

Stafford were the greatest which ever came under the consideration of the House. They appeared so gross and so notorious, that it appeared to him impossible for the House not to institute an inquiry into them, for the purpose of punishing the guilty. He did not, however, exactly see the object of the hon. member for Coventry; if he understood it, it was intended to indemnify the very persons who were guilty of the bribery.

Mr. *Ellice* said, that the information which he received was from two gentlemen, neither of whom were Members of that House.

Mr. *Baring*: But those gentlemen paid the money with which the electors were bribed to those electors. He certainly agreed with the hon. Member, that there were difficulties in the case which might prevent proof of bribery being brought home to those who were guilty, without such a Bill as that proposed; it might then be proper to adopt it; but to him it appeared that the Bill of Indemnity proposed by the hon. Member, was to cover the malpractices of the guilty, and to screen them from the effect of their guilt. He (Mr. *Baring*) thought it was improbable, if corruption and bribery to such an enormous extent had been practised, that it would be at all difficult to prove it.

Mr. *Ellice* said, that if the House thought there was any better way of procuring the evidence necessary, he would be willing to adopt it. His only object in making the Motion at all was to expose the most notorious and extensive system of corruption which had ever come within his knowledge. The corruption of the borough of Stafford had long been notorious. Even before Mr. *Sheridan* represented it, the price of a vote was 5*l.* In endeavouring to persuade them to adopt his opinion on the subject of Parliamentary Reform, that gentleman used to give them as an argument in its favour, that as they got 5*l.* then —

Mr. *Wynn* rose to order. He begged to ask, whether it was fair to prejudice the Jury, who were to try the merits of the case, by such statements.

The *Speaker* thought that the hon. Member was quite in order.

Mr. *Ellice*: No one could be influenced by a historical account of the elections of Stafford. Mr. *Sheridan*, to induce the electors of Stafford to become Reformers, used to say, “At present you get 5*l.* for a vote; but if you obtain Parliamentary Reform, you will probably get 10*l.*”

An *Hon. Member* said, that if this Bill of Indemnity had any effect at all, it would be to protect the real delinquents. He could say, that the present members for Stafford had not been guilty of bribery, either directly or indirectly.

Question agreed to, and the consideration of the Stafford Election Committee postponed to the 16th of April.

DRAMATIC AUTHORS.] Mr. *Edward Lytton Bulwer*, in moving for leave to bring in a Bill for the better protection of Dramatic Authors, said, that he did not feel it necessary to occupy the time of the House with many observations, as he was sure, that the necessity of some legislative measure on the subject was universally admitted. At this moment dramatic authors possessed no control over the use of their property, such as was very properly given to other labourers in the field of literature by the laws of copyright. A play, when published, might be acted upon any stage without the consent of the author, and without his deriving a single shilling from the profits of the performance. It might not only be acted at one theatre, but at 100 theatres, and though, perhaps, it filled the pockets of the managers, not a single penny might accrue from its performance, however successful, or however repeated, to the unfortunate author. It was to remedy such a state of things that he proposed to bring in the present Bill, and he begged to observe, that in the Committee which sat upon this subject last Session, there was not a single dissentient voice as to the injustice of the present system, and as to the advantages which literature would derive from a change in it such as that which he was now about to propose. By the Bill which he was going to bring in, it was proposed to allow to dramatic authors the same copyright that was, by the existing law, given to all other authors—namely, for twenty-eight years, or for the life of the author. It also enacted, that no play should be performed at any theatre without the author's consent, and that if played without his consent he should have the right of applying to a court of law for damages against the proprietor of the theatre where it was so played; the maximum of the damages to be given to him to be 50*l.*, and the minimum 10*l.*, for every night the said play was so performed. The evil of the existing system was pretty abundantly evinced by the striking decline of the modern drama, and he was quite sure that the

result of the proposed change in that system would be, that greater talents and a higher order of genius would be enlisted in the service of the stage, and that the dramatic literature of the country would once more regain that exalted position from which it had been degraded by the want of the necessary encouragement and protection. It was but justice to his hon. friend opposite (the member for Dungarvon) to say, that he had been foremost in his efforts to procure such protection for dramatic authors. In a late Session, his hon. friend was the first to propose a measure similar to the present, and he was therefore sure that as his right hon. friend had been the earliest and ablest advocate of the interests of dramatic authors, he might count upon his supporting the present Bill. The hon. Member concluded by moving for leave to bring in the Bill.

Mr. *Lamb* said, that as far as he was acquainted with the provisions of the Bill of his hon. friend, they had his approval, and he did hope, that the consequence of passing such a measure would be to elevate dramatic literature from that depressed state in which, he was sorry to say, it, as well as all other interests connected with the drama, had been for many years. It struck him that 10*l.* would be too large a minimum of damages to be given in some cases. It would be too large, for instance, in the case of a manager of a company of strolling players, but, at the same time, it would be scarcely worth an author's while to proceed against a man of straw, such as a manager of strolling players usually was. He trusted there would be no difficulty in passing such a measure as this through Parliament.

Leave given.

DRAMATIC PERFORMANCES.] Mr. *Edward Lytton Bulwer* said, he now rose to move for leave to bring in a Bill "for Licensing Theatres, and for the better regulation of Dramatic Performances in the Cities of London and Westminster, and within twenty miles thereof," and in doing so he should feel it necessary to trouble the House with but a very few observations. The Bill which he was now about to introduce was founded upon the recommendation of the Committee of last Session upon dramatic performances, and he should read to the House the paragraph from the Report in which that recommendation was contained:—"In respect to the

of opinion that the laws would be rendered more clear and effectual by confining the sole power and authority to license theatres throughout the metropolis (as well as in places of royal residence) to the Lord Chamberlain; and that his, the sole jurisdiction, should be extended twenty miles round London; that being the point at which Magistrates now have the power of licensing theatres for the legitimate drama. And as the Committee believe, that the interests of the drama will be considerably advanced by the natural consequences of fair competition in its representation, they recommend that the Lord Chamberlain should continue a license to all the theatres licensed at present, whether by himself or by the Magistrates. The Committee are also of opinion, partly from the difficulty of defining, by clear and legal distinctions, "the legitimate drama," and principally from the propriety of giving a full opening as well to the higher as to the more humble orders of dramatic talent, that the proprietors and managers of the said theatres should be allowed to exhibit, at their option, the legitimate drama, and all such plays as have received, or shall receive, the sanction of the censor.' This Bill was, as he had just said, chiefly founded upon that paragraph of the Report, in the first instance, as regarded the throwing open the performance of the regular drama, and, in the second place, in confining the authority of licensing solely to the Lord Chamberlain, within the district therein specified. The three objects which the Bill had in view were—first, to afford to the public at large the full advantage derivable from regular dramatic representations; second, to prevent the inhabitants of any district from being subjected, against their will, to the annoyance of any theatrical speculations; and, third, to guard against the exercise of any kind of partiality on the part of the licensing authority. With such objects in view, the Bill proposed to enact, in the first instance, that if any person should be desirous of obtaining a licence for the exhibition of dramatic performances at any theatre within the limits of the Act, he must post a notice of such intention on the outer door of such theatre three calendar months before the annual licensing day, at which such application was intended to be made—that copies of

such notice must be, at the same time, served upon the churchwardens and overseers of the poor of the parish, in which the theatre was situate, and that he must insert a copy of the said notice once a-week during the said three months in two of the daily morning newspapers. The same provisions were made applicable to the case where the theatre was not built or finished at the period when the application was made; and, it was further provided, that in the latter case the person so applying should deposit in the Lord Chamberlain's office descriptive plans and particulars of the mode in which it was intended to build, or finish the building, exhibiting the extent, elevation, and mode of structure of the said theatre, and the number of persons that it would be calculated to contain; that such plans should lie in the Lord Chamberlain's office, open to the public inspection, from the time of their being there deposited until the annual licensing day; and that in case a majority of the persons interested in the property contiguous to such theatre, or the proposed site thereof, should, in a petition, to be presented to the Lord Chamberlain two months before the licensing day, signify their dissent to the licensing of it, such licence should not be granted, but that if no such petition should be presented, the Lord Chamberlain should be obliged to grant the licence as prayed for. It was further provided, that nothing contained in the Act should be construed to affect the right of any person to object to the licensing of any theatre by reason of anything which, by the common law, would at the passing of the Act be considered a sufficient objection to the licensing of such theatre. The Bill also provided that where a licence was sought for a theatre, a certificate of the stability and safety of such theatre, signed by three architects or surveyors, should be produced by the persons so applying to the Lord Chamberlain; and it also gave to the Lord Chamberlain summary power, in cases where plays were performed at places not duly licensed, or in cases where the proprietors of theatres exceeded the limits of their licences. It would be observed, that no discretion as to granting a licence was vested in the Lord Chamberlain where the provisions of the Act had been fully complied with, and where no memorial had been presented within the time specified against the granting of such

licence. As to the office of censor, he for his part must say, that he thought such an office was perfectly unnecessary. Undoubtedly the evidence which had been given by the present censor before the Committee, had failed to convince him either as to the importance of the functions attached to that office, or as to the discretion with which they had been exercised, but as it might prove fatal to the Bill if it proposed to abolish that office, it proposed to leave the authority of the censor just as it was at present. The Bill provided the following graduated scale of fees as payable to the Lord Chamberlain, or his deputy, for the licensing of theatres and dramatic productions:—

	£	s.	d.
For every original licence granted to a theatre	5	5	0
For every renewal of a licence to a theatre	2	2	0
For examining every play or entertainment of the stage of five or more acts	2	2	0
For examining every play or entertainment of the stage of three or four acts	1	11	6
For examining every play or entertainment of the stage of two acts	1	1	0
For examining every play or entertainment of the stage of one act	0	10	6
For examining every address, song, or other composition, not included in either of the above descriptions	0	5	0

The hon. Member concluded by moving for leave to bring in the Bill.

Mr. *Lamb* did not mean to offer on this occasion, any opposition to the Bill proposed by his hon. friend; on the contrary, he thought that the time was come when some such measure should be passed with regard to dramatic performances. It was extremely doubtful whether any good would arise from the interference of the Legislature in controlling the public in matters of taste. There certainly was an idea in the metropolis, and in other towns where theatres existed, that the neighbourhood of theatres caused the introduction of a loose population, and at all events, their neighbourhood was often objected to by persons resident in the vicinity. It was therefore but right they should have the power of objecting to their introduction. He feared that there would be some difficulty as to the summary power proposed to be given to the Lord Chamberlain. In consequence of the repeal, as proposed by this Act, of

the 10th of George 2nd, by which players were classed with "rogues and vagabonds," the summary power of search, on the part of the police, would be taken away, and difficulties certainly would, in some cases, lie in the exercise of the summary power proposed to be given to the Lord Chamberlain. With regard to the censorship, he thought it was productive of utility, and that it could not be dispensed with. He trusted that his hon. friend would not hurry the Bill through the House, but would afford time to the persons in this metropolis who were interested in its provisions, to make their representations to the House either for or against the measure. He hoped that by the passing of such a measure, the law on this subject would be at length placed upon an intelligible foundation, for it had been of late years so complicated, and so variously interpreted, that there was no understanding how any theatre stood.

Mr. *Hume* said, he was sorry to hear the right hon. Gentleman say, that he conceived the censorship to be necessary, for he had hoped that he would have taken a different view of the subject. If he were asked why it was, that theatrical property had become depressed, he could find a ready answer in what he believed to be the fact, that it was because of the Lord Chamberlain and of the censorship, which had trammelled the drama until it became as it now was. Every position which the right hon. Gentleman had taken he conceived to be false. In fact, fees were demanded here and fees there, according to the evidence taken before the Committee of last Session, and thus an eternal interference was kept up with the exhibition of the regular drama. He was of opinion that there should be a free trade in that as well as in any thing else, in order that there might be a fair manifestation of the talent of the country in that department. He hoped, before the Bill should pass into a law, that sufficient attention would be paid to it, in order to do away with those mischievous restrictions and impediments to the drama.

Mr. *Warburton* said, that as the object of the present system was the affording irrational amusements at the dearest rate, so the object of the present Bill would be to afford to the public rational amusements at the cheapest rate. The object of the great theatres seemed to be to administer rather to the physical than to the mental

gratification of the people. He was of opinion, that they should throw open the minor theatres, and allow them to perform the legitimate drama. Indeed, he thought that such ought to be the principal object of the Bill. As to consulting existing interests, why there was none remaining. He held himself a 500*l.* renter's share of Covent-garden theatre, which entitled him to 25*l.* per annum—when he could get it. He had not, however, obtained a farthing for many years, and he was at the present time entitled to seize the dresses, &c. on the premises. If, therefore, there was any allegation that existing monopolies should be protected, he should say that there were none remaining. The present monopolies were mortgaged to treble their value, and of course were worth nothing. For his own part he was willing to give up his 500*l.* share, and all his arrears, to enable the minor theatres to perform the legitimate drama at a cheap rate.

Mr. *Ewart* regretted that the Bill was confined to the metropolis. He had himself presented a petition from Liverpool, stating that, in that town and its neighbourhood, there was a population of 100,000 persons unprovided with theatrical amusement. He would move a clause to extend the Bill to the country, if the hon. Gentleman would not do so himself.

Mr. *Lamb*, in explanation, said, he had not raised an obstacle on account of vested interests, but merely asked for time for them to make a case out, if they could. He doubted the propriety of extending the Bill to the provinces.

Mr. *Baring* thought the office of censor a most useful one. Hon. Gentlemen had only to judge for themselves of the effect of an unlicensed system in Paris to arrive at the same conclusion. The productions exhibited in some of the theatres must shock every moral mind. He was not favourable to a vexatious censorship, but one which would enforce a respect for sound morals and public decency.

Mr. *O'Dwyer*, having visited Paris, said, the result of his travels was, that he differed from the hon. member for Essex.

Mr. *Edward Lytton Bulwer* said, that there was no need of a censorship, as public morals had actually risen higher than the licence, which the censor could not lower. This was evident from the fact, that many of the old plays, which the censor could not prohibit from being

represented, were not and could not be played from their indelicacy. The absence of such exhibitions here as those referred to by the hon. member for Essex in Paris was not imputable to our censorship, but a higher standard of public morality.

Leave given.

BURGH REFORM (SCOTLAND.)] The *Lord Advocate* rose to submit a Motion to the House on a very important subject—that of Reforming the Municipal Constitution of the Royal Burghs of Scotland. It was a subject of which the discussion was likely to be monopolized by the Scotch Members, and he, therefore, would not then enter into any details of the measure. He believed, that it would be more convenient to the House, and more conducive to a saving of time, if the discussion were taken at a future period. He proposed, therefore, to read the Bill a first and a second time *pro formâ*, and after the second reading, he would move, that it be referred to a Select Committee. He would propose that this Committee should consist of all the Members for the Scotch burghs, about twenty-three, which would make a very proper Committee as to numbers. By so doing the House would not come to a discussion of the measure till it was well acquainted with it. He would then only move for leave to bring in a Bill to alter and amend the laws with respect to electing the Magistrates and Town Councils of Royal Burghs in Scotland.

Captain *William Gordon* expressed his regret that the measure was not in the first instance referred to a Committee of Inquiry, as had been done with respect to the English and Irish Corporations. He hoped, too, that the learned Lord would not confine the Select Committee to the Members for Scotch burghs.

The *Lord Advocate* explained, that a considerable time would elapse before the Committee could come to any conclusion, that the Bill would be amply discussed, and that the Committee would readily listen to any suggestions. As to placing other Members on the Committee, it would be open to hon. Members to name whom they pleased when the Committee was appointed.

Mr. *Gillon* wished to ask, when the Committee would begin its labours? He hoped nothing would be done till the Bill had been printed and sent to Scotland, so

that the opinion of those most interested in it might be obtained.

Mr. *Kennedy* thought the Committee might begin its labours immediately. An extension of the time sufficient to make the Bill known, would, however, be given, and the whole discussion, both on its principle and on its details, might be gone into after the Committee had completed its labours.

Mr. *Oswald* gave his support to the Motion.

Captain *Dunlop* asked, whether the learned Lord meant to take any steps to improve the constitution of those boroughs which were not royal burghs? We understood the hon. Member to call them barony burghs.

The *Lord Advocate* believed, that his Majesty's Government had it in contemplation to propose a measure for them. He could certainly say, for himself, that he had a Bill in preparation to amend the constitution of the boroughs alluded to by the hon. Member.

Mr. *Andrew Johnston* differed from the hon. member for Aberdeenshire as to requiring a Committee of Inquiry, because the subject had already been much inquired into. Burgh Reform had agitated Scotland much more than Parliamentary Reform, and now that they had obtained the latter he hoped that the former would be also soon obtained. He recommended a sweeping and effectual Reform of the boroughs, similar to that which had been made of the Parliament, and not a bit-by-bit Reform.

Leave given.

BUSINESS OF THE HOUSE.] Mr. *Robinson* wished to ask the noble Lord, what arrangement he proposed to make, as to the presentation of petitions, on the next day.

Lord *Althorp* said, that it had been agreed, that petitions relative to the Irish Coercive Bill should be presented, and he hoped that hon. Members would adhere to that arrangement which had been made with a view of hearing those petitions which related to the Bill before it passed.

Mr. *Robinson* said, he should take the sense of the House on that subject, when the time came.

Mr. *O'Connell* hoped the hon. Member would not. It would be of no use to receive the petitions of the people against the Bill after it was passed.