

# TUTHILL RESCINDS SHAKESPEARE EDICT

*Sets Verdict for Bacon Aside and  
Sends Chicago Litigation to  
Another Judge.*

*Special to The New York Times.*

CHICAGO, May 2.—Judge Richard S. Tuthill entered an order today setting aside his recent decision that Sir Francis Bacon was the real author of the works attributed to William Shakespeare, and the action instituted by William N. Selig against Colonel George Fabyan was placed upon the calendar of Chief Justice Frederick A. Smith.

It was expected that Judge Smith would be asked to give a hearing at once, but he announced late this afternoon that no one representing the litigants had appeared.

"I have my doubts about the case ever being tried," he said, "but if counsel want a trial I will give it to them."

After Judge Tuthill revoked his decision today he said to a caller:

"With that I wash my hands of Shakespeare."

"You mean that you will no longer read the plays and sonnets?" he was asked.

"No," he replied, "I am fond of Shakespeare's writing, and shall call them Shakespeare's writings, for that is the nom de plume used by Bacon. It is the same as the name 'Mark Twain' over the stories of Samuel Clemens, or 'Waverley' over the works of Sir Walter Scott."

Attorney Richard J. Cooney, counsel for Colonel Selig, who brought the original action, asserting that a book to be published by Colonel Fabyan would destroy the value of Shakespeare films, said that the lawyers for Colonel Fabyan should take the first step. An injunction had been sought, and should Colonel Fabyan wish to dissolve it he must make the first move.

"I believe," he said, "that the case will go along automatically and be reached about next Summer."

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