TRYING A DRAMATIST

BY

W. S. GILBERT

1911

Based on ACTORS, AUTHORS, AND AUDIENCES

1880

Edited by David Trutt

TRYING A DRAMATIST by W. S. Gilbert
Published December 1911 in THE CENTURY MAGAZINE
Copyright by Lucy Agnes Gilbert

TRYING A DRAMATIST
Published 1911&1920 in ORIGINAL PLAYS, FOURTH SERIES
by W. S. Gilbert

ACTORS, AUTHORS, AND AUDIENCES
Published 1880 in ILLUSTRATED SPORTING&DRAMATIC NEWS
Published 1890 in FOGGERTY'S FAIRY AND OTHER TALES
by W. S. Gilbert

Published 2010 by
David Trutt
Los Angeles, California
USA

email: davettt@verizon.net
Web Site: www.haddon-hall.com

TRYING A DRAMATIST was named by W. S. Gilbert as "An Original Sketch in One Act." Gilbert's last dramatic efforts, THE HOOLIGAN and TRYING A DRAMATIST were included in the 1911 first edition *Original Plays, Fourth Series*. They were withdrawn and then reinserted in the 1920 and following editions. These two efforts have since been on the list of Gilbert authored plays.

They were made available by Lucy Gilbert after his death on May 29, 1911 to *The Century Magazine*, an American publication; TRYING A DRAMATIST was apparently edited so that original English spelling, such as "theatre" and "labour" became "theater" and "labor". This editor has concluded that Lucy Gilbert sent one of her husband's personal copies to *The Century Magazine*. A different copy was used by publisher Chatto & Windus for inclusion in *Original Plays, Fourth Series*. This editor cannot determine the order of these items, nor what Gilbert's final intent had been.

The following play uses the *Original Plays* spelling, capitalization, and punctuation. The wordings of the two versions are very close. Where there is a difference the **Original Plays version is in bold** and the Century Magazine version is underlined. The reading copy is therefore intended to follow that of the *Original Plays* as this has the most common circulation. There are two major difference between the versions.

First: Page 5 shows a sentence present in *Century Magazine* which is not in *Original Plays*.

Second: The Dramatis Personae on Page 4 shows that the Judge for *Century Magazine* is named "Justice Rhadamanthus" while for *Original Plays* he is "The Learned Judge". It is noted that Rhadamanthus, in Greek mythology, was a wise king, the son of Zeus and Europa. What is unusual is that the *Original Plays* version uses both "The Learned Judge" and "Justice R." in the play, but never is a mention made of "Rhadamanthus".

TRYING A DRAMATIST is a recycled and reformatted version of the 1880 Gilbert tale, ACTORS, AUTHORS, AND AUDIENCES. This story is presented in its entirety starting on page 16, so that the reader may make the comparison. ACTORS, AUTHORS, AND AUDIENCES is the more detailed of the two; most of the additional material is devoted to an extended dialogue by the playwright, presumably speaking Gilbert's opinions on the subject. TRYING A DRAMATIST excepts on an almost word-for-word basis to provide the later play.

Note that the name, "Lead" is pronounced "Led", something that sinks to the bottom; not "Leed".

CONTENTS:

INTRODUCTION Page 3
TRYING A DRAMATIST-Dramatis Personae Page 4
TRYING A DRAMATIST-Play Page 5
ACTORS, AUTHORS, AND AUDIENCES Page 16

DRAMATIS PERSONAE - TRYING A DRAMATIST by SIR WILLIAM S. GILBERT:

THE LEARNED JUDGE. MR. JUSTICE RHADAMANTHUS, *the learned judge*
MR. POPHAM, *Counsel for the prosecution*.
MR. COCKLE, *Counsel for the dramatist*.
MR. JOHN JOPKINS, *a Dramatist*.
MR. JERMINGHAM, *a Theatre Manager*.
MR. JOHN JONES, *a Plumber*.
LORD REGINALD **FITZURSE** FITZACRE, *of the Household Cavalry*.
MR. WILKINSON, *a Medical Student*.
MR. JOSEPH SHUTTLEWORTH, *a Clerk in the Home Office*.
MR. JAMES JOHNSON, *a Low Comedian*.
FOREMAN OF THE JURY.
ASSOCIATE.
MISS EMILY FITZGIBBON, *a Leading Lady*.
MISS JESSIE JESSAMINE, *a Singing Chambermaid*.
JURYMEN, MEMBERS OF THE PUBLIC, ETC.

(*Scene: A Criminal Court. The Learned Judge on bench. Learned Associate beneath him. Jury in box, R. Prisoner in dock, up C. Counsels' table C. Solicitors' table between counsels' table and dock. Witness-box down R. Miscellaneous public, about eight ladies, L. Mr. Popham, counsel for the prosecution, and Mr. Cockle, counsel for the defence, are seated at farther side of counsels' table*.)

ASSOCIATE. Gentlemen of the jury, the prisoner, John Jopkins, is indicted for that he did, on the 4th **May** day of the present month, produce or caused to be produced a tedious and unsatisfactory stage-play at the Pandemonium Theatre, whereby a false pretence was created, tending to cause a breach of the peace. To this indictment the prisoner has pleaded not guilty, and you are to determine whether he be guilty or not guilty.

MR. POPHAM (*rises*). May it please you, my lud, Gentlemen of the Jury, the prisoner is indicted, as you have heard, for having on the 4th instant produced a dull and tedious stage play, which was then and there damned by the audience assembled. The play was put forward ostensibly as an entertainment which was worth the cost of admission, and the case for the Crown is that it was, as a stage play, absolutely worthless. The facts lie within a very small compass, and I believe that the evidence I shall call will make the prisoner's guilt so clear to you that you will have no alternative but to convict. Expressed shortly, the piece was put forward presumably as a good play, and the case for crown is that it is a bad play; thereby a false pretence was created. Call John Jermingham.
(*John Jermingham enters witness-box and is sworn*.)
You are, I believe, the manager of the Pandemonium Theatre, where the prisoner's play was produced?

MR. JERMINGHAM. I am.

MR. POPHAM. Please state to the jury how the play came under your notice.

MR. JERMINGHAM. Six months ago the prisoner submitted his original play, called "Lead," for my approval, and I accepted it because I had nothing else ready. I did not read it because, if I had, it would have conveyed no idea to my mind. I expect that by its failure I shall be four or five thousand pounds out of pocket. (*Murmurs of sympathy.*)

(*Mr. Cockle begins the defence cross-examination asking why the play was not read*.)

MR. JERMINGHAM. I did not read the play before accepting it because I do not profess to be a judge of a stage play. I accepted it because a French translation on which I had counted proved a failure. I was at my wit's end.

MR. COCKLE . Have you been there before?

MR. JERMINGHAM. I have. I soon get there. It is quite a short journey.

MR. COCKLE. Have you had any special training for the position of a manager?

MR. JERMINGHAM. Training? Certainly not. I am not aware that any special training is required. It is a very easy profession to master. If you make a success, you pocket the profits. If you fail, you close your theatre abruptly, dismiss your company, and a benefit performance is organised on your behalf. Then you begin again.

MR. COCKLE. Do you not think that you ought to be held responsible for the character of the entertainment you provide?

MR. JERMINGHAM. What, I? Most certainly not. What have I to do with it? I am only the manager. (*Mr. Jermingham stands down*.)

MR. POPHAM. Call John Jones.

(*John Jones enters witness-box and is sworn*.)

You are a journeyman plumber, and you were a member of the audience on the night of the production of the prisoner's play?

JONES. I was.

MR. POPHAM. What is your opinion of that play?

JONES. I think it a rotten play. It is full of very long and very tedious speeches. I was pleased with the scene between the small tradesmen in the plumber's back parlour as being remarkably true to nature; but I consider the scene between the Duke and Duchess highly improbable. The scene between the Home Secretary and the wicked Member of Parliament is open to the same objection. I consider myself a judge of a play. I have written a play myself. It has not been acted—not yet.

MR. COCKLE (*cross-examines*). You are a journeyman plumber, Mr. Jones ?

JONES. I am.

MR. COCKLE. Now, do you, as a journeyman plumber, consider yourself a judge of what Dukes and Duchesses would be likely to say to **each other** one another?

JONES. Certainly I do—at least as good a judge as any author—I have plumbed in the very best families—I have supplied a ball-cock to a Royal cistern. Dukes and Duchesses talk quite unlike ordinary persons. They use much longer words. For instance, I consider it most unlikely that a Duke would exclaim, "By Jingo!" I do not believe that Duchesses ever ride in taxi-cabs.

MR. COCKLE. Do you consider yourself a judge of metaphysics?

JONES. I do not profess to be a judge of metaphysics, because I do not know what metaphysics are. I consider it very likely that I am a judge of metaphysics without knowing it. (*Jones stands down*.)

MR. POPHAM. Call Lord Reginald **Fitzurse** Fitzacre.

(*Lord Reginald enters witness-box and is sworn*.)

You were in the theatre, Lord Reginald, when the prisoner's play was produced, and, if so, give us the benefit of your impression of that production.

LORD REGINALD. I was, and I was bored to my back-teeth by it. I saw nothing to complain of in the scenes dealing with high life, but I consider the scene in the plumber's back parlour ridiculously improbable. For instance, small tradesmen always misplace their "h's." No "h" was misplaced on that occasion.

MR. COCKLE (*cross-examines*). **Have you any** What are you by profession, Lord Reginald?

LORD REGINALD. I am an officer of the Household Cavalry.

MR. COCKLE. Have you had any practical experience of stage plays?

LORD REGINALD. A very extended experience. I believe that nothing is easier than to write a good stage-play. I have written one myself. I found it extremely easy. Mounting Guard is an intellectual exercise not to be mentioned in the same breath with it.

MR. COCKLE. Has your play been produced?

LORD REGINALD. It has not been produced—not yet. I have shown it to several managers—they are all most anxious to produce it, but hesitate to do so on the ground that it is too intellectual. I have no objection to **bring** bringing it down to the comprehension of an audience, but I do not see any way of making it less intellectual than it already is.

MR. COCKLE. Have you any objection to state the name of your play?

LORD REGINALD. None whatever. It is called "The Garter Girl; or, Suspenders, what ho!" (*Lord Reginald stands down*.)

MR. POPHAM. Call Thomas Wilkinson.

(*Thomas Wilkinson enters witness-box and is sworn*.)

You are, I think, a medical student, Mr. Wilkinson?

WILKINSON. I am.

MR. POPHAM. Did you hiss the prisoner's play?

WILKINSON. I did. I hissed it vigorously because, as I believed, Miss De Vere had to die in Act I. I did not know at the time that she was not really dead, but only in a swoon, or I should not have hissed. I thought it bad art that a singularly beautiful and talented young lady, one of the brightest and most bewitching stars that ever sparkled on a London stage, should be disposed of finally at an early **act** stage of the play. If the author allows an audience to suppose that a young lady of exquisite charm is dead, **who** while she is only insensible, he must take the consequences of the imposition he has practised on them.

MR. COCKLE (*cross-examines*). I believe, Mr. Wilkinson, that you are a professed admirer of that young lady?

WILKINSON. I have no hesitation in saying that I am devotedly attached to her, but of course that fact does not affect my opinion.

MR. COCKLE. Do you consider yourself a judge of a play?

WILKINSON. Undoubtedly. I have written several plays. They have not been produced—not yet. (*Wilkinson stands down*.)

MR. POPHAM. Call Joseph Shuttleworth.

(*Joseph Shuttleworth enters witness-box and is sworn*.)

Mr. Shuttleworth, I believe you are a Clerk in the Home Office. Please give his Lordship and the jury your opinion of the prisoner's play.

MR. SHUTTLEWORTH. I think it is distinctly a dull play.

MR. POPHAM. Did you hiss it, and, if not, why not?

MR. SHUTTLEWORTH. I did not hiss it simply because I do not see the necessary connection between a hiss and a bad play. We do not hiss bad speeches in the House of Commons. We do not hiss a bad picture in the Royal Academy. We do not hiss a tainted chop in an eating-house. I would hiss indecency and profanity, and even outrageously bad taste; but not mere dullness. I regard a dull author who has to depend on his pen for his livelihood as an object of pity, not of execration.

MR. COCKLE (*cross-examines*). Then am I to understand, Mr. Shuttleworth, that as a clerk in the Home Office, you do not agree with the opinions of the witnesses who have already given evidence?

MR. SHUTTLEWORTH. On the contrary, I entirely concur with the general opinions which those witnesses have expressed, though I do not agree with them in detail. For example, I think the scene between the Home Secretary and the Wicked Member is very characteristic and contains some capital **hints** hits at the maladministration of our Home affairs; but I regard the scene between the Duke and the Duchess and that between the two small tradesmen as ridiculously untrue to nature.

MR. COCKLE. Are you aware that, owing to nervousness on the part of the actors, caused by expressions of disapproval on the part of the audience, much of the dialogue was omitted and still more of it paraphrased?

MR. SHUTTLEWORTH. I was not aware of it.

MR. COCKLE. Were you aware that, owing to imperfect rehearsals, many of the "situations" missed fire—that certain characters and scenes were omitted and others ~~were~~ re-written in opposition to the author's earnest entreaty?

MR. SHUTTLEWORTH. I knew nothing of that. The piece is advertised as having been written by the author, and of course I held him responsible for every word that was spoken on the stage.

MR. COCKLE. Do you consider yourself a judge of plays?

MR. SHUTTLEWORTH. Most certainly I do. I have myself written many plays—everybody has.

MR. COCKLE. Have they been acted?

MR. SHUTTLEWORTH. They have not been acted—not yet. (*Mr. Shuttleworth stands down*.)

MR. POPHAM. Call Miss Emily Fitzgibbon.

(*Miss Fitzgibbon enters witness-box and is sworn*.)

Miss Fitzgibbon, I believe you are an actress?

MISS FITZGIBBON. I am. I played the part of Constantia in the comedy "Lead."

MR. POPHAM. What is your opinion of "Lead" as a play?

MISS FITZGIBBON. I have a poor opinion of it as a play. The dialogue is scholarly, but it is not dramatic. I found it full of literary beauties, but wholly lacking in well-balanced story and effective action. A series of leading articles, even though they be written in blank verse, do not constitute a play.

MR. POPHAM. Do you consider that a play suffers materially for being written in blank verse?

MISS FITZGIBBON. Unquestionably. The art of speaking blank verse is, to all intents and purposes, a lost art. *I* speak blank verse as it should be spoken, but I don't know any one else who does. As a play "Lead" is as clever and as unpracticable as "Manfred." [*Manfred is a dramatic poem written by Lord Byron in 1817 and which has been performed as a play*.]

MR. COCKLE (*cross-examines*). Then you consider "Lead" highly creditable to the author as a literary production?

MISS FITZGIBBON. Undoubtedly. It is a very thoughtful composition. In point of fact, it is too thoughtful.

MR. COCKLE. Is it true that three minor parts were fused into one in order to improve your own?

MISS FITZGIBBON. It is quite true. It was done to make the part worthy of my high reputation. I did not charge extra for playing the three parts added to my own. I did it entirely in the author's interests.

MR. COCKLE. But against his wish?

MISS FITZGIBBON. I dare say. That is not a circumstance that would be likely to dwell in my mind.

MR. COCKLE. Were you hissed on this occasion, Miss Fitzgibbon?

MISS FITZGIBBON (*indignantly*). Most certainly not. I have never been hissed in my life. The parts I have played have frequently been hissed. The part of "Constantia" was hissed. No one has ever hissed *me*.

JUSTICE **R.** RHADAMANTHUS (*blandly*). I am quite sure of *that,* Miss Fitzgibbon.

MR. POPHAM. Call Mr. James Johnson. (*Miss Fitzgibbon stands down*.)

(*Mr. Johnson enters witness-box and is sworn*.)

You are a low comedian, Mr. Johnson?

MR. JOHNSON. I am (*laughter*). I played the part of Joseph Wool in "Lead" (*laughter*). It is not a good part (*laughter*). The humor is too subtle and refined (*laughter*). In point of fact, the part labours under the disadvantage of not being "low comedy" at all. (*Roars of laughter, in which the learned judge joins*.) I am sorry to have to say this (*laughter*) as I have a personal regard for the prisoner (*laughter*). I did my best with the part (*laughter*). I bought (*laughter*)—I bought a remarkably (*laughter*)—a remarkably clever (*laughter*)—a remarkably clever mechanical wig (*laughter*) for it (*laughter*). In my zeal for the prisoner I introduced much practical "business" that was not set down for me (*laughter*). I did not charge extra for introducing practical business. I introduced it solely in the prisoner's interest (*sympathetic murmurs*). The part was soundly hissed (*laughter*), even the introduced scene with the guinea-pig and the hair-oil. (*Roars of laughter, in which the learned judge joins*.)

MR. COCKLE (*cross-examines*). Describe that scene, Mr. Johnson.

MR. JOHNSON. It is a scene in which I ignorantly attempt to convert a guinea-pig into a rabbit by rubbing it with Mrs. Allen's Hair Restorer. (*Roars of laughter*.) I have never known this scene to fail before; its truth to nature **ensures** insures its success. (*Sympathetic murmurs*.)

MR. COCKLE. What was the part you played, Mr. Johnson?

MR. JOHNSON. A London butler (*laughter*).

MR. COCKLE. Do you not think it unlikely that a London butler would suppose that a guinea-pig could be converted into a rabbit by such means?

MR. JOHNSON. Most certainly not. In a London cook such a mistake would be highly improbable, but not in a butler (*laughter*). These nice distinctions are the outcome of very careful studies on my part. (*Sympathetic murmurs*.)

MR. COCKLE. Are you aware that the author protested against the introduction of this scene?

MR. JOHNSON. I am. I am accustomed to authors' protests (*laughter*). I consider that authors should feel much indebted to me for the valuable interpolation**s** suggested by my humour, experience, and good taste. (*Hear! hear!*) I cannot say they **usually** exactly do (*laughter*).

MR. COCKLE. Were you hissed, Mr. Johnson, on this occasion?

MR. JOHNSON. Most certainly not. I have never been hissed in my life. The parts I have played have frequently been hissed. No one has ever hissed me (*loud applause*).

THE LEARNED JUDGE JUSTICE RHADAMANTHUS (*blandly*). I can quite believe *that,* Mr. Johnson. (*Hear! hear! and loud applause. Mr. Johnson stands down. A dozen ladies crowd round him to obtain his autograph for their books*.)

MR. POPHAM. Call Miss Jessie Jessamine.

(*Miss Jessamine enters witness-box and is sworn*.)

What are you, Miss Jessamine?

MISS JESSAMINE. I am a singing chambermaid (*laughter*).

MR. POPHAM. Have you heard the evidence of the last witnesses, and, if so, do you agree with it?

MISS JESSAMINE. I agree with the general tenor of it.

MR. POPHAM. Are you on friendly terms with the prisoner?

MISS JESSAMINE. Very. I have a strong regard for him, and accordingly I devoted myself to making his play a success as far as it was in my power to do so. I introduced a song and a dance in order to give briskness to the part. I do not charge extra when I introduce a song and a dance. I introduced them entirely from motives of regard for the prisoner. (*Murmurs of sympathy*.)

MR. COCKLE (*cross-examines*). Are you aware, Miss Jessamine, that the author protested strongly against their introduction?

MISS JESSAMINE. Certainly I am; but I considered that I knew best.

MR. COCKLE. What was the part you played, Miss Jessamine?

MISS JESSAMINE. That of a simple-minded young governess in a country rectory who is secretly in love with the Home Secretary. I did not see any reason why such a character should not sing and dance in the intervals between her pathetic scenes.

MR. COCKLE. What was the name of the song you introduced?

MISS JESSAMINE. “Father’s pants will soon fit brother.”

MR. COCKLE. Now—do you seriously consider that “Father’s pants will soon fit brother” is an appropriate song for a simple-minded governess in a clergyman’s family?

MISS JESSAMINE. Most certainly I do. It is merely an expression of simple joy on the part of a member of a humble household that her younger brother will soon be tall enough to wear his father’s cast-off wardrobe! I should classify it as humble pathos of the Charles Dickens’ school.

MR. COCKLE. But the “breakdown,” Miss Jessamine—do you seriously defend the “breakdown?”

MISS JESSAMINE. Distinctly. I see no reason why a broken-hearted governess should not endeavour to raise her spirits by dancing an occasional “breakdown.” I would not dance one in every scene, because that would not be true to nature. A governess would probably have to teach her pupils to dance, and she would naturally practise occasionally to keep her hand in.

MR. COCKLE. I presume, Miss Jessamine, you mean **her** your foot?

MISS JESSAMINE (*warmly*). No, I do *not* mean her foot. I mean what I say, her hand.

MR. COCKLE. And I believe that, **in spite of** despite the author’s protests, you **insisted on wearing** wore short petticoats?

MISS JESSAMINE. Certainly I did.

MR. COCKLE. Very short?

MISS JESSAMINE (*simpering*). Tol-lol! I wore them because the audience expected it of me. I see no reason why a governess in a country rectory should not wear short petticoats, if she has good legs.

MR. COCKLE. Then I suppose we may assume that you are tolerably well furnished in that respect, Miss Jessamine?

MISS JESSAMINE (*simpering*). Tol-lol! I did not charge extra for wearing short petticoats. I wore them entirely in the author’s interests. Besides that, I expect one song and two dances in every part I play. I expect this because I possess both accomplishments.

MR. COCKLE. **Now** But, Miss Jessamine, let us assume that you can dance on a tight-rope—would you insist on displaying that accomplishment in a country rectory?

MISS JESSAMINE. Certainly not, except perhaps on some exceptional occasion, such as Rejoicing on the Rector's Eldest Son Coming of Age. Except on such an occasion, no governess in a clergyman's family would be likely to dance on a tight-rope. In point of fact, it so happens that I *can* dance on a tightrope, and I did *not* insist upon being allowed to do so on the present occasion, as it would not be true to nature—so there!

MR. COCKLE. You attach considerable importance to truth to nature?

MISS JESSAMINE. The utmost importance. I consider that truth to nature is the dramatic artist's lode-star.

MR. COCKLE. Then, of course, you know what a lode-star is?

MISS JESSAMINE. No, I do *not* know what a lode-star is; but I am quite sure that "Lead" is a very dull play. Now, I know what you are going to say. Have I ever been hissed? No, I have never been hissed. My parts have often been hissed, but no one has ever hissed *me.*

THE LEARNED JUDGE JUSTICE RHADAMANTHUS (*blandly*). It is hardly necessary to give us *that* assurance, Miss Jessamine! (*Miss Jessamine bows and leaves the box*.)

MR. POPHAM. That, my **lord** lud, is the case for the prosecution.

MR. COCKLE (*rises*). May it please you, my lord, Gentlemen of the Jury, the prisoner is a dramatic author who supports himself, his wife, and a large family of children entirely by writing original plays. He is in the habit of doing his very best to please his audience, and when he fails, it is from no lack of careful thought and honest hard work. The unhappy play "Lead" has, at least, the negative merit of not being an adaptation from the French. Such as it is, it is an original play. It has cost him many months of devoted labour, and that labour has evaporated in one evening. I cannot pretend that the prisoner is an absolutely ruined man, for he could, no doubt, make a much larger **and** or a much more certain income by translating French plays; but he has, hitherto, steadily resisted this very easy means of earning a handsome livelihood—partly from a not unworthy zeal on behalf of English Dramatic Literature, but chiefly because he would as soon think of drawing inspiration from the dramatic light literature of modern France as of drawing drinking water from a graveyard. Pray do not misunderstand me. I do not ask that you **shall** approve his play because it is original; I merely submit for your consideration whether the enormous difficulties with which a dramatist has to contend in endeavouring to write a high-class play that shall deserve to rank as original, should be placed wholly out of the question in estimating the punishment to be awarded to him who fails in a worthy attempt.

[*Mr. Cockle continues*.] As regards this unhappy play, what is there to be said against it except that it is tedious and ineffective? Is it blasphemous? Is it coarse? Is it indecent? Is there one word in it that a modest young girl should not listen to? If there be, my defence is at an end, and he deserves all, and much more than he has received at the hands of his audience. As to how far the play, as presented, is a reflex of the author's intention, I submit that, on the showing of the very actors and actresses called for the prosecution, he has been exceptionally unfortunate. The monstrous liberties taken with his play would be impossible in such admirably conducted theatres as those controlled by Sir Herbert Tree, Mr. George Alexander, Mr. Herbert Trench, and Mr. Cyril Maude, and some others; but at ill-regulated and ignorantly conducted theatres, such liberties are, unhappily, only too possible. In conclusion, while the author has no desire to make out that his play was otherwise than a tedious and ineffective production, he submits that the punishment that inevitably accompanies conspicuous failure, is as severe as the offence deserves. (*Mr. Cockle sits down*.)

JUSTICE **R.** RHADAMANTHUS. Gentlemen of the Jury, you have heard the evidence for the prosecution, and the prisoner's appeal through the mouth of his able advocate, and I do not think it necessary that I should add anything of my own. Consider your verdict.

(*The Jury consult for a moment and indicate that they have arrived at a verdict*.)

ASSOCIATE. Are you agreed upon your verdict?

FOREMAN. We are.

ASSOCIATE. How say you? Is the prisoner at the bar guilty or not guilty?

FOREMAN. We find him guilty, with a strong recommendation to mercy.

ASSOCIATE. You say that he is guilty, and that is the verdict of you all?

THE LEARNED JUDGE JUSTICE RHADAMANTHUS. Prisoner at the bar, you have been found guilty by a most fair and impartial jury of having written an exceedingly tedious and ineffective stage-play. They have, however, strongly recommended you to mercy, and on the whole, I concur with that recommendation. The piece that has been played, is not your own, and although your play may be a bad play, you are entitled to demand that it shall be played in its integrity. I am glad to believe that you are an exceptional instance of an ill-treated author. My own experience as a playgoer teaches me that at all well-conducted theatres pieces are placed upon the stage with excellent taste, and that the companies of such theatres contribute a most valuable element toward**s** such success as the author's play may achieve. But you have not been so fortunate as to have your play produced at one of these admirably conducted establishments.

[*He continues*.] You have had the misfortune to fall into the hands of a manager who is no manager, and of a company who are wholly disentitled by lack of taste and discretion, to such latitude as the most experienced author would gladly concede to any actor who has reasonable claim to rank as an artist. In these circumstances, and having the recommendation of the jury strongly before my eyes, I shall permit you to go at large on your own recognizances, to come up for judgment when called on to do so. And I trust that this leniency will have its due effect, and that you will, for the future, exercise a direct and efficient control over all plays that may be put before the public in your name.

(*The prisoner is removed from the bar*.)

JUSTICE **R.** RHADAMANTHUS. Gentlemen of the jury, having regard to the extremely dull, tedious, and uninteresting character of the evidence in this case, to say nothing of the unduly laboured speeches of counsel and my own rather desultory personal observations, you are excused from further jury-service for a period of twenty-five years.

(*Jury bow and shake hands with* ***each other*** *one another*.)

CURTAIN

A TRIAL BY JURY

(*Scene: Interior of a Playhouse. An original—but tedious—play has just been damned. The audience is furious. The manager comes forward and implores them to listen to him. They agree to do so. He suggests that the Author be tried then and there, by a Jury of the audience, for having had his play damned. They agree. A Jury is empanneled and a Judge is appointed. A Gentleman offers to act as Counsel for the Prosecution. The Prisoner conducts his own case.*)

The Counsel for the Prosecution immediately proceeded to open the case against the Prisoner. The Prisoner was charged with one of the greatest offences that a man with any pretension to a literary position could commit—that of having written, and caused to be produced, an original stage-play, which had not come up to the expectations of the audience. For that offence he stood at the bar of Public Opinion in order that, after having said whatever he might have to say in defence or extenuation of his conduct, he might undergo whatever punishment, if any, the Court might be pleased to inflict.

JOHN JERNINGHAM [*not Jermingham*], who was much agitated, deposed as follows—I am a theatrical manager. Six months ago the Prisoner submitted an original play for my approval. I accepted it because I had nothing else ready. I did not read it. That is the play that has just been damned. It is called *Lead*. I think it a very good title. I expect that by its failure I shall be four or five thousand pounds out of pocket. (*Murmurs of sympathy from the crowded court.*)

Cross-examined by the Author.—I did not read your play before accepting it, because I do not profess to be a judge of a play in manuscript. I accepted it because a French play on which I had counted proved a failure. I had nothing ready to put up in its place, I was at my wit's end. I have been there before. I soon get there. I have had no special training for the position of manager. I am not aware that any special training is requisite. It is a very easy profession to master. If you make a success you pocket the profits; if you fail you close your theatre abruptly, and a benefit performance is organized in your behalf. Then you begin again. I am aware that some alterations were made in your play without your sanction. I did not make them myself, as I do not understand these things. I always leave the alterations in an author's dialogue to the stage-manager and company. I certainly consider myself an object of sympathy when a piece fails. I am not of opinion that I ought to be held responsible for the character of the entertainment I provide for the audience. What have I to do with it? I am only the manager.

JOHN JONES.—I was a member of the audience this evening. I have seen the defendant's play. I think it an extremely bad play. It is full of very long and—to me—very tedious speeches. I was pleased with the scene between the rival tradesmen in the grocer's back parlour because I thought it true to nature; but I consider the scene between the Duke and the Duchess highly improbable. I hissed it on that account. No Duchess would be likely to speak as that Duchess spoke. The scene between the wicked Member of Parliament and the Home Secretary is open to the same objection. I consider myself a judge of a play. I have written a play myself. It has not been acted—not yet.

Cross-examined by the Author.—I am a journeyman plumber. I consider myself a judge of what Dukes and Duchesses would be likely to say—at least, as good a judge as any author. I have plumbed in the very best families. I have supplied a ball-cock to a Royal cistern. Dukes and Duchesses talk quite unlike ordinary people. They have a conversation of their own, which can only be mastered by means of a long familiarity with their mode of life. I consider that nothing on earth is more improbable than that a Duke would say "By Jove!" [*not "By Jingo!"*] I have never heard of a Duchess riding in a four-wheeled cab. I consider such a state of things impossible. I do not profess to be a judge of metaphysics, because I do not know what metaphysics are. I consider very likely that I am a judge of metaphysics without knowing it. I am in the habit of hissing a play as soon as I am bored. I consider it quite likely that I might be bored by scenes with which other people might be pleased. There is no accounting for tastes. I do not know whether hissing a dull scene at the commencement of a play would or would not be likely to disconcert the actors and render them unfit to do justice to their parts. I consider that that is their look out.

LORD REGINALD FITZ-URSE [*not Fitzurse or Fitzacre*].—I was a member of the audience to-night. I was heartily bored by the Prisoner's play. I saw nothing to complain of in the scenes dealing with High Life, but I consider the scene in the grocer's back parlour, ridiculously impossible.

Cross-examined.—I am an officer in the Grenadier Guards. I have had some experience of stage-plays. I believe that nothing is easier than to write a good stage-play. I have written one myself. I found it extremely easy. Mounting guard was an intellectual exercise not to be mentioned in the same breath with it. My play has not been produced—not yet. I have shown it to several managers—they hesitate to produce it, on the ground that it is too intellectual. I had no objection to bring it down to the comprehension of the audience; but I did not see any way of making it less intellectual than it was—I have no objection to state its name—it is a burlesque called *Tom Tiddler*.

THOMAS WILKINSON.—I am a medical student. I hissed the Prisoner's play because I thought it one of the worst I ever saw. I objected, among other things, to the fact that Miss de Vere had to die in Act I. I did not know at the time that she was not really dead, but would reappear in Act III, or I should not have hissed. I thought it bad art. I thought it monstrous to interest an audience in a singularly beautiful and talented young lady, and then dispose of her finally at an early stage in the play. If the author allows the audience to suppose that a person is dead who is only insensible, he must take the consequences of the imposition he has practised upon them.

Cross-examined.—No doubt I am engaged to Miss De Vere; but that fact does not affect my opinion. I certainly consider myself a judge of a play. I have written several plays; they have not been produced—not yet.

JACOB [*not Joseph*] SHUTTLEWORTH.—I am a clerk in the Home Office. I have seen the Prisoner's play. I think it distinctly a dull play. I did not hiss simply because I do not see the necessary connection between a bad play and a hiss. We do not hiss bad speeches in the House of Commons. Perhaps it would be better if we did; but we don't. I would hiss indecency and profanity, and even outrageously bad taste, with all the energy at my command; but not mere dullness. I would do this in the interest of public morals. I regard a dull author who has to depend upon his pen for his livelihood as an object of pity, not of execration. If I want to be revenged upon him, I take care to caution my friends that the house at which his piece is being played is to be avoided.

Cross-examined.—I do not in the least like your play. I entirely coincide with the general opinions which the other witnesses have expressed, though I do not agree with them in detail. For example, I think the scene between the Home Secretary and the wicked Member is very characteristic, and contains many capital hits at the maladministration of our home affairs; but I regard the scenes between the duke and duchess, and that between the two tradespeople as ridiculously untrue to nature. Personally, I regard you as a dull and tedious author. I did not hiss you, simply because I did not think that the offence of mere incompetency deserved so severe a punishment, and because hissing unnerves the actors, and prevents them from doing their best with the play under consideration. I seldom hiss, but when I do it is at the end of an Act. I am not aware that, owing to nervousness caused by sounds of disapprobation, much of the dialogue was accidentally omitted, and still more of it paraphrased. I am not aware that owing to imperfect rehearsals many of the "situations" missed fire.

(*Continued on next page*)

(JACOB SHUTTLEWORTH *Continued*.) I am not aware that certain characters and scenes were omitted, and others re-written in opposition to your earnest entreaty. The piece is advertised as having been written by you, and I, of course, hold you responsible for every word that is spoken on the stage. I like some plays; I like a play called the *Wedding March*; I think it is an admirable piece of fooling. I think the construction of that play is inimitable, and the situations singularly amusing. I consequently entertain a respect for the ability of the author. I am not aware that it is a literal translation from the French. [*Translated by W. S. Gilbert*.] I am not aware that characters, scenery, plot, costumes, incidents, dialogue, and construction were supplied by a French play. If I knew it, it might induce me to modify my opinion of the author's genius for stage construction as exhibited in that work. In bestowing applause upon an author I am not in the habit of distinguishing between an original play and a translation. Now that you mention it, perhaps I should do so. Now that you remind me of it, I certainly see a wide distinction between the two. Now that you direct my attention to the circumstance, I am astonished that I should ever have bracketed them together. The more I think of it the more remarkable it appears to me that I should have placed an author of original plays on the same footing with a translator. Probably I shall henceforth bear the distinction in mind. Still, I consider your play a very bad one. I consider myself a judge of plays. I have written many plays—everybody has. They have not been acted—not yet.

EMILY FITZGIBBON.—I am an actress. I played the part of Constantia in the comedy *Lead*. I have a poor opinion of it as a play. I disliked it from the first. The dialogue is most carefully written, but it is not dramatic. Having studied the play, I have found it full of literary beauties, but it is wholly lacking in well balanced story and effective action. A series of leading articles, even though they are written in blank verse, do not constitute a play. I think the play suffers materially from being written in blank verse. Very few people on the stage can speak blank verse effectively. I speak it effectively, but I don't know anyone else who does. As a play *Lead* is as heavy as *Manfred*.

Cross-examined.—I regard your play as highly creditable to you in a literary sense, but it is wholly undramatic. It is undoubtedly a thoughtful composition. In point of fact, it is too thoughtful. It is a fact that the stage-manager suppressed several small characters. It is true that two minor parts were fused with mine to make it worthy of my reputation. I did not charge extra for rolling the three parts into one. I did it entirely in the author's interest. I do not remember your objecting to the mutilation of your play. It is not a circumstance that would be likely to dwell on my mind. I have never been hissed in my life. The parts I have played have frequently been hissed. No one has ever hissed me.

THE LEARNED JUDGE.—I am quite sure of that. Miss Fitzgibbon.

JAMES JOHNSON.—I am a low comedian (*laughter*). I played the part of Joseph Wool in *Lead* (*laughter*). It is not a good part (*laughter*). The humour is too subtle and refined for a theatrical audience (*laughter*). In point of fact, the part labours under the fatal disadvantage of not being low comedy at all. (*Roars of laughter, in which the learned Judge joined*.) I am sorry to have to say this, as I have a personal regard for the Prisoner (*laughter*). I did my best with the part. I bought a remarkably clever mechanical wig—(*laughter*)—for it—(*laughter*)—but it was useless. *(Roars of laughter*.) In my zeal in behalf of the Prisoner I introduced much practical "business" into the part that was not set down for me (*laughter*). 1 did not charge extra for introducing practical business; I introduced it solely in the Prisoner's interest. No doubt the Prisoner remonstrated, but I knew what an audience likes much better than he does (*laughter*). The part was soundly hissed—even the introduced scene with the guinea-pig and the hair-oil. (*Roars of laughter*.)

Cross-examined—This is a scene in which I ignorantly attempted to convert a guinea-pig into a rabbit by rubbing it with Mrs. Allen's Hair Restorer. (*Roars of laughter*.) I have never known this scene to fail before; its truth to nature ensures its success (*laughter*). It would not have failed on this occasion, but that the audience was already thoroughly out of humour (*laughter*). The part I played was that of a London butler (*laughter*). I do not think it unlikely that a London butler would suppose that a guinea-pig could be converted into a rabbit. In a London cook such a mistake would be highly improbable, but not in a butler (*laughter*). These nice distinctions are the outcome of very careful studies on my part. I am aware that you protested against the introduction of this scene (*laughter*). I am accustomed to author's protests (*laughter*). I consider that authors should feel much indebted to me for the valuable interpolations suggested by my humour, experience and good taste. (*Applause, in which the learned Judge joined*.) I cannot say they usually do (*laughter*). Authors are a singularly vain, captious, egotistical and thankless race. I have a strong personal regard for you, but I cannot regard you as an exception. Most certainly I never have been hissed in my life. The parts I have played have frequently been hissed. No one has ever hissed me. (*Loud applause*.)

THE LEARNED JUDGE.—I can quite believe that, Mr. Johnson.

MISS JESSIE JESSAMINE.—I am a singing chambermaid. I have heard the evidence of the last witness. I agree with the general tenor of it. I have no personal feeling against the Prisoner; on the contrary, I have a strong regard for him. I devoted myself to making his play a success, as far as it was in my power to do so. I introduced a song and dance in order to give briskness to the part. I do not charge extra when I introduce a song and a dance. I introduced them entirely from motives of regard for the Prisoner.

Cross-examined.—I am aware that you protested most strongly against their introduction. I did not regard you as my enemy on that account. The part I played was that of a simple-minded young governess in a country rectory, who is secretly in love with the Home Secretary. I did not see why such a character should not sing and dance in the intervals between her pathetic scenes. She might be supposed to do so in order to cheer her spirits. I do not consider "Father's pants will soon fit brother" an inappropriate song for such a character. There is nothing immoral in it. I see no reason why a broken-hearted governess should not endeavour to raise her spirits by dancing an occasional "breakdown." I would not dance one in every scene, because that would not be true to nature. I see no objection to her dancing one now and then. A governess would probably have to teach her pupils to dance, and she would naturally practise occasionally to keep her hand in. No, I do *not* mean her foot—I mean what I say, her hand. I wore short petticoats because the audience expected it of me. I see no reason why a governess in a country vicarage should not wear short petticoats if she has good legs. I did not charge extra for wearing short petticoats. I wore them entirely in the author's interests. Besides that, I expect to have at least one song and dance in every part I play. I expect this because I possess both accomplishments, and it is essential that I should display them to the public as often as possible. If I could dance on a tight-rope, I would not insist on displaying that accomplishment in a country vicarage, unless, perhaps, on some very exceptional occasion, such as Rejoicing on the vicar's eldest son Coming of Age. Except on such an occasion no governess in a vicar's family would be likely to dance on the tight-rope. In point of fact, I *can* dance on a tight-rope, and I did *not* insist upon being allowed to do so on the present occasion, as it would not be true to nature—so there! I consider that truth to nature is the dramatic artist's lode-star. I do not know what a lode-star is, but I am quite sure that *Lead* is a very dull play. No, I have never been hissed. My parts have often been hissed, but no one has ever hissed me.

THE LEARNED JUDGE.—It is hardly necessary to give us that assurance, Miss Jessamine.

The evidence of this witness concluded the case for the prosecution.

THE PRISONER, in addressing the jury for his defence, began by begging that they would dismiss from their minds any natural feelings of irritation which the unfortunate events of the evening might have roused. He was a dramatic author, who supported himself, his wife, and a large family entirely by writing original plays. When a piece of his failed, it meant not only so many hundred pounds out of his pocket, it also meant loss of reputation, and a reduced chance of ever being allowed to practise the only calling with which he was familiar. He was in the habit of doing his very best to please his audience, according to his humble means, and if he failed it was through no lack of careful thought and honest hard work on his part, but either through an error of judgment—to which all men, even the very greatest, are liable—or owing to circumstances which he was positively unable to control, and to which he would presently allude at some length. The unhappy play that had failed that evening, and perhaps deservedly failed—for he could not close his eyes to the fact that it was sadly lacking in those qualities which appealed at once to a mixed audience—had at least the negative merit of not being an adaptation from the French. Such as it was it was an original play. It had cost him many months of devoted labour, and the labour of those months had evaporated in one evening. He could not say that he was absolutely a ruined man, for he could no doubt, make a much larger and more certain income by translating French plays; but he had hitherto resisted the strong temptation to resort to this very easy means of earning a handsome livelihood—partly from a not unworthy zeal on behalf of English Dramatic Literature, but mainly because he considered the Dramatic Literature of Modern France to be a foul and pestilential cento of moral corruption, degrading alike to the authors who wrote the pieces, to the managers who produced them, and to the polite audiences of both sexes and of all ranks and ages who rejoiced in them. As a clean-minded gentleman he would no more think of drawing inspiration from M. Zola or M. Alexandre Dumas than he would think of drawing drinking water from a grave yard. He hoped that he should not be misunderstood. He did not ask that they should approve his play because it was original. He merely submitted for their consideration the question whether the enormous difficulties with which a dramatic author has to contend in endeavouring to write a play that shall deserve to rank as original should be placed wholly out of the question in estimating the punishment to be awarded to him who fails in such an attempt. The author of a translated play found all his materials ready at hand. (*Continued on next page*)

(THE PRISONER *Continued.*) There was the plot, there were the characters, there was the dialogue, there was the sequence of events—technically known as the construction—there were the situations, there were even the costumes and "make-up" all ready to his hand, all fire-new from the furnace, all duly assayed and stamped with the approving hall-mark of the wittiest and most theatrically disposed people in Europe. He had had the inestimable advantage of seeing the play "in the flesh." He could tell to a dead certainty where the play would drag if it were produced in London in its then form, and he could cut and modify accordingly. The *Wedding March* had been referred to by one of the witnesses in the highest terms, and it was a fact that the author thereof had received considerably more than two thousand pounds in return for the two days' labour he had spent upon it. But the *Wedding March* was little more than a bald translation. Every element that went to constitute it a success was deliberately copied from its French original. The dialogue was, in itself, contemptible. It derived its humour entirely from the "situations" in connection with which it was spoken. The dullest copying-clerk in Chancery Lane could have done the work as well as its so-called "author." At the same time, he was bound in fairness to admit that there were translations and translations, and that in some exceptional cases—he would instance *Duty*, by Mr. Albery—the translated play was distinctly in advance of its original, as it might very easily be in the hands of such a master of epigrammatic dialogue. *Diplomacy*, by Messrs. Rowe had far more original merit in it than is to be found in most adaptations; but these cases stood almost alone. But he contended that the author of a translated or adapted work, however, free the adaptation, should not be classed with the author of an original play, whose only stock-in-trade was a ream of paper, a bundle of quills, and such inventive faculty as God had endowed him with. As regards the unfortunate play which had succeeded in arousing only the bitterest feelings of animosity on the part of the audience, what was there to be said against it, except that the dialogue was dull? Was it blasphemous? Was it indecent? Was it coarse? Was there one word in it which a girl of fifteen might not listen to with moral safety? If such a word could be pointed out to him his defence was at an end, and he deserved all and much more than he had received at the hands of the audience. He was anxious that he should not be supposed to maintain that a dull play should be allowed to pass muster because it was original. By no means. But he did maintain that the extreme difficulty of writing an original play, which shall not only succeed, but which shall *deserve to succeed*, should be taken into account in estimating an author's punishment.

(*Continued on next page*)

(THE PRISONER *Continued*.) It is easy to write an original play that will succeed. Every play which contains a house on fire, a sinking steamer, a railway accident, and a dance in a casino will—if it is liberally placed on the stage—succeed in spite of itself. In point of fact, nothing could wreck such a piece but carefully written dialogue, and a strict attention to probability. Avoid these two stumbling blocks—and nothing is easier than to avoid them—and your piece will succeed triumphantly. But it is not easy to write a stage-play which, on account of its literary merit, shall deserve to succeed. The difficulty of the task may be gauged by the rarity of its accomplishment. *All for Her* was a play in which success had been most deservedly attained. Mr. Wills' exquisite drama *Olivia* was another. The fact that one play was suggested by "A Tale of Two Cities," and the other by "The Vicar of Wakefield," did not militate against their claim to originality. The authors had gathered no more from those works than they could have gathered from an anecdote told over a dinner-table. But in these cases the authors had the advantage of admirable interpretation. Without adequate interpretation the better the play, in an intellectual sense, the more likely it is to fail. He had nothing to say in defence of his own unhappy play, but he would put it to the jury whether, after the evidence of the actors and actresses engaged in the piece, they believed that the play, as they saw it, was a reflex of his intention? He ventured to believe, on these actors' and actresses' own showing, that he had been exceptionally unfortunate. Happily for the welfare of the drama, it very rarely happened that actors took such monstrous liberties with an author's play as they had taken with his. But it is an undoubted fact that such liberties can be taken in ill-disciplined theatres when the actors are self-willed and opinionated, and the author a man of no influence. In any case, the audience could never be sure whether the author was or was not responsible for the ill-timed jest or the misplaced buffoonery that had aroused their indignation? He might be responsible or he might not. Those who had had an opportunity of reading his play had admitted that it was not deficient in thoughtful dialogue and in a certain subtle humour; but they contended that the dialogue was not such as would be likely to appeal, at a single hearing, to a mixed audience, and herein he confessed that he was in error. As a dramatist, writing for a mixed audience, he should have so fashioned it as to make its merits, such as they were, instantly manifest. He had no right to call upon an audience to buy a copy of his play and study it carefully before committing themselves to an opinion upon it; but was not that error sufficiently punished by the fact that thereby nine months of ceaseless toil had been utterly wasted? He could assure the audience who hissed him and howled at him, and chaffed his dialogue, and sneered at his sentiment that there was a pathetic side even to failure.
(*Continued on next page*)

(THE PRISONER *Continued*.) He trusted that this appeal would not be regarded as the whine of a dog who had been whipped—it was simply a protest that the dog did not deserve so severe a whipping as he had received. He had written a play which had failed to interest his audience, and he had no desire to shirk the reasonable consequences of such an act; but did it altogether merit the public execration that had been launched at it? The evidence showed conclusively that the original manuscript had been materially tampered with in face of his earnest protest that, as the play was put before the public in his name, the play should be his play, and not a modified version thereof, trimmed, altered, written up and cut down to suit the views of individual actors and actresses engaged in representing it. If he was incompetent to the task of writing a good practical play—and the events of the evening pointed to that conclusion—the manager's obvious course was to apply to a more skilful author, not to take upon himself, or to entrust to a deputy, the privilege of making alterations which, in the author's opinion, placed his work before the audience in a distorted light.

There was but one other point on which he would address the jury, and he would then conclude. Immemorial custom had conferred upon individual members of a theatrical audience the privilege of expressing their disapproval of the entertainment by hissing. He had no desire whatever to abolish this privilege: judiciously and impartially used it was a valuable privilege, and undoubtedly had the effect of making authors and actors particularly careful not to abuse the toleration which an English audience was accustomed to extend towards those who attempted to entertain them. But he submitted that, except in the case of an outrage on decency, this privilege should be exercised at the end of the performance, and not in the course of it. In the first place, it was only reasonable to ask that a jury—and an audience was in every practical sense a jury—should hear a case to the end before deciding on it. It might easily happen that a tedious scene in a first Act might be justified by particularly ingenious and interesting situations arising out of it in the third; in point of fact, one of the witnesses had admitted that he hissed a certain incident under a misapprehension as to the author's intention. In the second place, a hiss always disconcerts, and often utterly unnerves, the actors who are upon the stage when it is delivered, and renders them unfit to do justice to the scenes that follow. In the case of the unhappy play which had been so heartily condemned that night, those witnesses for the prosecution who took part in the play, speak unreservedly as to the paralysing effect of the sounds of disapprobation with which certain scenes in the first Act were received.
(*Continued on next page*)

(THE PRISONER *Continued*.) No author with any respect for himself and for his profession would endeavour to shield himself from the consequence of failure by attempting to deprive an audience of the right to express their disapproval of his play; but he respectfully submitted that it would be fairer to all concerned if those expressions of disapproval were reserved for the final fall of the act drop. The Prisoner concluded by thanking the jury for the exemplary patience with which they had listened to his defence: while he had no desire to make out that his play was anything but a dull, ineffective production, he submitted that the punishment that inevitably accompanied absolute failure was as severe as the offence of which he had been guilty.

THE LEARNED JUDGE briefly summed up the facts of the case, and

THE JURY returned an immediate verdict of Guilty, accompanied by a strong recommendation to mercy.

THE LEARNED JUDGE—On what ground do you base your recommendation, gentlemen?

THE FOREMAN—We think that he is not solely responsible for the result. Many persons contribute to a stage performance, and the author's contribution is only a part of a whole. We think that he should not be held absolutely responsible for either failure or success. In this case manager, actor, actresses, and author were all more or less to blame. The author is one of many contributors to an unsatisfactory result.

THE LEARNED JUDGE—At the same time you consider that he has committed the offence of writing an impracticable and ineffective stage-play?

THE FOREMAN—Undoubtedly. We were never so bored in our lives. (*Murmurs of assent from the Jury*.)

THE LEARNED JUDGE, addressing the Prisoner, said—You have been found guilty by a most fair and impartial jury of the very serious offence of having written an exceedingly poor play. Several of the witnesses have testified to certain literary merits which are to be found in your work, but sitting here as your judge, it is my duty to tell you that literary merit is only one of many elements—and by no means an indispensable one—that go to make a successful stage-play. It is but one of the constituents of the dramatic pudding. Stage-craft is the water that binds these constituents into an attractive mass; without it the fabric will not hold together. Although I cannot close my eyes to the terrible consequences that would ensue were your offence to pass absolutely unpunished, I am anxious to give the fullest effect to the very strong recommendation to mercy which the jury have appended to their verdict.

(*Continued on next page*)

(THE LEARNED JUDGE *Continued*.) On the whole, I concur with that recommendation, for I think you have received but scant justice at the hands of your opponents. The piece that has been played is not your own, and although your own play may be a bad play, you are entitled to expect that it will be played in its integrity and without additions. It is true that the plays of Shakespeare are frequently mutilated without apparent detriment to their attractive powers, but your light is not the light of Shakespeare. If I may so express myself, your nightlight has been seen through a fog, and its natural glimmer is not calculated to show to advantage through such a medium. I am glad, for the credit of the dramatic profession, to believe that you are an exceptional instance of an ill-treated author. My own experience as a play-goer teaches me that at well-conducted theatres, such as the Haymarket, the Lyceum, the St. James's and the Court, pieces are placed upon the stage with excellent taste, and that the companies of those and other theatres habitually contribute a most valuable element towards such success as the author's plays may achieve. But you have not been so fortunate as to have your play produced at one of these well-regulated establishments. You have had the misfortune to fall into the hands of a manager who is no manager, and of a company who, whatever their histrionic skill may be, are wholly disentitled, by lack of taste and discretion, to such latitude as the most experienced author would gladly concede to an actor who has reasonable claims to rank as an artist. Under the exceptional circumstances of your case, and having the jury's recommendation strongly before my eyes, I think I am justified in permitting you to go at large on your own recognizances, on the understanding that you hold yourself prepared to come up for judgment when called upon to do so. I trust that this leniency will have its effect, and that you will, for the future, exercise a direct and efficient control over all plays that may be put before the public in your name.

The Prisoner entered into the necessary undertaking, and was forthwith discharged.

THE END