

**LORD PENZANCE ON THE
BACON SHAKESPEARE
CONTROVERSY: A
JUDICIAL SUMMING-UP**

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Lord Penzance on the Bacon Shakespeare controversy: A judicial summing-up by Sir James
Plaisted Wilde

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SIR JAMES PLAISTED WILDE

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UNIV. OF
CALIFORNIA

Lord Penzance on the Bacon-Shakespeare
Controversy

A JUDICIAL SUMMING-UP

BY THE

RT. HON. SIR JAMES PLAISTED WILDE
BARON PENZANCE

Born at London July 12, 1816; died at Godalming Dec. 9, 1899. An English lawyer. Educated at Manchester and at Trinity College, Cambridge; called to the bar in 1839; and made a baron of the exchequer in 1860, and knighted. From 1862 to 18 he was judge of the Court of Probate and judge ordinary of the Divorce Court. In 1864 he was made Privy councillor, and in 1869 created a peer of the United Kingdom. He later held many public offices. 6.

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TO VIMU
AMBODIAO

In Memoriam

S. W. Bussell.

PREFACE.

THE suggestion that the Shakespeare Plays were in truth written by Francis Bacon was, I believe, first made in America, although a gentleman named Smith, acting on his own observations, published a similar suggestion not long afterwards in this country.¹

The matter was not very keenly taken up or discussed here, but in the United States it has attracted much more attention.

American ideas have almost always had a great attraction for me; and when, by chance, a few years ago I met with the announcement that an American gentleman had discovered a cypher in one of the Shakespeare Plays revealing the true authorship of them, I lost no time in securing a copy of Mr. Donnelly's book as soon as it came out.

I need hardly say that I was wholly disappointed. The attempt to establish a cypher totally failed. There was not indeed the semblance of a cypher, as far as I could see, in the voluminous string of words which the author had picked out of several pages of the plays with a marvellous expenditure of patient and most ingenious labour. But I read Mr. Donnelly's first volume, which was quite in-

¹ See W. H. Smith's book, "Bacon and Shakespeare."

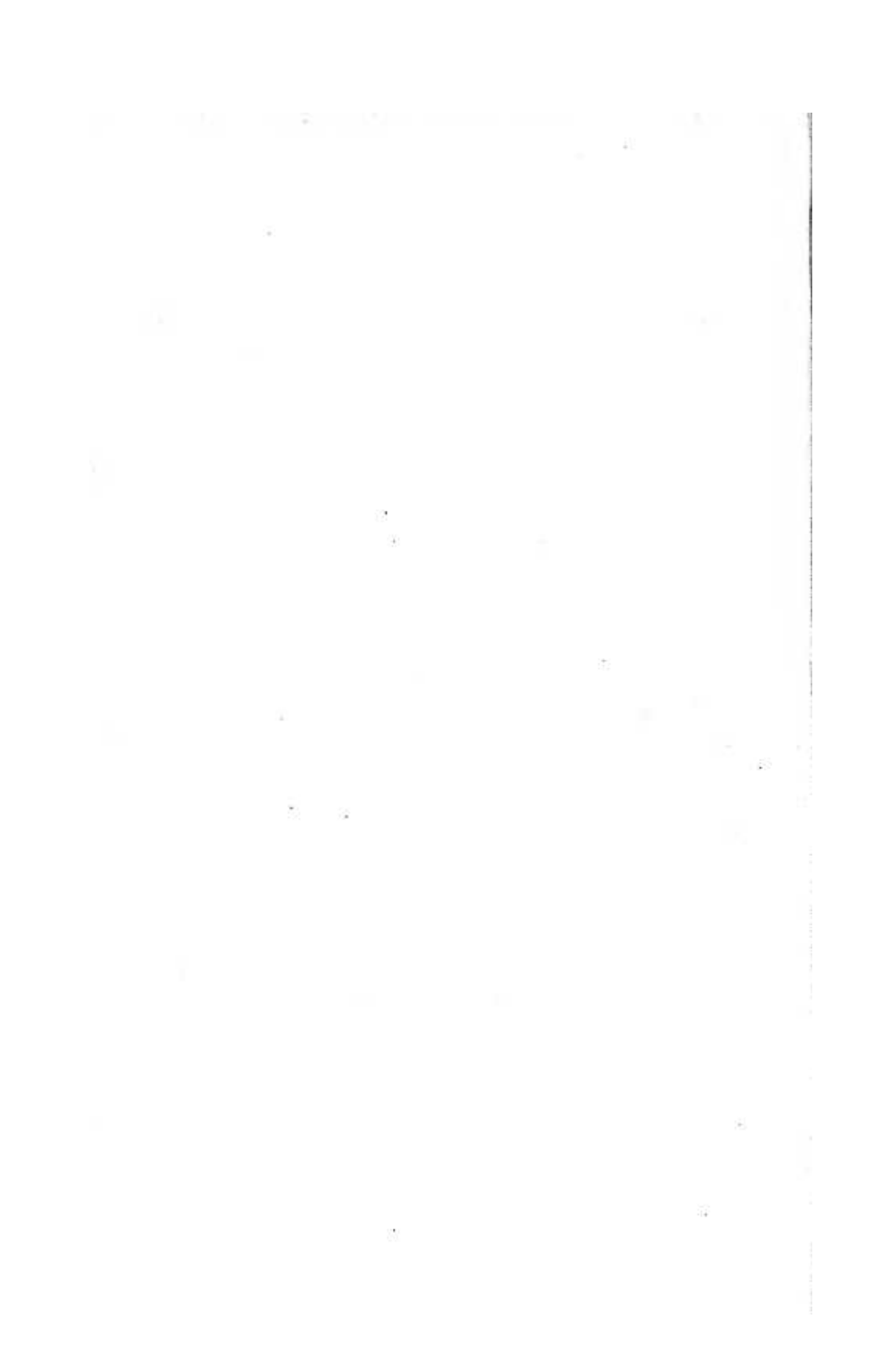
dependent of the supposed cypher, with great interest.

This excited me to read the controversy that had been lately carried on in the columns of "The Daily Telegraph" newspaper, and which had been republished in a book called "Shakespeare Dethroned," written, I think, by Mr. Theobald; and from that I was led into the reading of Judge Holmes' book and the "Shakespeare Myth" of Mr. Appleton Morgan.

These books, most able as they are, were to my thinking too long and elaborate to attract a very large class of readers; and it constantly occurred to me while reading them that the very striking facts and materials thus collected might be put together in a much shorter form—very much after the fashion of a judicial summing up—so as to exhibit in a more attractive light the arguments upon which the Baconians thought themselves justified in questioning so fixed and venerable a belief as that William Shakespeare wrote the plays which have so long passed by his name. As no one else seemed to have done this, or to be likely to do it, I set about it myself, without much hope of living to finish it. I have only one remark to make before submitting it to the kind reader; and it is this—that he must not expect to find in these pages an equal and impartial leaning of the judge alternately to the case of both parties, as would, I hope, be found in any judicial summing up of the evidence in a real judicial inquiry. The form of a summing up is only adopted for convenience, but it is, in truth, very little short of an argument for the

plaintiffs. At the same time the facts are stated, so far as I am aware, with perfect correctness, nine-tenths of them being taken from the statements of Mr. Halliwell-Phillipps and Mr. Grant White, the stoutest supporters of the Shakespeare case, and no fact or incident telling in favour of the defendants has been intentionally withdrawn from notice.

It will be understood, I hope, that I have made no attempt by original research to increase the stock of knowledge already in our possession relative to the work or character of Shakespeare. Nor have I even attempted to avail myself of the labours of others beyond what is to be found in the few books which I have already named, of which the most prominent by far are the works of Mr. Grant White and Mr. Halliwell-Phillipps. I ought to mention in addition the biographies of Mr. Knight and Mr. Staunton. These authors are all, I think, supporters of the defendants' case; the two first emphatically so. The field of argument in this controversy is extravagantly large. The contents of thirty-six plays afford in themselves material for endless criticism and argumentative conclusion as to their authorship. But a summing up presupposes a definite area of testimony or evidence of fact, and this must be my excuse for recapitulating the works to which alone I have had recourse in collecting the facts and arguments which I have thus, inadequately I fear, endeavoured to sum up.



SHAKESPEARE OR BACON?

INTRODUCTORY CHARGE.

GENTLEMEN OF THE JURY,

The inquiry into which I am going to invite you to enter is a peculiar one. Peculiar in all its aspects and its circumstances. So large a jury has never before been impanelled, for the number of your members is limited only by your own volitions. Everyone who cares to assist at this investigation is invited to take his seat among you. And your verdict, which will be taken by that of the majority, will be asked of you only at your leisure. But the parties to this judicial proceeding are peculiar also, for the Plaintiffs are claiming that which their ancestor (from whom they derive their title) did not care to possess; and the Defendants are seeking to hold what he, whose title they represent, held to be of no value. Nay, the matter is more singular still, for Lord Bacon, whom the Plaintiffs represent, did, upon their own showing, all in his power to bring about a public belief in William Shakespeare's title; and William Shakespeare, upon the same showing, assisted Lord Bacon to stand in the dark shrouded in the cloak that he had thrown about him. Lastly,