking.⁶⁵ Nelson Lee, manager of the City of London Theatre, believed if music halls were able to perform the same pieces as the theatres, there would be injury caused to the drama "because there would be drinking, smoking, and eating, and the people could not pay attention to the context of the piece from the noise and the buzz of the gentlemen walking about at those places; the piece would be mutilated," it would tend to spoil the acting as well.⁶⁶ The Honorable George Chapple Norton, Magistrate at the Lambeth Police Court, also agreed that legitimate drama would stand little chance if smoking and drinking were introduced.⁶⁷ When asked if there was ground to protect the drama, he replied, "I should be sorry that Shakespeare should disappear."⁶⁸

⁶³ Ibid., 3565.

⁶⁴ Ibid., 4087.

⁶⁵ *Report...Theatrical Licenses and Regulations* (1866), Qs. 5916, 5917 and 5919.

⁶⁶ Ibid., Q. 4982.

⁶⁷ Ibid., Q. 1308.

⁶⁸ Ibid., Qs. 1309.

A second reason for the decline was due to the change in the taste of the theatre going public. Mr. Frederick Strange, managing director of the Alhambra Music-Hall, believed the public taste at the present time was more in favor of operatic music and ballet performances than Shakespeare. He suggested this could be seen in London's thirty five music halls that were consistently filled to capacity.⁶⁹ William Bodham Donne, who holds an office under the Lord Chamberlain, believed that "vaudeville is becoming very attractive in theatres and the old farce has gone out."⁷⁰ Horace Wigan, manager of the Olympic Theatre and a dramatic author, stated that he was obliged to introduce ballets at his theatre because it was what the public wanted, but objected to ballets because he felt "that men simply go there for the pleasure of looking at the women's legs; there is no art, or anything else in it, and I would, if I could, altogether exclude it."⁷¹

A third reason given for the decline of theatre and drama was that the talent of actors and dramatic authors was lower. Dion Boucicault, former manager of theatres, attributes the lower standard of dramatic literature to the fact that

"the lower classed during the last 20 years have received great intellectual development, and the consequence has been, that they are greater consumers of thought, and thinkers have condescended to supply the market; so that in that way literature has descended, and the theatres have reduced their prices to meet the demand. All kind of literature has reduced its price, even standard literature has been issued in penny editions; every possible means has been resorted to for the purpose of supplying this enormous demand, from the rising of the lower classes of people into a better intellectual condition, and the result is, that the drama itself, in all its forms, has equally gone down."⁷²

⁶⁹ *Report...Theatrical Licenses and Regulations* (1866), Qs. 1632; and 1741.

⁷⁰ *Ibid.*, Q. 2384.

⁷¹ *Ibid.*, Q. 4727.

⁷² *Ibid.*, Q. 4276.

Shirley Brooks, a dramatic author, agreed with Boucicault that there was not sufficient scope for dramatic writers, because the public was satisfied with an inferior article.⁷³ He also believed the acting profession has fallen off because there was no school for the art in London.⁷⁴ Charles Kean also stated that the decline of drama was due to actors coming on the stage too early.⁷⁵ Frederick Guest Tomlins, author and journalist, replied that acting had depreciated as an art form, and that there was a decline in the pieces that are available to perform. Donne stated that legitimate drama had fallen off due to the deterioration and want of actors. He believed since there were great number of theatres in London and not enough actors to fill them, the theatres were employing people who were not properly trained.⁷⁶

A few people countered the arguments for the decline of theatre and drama during the 1866 Select Committee. Donne believed there had been an improvement in dramatic authorship, and by looking at a list of plays that were acted in 1765 in Genest's *History of the Stage*, there had been a long list of plays that were "rubbish" and had since been forgotten. He also believed there were not any restrictions placed on authors that would not let them create the best plays that they could.⁷⁷ There were also few⁷⁸ who believed that by allowing the music halls to perform drama that it would elevate the performances at the music halls.⁷⁹

⁷³ Ibid., Q. 4498.

⁷⁴ Brooks stated that, "formerly the country was your school, and a man did not dare to present himself to a London audience unless he had gone through the course. There as the York circuit, and having gone that circuit he would go to Bath, and having gone to Bath, where they were supposed to very fastidious, they came to London." Ibid., Q. 4527.

⁷⁵ *Report...Theatrical Licenses and Regulations* (1866), Q. 6634.

⁷⁶ Ibid., Q. 2384

⁷⁷ Ibid., Q. 2456.

By the 1892 Select Committee, the issues of allowing legitimate drama in music halls and smoking and drinking during performances of drama had not been resolved and were still being debated, and the majority spoke in favor of allowing drama in music halls. The theatre managers believed smoking and drinking would deteriorate the art. William Francis Fladgate, acting as solicitor representing the interests of the theatre managers, stated that when there is smoking and drinking in an establishment, the reason men go there is first to be able to smoke and drink and secondly to see the performance.⁸⁰ This is the main reason why theatre managers did not allow smoking and drinking in their establishments and why they were opposed to allowing drama in music halls. Mercer H. Simson, treasurer of the Provincial Theatrical Manager's Association, agreed with Fladgate that if smoking and drinking were allowed, one would have a most inattentive audience. This also had an effect on the actor, as he would have been unable to perform with people lighting cigars and picking up glasses; it would distract his attention and would eventually destroy the profession.⁸¹ Henry Irving also agreed that it would be degrading to the art of drama if it were performed before clouds of smoke; and degrading to other artists to have their pictures exhibited under the same conditions.⁸²

⁷⁸ Included are John Holingshead, author and journalist and George Chapple Norton, Magistrate at the Lambeth Police Court.

⁷⁹ *Report...Theatrical Licenses and Regulations* (1866), Qs. 5367 and 1275

⁸⁰ *Report...Theatres and Places of Entertainment* (1892), Q. 866.

⁸¹ *Ibid.*, Q. 2576.

⁸² *Ibid.*, Q. 1010.

There were also some comments on the deterioration of drama by the actors. Simpson stated that the acting is currently far inferior,⁸³ which he attributed to the lack of acting schools.⁸⁴ John Hare, lessee of Garrick Theatre, believed the drama would improve if the acting and writing were to improve. He stated that music halls had lead to the creation of “so-called” actors and they will “pose as the exponents of an art for the exposition of which the training of a lifetime is requisite.”⁸⁵

A greater number of witnesses presented before the Select Committee were in favor of allowing music halls to perform drama. Philip John Rutland, solicitor to the Proprietors of Entertainments Association, stated the restriction could be removed without detriment to the theatres and to the great advantage of the public. Over the preceding twenty years, the demand for stage plays had been great in the music halls and that it was in the interest of making money that they should be allowed on stage. Many of the music hall proprietors believed during these sketches, the audience was attentive, did not drink, and rarely smoked.⁸⁶ George Fardell, member of the London County Council and chairman of the Theatres and Music Halls Committee of the London County Council from 1889-1891, agreed that the audience was attentive during the sketches, and that the “audience themselves would soon shout down a waiter who attempted to move in front of them while a performance of the sketch character was going on.”⁸⁷ James Lawrence Graydon, manager of the Middlesex Music Hall, reported that if

⁸³ Ibid., Q. 2661.

⁸⁴ Ibid., Q. 2662.

⁸⁵ Ibid., Q. 3319.

⁸⁶ Ibid., Q. 1361.

⁸⁷ Ibid. Q. 1496.

sketches were allowed, it would not degrade the drama; but would simply create an appetite for the more elaborate productions at the theatres.⁸⁸ John Hollingshead, manager of the Alhambra Music Hall, believed those examined during the Committee did not represent the population of the country, and that the public should “be amused how they like, when they like, and with what they like” so long as they did not break any laws of decency.⁸⁹ The entertainment could only improve because the pieces would not be “mutilated and disguised.”⁹⁰ The purpose of the music hall was to provide a variety of pieces in one night; the managers of the music halls believe the audience would not stand for a longer piece being performed.⁹¹ The main concern for the proprietors and managers of theatres was that if the music halls were allowed to perform drama, they would encroach on the theatre’s business. It was never the intent of the music halls to perform full length dramas, but merely sketches of drama in which the theatres would still be the only ones performing entire dramas. William Archer, dramatic critic, stated that those who preferred to smoke should be allowed to have the best, most intellectual, the most rational form of entertainment they can get.⁹² J.G. Johnson, sketch artist and actor, commented that by allowing drama at the music halls, it would raise the music hall program generally.⁹³ Clement Scott, reviewer of plays, agreed with Hollingshead that the general public was not represented in

⁸⁸ Ibid., Q. 2921.

⁸⁹ Ibid., Q. 3772.

⁹⁰ Ibid., Q. 3800.

⁹¹ Ibid., Q. 3811.

⁹² Ibid., Q. 3999

⁹³ Ibid., Q. 4593.

the witnesses of the Committee.⁹⁴ He conveyed to the Committee that if the lower classes cannot afford to go to the theatres they should not be denied the wholesome influence of drama. He believed art needed to play its part in the social reform and prosperity of the lower classes. If the lower classes were shown sketches and dramatic entertainments when they are poor, they would patronize first-class theatres later when they are rich.⁹⁵

In each of the three Committees, individuals involved in theatres expressed a concern on the decline of drama which brought the influence of the Lord Chamberlain over theatres and the censorship of drama into question. In the 1832, the main point the witnesses made in defense of censorship was that it would help preserve the high standards of drama. Four authors believed it would be to the general advantage of drama to have a supervisor.⁹⁶ William Moore, trustee of Covent Garden, believed the lack of censorship would have a profound effect on the morals of the theatre-going public, which he thought could be seen at the Coburg, a theatre unable to perform legitimate drama.⁹⁷ Collier, Examiner of Plays, believed that if there was questionable material on stage, it was not only seen, while also heard, but if there was questionable material in a book it would only be seen and not by as many people. Collier believed someone would remember a stage-play for a length of time, while something read sinks into oblivion.⁹⁸ There

⁹⁴ Ibid., Q. 5144.

⁹⁵ Ibid., Q. 5158.

⁹⁶ Authors include, Thomas Moncrieff, Francis Place, Thomas Morton, and James Kenney. Also see *Report...Dramatic Literature* (1932) Qs. 3191; 3930; 4111; and 4112

⁹⁷ Ibid., Q. 4041.

⁹⁸ Ibid., Q. 442.

were few who believed that only political plays should be censored while the political topic of the play was going on, but should be able to be performed at a later date.⁹⁹

There were also a number of witnesses that believed that censorship should be abolished completely because the theatre public would not accept anything of an immoral character on stage and drama would find a level between the moral and immoral. Kemble believed that due to the improved state of education, the moral and religious feeling of the audience would not allow anything licentious on stage. In his theatre, he had seen material that had been passed by the Lord Chamberlain, but was not “suffered to pass” by the audience. Kemble stated this as proof that the public was “perhaps better guardians of their own moral and religious sentiments than anybody can be for them.”¹⁰⁰ Francis Place stated that he had investigated the subject before appearing before the committee and believed that “from the Restoration to the present time the indecency and immorality exhibited on the stage was just what pleased the public, and as the public has become more moral and more particular the theatres conformed to their wishes.”¹⁰¹

During the 1866 Select Committee, the main reason given to continue censorship was that if censorship were abolished, a great deal of immorality would present itself on stage.¹⁰² William Henry Bodkin stated that censorship was not necessary for the higher classes because they could take care of their morals, but there needed to be some sort of legislation for the poor

⁹⁹ These witnesses include George Bolwell Davidge, Charles Kemble, James Kenney. *Ibid.*, Q. 1382; 709; and 4111.

¹⁰⁰ *Ibid.*, Q. 708.

¹⁰¹ *Ibid.*, Q. 3727.

¹⁰² Witnesses who stated this were Spencer Ponsonby, Nelson Lee, manager of the City of London Theatre, and Right Honorable Viscount Sydney. *Report...* (London: Her Majesty's Stationary Office, 1866). Qs. 38, 4956 and 7614.

people.¹⁰³ Donne's reason for continuing censorship was that the representation of a story appeals to the senses of an audience much more strongly than merely reading one.¹⁰⁴ Many also stated that they would like to see the department of the Lord Chamberlain strengthened by becoming the only authority for the theatres and drama.¹⁰⁵ Thomas Henry, Chief Magistrate of Bow-Street Police Court, believed this and thought that amusements should be regulated according to the localities in which they are to be granted; the theatre suited to the West End would not be suited to Whitechapel. He gave an example of Paris; Paris had various kinds of performances in different parts of the town which was to the advantage of the public.¹⁰⁶ John Green believed the power of the Lord Chamberlain should be enlarged because, "the entertainment of the people is education; the drama was a gigantic system of education; and the entertainment of the people should be cared for, watched for, and so their condition would be improved."¹⁰⁷ Henry Pownall, chairman of the Middlesex bench of Magistrates, believed more power should be given to the police to inspect the theatres for immorality in the private rooms at theatres. J. Stirling Coyne stated that he thought that there should be a system of censorship, but should be limited to morality and religion.¹⁰⁸

¹⁰³ Ibid., Qs. 1831 and 1832.

¹⁰⁴ Ibid., Q. 2417.

¹⁰⁵ Witnesses who stated this are George Norton, William Bodham Donne, John Green, lessee of Evan's Theatre, and John Knowles, a proprietor of a theatre at Manchester.

¹⁰⁶ *Report...Theatrical Licenses and Regulations* (1866), Q. 789.

¹⁰⁷ Ibid., Q. 5599.

¹⁰⁸ Ibid., Q. 5815.

There were a few witnesses who believed the system of censorship and licensing should be abolished. Frederick Stanley, solicitor on behalf of the London Music Hall Proprietors' Protection Association, believed licenses did not benefit anyone and should be rid of altogether.¹⁰⁹ The other two proponents of abolishing censorship believed the public would be the principal check for drama.¹¹⁰ Shirley Brooks stated that "there is a large mass of good feeling in the English public which would stop anything that was very bad."¹¹¹

During the 1892 Select Committee, the main concern was of continuing censorship under the Lord Chamberlain, creating a state department, or to give the authority to the county councils. Thomas George Fardell stated that the county council should not take over for the Lord Chamberlain because the county council was a fluctuating body and it would not be beneficial to drama to have entirely new members every three years. It would be better to have a permanent official that is constant over a period of years so that the censorship is consistent as well.¹¹² William Francis Fladgate reported that the managers he represented "consider that the drama is an art, and as such should be fostered, and that the county council is not the exact body that we should go to as being a proper authority to help us in any matter of that kind."¹¹³ John Hare believed if the county council was made licenser of plays, then it would override the

¹⁰⁹ Ibid., Q. 2462.

¹¹⁰ These witnesses include Dion Boucicault and Shirley Brooks. Ibid., Qs. 4059; and 4486.

¹¹¹ Ibid., Q. 4486.

¹¹² *Report...Theatres and Places of Entertainment* (1892), Q. 512.

¹¹³ Ibid., Q. 845.

decision of Examiner of Plays so it would be better to have one authority whose job was to license plays.¹¹⁴

There were a few people who believed the county council would be better suited to the licensing of theatres and places of entertainment. Mercer H. Simpson stated that the people he represented believed that a local authority, who had the power of licensing, should continue to have it in the future. They believed it would be difficult for a London authority to see after the conduct of buildings two hundred or three hundred miles away.¹¹⁵ Richard Melvill Beachcroft, alderman of the London County Council, stated that the authority of licensing should be transferred to a county council. He stated that the strongest grounds for this position were that the large and responsible duty placed in the hands of one individual was far too great and that a number of persons were more likely to administer the judicial acts fairly and properly than one individual would.¹¹⁶

Fladgate also stated that the county council should not be in charge of theatres and censorship, but it should be in the hands of a state department who would have jurisdiction over the entire country. Fladgate reported that when a theatre was to be built, there were no fixed rules applicable; the safety of the public would be unquestionably considerably greater if a theatre were built under rules and regulations applicable to the entire country.¹¹⁷ James Lawrence Graydon stated if censorship was necessary, then it should be in the hands of a permanent state official who would deal with the matter entirely without prejudice. He believed

¹¹⁴ *Ibid.*, Q. 3319.

¹¹⁵ *Ibid.*, Qs. 2250; 2551; 2557; and 2648.

¹¹⁶ *Ibid.*, Qs. 5539; and 5560.

¹¹⁷ *Ibid.*, Q. 677.

that “little censorship is necessary nowadays, as the public refuses to accept anything objectionable, in either words, costumes or anything else.”¹¹⁸ George Conquest, manager at Surrey Theatre, thought that licensing should be in the hands of a permanent official, and that it would be an advantage for the music halls to be in the hands of a permanent official.¹¹⁹ Joseph Comyns Carr, dramatic critic, stated that a state department should be created “which would absorb the different authorities which now exercise control over theatres and other places of entertainment.” He believed that the public required it and the managers wanted it.¹²⁰

There was a third body of people who believed that the Lord Chamberlain should retain his powers. Henry Irving believed that censorship was a very necessary thing. Irving gives an example of a provincial theatre with a play on the subject of a recent murder and the murderer was at the time in his cell awaiting execution. The public might see a play of a similar subject, but a licenser would never allow it.¹²¹ Fardell stated he would like the Lord Chamberlain to have the power of censorship for stage plays, but with regard to songs, with the frequent changes of artists, topical songs brought out in the course of a few hours, a censorship of songs may not be practicable.¹²² Lionel Bough, actor and manager, stated that more than ninety-five percent of the association he represents want censorship and theatre licensing to remain with the Lord Chamberlain. The Lord Chamberlain has shown that the “administration has been all done with

¹¹⁸ *Ibid.*, Q. 2923.

¹¹⁹ *Ibid.*, Q. 3309.

¹²⁰ *Ibid.*, Qs. 5089; and 5096.

¹²¹ *Ibid.*, Qs. 1071; and 1072.

¹²² *Ibid.*, Q. 1604.

a firm hand, but with a velvet glove on it. These gentlemen of the County Council bring their mailed first down on us slap, and do not give us any chance of appeal.”¹²³

In nineteenth century England there were many people involved in theatre and members of Parliament who were concerned with the state of theatre and drama in England. These concerns led to many proposals of bills in Parliament and three Select Committees in 1832, 1866 and 1892 which resulted in the restructuring of theatre licensing and the development of structural regulations for theatres. During the Select Committees many of the concerned people stated there was a decline in drama and theatres due to changes in society, the want of better actors and dramatists and the gradual removal of the patent system. These concerns called into question the effectiveness of the Department of the Lord Chamberlain in sustaining the drama to a high moral character. During the Select Committees many spoke in favor of continuing the censorship. Even though the upper classes could be accountable for allowing only drama of a high moral character on stage, it was believed the lower classes would not be able to make the distinction and allow immorality on the stage. This feeling was increased with the allowance of drinking and smoking in places of entertainment and it would be better to have a check on the drama than allow corruption in the lower classes. There were also a number of people who believed that the greater religious sentiment and developments in education led to a public that would not tolerate anything immoral on stage. Even though there were a great number of people who believed in the abolition of censorship, Parliament was a conservative body and unless there was an overwhelming majority they would not abolish a system that was considered effective by some. In fact, over the course of the nineteenth century, the Department of the Lord Chamberlain was granted greater authority in licensing theatres and regulating drama through the

¹²³Ibid., Q. 3513.

increase in his jurisdiction. This system of licensing and censorship was further developed and refined by the reports of the Select Committees and legislation in Parliament would continue late into the twentieth century.

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