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“Between the Devil and the Deep Blue Sea”

After three unsuccessful bids to gain the U.S. presidency, William Jennings Bryan and his wife, Mary, bought land in Coconut Grove in 1912 and had their first Florida home, Villa Serena, built there. It was intended as a winter retreat for Mary’s health, but when Bryan resigned his post as U.S. secretary of state in 1915, the couple settled in year-round. Six years later, he made Florida his legal residence.

The former presidential candidate and famous orator quite naturally was a popular public local figure. He entertained U.S. presidents, foreign dignitaries, and other notables of the time at his home. This Florida “retirement” was more like setting up a new headquarters for his still-energetic life. He made a living giving public lectures across the state on a wide variety of subjects, and his Tourist Bible Class in Royal Palm Park in Miami attracted thousands of people Sunday mornings December through April for a decade.¹ He was in high demand by organizations hoping to take advantage of his popularity and gifted public-speaking skills to promote their own causes.

Bryan’s crusade against the teaching of evolution as a fact started in 1921 after he had heard from many concerned parents who attended his religious speeches that their children in college were turning away from biblical teachings. Bryan already had a wary eye on evolution’s claims

Excerpted from *Going Ape: Florida's Battles over Evolution in the Classroom* by Brandon Haught.
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William Jennings Bryan conducting a Bible class in Royal Palm Park, Miami, 1921. (William A. Fishbaugh, State Archives of Florida.)

about human origins, which he thought obviously conflicted with the Bible's creation account, but for years he hadn't felt the need to engage the enemy. However, now the dangers of teaching evolution as if it were an established fact seized Bryan's attention.

He attributed the spark of World War I and other conflicts around the world to the heartless competition of Darwinism. Children and young adults were being led morally astray by the materialistic philosophy that evolution implied. He understood evolution to be based on the principle of the strong dominating and wiping out the weak, which he referred to as a "law of hate." This stabbed right through the heart of Bryan's devout Presbyterian beliefs.

Another factor driving his anti-evolution efforts, and a big reason why he took on the Tennessee case, was his belief that public school teachers were employees of the communities in which they worked. If the parents in those communities didn't want subversive subjects like evolution taught, then teachers had better comply. He argued that

Darwinists were clearly in the minority, and their beliefs shouldn't override the rights of the majority.

At about the same time Bryan started focusing on this perceived danger, anti-evolution sentiments were bubbling up elsewhere in Florida. For instance, in May 1922 the Southern Baptist Convention met in Jacksonville, and among its members' priorities was the desire to see science textbooks "free from erroneous statements on evolution." The Baptists made it clear that "no man can rightly understand evolution's claim as set forth in the textbooks of today, and at the same time understand the Bible."²

That same year, the Miami Christian Council, organized by members of several Miami churches, heard a report during a regularly scheduled meeting that "the county school board had conferred with the teachers" and that "no evolution or Darwinian theory would be taught in Dade county public schools." A *Miami Herald* editorial had a sharply sarcastic reaction: "Our young people ought by no means to be allowed to see the *Miami Herald*, at least until the school board has carefully gone over it and cut out its dangerous features, for the *Herald* occasionally makes mention of ships that are sailing around the world, which is manifestly impossible, and this paper even mentions favorably, once in a while, the theory of evolution."³

However, the *Herald's* views didn't reflect those of the majority of the citizens. Bryan easily tapped into the mounting anti-evolution fervor, committing to it with all of his considerable energy. Nothing was going to distract him. He turned down a committee chairmanship in the Presbyterian Assembly because he preferred to stay in an education committee where he could devote all his time to the fight "against the Darwinian theory." Bryan said, "I believe that the doctrine that man is descended from a beast, a doctrine unsupported by any scientific fact, and directly contrary to the Bible account of the creation, is the greatest menace facing the church today."⁴

"It Is Better to Trust in the Rock of Ages"

Bryan easily made friends in the Florida legislature. As he declared war on evolution, he prodded the lawmakers to take up arms with him,

which they gladly did. This resulted in House Concurrent Resolution No. 7, presented April 18, 1923, by Rep. S. L. Giles of Franklin County:

WHEREAS, the Constitution of the State of Florida expressly states in Section 6 of the Declaration of Rights that, “No preference shall be given by law to any church, sect or mode of worship, and no money shall ever be taken from the public treasury directly or indirectly in aid of any church, sect or religious denomination, or in aid of any sectarian institution.”

And,

WHEREAS, the public schools and colleges of this State, supported in whole or in part by public funds, should be kept free from any teachings designed to set up and promulgate sectarian views, and should also be equally free from teachings designed to attack the religious beliefs of the public, therefore, be it

RESOLVED by the House of Representatives, the Senate concurring, That it is the sense of the Legislature of the State of Florida that it is improper and subversive to the best interests of the people of this State for any professor, teacher or instructor in the public schools and colleges of this State, supported in whole or in part by public taxation, to teach or permit to be taught atheism, agnosticism, Darwinism, or any other hypothesis that links man in blood relation to any other form of life.⁵

Bryan had wanted an actual law rather than this non-binding resolution. Enthusiastic yet skittish legislators disagreed, wishing to stay out of the line of fire of any potential lawsuits a law could inspire.⁶ Nonetheless, Bryan was satisfied.

When the resolution was introduced, the House members agreed “that the rules be waived” so that it could be officially adopted right away without having to wait for the usual further consideration and debate on a later date. The official *House Journal* didn’t note any opposition to this fast-tracking move.

Bryan made a personal appearance before the legislature on May 11 to lend his support and suggest a few changes to the resolution. He gave a nearly two-hour speech to a joint session of representatives and senators. Acknowledging that Christianity couldn’t be promoted in the classrooms due to constitutional prohibitions, he asked that “you do

not allow the atheists, agnostics, or the Darwinists to spread their doctrine there.”⁷

Bryan suggested that the words “or to teach as true” be slipped in before the word “Darwinism” in the resolution. The “or to teach as true” phrase reveals something interesting about Bryan’s feelings on the evolution subject. He accepted the “day-age” creation theory, which meant he believed that when the Bible outlines what was created on each day, those days could have actually lasted millions of years each.⁸ Evolution might not be all bunk, either, Bryan thought. It might apply to other living things, just not humans. He had no problem with the subject being taught as “a theory,” meaning he considered evolution to be just a guess or unsupported idea. But he did have a big problem with its being taught as a factual explanation for human origins.

Bryan was realistic and calculating when advocating for the resolution. He felt that establishing a punishment for teaching evolution would rouse too much opposition and threaten its passage, so he recommended against it. Another reason for not wanting repercussions was that he felt the resolution was directed at “an educated class that is supposed to respect the law.”⁹ Besides, if the law is not obeyed, penalties could be imposed during the next legislative session, he thought.

The day after Bryan’s presentation, the House decided to revisit the already-approved resolution. They quickly amended it with Bryan’s suggestions and re-adopted it.¹⁰ The Senate then fast-tracked its approval just as the House had done. Thus, without any fuss or drama, the Florida legislature had officially recommended to the state’s educational institutions that evolution not be taught.

To Bryan’s consternation, though, the resolution was largely ignored. Newspapers didn’t give it much attention, and so most people didn’t even know about it. Bryan was forced to remedy that on his own as best he could. The *Tampa Morning Tribune* ran a story in June 1923 that told of Bryan’s frustration with a *Chicago Tribune* editorial that took him to task for his particular interpretation of the Bible. Bryan fired back a response that was published in the newspapers, using the resolution as ammunition. “My views are set forth in a resolution unanimously adopted by the legislature of Florida,” he wrote. “Please note that the objection is not to the teaching of evolutionary hypothesis as an hypothesis but to teaching of it as true or as a proven fact.”¹¹

Bryan's network of like-minded allies in Florida wasn't restricted to lawmakers. He was introduced to University of Florida, Gainesville, president Albert A. Murphree in 1916, and they quickly discovered that they had similar religious views. Murphree's moral convictions were reflected in his desire for students to attend chapel services a few times a week and his refusal to employ any professor "who is known to be irreligious." In 1919 he asked Bryan for help raising funds for a student religious activities building, and Bryan threw himself into the cause. A couple of years later, Bryan enlisted Murphree's aid in launching a nationwide campus campaign against alcohol. Faculty and students were asked to sign a "whiskey pledge" that stated, "We, the undersigned, promise, God helping us, never to use intoxicating liquor as a beverage."¹²

In 1921 Bryan published the pamphlet *The Menace of Darwinism*, in which he said "Darwinism is not science at all; it is guesses strung together" and "It is better to trust in the Rock of Ages, than to know the age of the rocks; it is better for one to know that he is close to the Heavenly Father, than to know how far the stars in the heavens are apart."¹³ He gave Murphree two hundred copies to distribute on campus.

Bryan also gave a speech in February 1922 to the university's student body, hoping to counteract the effects that learning about evolution was having on them. Evolutionists had failed to produce evidence of one species changing into another, he said. He warned students of the "real evil" of Darwinism, namely, calling into question the literal interpretation of the Bible. Bryan was under the impression that Murphree was on his side in this matter, praising him for being a leader "of a great university who has not been carried away by the ape theory."¹⁴ He returned to the university in 1924 to give several more talks on a variety of subjects, including evolution. It turned out that while Murphree appreciated Bryan's oratory skills and called him a "great master" of public speaking, he disagreed with Bryan's anti-evolution stance. After the 1924 evolution speech, Murphree noted: "His foolish notions on evolution came in for a round, though he was not so bitter and not quite so unreasonable."¹⁵

Dr. C. Francis Byers, a biology professor at the University of Florida in Gainesville during the 1920s, had firsthand confirmation of Murphree's pragmatic views on evolution. He recalled a conversation they had about how to weather the storm when the state legislature had

approved the 1923 anti-evolution resolution. Murphree explained to Byers that he would comply with whatever the law directed, since the school was state-supported. On the other hand, Murphree knew that the professors considered evolution a vital part of their instruction.

As Byers and Murphree talked, they worked out a compromise. Instead of using the word “evolution,” professors would refer to the concept as “progressive development.” Murphree was OK with that, but he wanted to know if human “progressive development” would be taught. Byers said yes. According to Byers, Murphree replied, “Well, I wish that you wouldn’t stress that part.” Byers understood, and a deal was struck. “So that’s the way it was done,” Byers said. “There was not real trouble here. Nobody that I know of got arrested and nobody was kicked out of the university that I know of for involving himself in the evolution thing.”¹⁶

Dr. John Henry Davis, another biology professor at the University of Florida, also recalled that the evolution storm didn’t really blow through the classroom that much. “That was an issue that was brought up, but never taken below the level of the present heads of the department,” he said. “We had decided that the less we talked about it, the better. We just went on and taught it.”¹⁷

For Bryan and other ardent anti-evolutionists, that was a problem. They saw that the state legislature’s resolution wasn’t being taken seriously, so they decided to do exactly as Bryan had suggested earlier: pass new legislation with some bite to it. Their next opportunity came during the 1925 legislative session. However, Bryan’s influence was notably absent, since he had departed for the Scopes trial and then died shortly afterward while still in Tennessee.

Despite the loss of Bryan, Florida’s anti-evolutionists were still going strong. Reps. Albert W. McLeran of Suwannee County and Shelton Philips of Levy County introduced the following bill in 1925:

House Bill No. 691:

A bill to be entitled An Act prohibiting the teaching of the Evolution Theory in all Universities, Normals, and all other public schools of Florida, which are supported in whole or in part by the public school funds of the State, and to provide penalties for the violation thereof.¹⁸

The bill was referred to the House Committee on Education. Members there tweaked the language so that the bill then read:

A bill to be entitled An Act to prohibit the teaching in any college, university, normal school or other school in this State, supported in whole or in part by the public funds of the State or any subdivision thereof, as fact, any theory which denies the divine creation of man, and to provide penalties for the violation thereof.¹⁹

The bill wasn't brought up again during the session, and it died. However, spurred on by the nationwide publicity the Tennessee trial had attracted, the teaching of evolution in Florida's schools was under more scrutiny than ever.

"A Storm of Indignation Has Been Aroused"

The great battle of the age was now on between Christianity and evolution, or so said George Washburn.²⁰ He was one of the many men who heard the call to pick up the anti-evolution fight where Bryan had left off upon his death. Drawing upon the wealth he had accumulated from dealing in real estate and hotels, Washburn helped establish the Bible Crusaders of America in 1925. God had chosen him for this task, he said, and he took on the job with gusto from his Clearwater headquarters.

The Bible Crusaders' slogan was simple and unambiguous: "Back to Christ, to the Bible, and to the Constitution."²¹ The Crusaders felt that there was a growing "modernism" trend sweeping across the country and that Darwinism was at its root. Part of Washburn's vision was to sweep this un-Christian evolution out of the nation's schools. One of the first steps, though, was to start locally; evolution needed to be removed from Florida's textbooks.

Washburn was probably beside himself with what he saw in Florida's main biology textbook at that time: Benjamin C. Gruenberg's *Elementary Biology*, published in 1919. Evolution was featured unapologetically throughout. Page 483 offered a full-page evolutionary tree illustration with a man in a suit pictured at one branch with a bat and an elephant on related branches nearby. A chapter devoted to the various lines of evidence for evolution ended with the summary: "There are many attempts to explain how evolution is brought about, and these may be

called theories of evolution; but as to the fact of evolution biologists are in substantial agreement.”²² Gruenberg was even one of the witnesses the Scopes defense had wanted to testify on behalf of evolution’s validity at the Tennessee trial. Washburn vowed that this book had to go.

The spark of Washburn’s campaign can be attributed to the massive changes going on in society in the late nineteenth and early twentieth centuries. Following World War I, a clash developed between rural-agrarian and urban-industrial ways of life. There was a steady and irresistible drive by politicians and businessmen to industrialize and advance, but rural communities saw this as an attempt to rob them of control over their own lives.²³

Education reform, spurred by progressive ideologies originating in the cities of the North, was a big part of this change. Schools that had been controlled entirely by communities at the local level were now becoming centralized at the district and state levels. School attendance was now compulsory, because it was “viewed as the key to cultural progress.”²⁴ This met determined resistance from rural families, who felt that unchecked modernization was ripping the heart out of long-standing tradition and family values.

Companies headquartered in the big cities published the textbooks used nationwide. The authors typically had a social reform agenda, and their writing focused on civic responsibilities. The biology texts of the time steered lessons toward showing how biology applies to modern concerns like sanitation, a healthy diet, and the effects of alcohol. For instance, in Gruenberg’s *Elementary Biology* the chapter “Digestive System in Man” was followed by chapters on “The Social Side of the Food Problem” and “Health and Food Standards.” The chapter on “Wastes and By-products of Organisms” led to chapters on “Hygiene of Excretion,” “Excretion and Fatigue,” and “Fatigue and the Worker.” These subjects were often heavily skewed toward city living.

Some textbook editions were targeted specifically at rural schools, but purchasing decisions were made by committees at the state level, and those groups were dominated by representatives from the larger cities. They weighed the options and typically went with the urban-leaning textbooks. The publishing companies also had their bottom lines to consider, motivating them to produce fewer editions for a higher profit. As historian Adam Shapiro notes, “Textbook salesmen could, and did,

lobby a state or school board to change its curriculum to suit available books.”²⁵ As a consequence, if something was in the textbooks it was taught in the classrooms. Enter evolution.

Evolution actually wasn’t something new to textbooks; it was a matter-of-fact concept that had been in textbooks for several years. But now textbooks that unapologetically discussed evolution were landing with a loud thump in school districts where local leaders were already feeling steamed about what they saw as the state government meddling in local affairs. That anger was about to find a symbolic outlet. Despite Washburn’s and the Bible Crusaders’ fiery rhetoric, the conflict wasn’t just about science versus religion. It was about control, the vision of the future, and personal values.

The Bible Crusaders poured relentless pressure on state politicians, saying that “a storm of indignation has been aroused among a majority of the voters” because evolution was in the state textbooks. Washburn relied heavily on one of Bryan’s main arguments: separation of church and state. Since Christian Bible study wasn’t permitted in the public schools, the “false religion” of evolution shouldn’t be allowed either. He demanded that Governor John Martin and his cabinet, who served as the state’s board of education, take immediate action. “We will organize and marshal the tremendous voting strength in every state, and with such potential energy and dynamic force behind us, we will make and unmake governors and other state officers, as well as congressmen and other statesmen, on this text-book question,” the Crusaders announced. They demanded that evolution either be taken out of the current books or that the books be discarded entirely. “In this demand, we shall be supported by 80 per cent of the voters of this state, because, with them, the fundamental principle, that no religion, false or real, should be taught in the public schools, is stronger than friendship or party allegiance.”²⁶

The Crusaders denied that they were against all science instruction; rather, they were “against teaching of unproved guesses.”²⁷ The anti-evolution resolution passed by the state legislature two years prior was Washburn’s foundation. He explained to W. S. Cawthon, the state superintendent of public instruction, that it had stemmed from the constitution’s prohibition of teaching religion in schools supported by taxes.

Fortunately for Cawthon and the governor, there was an easy way out of this conflict. Gruenberg had authored a new textbook that came

out just as the Scopes trial was about to kick off. *Biology and Human Life*, avoided any mention of evolution. Textbook publishers had been spooked by the Scopes trial. Spotlighted during that trial was George William Hunter's textbook *Civic Biology*, and the negative publicity generated really upset its publishers. A few years earlier, Gruenberg's publisher saw the coming conflict and asked Bryan directly what would make a biology textbook acceptable and inoffensive. Bryan's answer was simple: "eliminating the objectionable phraseology [evolution] from the text books." The result was *Biology and Human Life*, which replaced *Elementary Biology* as Florida's textbook of choice. Washburn was ecstatic. In a letter to Tennessee governor Austin Peay on March 11, 1926, he gloated over what he called, "Victory number one."²⁸

Now that the Bible Crusaders had notched a win, anti-evolutionists grew bolder. There were rumors that 1927 would see yet another attempt in the state legislature at outlawing evolution in schools. This prompted a preemptive opposition strike before the bill was even filed, according to the *Tampa Tribune*. "The desire that the Legislature of Florida take no action to prohibit the teaching of evolution in the schools led the Florida Educational Association at its Tallahassee convention to pass a resolution expressing belief in the wisdom of perpetual separation of church and state affairs." The association's resolution was carefully worded: "The teaching of evolution may be improper, but the study of evolution is proper, in the schools. To explain this choice of words, we mean that it may be wrong for the state to have books and teachers teaching the pupils that a certain definite theory of evolution is a fixed fact. But it is right that the various evolution findings of distinguished scientists be studied by the pupils for whatever they are worth, in the furtherance of knowledge."²⁹

The resolution was to no avail, though.

A State of Chaos

Leo Stalnaker certainly didn't like it that dance halls operated on Sundays. When the young lawyer ran for a seat in the Florida House of Representatives in 1926 he was keenly focused on the betterment of public morals. He wrapped up his campaign speeches with dramatic poetry readings asking God to guide morally upright men into positions of



Judge Leo Stalnaker (*center*) in Tampa, 1927. (Courtesy Tampa-Hillsborough County Public Library System.)

leadership. He defended Prohibition, consequently making a name for himself as a real law-and-order man. “Half-way methods do not meet his approval,” a newspaper article explained.³⁰

Stalnaker won a Hillsborough County seat in the House at the age of twenty-eight. He quickly set to work drafting bills outlawing the operation of dance halls on the Sabbath and requiring all schools to fly the American flag when in session. Stalnaker also wanted to give police the authority to search vehicles for contraband alcohol with or without a warrant.³¹ However, those issues were trivial compared to his signature piece:

House Bill No. 87:

A bill to be entitled An Act to Prohibit the Teaching in any School, supported in whole or in part by Public Funds, of any Theory that mankind either ascended or descended from a lower order of animals, or any theory of Evolution pertaining to the origin, ascent or descent of mankind, or any theory not in harmony with the Biblical account of the creation of mankind, and to prohibit the use or adoption for use in any school, supported in whole or in part by public funds, of any textbook which contains any theory that mankind either ascended or descended from a lower order of animals, or any theory of evolution pertaining to the origin, ascent or descent of mankind, or any theory not in harmony with the Biblical account of the creation of mankind, and fixing the penalty for the violation of this Act.³²

There was quite a buzz when the bill was officially introduced. Legislators were generally supportive, but for a wide variety of reasons. For example, Speaker of the House Fred Davis revealed that he wasn't crazy about the bill but that he couldn't “vote against a bill of this kind, because my people would approve of it.”³³ W. T. Hendry and L. J. McCall only wanted restrictions on the teaching of the evolution of man. B. M. Frisbee fully supported the bill, saying that teaching evolution violated the separation of church and state. On the other hand, the majority of newspaper editorials blasted the bill, calling it a waste of time that would make the state a laughingstock.

State colleges had to be careful in how they reacted to the bill. Their budgets depended upon the goodwill of the legislature, and Stalnaker

had made it clear that he wasn't above wielding that stick if he had to. However, Dr. Hamilton Holt, the president of private Rollins College, didn't have to worry about such things. He told the *New York Times*, "Florida should not become the butt of ridicule throughout the country as has the state of Tennessee by the passage of the anti-evolution bill now before the legislature." The college's newspaper, the *Rollins Sandspur*, was proud to proclaim in its May 6, 1927, issue that Rollins was the first college in the state to take any action in the matter. Dr. Holt wrote in that issue, "Last year I declined a substantial gift for Rollins College, which was proffered on the condition that we should never teach the theory of evolution. I replied to the would-be donor that no self-respecting college would accept a gift under any conditions that limited its freedom of teaching."³⁴

The anti-evolution bill's first stop was an education committee, of which Stalnaker was a member. The committee hosted a public hearing on April 19 that "attracted an audience that taxed to capacity the spacious hall and adjoining anterooms of the House, many persons having attended from neighboring towns in this section and South Georgia." At the hearing, Stalnaker was fired up, claiming that textbooks in the state's high schools and colleges contained things "too vulgar to be mentioned before a mixed audience." Speakers railed against atheists and agnostics and blamed a rise in campus suicides on students' exposure to evolution in the classroom. "The taxpayers have a voice in what our children are taught," Stalnaker said. "I am not willing to have any questionable and unfounded theory expounded for them. If we're to raise up a race of Godless infidels, we have no business here. Evolution is a danger at our door."³⁵

There was opposition to the bill, however. Rep. F. L. D. Carr from Hillsborough County called it "foolish, needless legislation which can serve no good purpose." Carr was one of the bill's most vocal opponents as the legislative session wore on, and he warned from the outset: "Think of the reputation Tennessee earned for herself by her monkey measure."³⁶ However, the education committee rolled right over such voices and passed the bill unanimously. Without any other committee stops to worry about, the bill just needed to be put on the calendar for the full House to consider.

At least one lawmaker couldn't wait for the bill to hit the House floor, though. Near the end of April, when representatives were working on a bill that would create the positions of two assistant supervisors of elementary schools, Rep. A. W. Weeks from Holmes County attempted to amend it. He wanted to require that the new supervisors determine "whether any teacher is engaged in the teaching of atheism or agnosticism or is teaching as true Darwinism or any other hypothesis that links man in blood relationship to any other form of life, or is teaching any principle or precept that is in derogation of the teaching of the Holy Bible."³⁷ If a teacher was found guilty, Weeks wanted a report about the offense printed in a "conspicuous place" in a local community newspaper. Additionally, the teacher would "be deemed guilty of a misdemeanor, and fined not exceeding ten dollars and imprisoned not exceeding five days, and shall thereafter be forever disqualified to teach in any public school in the State of Florida." Weeks's amendment was shot down. Even Stalnaker opposed it, assuring everyone that his bill would satisfactorily address the evolution issue when it came up for its second reading.

Meanwhile, organizations throughout the state began to choose sides. Attendees of the Annual Conference of High School Principals in April issued a defiant statement that "only that education can be free which allows complete liberty to seek the answer to any honest question and we would respectfully remind our fellow citizens that while legislation seeking to control the subject matter of the curriculum may impede educational progress it has not the power to alter, modify or set aside any immutable law of nature, science or God." The Florida Medical Association adopted a resolution opposing the bill, reasoning that "the passage of such a bill into a law would handicap the advancement of medicine and other sciences in the state of Florida."³⁸

The controversy also sparked the creation of the Florida Society for the Promotion of Scientific Knowledge, headquartered in Tampa. A meeting in late April featured several speakers who certainly didn't pull any punches, such as one who called anti-evolutionists "bigots who do not think at all." An advertisement in the *Tampa Tribune* countered this new society by asking anti-evolutionists to come together for a meeting to "Stop this Monkey Business in Our Schools." About two hundred

people attended to hear speakers protest against the “evils” of evolution. They claimed that “exponents of Darwinism were threatening to destroy the principles of the teachings of Christianity.”³⁹

As the furor escalated outside the capital, legislators prepared for battles of their own. Despite its easy passage through the education committee, the bill slammed into a roadblock on the House floor. On May 6 the bill unexpectedly “burst like a bombshell” when opponents had purposely sped through other business, including postponing discussion of Stalnaker’s bill forbidding dance halls to operate on Sundays, in order to clear way for it. The goal of the surprise tactic was to force a vote on having the anti-evolution bill booted down the calendar to the very end of the legislative session. Stalnaker vigorously fought the move, and after a “spirited skirmish by proponents and opponents” his bill instead secured a special order spot on May 11.⁴⁰

Anticipating a dramatic show, spectators jammed the House balcony a half hour before the event, and many had to be turned away for lack of room. Those who managed to get inside weren’t disappointed. First, Stalnaker proposed an amendment that would allow voters to decide the fate of his bill rather than lawmakers. “It remains to be seen whether the lives of our children should be blighted by the teaching of evolution,” he said. This was followed by a flurry of other amendments that watered down the bill language. Instead of forbidding the teaching of evolution outright, the proposed alternatives sought to affirm that no teachings would deny God’s existence or run counter to the Bible. Their stated purpose was to “clarify the bill and prevent any possible legal conflict on its constitutionality.”⁴¹

As the amendments piled up, it became evident that many lawmakers were concerned about the bill’s legality. Taking advantage of the confusion, Carr made a successful motion to send the whole mess to a joint judicial committee for further review. Supporters of the bill saw this as a stalling maneuver and attempted to minimize the damage. The judiciary committee was typically allowed six days to report back to the full House, so a motion was made to cut that down to just two days. After a brief fight, the motion was narrowly approved.

The combined five judiciary committees debated the bill and its amendments that afternoon. There were plenty of anti-evolutionists represented, but the wide variety of wording choices split them. The

end result was that the bill was killed on a 19–17 vote. For most bills this would have been the end of the road. However, that evening supporters of the anti-evolution bill held a public rally at a local high school auditorium. Washburn was the master of ceremonies. Legislators gave speeches about the merits of the anti-evolution bill, and even former Florida governor Sidney Catts, who was hoping to make another run for the office, offered his stamp of approval. The crowd wasn't as large as the organizers had hoped for, but it was an energized event nonetheless.⁴²

“Evolution Phoenix Plunges House into State of Chaos,” a *St. Petersburg Times* headline announced a couple days later. Bill supporters essentially halted all other business on Friday, May 13, in an attempt to resurrect the bill. If they could round up two-thirds of the legislators to help them, they could override the judiciary committee's report. Likewise, if opponents could muster enough support, they could permanently bury the bill. Unfortunately, neither side could reach its goal, so endless debate and stalling tactics propelled the session past midnight. “With a dozen members clamoring for the floor, the speaker adjourned the body without action, and ordered the chamber cleared,” the *Tampa Morning Tribune* reported.⁴³

But Weeks ignored the order and took over the podium. “Rapping constantly for order during this noisy aftermath,” he assembled an unofficial committee tasked with writing an acceptable compromise bill. “We won't allow any bill to pass this House until this anti-evolution bill goes through,” he said. “If they want a filibuster, by the eternal Gods we'll give it to them.”⁴⁴ However, a “gentlemen's agreement” was eventually reached that didn't necessitate yet another new bill draft. Lawmakers would vote on May 17—without resorting to filibusters—on one of the previous, watered-down amendments that had been offered before everything was killed by the joint judicial committee. Both sides realized that too much time had already been wasted and that many other bills needed attention. After a brief bit of haggling, a 67–24 vote approved a final bill that didn't directly mention evolution:

It shall be unlawful to teach as fact in any school supported in whole or in part by public funds in this state any theory that denies the existence of God, that denies the Divine creation of man, or to teach in any way atheism or infidelity.

It shall be unlawful for any professor, teacher, instructor or textbook committee or commission to use or adopt for use in any school in this state, supported in whole or in part by public funds any textbook which teaches as fact any theory that denies the Divine creation of man, or which teaches atheism or infidelity, or that contains vulgar, obscene or indecent matter.

Violation shall be punishable by a fine not over \$100.⁴⁵

The days spent battling over this bill had been exhausting and frustrating. Legislators left ample evidence of this in the official House record. Carr chose to express his thoughts in poetry:

I am now a legislator. Ah, woe to me!
I'm between the Devil and the deep blue sea.
This bloody evolution has already "got my goat."
On the blasted, bloomin' question I don't know how to vote.
To gain my next election, I know the bill must pass,
So I guess I'll ape the monkey by voting like an ass.⁴⁶

Reps. Fuller Warren and R. E. Oliver wanted Carr declared "the poet laureate on evolution of the State of Florida; and since the said Major Carr is between the devil and the deep blue sea, that we extend our sympathy to him in case he goes either place."⁴⁷ Representatives jokingly agreed to have the resolution referred to the Committee on Live Stock.

Carr then offered House Resolution No. 60:

WHEREAS, The House of Representatives has for the past fifty days had inflicted upon its membership sudden and unwarranted outbursts of oratory; and

WHEREAS, Said infliction of tongue-torturing tactics has accomplished no purpose other than killing many meritorious measures; and

WHEREAS, The efforts of the effulgent oratory opponents has resolved into a contest of speed and endurance between Hon. A. W. Weeks and Hon. Fuller Warren, of the "Amen" side of the House, and Hon. J. M. Lee and Hon. W. A. Mackenzie of the "Evolution" side; and

WHEREAS, The fore-mentioned gentlemen never having been

given unbridled liberty to extol their spontaneous outbursts; therefore be it

RESOLVED, That during the “Third House” session, on the night of May 28th, these gentlemen each be allowed such time as they individually require, to spout and shout on the following subject, and which appears to be their individual favorite topic: “What I Have Accomplished in This Session of the Legislature”; and be it further RESOLVED, That the members of the House shall judge as to the merits of the tongue exercise and award to the winner of a leather medal, suitably engraved, setting forth the fact that such winner is qualified to return to the 1929 session of the Legislature and be worthy of employment in the capacity of reading clerk.⁴⁸

A few days later the anti-evolution bill appeared in the Senate, but lawmakers there, unlike their House counterparts, refused to waste time on it. A *St. Petersburg Times* article reported: “When introduced in the Senate, the bill immediately became a bauble, to be tossed back and forth between committees until it finally found a resting place with no report.”⁴⁹

That didn’t mean the bill had no supporters. Sen. John S. Taylor from Pinellas County, who was also vice president of Bible Crusaders of America, tried to have the bill moved to the Senate floor without a committee review. He wanted to sneak it out there by referring to it only by bill number rather than by its title, hoping no one would notice the maneuver.⁵⁰ Education committee members caught on, though, and stopped the bill in its tracks. The session was nearly over and there were many other more important bills to juggle, leaving the anti-evolution bill out in the cold. The bill was finally dead, this time for good.

As with any good tale of suspense, though, there was a plot twist. The whole business about school textbooks being full of “vulgar” material had caught lawmakers’ attention. This prompted the easy passage of the Senate Concurrent Resolution No. 28:

WHEREAS, It has been brought to the attention of this Legislature that there are certain text books and reference books in use in the institutions of higher learning of the State which are inimical to good morals and healthy thought; and

WHEREAS, It would be for the best interests of the youth of the State that these books be eliminated; therefore, be it Resolved by the Senate, the House of Representatives concurring, that a special committee of two members from the Senate and two from the House be appointed by the President of the Senate and the Speaker of the House, respectively, whose duty it shall be to work in conjunction with the Board of Control and make a thorough canvass and investigation of all text and reference books used in said institutions, and to report as soon as possible to the State Board of Education any and all books which in their opinion are detrimental to good morals and clean thinking, giving in such report the reasons why such books should be condemned. That upon such report coming in it shall be the duty of the State Board of Education to have withdrawn and eliminated all books which, in their judgment, are objectionable.

RESOLVED, further, That it shall be the duty of the Board of Control to work in conjunction with said special committee to the extent that the purpose of this resolution be carried out.⁵¹

Sen. W. J. Singletary from Jackson County took the lead in promoting the resolution, telling his fellow senators that shelves needed to be wiped clear “of those stinking books.” An editorial in the *Tampa Morning Tribune* lambasted the resolution, saying that few lawmakers “are in possession of any degrees, or experience in the field of education which would equip them to teach a grade school, much less act as inquisitors and censors of text or reference books.” This infuriated Singletary, who then barred that paper’s editor from the Senate chamber.⁵²

It turned out that the legislature was actually a latecomer to the book-banning effort. A citizen group had been on the hunt since the previous year. L. A. Tatum, an elder in Tallahassee’s First Baptist Church, had created the Florida Purity League in 1926.⁵³ The group’s main target was the Florida State College for Women and the supposedly heretical books found in its libraries and classrooms.

Tatum had gotten the idea for the Purity League when a disgruntled professor who faced losing his job at the college fed Tatum information about books used by his fellow instructors. The texts were mainly from psychology and sociology courses, and the offending passages from the

books dealt with touchy subjects like sexuality or were “pro-German.” But going along with the anti-evolution fervor of the time, Tatum didn’t leave it out of his group’s attacks. To prove just how horrible these books were, one of the quotes he pointed out to the Board of Control—the entity that oversaw the state’s colleges at that time—was: “psychoanalysis represents by an extension of the theory of evolution, an application of the principle of evolution to the study of the mind.”⁵⁴

Tatum’s complaints were heard by the Board of Control over and over again, but they didn’t gain much traction. The president of Florida State College for Women, Edward Conradi, defended his school and professors before the board, saying that no one taught anything contrary to the Bible and that the books currently in use in his school were widely used in colleges throughout the country. But then came the 1927 Senate Concurrent Resolution.

Singletary led the legislature’s investigative committee. He took the same road Tatum was on, challenging psychology and sociology texts and accusing professors of teaching evolution as fact. This also placed the University of Florida under the gun. University president Albert A. Murphree stood alongside Conradi in defense of their schools. However, Murphree tended to be more conciliatory than Conradi in the beginning. Murphree offered to move all questionable books to a secured area so that only students with special permission and their teachers could access them.⁵⁵ Conradi resisted doing so, especially when it came to having to appease Tatum, but he eventually followed suit. He even assured everyone that “if any teacher is found teaching anything contrary to the word of God and the Christian religion, such teachers will be reported to the board of control, and the president will recommend his or her removal.”⁵⁶

Conradi’s assurance satisfied the committee, and its investigation fizzled out over time. Tatum, on the other hand, demanded much more. He wanted the books off campuses completely, and there needed to be a purging of “dangerous teachers,” too! However, his efforts grew more fanatical over time, as his actions, such as spreading false rumors and endlessly adding to his list of books to be banned, grew into an embarrassment. An example of how tiresome he became comes from the Tallahassee Chamber of Commerce: “We are not in sympathy with your propaganda against the Florida State College for Women, Dr. Edward

Conradi and the faculty of the college. It is our opinion that your propaganda is distasteful to the vast majority.”⁵⁷

Tatum then found himself the subject of a grand jury indictment charging him and coauthor A. Pichard with sending obscene literature through the mail. They had published a pamphlet titled *Psychoanalysis of “Filthy Dreamers”: And Other Insidious Teaching under the Guise of “Science” in Tax Supported Institutions of Learning*, which contained quotes from objectionable textbooks. “We are quite willing to be the victims of persecution and prosecution hoping thereby the true situation in our colleges and universities may be brought home to the minds and hearts of Christian parents,” they told the grand jury.⁵⁸ The case was later dismissed.

“Disgraceful Even to African Cannibals”

The red-hot anti-evolution effort of the 1920s had cooled off significantly by the end of the decade. It became a minor issue during the 1928 gubernatorial campaign, with three out of the four candidates advocating anti-evolution. Among Sidney Catts’s platform issues was: “Let’s have no evolution of man in our schools.” A broadside distributed on behalf of his campaign proclaimed that Catts “would make an attempt to eliminate this FREE LOVE and MONKEY TEACHING from the Girls’ College, which has proven a disgrace to the State of Florida and would prove disgraceful even to African cannibals.”⁵⁹ One of Catts’s rivals was John Taylor, the senator who had tried to sneak the 1927 anti-evolution bill out of committee and onto the Senate floor for approval. Possibly as a sign of the changing times, the only candidate not on the anti-evolution bandwagon, Doyle Carlton, won the governor’s office.

Anti-evolution popped up briefly during the 1929 legislative session when the Senate considered a bill about textbook selection. Sen. Joseph Scales wanted to amend it with a provision that teachers could choose not to use textbooks that promoted evolution “contrary to Biblical teachings.” Singletary spoke in favor of the bill: “If our children have to be taught things that make us blush to read, it is high time that we incorporate in our laws what this amendment proposes.” The amendment drew a hostile response, though. Sen. Pat Whitaker expressed what most other lawmakers were thinking: “This legislature was pestered

during its last session by ‘monkey business’ which emanated from Hillsborough county. I think it’s time that we pass a uniform text book law without confusing it with the evolution issue.”⁶⁰ The amendment was shot down, and the anti-evolution movement overall faded with it. An anti-evolution bill was introduced in the 1933 legislative session, but it didn’t make it out of a judiciary committee and attracted no significant interest in the media.⁶¹

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