

*Rec. D. Rippon,
from W. R.*

THE
ADDRESS AND PETITION
OF A NUMBER *Chas. (R) B. B.*
OF THE *K*
CLERGY OF VARIOUS DENOMINATIONS,
IN THE
CITY OF PHILADELPHIA,
TO THE
SENATE AND HOUSE OF REPRESENTATIVES OF THE
STATE OF PENNSYLVANIA,
RELATIVE TO THE PASSING OF A LAW AGAINST
VICE AND IMMORALITY.
TO WHICH ARE SUBJOINED,
SOME CONSIDERATIONS IN FAVOUR OF SAID PETITION,
SO FAR AS IT RELATES TO THE
PROHIBITION OF
THEATRICAL EXHIBITIONS.

PHILADELPHIA:

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M,DCC,XCIII.



TO THE
SENATE
AND
HOUSE OF REPRESENTATIVES
OF THE
COMMONWEALTH OF PENNSYLVANIA.

THE Clergy of various denominations, in the city of Philadelphia, whose names are underwritten, observing, with much pleasure, that an existing law of this state, for the suppression of vice and immorality, is, by the recommendation of the executive, to become the subject of legislative revision; and impressed with a sense of the duty, which we conceive is incumbent on us, both as ministers of the gospel, and as members of civil society, respectfully request the attention of the legislature to the following representation and petition.

We represent, that the legislative interposition is, in our apprehension, peculiarly necessary to make some effectual provision for the orderly and religious observance of the Lord's day; for the prevention and punishment of the profanation of the name of God, and every species of impious imprecation; for regulating and lessening the number of houses where intoxicating liquors are sold and used; for the suppression of all places of gaming and lewd resort; and for the enacting of a law to prevent theatrical exhibitions of every sort. We do, accordingly, most earnestly petition and request, that in framing an act, against vice and immorality, you would regard, with peculiar attention, these important objects, so as to prevent the numerous injuries to which our citizens are thereby exposed, in their morals, their health, their property, and their general happiness.

We conceive that the solemn intimations of divine Providence, in the late distressing calamity which has been experienced in this city, urge upon us, in the most forcible manner, the duty of reforming every thing which may be offensive to the Supreme Governor of the universe, and of doing every thing which may impress on the public mind a regard to his government, his providence, his laws, and his ordinances.

The subjects to which we have requested the attention of the legislature are of confessed importance; they are, moreover, subjects which are not so liable to controversy, or collision of opinion, as to render us desirous of entering into any detail of argument in support of our petition; excepting only the part which relates to theatrical exhibitions. On this we are aware that a difference of sentiment exists. Some considerations are, therefore, subjoined, relative to this subject, to which the candid attention of the legislature is respectfully solicited.

In reliance on this, we cheerfully submit our petition to your wisdom, which, we doubt not, will better direct you to the methods in which its design may be answered, than any which we are able to delineate.

Philadelphia, Dec. 19th, 1793.

Subscribed by

ROBERT ANNAN,
JNO. DICKINS,
THOMAS FLEESON,
ASHBEL GREEN,
FREEBORN GARRETTSON,
HENRY HELMUTH,
WILLIAM MARSHALL,
JOHN MEDER,
JOS. PILMORE,
WM. ROGERS,
WILLIAM SMITH,
FREDERICK SCHMIDT,
JOHN B. SMITH,
JOSEPH TURNER,
THOMAS USTICK,
WM. WHITE.

THE unfriendly influence of theatrical exhibitions on the morals and social happiness of a community arises, partly from the nature of dramatic composition, but principally from the circumstances with which a public theatre must always be accompanied. Let us consider each of these.

I. The nature of dramatic composition as it actually exists in the English language.

It is not asserted here, that no lesson of virtue can be conveyed in a dramatic form, or that the task has not sometimes been executed in fact. By considering the subject in abstract speculation, and by pointing to a few instances of innocence or excellence in dramatic performances, the advocates of the theatre usually endeavour to support their cause, against the arguments with which religion and morality assail it. But this is unfair in argument, and inconclusive for practice. There are in science a thousand speculations which have all the semblance of plausibility and usefulness, which can never be realized in experiment, or which the attempt to realize discovers to be worthless or pernicious. It is the part of wisdom and sound policy to discern not only what is possible, but what is practicable; not merely what may be conceived, but what, from the actual state of things must be expected, or is known to take place. Guided by this rule, and making, as in all reason we ought, the great mass of dramatic composition now in the English tongue, the subject of decision, it is asserted, that the very nature of that composition is unfavourable to virtue. Let tragedy and comedy be here distinctly considered.

In favour of tragedy, it is readily allowed, that more can be offered, than even partiality itself is able to find in her dramatic sister. But English tragedy is, by its very advocates, defined, as “the conflict of strong passions set before us, in all their violence, producing deep disasters, often irregularly conducted, abounding in action,

and filling the spectator with grief." This definition, though sufficiently favourable, will not here be controverted. It may, however be observed, that when the passions are set in conflict, victory is sometimes decreed to those of the most unamiable kind, or that the poetic representation and distribution of excellence, is very different from that which morality or sound reason would assign; that the grief which is produced is sometimes for an undeserving and sometimes for a detestable object; and that it not unfrequently happens that the spectator, while he is made to grieve for an unworthy character, is insensibly inclined to approve or admire it.

Supposing, however, that this were less the case than it actually is; supposing that the passions which are cherished are good in their kind, it is still obvious that they may be excessive in degree, and that the mind, especially of youth, may be injured by this circumstance. If passion be not tempered and guided by reason, it will prove pernicious, be it of what description it may. But in the most of tragedies it appears without restraint; and the *effective impression* left on the youthful mind is, that it is the mark and proof of spirit and magnanimity, to give it this indulgence.

Let not this be considered as speculation. It is fact and experiment. Nay, there is even much more in the idea here suggested, judging by the effect of these compositions as it appears in real life, than can readily be described. They are sometimes seen to destroy all relish for laborious and manly studies, to give false apprehensions of the human character and social obligations, to cherish a romantic taste, and visionary pursuits, which lead their votary to disdain the duties of his station: And they are, not unfrequently, in the highest degree, injurious to domestic happiness; producing disquiet, disgust, where tranquility and enjoyment had resided and reigned. That this is the universal effect is not pretended. It is not even imagined that no individual can attend a theatre without incurring these inconveniencies. But it is maintained that what has been described is a very common effect *on young minds*; and youth compose a

very large proportion of those who attend theatrical exhibitions; and they, moreover, form that part of the community who should have their principles guarded by the most solicitous care.

Will it then be asked, whether we are to discard all the noble specimens of genius that have been given to the world in the form of tragedy? No: As far as genius has produced useful remarks, animated descriptions, or skilful developments of the human heart, in this form, let them have their use. Let them possess the situation of other works of genius. Let them be considered in a scholastic light. Let them be used for the improvement of taste. Let them be consulted at proper periods. Let the perusal of them be subjected to the direction, the caution, the selection, and explanation of parents, masters, and guardians. But let not genius, from a public theatre, make an indiscriminate display of its abused powers, to the injury of the unwary and undiscerning.

As to the English comedy it is, by the advocates of the drama themselves, when possessed of taste or candour, abandoned, in a great measure, to the severest censure. Its professed object is ridicule. This ridicule is too frequently turned on characters and actions which are virtuous, innocent, or harmless. In other instances, where acknowledged vice is chastised, some other character, possessing, perhaps, a single good quality, but when taken complexly, as bad or worse than the one which is condemned, is praised and set off, as the model of excellence. Persons of all descriptions are frequently led, by this management, to laugh at virtue; to sport with misfortune or ignorance; and sometimes to emulate the knave, the profligate, and the prodigal. But the most detestable qualities of these compositions are yet unmentioned:—they are *indecenty* and *profaneness*. The profest and notorious debauchee frequently appears as the man of spirit, and the object of emulation. When this is not the case, the piece is still often filled up with the most indecent and profane expressions and allusions, so that a person who is not lost to every sentiment of delicacy, must crimson with

blushes at the bare recital of them. What, then, must be their effect, when accompanied with those additions and significant gesticulations, with which this kind of wit and eloquence, not uncommonly, (if report be true) receives its enforcement on the stage? What must be the influence of such entertainments as these? Are they not the certain corrupters of the human heart? Must they not poison virtue at its very source? Can a young mind exist in the atmosphere of such sentiments, without inhaling the pestilence of vice? It is not easy to find language to describe the abhorrence that such exhibitions should excite. Yet there has been no exaggeration. It is the general strain of English comedy that is under consideration, and Voltaire and lord Kaimes, men not distinguished for their austerity of virtue, speak in terms not less severe. The former declares, that "the language of English comedy is the language of debauchery, not of politeness"—The latter exclaims, "How odious ought those writers to be, who thus spread infection through their native country, employing the talents which they have received from their Maker most traitorously against himself? If the comedies of Congreve did not rack him with remorse in his last moments, he must have been lost to all sense of virtue."

If it be observed, that there are some comedies to which a better character belongs, it will readily be granted: but it must be remembered, at the same time, that they are very generally considered as wanting that poignancy which is necessary to give them a relish with the public, and, accordingly, are in little demand. And here it ought not to escape particular notice, that comedies, and not tragedies, have been the favourites of the American stage. Whether from the talents of the actors, or taste of the audience, so it has happened, that a very great majority of the theatrical exhibitions which have been advertised in our public papers, are of the comic kind. Is it so, that in the choice of evils, we are destined to receive the worst!

Let us now consider,

II. The circumstances with which a public theatre must always be accompanied.

One of these is, that the taste of those who most frequent it must always be consulted. This destroys, in practice, all the influence of any attempts which may be made, either by the legislature or by individuals, to regulate theatrical exhibitions. The favourers of the theatre often endeavour to destroy the force of those remarks, which are made on the general spirit and tendency of dramatic compositions, by saying, that pieces of innocence and usefulness are to be found, and may easily be multiplied; and that judges may be appointed to preclude those which are improper and injurious. This measure, has accordingly, been adopted in this State. But it is not uncandid to say, that it is a mere temporary expedient, employed to acquire the theatre a standing among us; which, indeed, may have a partial influence for a short space, but which is unwelcome to the actors while it continues, and must, through necessity, soon be laid aside, or totally disregarded. The judges appointed by law to this hard and singular office, cannot, though ever so well disposed, regulate the theatre, without destroying it. There is no risk in affirming, that there are not in the English language, compositions enough, especially of the comic kind, that have any claim to innocence, to furnish that variety which the stage requires to its very existence. The consequence of this is that plays, more or less injurious, must be exhibited, or those who bear the expence must be ruined, for the want of that diversity which is necessary to attract attention. If, indeed, the judges could rigourously and constantly guard the theatre—if the compositions for it were strictly and universally virtuous or innocent—or, if nothing else were permitted there to appear, the necessity of petitioning against it would be wholly superseded. It would not only be harmless, while it continued, but, in a very short space, it would sink into disuse by its own weight. It is a concern which necessarily involves a great expence, and large and constant audiences are essential to its existence in a flourishing state. These audiences cannot

be compelled, they must be strongly allured, to attend. In order to this, their taste must be consulted and gratified. This taste, in regard to a large majority, ever was, and ever will be, such, as to demand improper exhibitions; So that if not only the judges, but the players themselves, were ever, so desirous of preserving the purity of the stage, they could not do it. They would be compelled, either to relinquish the business altogether, or to forego their own wishes, and gratify the desires of those who give them their support. This is a serious fact, which the history of all theatres, if impartially consulted and examined, will abundantly confirm. A well-regulated theatre, therefore, is a speculative chimera, which never had, and, from the nature of things, never will have, an actual, or at least, a permanent existence. Political ideas, have, indeed, been sometimes precluded from the stage, but that the *moral import* of pieces intended for it, has not been regarded; the existing mass of plays, which have actually been exhibited, is an incontestible proof;—and the same cause will continue to produce the same effect. If the theatre, therefore, exist at all, it must exist as the school of vice. It must, if tolerated, be left to pursue its own interests in its own way. In this respect it is like every other gainful business. Force it into an unnatural channel and you speedily exhaust its source. It must be left to find its own direction, and thus left, it will insinuate pollution into the minds and morals of thousands. These considerations, surely, deserve the most serious attention and regard of the legislative body.

A second circumstance, which it is not intended to press as far as in justice might be done, relates to the extraordinary temptations incident to those who devote themselves to the business of acting on a publick theatre.

Where is the virtuous parent, in whatever circumstances, that would willingly see a beloved son or daughter enter on the stage for life? Does not natural affection often prevail with players to keep their children, with sedulous care, from the business which they themselves pursue? Is it then for the advantage of any

community,—especially for a young and rising republic; that a business or a profession, thus insulated by the public sentiment, should receive the legislative sanction and encouragement? Is this republicanism? Does not a regard to civil liberty and the cultivation of pure manners, forbid such a measure? It is certainly no objection to the force of what has been here suggested, that a few instances have existed of those who, devoting themselves to the business now in contemplation, have nevertheless maintained a standing in reputable life. Such instances are only exceptions to a rule, which the extreme rarity of exception itself, demonstrates to be uncommonly general.

A third circumstance which deserves consideration here is the dissipation which theatrical exhibitions give to the public mind. It is a well-known fact, that they have, in some countries, and on some occasions, been made the instruments of seducing the people from an attention to their political situation, while their ruin was plotting by tyrants, or invading them from their enemies. But without extending our views so far, all who are acquainted with a theatre are witnesses, that it cherishes a spirit of dissipation in domestic life, extremely unfriendly to happiness. The devotees of the theatre (and numbers of such there will ever be, wherever it is tolerated) will often sacrifice to its fascinations, not only a portion of time exceedingly necessary and precious for the discharge of relative obligations; but will, sometimes, violate every tie of duty and affection, rather than relinquish their favourite amusement. Youth especially are by theatrical exhibitions, not only, as was before suggested, rendered impatient of sober and manly pursuits, but frequently tempted to the grossest dissimulation and the most lamentable dishonesty. In charmed with the exhibitions of the stage, every consideration which interferes with procuring the means of gratification, is disregarded. Instances of theft and deceit, arising from this cause, have already appeared in this country.

The private expense which is occasioned by theatrical amusements, is a fourth circumstance, that merits attention.

This, indeed, is a consideration which has induced many to confess that they think a theatre injurious, who pay little regard to any thing beside. They acknowledge that it gives such an opportunity, and offers such a temptation, for persons who cannot afford it, to expend their money on amusements, to the injury of themselves and families, as they cannot approve. This circumstance, therefore, as it is not liable to controversy, so it is certainly worthy of the most serious consideration. The alluring nature of the entertainments, in question, is so strong with some, and their becoming a matter of fashion operates so powerfully on many, that hundreds are drawn to the theatre, who do themselves and those who depend upon them, the most essential disservice. Families pinched by necessity, and creditors defrauded of their just dues, are effects which have already flowed from this cause in this place. In a young country—in a republican government—where industry, economy, and frugality, are the support of the state and the foundation of public happiness, is it politic, or is it consistent with the duty of legislators, to encourage any thing which tends to undermine these virtues, or to render them less general in practice than they otherwise would be?

The reasons on which the foregoing petition is founded have now been stated, and it is presumed they are sufficient to authorize a hope that it may be granted.

Some objections of a specious kind, it may be proper shortly to answer.

1. It may be said that all the reasons assignable against the existence of a theatre, are drawn from the abuse of it;—that it is, indeed, liable to abuse; but that, in this respect, it is only on a footing with the most valuable discoveries or establishments of society.

In replying to this, it is readily admitted as a general truth, that the widest difference exists between the natural tendency of a thing, and a perversion or abuse of its design. But this is not allowed to be applicable to the

question now depending. On the contrary, it is regarded as the strong ground of the petition now presented, that stubborn fact and abundant experience uncontestedly evince, that theatrical entertainments; taken in connection with their circumstances, tend to the injury of morals, manners, and religion:—that this, therefore, is their *natural*,—or if only a word be in dispute,—their *unavoidable* tendency.

2. It is moreover said, that in a free state, every description of citizens have a right to pursue, without hindrance, their proper occupation, as long as they do no injury to others;—that those who support the theatre do not infringe on the privileges of others, and therefore, have a right, as freemen, to exercise their occupation. The general principle here assumed, is also allowed, but the propriety of its application in the present instance, is not admitted. The essential qualification of this principle is, that those who wish to exercise an occupation *do no injury to others*. Now, it is asserted, that the establishment of a theatre *actually injures our citizens* in some of their dearest concerns. The advocates of the theatre, it is realized, deny this; but let it be remembered, that they beg the whole argument in applying the principle, while the essential qualification of it is the very matter in dispute. The state has an undoubted right to prohibit every thing that is generally injurious. Hence it prohibits tipping houses, an undue number of taverns, and all places of lewd resort. And, hence it is lawful and right, if it judge the theatre to be injurious, to prohibit that likewise.

3. For the reason just assigned, it is likewise believed, that the objection is altogether invalid, which asserts that people have a right to support amusements, gratifying and beneficial to themselves, though there may be many who abuse them to their own injury. Let it be observed, that it is one of the radical principles of social union, that each individual shall be bounded in his pursuits, by the limits of the *public good*. If, therefore,—and this is the point in question—the *public good* does not admit of the amusements of a theatre, no citizen can justly complain, that he is unduly controuled, by

being forbidden to lay out his money, or to consult his inclination, by supporting such amusements. On the point itself, the legislature is the proper and competent judge; but the opinion on which the objection is founded, is undoubtedly, unsound, and subversive of all order in society.

4. It is objected, that many persons of unquestioned morals, talents, and taste, have given their opinions in favour of a theatre. To this it may surely be replied, that, at least as great a number, of the same description, have given their opinions against it. It is allowed, that the point has been controverted, and there is no topic of political or moral discussion which is not open to the same observation. The clearest evidence in favour of any political arrangement has not prevented this disagreement. The legislature is the arbiter of the dispute, and ought to decide in favour of that which appears, on the whole, to be safe and conducive to the public good; and this may often be done, with perfect clearness and certainty, though the decision may be theoretically controverted in a very plausible manner.

5. It is considered by some, as an insurmountable obstacle to the granting of the prayer of the foregoing petition, that the legislature have already licensed a theatre, and that property to a considerable amount has been expended under the sanction of that act. The justice of this objection can never, it is presumed, be maintained, without involving a principle, absurd in itself, and ruinous in its consequences. If a legislature, by error or oversight, do a thing that is wrong, or pass an act that is injurious, is the error never to be corrected, or the act never to be repealed, because individuals have incurred expence, or entered into engagements, under its patronage? If, in such instances, there can be no correction or repeal, then every legislature must either be infallible, or else injustice and iniquity may be established by law, without hope of redress. But the line of right procedure here, is too plain to be missed. The consequences stated, are, indeed, a reason why the legislature should be cautious in giving its sanction to any measure which will lead to individual expence, and why such a mea-

sure should not be lightly changed. But when it has actually been adopted, and its evil is manifest, duty and equity require, that the state should indemnify the individuals who have disbursed their money in a reliance on the unguarded act, and repeal the law which is improper. This is fully to be understood as the spirit of the petition now before you. It is not desired, that the subscribers to the theatre should forfeit their money :— It is requested, that they should receive a reasonable indemnification, and that the building should be employed by the state for benevolent purposes : And if the interests of morals and religion are deeply concerned in such a procedure, as it is conceived they are, not only duty but honour requires, that they should not be sacrificed to considerations of expence, especially when that expence, as in the present instance, cannot be enormous.

6. It may be objected, that in bringing forward this subject, at the present time, an advantage is taken of a tender state of the public mind, which, impressed with a sense of the general calamity lately experienced, may be induced to favour a design which has the semblance, but not the substance of reformation, for its basis. On this point, it may be proper, explicitly to acknowledge and declare, that no attempt ought to be made to induce people, from circumstances of affliction, to do that, which, in their most unimpassioned moments, they ought to disapprove. But there are many who have always and uniformly supposed and said, that a theatre was injurious to the most precious interests of the community. Such persons may surely seize, without the imputation of criminality, the favourable moment of doing that, which it was always a public duty to regard. Is it not the most suitable improvement that can be made of any afflictive providence, when people are led by it to consider neglected duties, and reform improper practices ? To this every class and description of men are solemnly called—called to exert themselves, in their several places and stations, to promote and give energy to so good a design, by all the lawful means in their power. Influenced by these considerations, no one

