

The Trial of William Shakespeare

In Act 4, Scene 2 of Henry VI, Dick the Butcher says "The first thing we do, let's kill all the lawyers," a sentiment oft repeated. Author William Shakespeare could not have known how the legal profession would, one hundred years ago this month, exact its revenge by convincing a Chicago judge to declare that it was not the Bard but eminent 16th century thinker Francis Bacon who actually wrote all those plays, poems, and sonnets attributed to him.

It happened because of eccentric Bostonian George Fabyan, who used a \$3 million inheritance on his hobby of, as he put it, "spending money to discover valuable things that universities can't afford." From a large estate in nearby Geneva, Illinois scientists, personally chosen by him, were given the opportunity to explore with freedom a wide range of scientific subjects including acoustics, genetics, cryptography. Named Riverbank Laboratory, it was, in effect, one of the first "think tanks," made all the more unique by the zebra-drawn coachman's carriage, an authentic Dutch windmill, a working lighthouse, a Japanese tea garden - a gift from the emperor himself - a private zoo, and a pet gorilla named Hamlet who roamed freely around the grounds.

George also engaged two other former Bostonians, Elizabeth Wells Gallup and her sister Kate Wells, who had written extensively about secret codes within Shakespeare's writing, to amass evidence that Francis Bacon had placed secret ciphers in the works that when deciphered, would prove his authorship. Their work accelerated when William Friedman, a trained geneticist, was recruited by the sisters to use his skills as a photographer, to help them in their work. Friedman didn't mind the detour from genetics, it gave him a chance to be near another Shakespeare researcher, a lovely young librarian named Elisabeth Smith.

When movie producer William Selig, who was preparing the release of movies based on Shakespeare's plays got wind of a book Wells was preparing for publication, he went to court, claiming that if the "alleged decipherings" were published, the reputation of Shakespeare "would be shattered," and the public would not go to see his movies. Selig asked the court to rule that Shakespeare was the real author.

Judge Richard Tuthill of the Circuit Court of Cook County began hearing arguments in the case on April 3, 1916. After a three week trial, and with photographic evidence that, Fabyan's lawyers argued proved the existence of a secret code embedded in the First Folio, Tuthill decreed that "...Francis Bacon is the author of the works so erroneously attributed to William Shakespeare," and ordered Selig to pay Fabyan \$5000 in damages.

The Chicago Daily Tribune had a field day with the story. "William Shakespeare, familiarly known as Bill to his fellow roustabouts at the Globe theater in London, was adjudged a literary bankrupt yesterday by Judge Richard Tuthill in the Circuit Court of Cook county." Later, in the same piece, the Trib, with tongue firmly in cheek, reported that "To relieve the Shakespeare Avenue police station of the ignominy of remaining in contempt of court, and its officers and patrolmen of literary disgrace into which they have fallen by being housed in a misnomer, an ordinance has been proposed by the city's board of alderman that the name of Shakespeare Avenue be changed to Bacon Avenue, and accordingly, the Bacon Avenue police station. 'I don't pretend to be a Shakespearean scholar, one alderman said, but according to Judge Tuthill, Shakespeare has put one over for 300 years.' "

The Trib, recognizing that something was "rotten in Denmark," ran a sidebar on the "coincidence" that the verdict came just two days shy of the 300th anniversary of

Shakespeare's death, and that the following Monday Selig's Shakespeare films were due to open in Chicago.

Laughter - all of it at Chicago's expense - was being heard worldwide, and it was to be the undoing of Sir Francis' reign as the "true" author of Shakespeare. Eleven days after Tuthill's ruling, an emergency meeting of the Executive Committee of the court was held. Under pressure, Tuthill set aside his decree and the case moved to Judge William Smith's courtroom where, in July, he vacated the ruling and said "Let the literary and debating societies thrash it out now."

Fabyan was furious. "The facts stand legally adjudicated," he wrote later, "even though the decree, for other reasons, was set aside." The Wells sisters continued their work studying the Shakespeare Folios for evidence of Bacon's authorship, but never achieved more than a small, cult following. History has been much kinder to Riverbank Laboratories' other endeavors. Scientists who worked there invented the bi-mettalic tuning fork, and Geneva became widely known as a center for work in architectural acoustics.

As for Friedman, he had long been skeptical of the Gallup sister's methods, once using their own deciphering method to prove that Theodore Roosevelt was the "true" author of Shakespeare's works. In a stunning bit of historical irony his experience would affect the course of American history, as Gallup's misuse of hidden codes inspired Friedman's life-long interest in cryptography and, thanks to Fabyan's government connections, became chief cryptanalyst for the U.S. signal corps, later credited with breaking the Japanese military code before Pearl Harbor. His theoretical and practical achievements revolutionized the science of cryptology and he was for many years widely regarded as the world's greatest cryptologist.

The experience also turned into a personally satisfying one, as well. William Friedman married Elisabeth Smith which, for him, mitigated any self-loathing he might have had for his part in the great unmasking that wasn't of William Shakespeare.