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Three Plays in August: *The Bear and the Cub*, Historical Availability, and Imagining History

By Matt DiCintio

Abstract

The Bear and the Cub is among the most famous footnotes in the history of American theatre. The play and performance exist only in three references in Virginia court records of 1665 and 1666, which state that three men – William Darby, Philip Howard, and Cornelius Watkinson – are summoned to court to perform the play about which one Edward Martin has accused them. They are found not guilty, and Martin is ordered to pay the court costs. The event is mentioned in many theatre and colonial histories, but it is often deemed too poorly documented to allow for a full investigation, as no text, synopsis, or accounts of the performance remain. While firmly situating the event among the social, political, and economic factors that would have influenced its development, I agree with Odai Johnson that we can treat history as "the narrative apparatus that forms the container of memory." I suggest that suppositions, inferences, and fictionalized accounts, while confessing their limitations, can answer Thomas Postlewait's call for "more expansive cultural histories that attempt to present conjectures and speculations on unresolved, often insurmountable problems." I suggest imagining history is a solution to empty archives.

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The unverifiable should be of little use in historiography. Contemporary historians prize their ability to discard the speculations, hints, and hearsay that were central to historiography – theatre and otherwise – before the twentieth century. Historians today favor rigorously researched and multiply-sourced data derived from the archive and put toward the pursuit of an all-but-provable hypothesis. Questions about the value, veracity, and ephemerality of the archive dog historians: Susan Bennett has recently observed, "If the proposition of conservation and loss is at the heart of the archive and if the archive is at the heart of the making of theatre history, then it is important to engage critical rethinking about what constitutes an archive."[1] I suggest one notorious incident in American theatre history demonstrates the value of redefining the archive as a realm of imaginative speculation — and the more unprovable the better.

The Eastern Shore Public Library in Accomac, Virginia, houses the legal records that are the only evidence of America's "first" play. In the winter of 1665-66, three men went on trial for putting on the play *The Bear and the Cub*. In notable contrast with traditional narratives of antitheatrical prejudice perpetrated by the Puritans, these three men in Virginia were acquitted and it was their accuser who was punished. Aside from the legal details recorded at the time and a sign in an empty field (figs. 1-2), nothing about the incident remains: no text, no synopsis, no firsthand accounts of the performance or its inspiration. *The Bear and the*

[1] Susan Bennett, "The Making of Theatre History," in *Representing the Past: Essays in Performance Historiography*, edited by Charlotte M. Canning and Thomas Postlewait (Iowa City: University of Iowa Press, 2010), 66.

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Cub is the ultimate example of what Odai Johnson has referred to as the "unfortunate trope of colonial American theatre that the oldest evidence of any theatrical presentation in the British colonies comes to us from court records of detractors and not from actors, or even audiences, playbills, or costumes."[2] Despite the opacity that will always surround that 1665 performance, it continues to inspire curiosity and is regularly included in American theatre histories for its disputable "first" status.[3] While historians typically and rightfully limit themselves to identifiable proof and sound deductions and charge themselves with creating evidence-based narratives, the lack of evidence surrounding *The Bear and the Cub* has not stopped theatre historians from speculating, inventing history, and telling tall tales. Nor should it.

[2] Odai Johnson, *Absence and Memory in Colonial American Theatre: Fiorelli's Plaster* (New York: Palgrave Macmillan, 2006), 5.

[3] Felicia Londré and Daniel Watermeier offer nuances many historians have not offered about *The Bear and the Cub*, calling it "the earliest known English-language performance of a play in America […] on a subject of local American interest." Londré and Watermeier, *The History of North American Theater: From Pre-Columbian Times to the Present* (New York: Continuum, 1998), 65.

Figure 1. A wide open field ripe for the imagination. The likely site where The Bear and The Cub was performed, a half-mile north of Pungoteague, Virginia on Route 178. Photo by the author.

Figure 2. The state historical maker is remarkably more precise than many historians have been. Photo by the author.

In *Absence and Memory in Colonial American Theatre*, Johnson writes, "A hegemony of preservation has played across the field, favoring the rich memory of the juridical record over the ephemera of performance, and recognizing it is central to how this culture chose to 'over-remember' the theatre […]."[4] I suggest that "over-remember" is a euphemism for imprecise historiography that does not admit it is imprecise. The three-and-a-half centuries that have passed since *The Bear and the Cub* make the performance "historically less available," to borrow another of Johnson's near-euphemisms.[5] Many histories that include *The Bear and the Cub* rely on gaps in evidence and excesses of speculation that muddle early American history, theatre history, legal history, and colonial economics to such an extent that not only is it not clear what happened three-and-a-half centuries ago, but it is often not clear what it is that is not clear. Here, I assess those gaps and excesses in the historiography of *The Bear and the Cub*, and I suggest that theatre history need not be limited to proof-based arguments and verifiable conclusions — as long as historians make clear what it is that is not clear. In pressing my case for more imaginative historiography, I argue for *The Bear and the Cub* in four parts:

1. **What Happened**
2. **What Else Was Happening**
3. **What May Have Happened**
4. **What May Have Maybe Happened**

[4] Ibid., 8.
[5] Ibid., 4.

What Happened

As recorded in court records, this is **What Happened**. In the town of Pungoteague, in Accomack County, on November 16, 1665, the court orders that Cornelius Watkinson, Philip Howard, and William Darby be arrested for putting on a play the previous August 27. The men are ordered to "appear the next court in those *habilments* that they then acted in, and give a draught of such verses or other Speeches and passages, which were then acted by them." Darby is identified as "being [author] of a play commonly called The Beare and The Cubb," and all three are ordered to pay bail upon arrest.[6] On December 18, 1665, at the court's next monthly meeting, judges issue a brief directive: "It is ordered that the Sheriff Sumons Edward Martin to the next Court session to show cause why hee should not pay the Charges which accrue upon the Informacon given by him against Cornelius Watkinson, Philip Howard, and William Darby."[7]

From the court's next monthly meeting on January 16, 1666, the record in full states:

> Whereas Edward Martin was this Day examined Concerning his information given to Mr. Fawsett his Majestie's Attorney for Accomac County about a play called the Bare and the Cubb, whereby several persons were brought to Court and Charges theron arise from the Court find the said persons not guilty of same suspended the payment of Court Charges,

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[6] Odai Johnson, William J. Burling, and James A. Coombs, *The Colonial American Stage, 1665-1774: A Documentary Calendar* (Madison, NJ: Fairleigh Dickinson University Press, 2001), 93. For all contemporary accounts I retain the original orthography, including the inconsistent spellings of *bear*, *cub*, and *Accomack*, which today uses the final *k* in reference to the county, but not the tiny town of the same name.

[7] Ibid.

> and for as much as it appeareth upon the oath of the said Mr. Fawsett that upon the said Edward Martin's informacon the charge and trouble of that suit did accrew, Its ordered that the said Edward Martin pay all the charges in the suit.[8]

The charges are dismissed, and the complainant is ordered to pay court costs. There is no record of whether Martin complied, and there is no further mention of the event in the judicial records.

What Else Was Happening

Although *The Bear and the Cub* itself has eluded historians, its moment and milieu certainly have not. In 1614, six years before the *Mayflower* reached Plymouth, John Rolfe, Pocahontas's husband, sent his first tobacco shipment from Jamestown to London, beginning a decades-long economic boom for the mid-Atlantic and southern colonies whose climate and soil had long been ideal for the crop. Legions of less-privileged in England quickly sought to take advantage of the opportunity. As colonial historian Louis Wright summarizes: "the landless multitudes of England realized that eventually they might become the possessors of estates of their own, on which they could grow tobacco enough to assure themselves a livelihood and a competence."[9] To help alleviate deteriorating social conditions at home, the English Parliament determined "anyone who had emigrated to the colony, or who had carried or sent over another person, became entitled to fifty acres of land."[10] New arrivals reimbursed travel costs with indentured servitude of "four to seven years [after which] they

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[8] Ibid., 94.
[9] Louis B. Wright, *The Atlantic Frontier: Colonial American Civilization 1607-1763* (Ithaca: Cornell University Press, 1964), 65.
[10] Susie M. Ames, *Studies of the Virginia Eastern Shore in the Seventeenth Century* (Richmond, Va.: Dietz Press, 1940), 18.

became free citizens of Virginia and could acquire land on easy terms."[11] By 1647, even small landholdings averaged 345 acres.[12] As Virginia historian Susie Ames concludes, "economic well-being, religious maintenance, and social prestige were rooted in the soil."[13] The beginnings in Virginia at Jamestown were disastrous, as those settlers generally preferred bowling to farming, yet only a few decades later, agriculture had become a highly profitable enterprise for even the most modest landowners. The new English fad for tobacco made Virginia surprisingly valuable and fertile.

Despite King James's scorn for that "stinking weed,"[14] tobacco drove the Eastern Shore's economy and society quickly enough in the first half of the seventeenth century for communities to form with churches, taverns, and, in 1632, a local court at the crossroads at Pungoteague.[15] However, in 1651, as part of its ongoing conflict with the Netherlands, the English Parliament issued the first of a series of Navigation Acts that barred the colonies from exporting to anywhere but England. The tobacco market flooded, and prices dropped. The colonists' livelihood was quickly endangered, and more than a century before tea was dumped into Boston Harbor, on the Eastern Shore of Virginia, "unprecedented ideas of political autonomy were growing like weeds in this fertile soil of discontent."[16]

By the middle of the seventeenth century, Puritans, Quakers, Presbyterians, Methodists, and Baptists all saw the Eastern Shore as a

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[11] Wright, 24.
[12] Ames, 24.
[13] Ibid., 16
[14] Harry M. Ward, *Colonial America, 1607-1763* (Englewood Cliffs, N.J.: Prentice Hall, 1991), 26.
[15] Jennings C. Wise, *Ye Kingdome of Accawmacke; Or, the Eastern Shore of Virginia in the Seventeenth Century* (Richmond: Bell Book, 1911), 41.
[16] Joel D. Eis, *A Full Investigation of the Historical Performance of the First Play in English in the New World – The Case of Ye Bare & Ye Cubbe*, 1665 (Lewiston, NY: Edwin Mellen, 2014), 36.

haven,[17] making for a more spiritually diverse population than "a structuralist dyad of Puritan versus Players" would suggest.[18] Mercantile Puritans (an emerging middle class) settled lower on the Shore, while wealthier royalists (the upper class) remained centered around Pungoteague — in the center of the Virginia peninsula (fig. 3). There, royalists owned properties reaching thousands of acres — much larger than Puritan averages in the south — the maintenance of which might be accurately described as feudal. Puritans on the Eastern Shore may have disliked the royalists' political and religious beliefs, but they may have disliked their monopoly over fertile land even more.

Something, we might imagine the Eastern Shore farmers insist, had to be done.

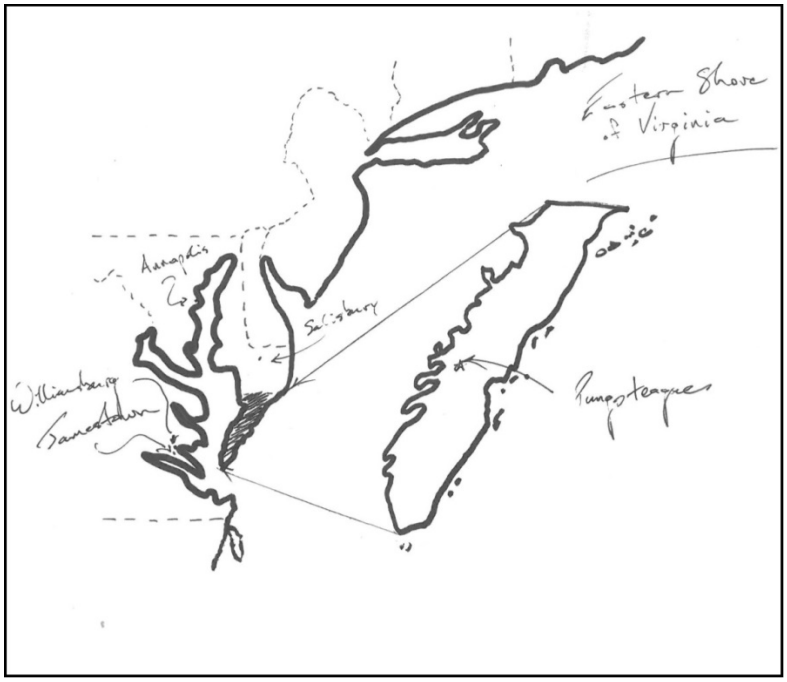

Figure 3. The Eastern Shore of Virginia. Sketch by the author.

[17] Wise, 250-51.
[18] Johnson, *Absence and Memory*, 4.

What May Have Happened

Joel Eis's *A Full Investigation of the Historic Performance of the First Play in English in the New World* (2004) is the only long-form study of *The Bear and the Cub*, and it takes up the events surrounding the performance within political, economic, social, and even geographical contexts as no one had previously, including agricultural developments and the geopolitical tensions between England and the Netherlands. Because, as we will see below, Eis has had more than one hand in recovering *The Bear and the Cub* from the near-empty archive, his full investigation deserves a full consideration here. Even if Eis's inferences about the 1665 performance and the suit that followed it drift into speculation, Eis suggests *The Bear and the Cub* may be more "historically available" than historians have long assumed. For instance, Eis devotes an entire chapter to why and how the play's title "clearly reflects a parent-child relationship that would be acted out with the most probable comic trope of the child bettering the parent," and he cites nearly a dozen petitions, pamphlets, speeches, and cartoons from 1646 through the American Revolution of this "parent-fledgling analogy."[19] Eis, like Londré and Watermeier, concludes that the play "was most assuredly of political intent" because its title "was intended to frame just such an allegorical treatment of the child/parent relationship that was perceived as the fundamental cornerstone of the structure of British/Colonial relations."[20] Absent new evidence, this deduction, like many involving *The Bear and the Cub*, will remain unprovable but not untenable among the evidence Eis submits.

At times Eis's suggestions reveal the flaws in the arguments that it was Puritan proscription that stalled the development of performance in

[19] Eis, *A Full Investigation*, 41.
[20] Ibid., 48.

America. The crime of licentiousness was available to prosecute the playwright William Darby and the actors Phillip Howard and Cornelius Watkinson, especially since to perform "in a tavern near the church was flagrant violation of respect for the laws of both God and civil society."[21] "Nevertheless," Eis concludes, "with an audience full of witnesses, the need to see the piece actually performed [in court] would not follow if this were the simple charge against the defendants."[22] Furthermore, as an indentured servant, Howard was legally barred from entering taverns, yet court records do not suggest that he was punished.[23]

The court records do suggest that on December 18, the playwright and actors performed *The Bear and the Cub* in costume (*habilments*) in court. At the next monthly court meeting, in January, 1666, Edward Martin was ordered to come to the following session in February: clearly he was not present at that January session. But why wasn't he, when much of the town attended the court sessions? Was it because, as Eis infers, that Edward Martin was a Quaker, and for a Quaker to have been in a tavern — as perhaps Martin would have been in order to see the original August performance — would have been unholy? Or, was it because, as tax records suggest, Martin and the actor Philip Howard had been indentured to the same man: did Martin's objection to *The Bear and the Cub* really have nothing to do with the performance? Was his dispute more personal than religious in nature? That could explain why Martin seems to have waited three months to lodge a complaint. Or perhaps Martin, the Quaker with no landholdings, resented Cornelius Watkinson, the non-Quaker who, legal records show, received a patent for 450 acres the year before the

[21] Ibid., 68.
[22] Ibid., 66.
[23] Ibid., 71.

performance?[24] Perhaps Martin recognized he had overplayed his hand after complaining to the king's attorney; perhaps he realized too late that because the Accomack court had no permanent building until 1677, the county paid monthly rent to the one location that could house a large gathering that was not a church: the very tavern in which Darby, Howard, and Watkinson performed *The Bear and the Cub*.

Even if all these speculations were true, they would not explain why the panel of six to fourteen judges acquitted the actors and the playwright.[25] In situating the performance during a time of economic distress and political anxiety, Eis deduces, "The real context of the performance and trial make it clear that economic conditions fed a political bias in the hearts of the court justices. They may have supported the play's probable anti-British sentiment, and this was the major reason for acquittal of the defendants."[26] Eis is on solid footing here in making *The Bear and the Cub* more historically available. The actors' acquittal suggests that any potential antitheatrical bias was outweighed by a protest against the Crown and Parliament, which had instituted measures that incited perpetually unstable economic conditions across the colony.[27]

Eis makes other compelling connections, including how the playwright and actors met to rehearse by travelling stealthily along the

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[24] Ralph T. Whitelaw, *Virginia's Eastern Shore: A History of Northampton and Accomack Counties*, vol. 2 (Richmond: Virginia Historical Society, 1968), 564.

[25] Archival evidence is inconsistent regarding how many judges were present during that particular monthly session, and the number could vary depending on travel conditions across the Chesapeake Bay to and from Jamestown.

[26] Eis, *A Full Investigation*, 84.

[27] Warren M. Billings, *The Old Dominion in the Seventeenth Century: A Documentary History, 1606-1689* (Chapel Hill: Published for the Institute of Early American History and Culture at Williamsburg, Va., by the University of North Carolina Press, 1975), 237.

natural Venice-like waterways that once carved up the peninsula.[28] If Eis uses Occam's Razor to slice a little too fancifully as he imagines **What May Have Maybe Happened**, he confesses the butchery. Eis's admittedly fantastical speculations include the playwright William Darby's involvement in London's underground Restoration theatre, his arrest for that, his sentence of indentured servitude in Barbados, his jumping ship in Virginia en route, the casting of the older Cornelius Watkinson as the bear and the younger Philip Howard as the cub, and the invocation of *Everyman*, Punch and Judy, *A Midsummer Night's Dream*, Laurel and Hardy, and the Three Stooges to posit the probable form and style of Darby's skit. "Strictly speaking we have no firm text of this particular play to base any conclusions upon."[29] That is Eis's reminder, for his is an historical text that requires verifiable facts and clarity about what is not verified or justifiably deduced.

What May Have Maybe Happened

Still, in the absence of what is verified and justifiably deduced, might *The Bear and the Cub* be made even more historically available? What might be gained in blurring the real and the speculative? Why let the archive get in the way of history? What follows, for instance, is **What May Have Maybe Happened**. While courting the daughter of the local judge, William Darby tires of hearing his friend Cornelius Watkinson complain about his failing tobacco farm. He conceives a satire about Charles II based on the king's well-known appreciation for bear-baiting; he writes a play in which a mama bear and her cub struggle over honey from a bee hive. The

[28] The maze-like canals across the Eastern Shore of Virginia have disappeared by and large, but anyone curious to experience the watery labyrinths can stop by the Pocomoke River Canoe Company in Snow Hill, Maryland (http://www.pocomokerivercanoe.com/).
[29] Ibid., 53

cub baits and beats his mother. Edward Martin spies the gruesome performance from outside the tavern, and his complaint reaches not only the local magistrate but the authorities in Jamestown. A representative from the Council on Foreign Plantations arrives to adjudicate a mandated performance in court; he dismisses the play as boring. Charges are dropped. Edward Martin burns down the tavern in revenge and then is hanged. Philip Howard dies in a drunken skiff accident. Cornelius Watkinson becomes a local lobbyist. William Darby and the judge's daughter flee town after accusations of fornication, and after performing at a tavern in Massachusetts, they are hanged as witches, their bodies burned. Witnesses claim that from the scaffold to the pyre, they never once let go of each other's hands.

That is the plot of Mark Jackson's play *God's Plot*, which opened in December 2011 at the Shotgun Players in San Francisco. Is any of it true? Not much. Are we sure of that? No. How much more "historically available" does Mark Jackson make *The Bear and the Cub*? At least, he did rely heavily on available documentation — Eis's work not least of all. How much more available does Jackson make *The Bear and the Cub*? At the very least, it is more than the passing reference given in most surveys, such as Garff B. Wilson's imprecise reference to the play as an "offense [that] shocked local inhabitants, but the magistrate, doubtless an Englishman of some sophistication, found the young men 'not guilty.'"[30] In exploring **What May Have Maybe Happened**, Jackson illuminates a dark corner of early American theatre historiography, in effect replacing historical imprecision with a buoyant substitution for what we cannot know. Because the form of the exploration opens to a field of imagination

[30] Garff B. Wilson, *Three Hundred Years of American Drama and Theatre, from Ye Bare and Ye Cubb to Hair* (Englewood Cliffs, N.J.: Prentice-Hall, 1982), 45. Like Hugh Rankin and other historians, Wilson ignores popular entertainments and non-Anglo performances in his development of American theatre.

rather than documentation, there should be no confusion between **What Happened** and **What May Have Maybe Happened**.

In his *Full Investigation*, Joel Eis is clear on the difference between **What Happened** and **What May Have Maybe Happened**, yet in spite of the archives he has plumbed dry, the theatre historian has given over even more deeply to his documentary urge. In February 2012, Salisbury University – an hour's drive north of Pungoteague – produced a reading of a new play about *The Bear and the Cub* called *The Play in August*, written by Joel Eis. Like Jackson in his play, Eis explores **What May Have Maybe Happened** in hewing closely to the historical foundations he laid in his non-fiction. He incorporates **What Happened**, **What Else Was Happening**, and **What May Have Happened** in fictionalizing the frustrations of the Eastern Shore farmers, the ostracizing of Quaker Edward Martin, and the triumphs of Darby's play, Watkinson's and Howard's performances, and their legal victory. Eis's work is not as fanciful as Jackson's gory tavern performance and witch burnings, but he also imagines a romance, this time between Darby and the innkeeper's daughter. Why let the archive get in the way of love?

The most remarkable dramaturgical aspect of Eis's play is his inclusion of nameless men, women, farmers, and girls who populate the tavern, fields, and town square of Pungoteague. In an early tavern scene, several men lament their economic downturn and the inspectors who will soon be arriving from England. "Man #1" says to his fellow drinkers, "We are but few in number. It's right for the colony to speak as one voice in this matter. We need to get our small craft under sail in the same wind."[31] Darby overhears and offers to write a play in order to "place the argument clear, what is being done to us, before our parish and let's see who stands on which side. Thus in the way of Hamlet in Shakespeare's play of that

[31] Joel Eis, "The Play in August," 2012, 13.

name, 'the play's the thing in which we catch the conscience of the King.'"[32] In putting the historical character in conversation with the fictional character, Eis, like Jackson, rebuilds the archive from which much necessary information about *The Bear and the Cub* and its context is lost to time, giving voice to a community that can only be silent: "It's right for the colony to speak." In suggesting **What May Have Maybe Happened**, Jackson and Eis locate historical availability where there had previously been none. They invent history, and it does not matter if it is not true.

It is not evident why *The Bear and the Cub* has enjoyed renewed interest in the past decade. Unfortunately The Bear and the Cub Coffee Shop in Pungoteague has closed, although its website is apparently still maintained for product information (www.thebearandcub.com). And unfortunately whomever created Cornelius Watkinson's BlogSpot diary in 2013 (corneliuswatkinson.blogspot.com) did not continue the work after three entries. It is fitting that a particular couplet from a prologue that opened the American Company's Annapolis season in 1772 serves as the epigraph for both Hugh Rankin's seminal study of colonial American drama[33] and an article by Odai Johnson about David Douglass's company written a half-century later: "So much for Us, the Pageants of an Hour / Who fret, and strut, and then are heard no more."[34] Or, as the playwright William Darby says in *God's Plot*, "That life's past. It doesn't exist."[35]

Still, to join Odai Johnson in countering the "hegemony of preservation" that discounts the ephemeral nature of theatrical performance is to join him in defining history as "the narrative apparatus

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[32] Ibid.
[33] Hugh F. Rankin, *The Theater in Colonial America* (Chapel Hill: University of North Carolina Press, 1965), xvi.
[34] Odai Johnson, "The Leeward Islands Company," *Theatre Survey* 44, no. 1 (2003): 29.
[35] Mark Jackson, *God's Plot* in *Three Plays* (San Francisco: Exit Press, 2012), 17.

that forms the container of memory."[36] The imagination can play just as valid a role as the archive in forming that container. In his article "Writing History Today," Thomas Postlewait calls for

> more expansive cultural histories that attempt to present conjectures and speculations on unresolved, often insurmountable problems, especially in terms of our modern historical understanding. […] kinds of investigations [that] provide not only separate perspectives on history but the possibility of being described and investigated as complementarities, if not convergences, in modes of understanding.[37]

As Cornelius Watkinson recorded in his diary on December 17, 1665, "I'm just glad to be alive" — so long as we remember who it was who wrote those words.[38]

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[36] Johnson, *Absence and Memory*, 3.
[37] Thomas Postlewait, "Writing History Today," *Theatre Survey* 41, no. 1 (2000): 92–93.
[38] "The Bear and the Cub," February 6, 2013, http://corneliuswatkinson.blogspot.com/2013/02/december-17-1665.html.

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