



Five

THE DEFENSE CALLS MR. BRYAN

Hell is going to pop now.

—Dudley Field Malone to John Scopes,
as the defense called William Jennings Bryan to the witness stand, July 20, 1925

On Friday, July 17, after court was again opened with a prayer, Judge Raulston excluded the testimonies of expert witnesses—most of whom were scientists—that Darrow had brought to Dayton for the trial. Among the people upset with Raulston’s decision was John Butler, who complained that Raulston “ought to give ‘em a chance to tell [the court] what evolution is . . . I believe in being fair and square and American . . . Besides, I’d like to know what evolution is myself.” When the defense objected to Raulston’s decision, Raulston agreed to let the defense read the experts’ statements into the record (for possible use during an appeal) but not in the presence of the jury. The infuriated Darrow, who, noting that Raulston had ruled for the state on virtually all of the trial’s major issues, angrily suggested that Raulston was biased. At midmorning, Raulston recessed the trial to give the defense team’s experts the time necessary to prepare their statements. July 17 was the shortest day of the trial.

When Raulston excluded Darrow’s experts, most people felt the trial was all but over. H.L. Mencken—the greatest journalist of his era—told his readers, “Darrow has lost.” Faced with enduring a hot weekend and hearing hours of testimony being read into the court record, Mencken and most other reporters left Dayton (in Scopes’s words, “like birds in a migration”), believing there was nothing else to see. But when the Sunday edition of the *Nashville Banner* reported that the defense was “preparing to spring a coup d’état,” some people began to wonder what might come next.

On Monday, July 20, Judge Raulston cited Darrow for contempt of court for comments Darrow had made the previous Friday. Darrow apologized, and Raulston—quoting scripture—forgave Darrow. For the rest of the morning and into the early afternoon, Arthur Garfield Hays—whose name was a mix of the names of three US presidents (with a different spelling for Hayes)—read experts’ testimonies into the court record. Judge Raulston, concerned about the oppressive heat and the courtroom’s sagging floor, reconvened the court on a dais under shade trees on the courthouse lawn. There, a crowd of almost 2,000 people witnessed the Scopes Trial’s climactic event: Bryan being called by the defense to the witness stand. After sparring at a distance for more than a week, Darrow and Bryan were set to go head-to-head in a clash of faith and science, an event the *New York Times* described as “the most amazing courtroom scene in Anglo-American history.”

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On July 10, 1925, popular country singer Vernon Dalhart (born Marion Slaughter) recorded "The John T. Scopes Trial (The Old Religion's Better After All)." A few weeks later, Dalhart also recorded "Bryan's Last Fight," which proclaims that William Jennings Bryan "stood for his own convictions, and for them he'd always fight." On the same day that Dalhart made his popular recording, the Scopes Trial opened with a prayer by fundamentalist preacher Lemuel M. Cartright that implored people to "be loyal to God." Dalhart's version of "The John T. Scopes Trial" was released four days after the Scopes Trial and sold more than 80,000 copies. (Randy Moore.)



The Scopes Trial generated countless trial-related products, including songs such as "The John T. Scopes Trial" and "You Talk Like a Monkey and You Walk Like a Monkey," which is shown here. In turn, the trial was inspired by the issue of the supposed evolutionary link between man and ape. This poster, which was printed a few years before the Scopes Trial, shows "Prof." Harry De Rosa and the monkey "Count the First," who is advertised as "Living Proof of the Darwin Theory." Neither De Rosa nor his trained monkey were in Dayton, but other monkeys and apes were in town for the big event, spurring the sale of many monkey-related souvenirs.

You Talk Like A Monkey
And You Walk Like A Monkey

By JAMES KENDIS
and HAL DYSUM

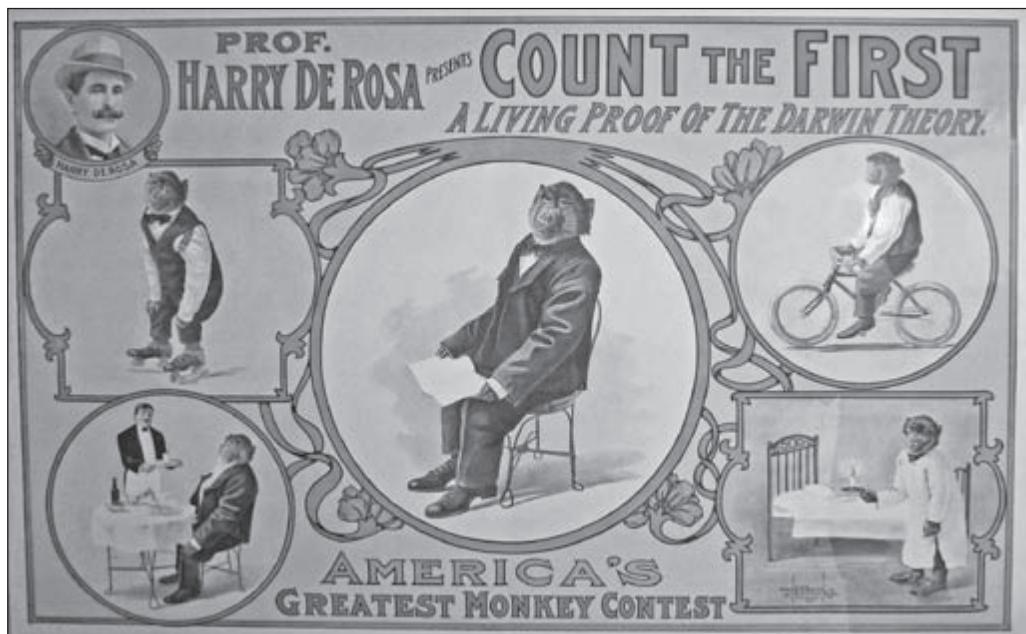
Moderato

Ru-fus and Em-ma-line had
Ru-fus and Em-ma-line could

smith-id' to do... Ru-fus and Em-ma-line went to the Zoo,
grey "Now Ru-fus" said Em-ma-line, "Please let me see."

They walked a-round and they stopped be-fore a mon-key cage, "We came from mon-keys" said Ru-fus
But he in-sists all their an-ces-tors once lived in trees. She said, "Why let's off his

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Several members of the defense team stayed at a dilapidated, 10-bedroom Victorian mansion just outside of Dayton. The house, which had been built in 1884 for executives and visiting stockholders of DCIC, had been vacant for most of a decade; it was referred to as the "Mansion" and the "Haunted House" by local residents. The defense team gathered at the Mansion each evening to plan strategy. The Mansion burned down in 1945. (BC.)



Scopes's defense team invited several scientists to Dayton to testify at Scopes's trial. This photograph shows, from left to right, (kneeling) Winterton Curtis, from the University of Missouri; Wilbur Nelson, state geologist of Tennessee; and William Goldsmith, from Southwestern University; (standing) Horatio Newman, from the University of Chicago; Maynard Metcalf, of John Hopkins University; Fay-Cooper Cole, from the University of Chicago; and Jacob Lipman, of the New Jersey Agricultural Station. (BC.)



To accommodate the expert witnesses, George Rappleyea and his wife, Ova Coryn "Precious" Rappleyea, renovated the abandoned "Mansion" across town. In this photograph, Precious stands on the steps of the renovated Mansion. Precious was a nurse who met George while he was recovering from a snakebite. The Rappleyeas, who married in 1919, moved to Dayton in 1922 and lived on a farm just outside of town. (SI Image No. 2008-1129.)



Luther Burbank, who was well known to Tennessee farmers, was a scientist famous for breeding new commercial varieties of plants. (This was considered to be evolution by some people.) Bryan worried that Burbank would testify for the defense, but Burbank did not come to Dayton. Burbank described the trial as "a great joke, but one which will educate the public and thus reduce the number of bigots." (LC.)



Maynard Mayo Metcalf, a 57-year-old zoologist from Johns Hopkins University, was the first and only witness called by the defense to testify on the stand at John Scopes's trial. The religious Metcalf, who testified on the afternoon of Wednesday, July 15, was meant to support the defense team's claim that science and religion can coexist. (In response, prosecutor Ben McKenzie claimed, "They want to put words in God's mouth.") The fourth day of Scopes's trial ended with Metcalf claiming, "The fact of evolution is as fully established as the fact that the earth revolves around the sun" and that "there is not a single [scientist] who has the least doubt of the fact of evolution." All of the other scientists that the defense team brought to Dayton submitted written statements that were read into the court record for the possible benefit of appellate courts. Scopes later claimed that the scientists in Dayton "broadened my view of the world." (LC.)



New York attorney Arthur Garfield Hays, pictured at right, was the newly appointed general counsel for the ACLU. On Monday, July 20, Hays—shown in the photograph below standing on the outside platform in a white shirt just to the left of the word “Bible”—read the experts’ testimonies into the court record. Defense attorney Dudley Field Malone is seated behind Hays. Hays then announced the most dramatic event of the Scopes Trial: “The defense desires to call Mr. Bryan as a witness.” After the trial, Hays—the only person at the ACLU who wanted John Scopes to be defended by Clarence Darrow—offered to send Judge Raulston a copy of Charles Darwin’s *On the Origin of Species*, and Raulston agreed to accept it. (Both, BC.)





The climactic event in the Scopes Trial occurred on Monday, July 20, when Clarence Darrow—the most famous defense lawyer in the United States—questioned William Jennings Bryan for 90 minutes on a platform on the courthouse lawn. According to one report, Bryan often answered Darrow's questions by turning to the crowd, not to the jury, as he "tried to squeeze every drop of drama out of the part." When Bryan claimed that the questions by Darrow—whom Bryan called "the greatest atheist or agnostic in the United States"—were meant to ridicule people who believed in the Bible, Darrow snarled that he was merely trying to prevent "bigots and ignoramuses from controlling the education of the United States, and you know it." (Above, BC; below, LC.)





Eloise Purser (Reed), who turned 13 during the Scopes Trial, watched from the front row on July 20 as Darrow questioned Bryan on the courthouse lawn. Scopes, who was close friends with Eloise's brother Crawford (who years later described the Scopes Trial as "a wild time"), often ate dinner at the Purser home. Eloise was one of the last surviving attendees of Scopes's famous trial. In her later years, Eloise appeared in several documentaries about the Scopes Trial. (Donna Reed Taylor.)



A CIVIC BIOLOGY

Presented in Problems

BY

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A Civic Biology, the first textbook to integrate zoology and biology, did not violate the Butler Act. Although Hunter classifies "man" as a mammal, he does not explicitly claim that classification implies common descent. "Man" does not appear in Hunter's evolutionary tree (right), nor are humans explicitly claimed to have any nonhuman ancestor. Instead, Hunter claims that modern humans evolved from "men who were much lower in their mental organization than the present inhabitants." (William McComas.)

The biology class in which John Scopes was the substitute teacher used a textbook titled *A Civic Biology, Presented in Problems* by George William Hunter. This book was introduced as Exhibit 1 on the fourth day of court proceedings. On the following day, the pages of Hunter's book that received the most attention included page 194, which discusses evolution and depicts an evolutionary tree of animals. William Jennings Bryan cited that page, and F.E. Robinson—who owned the drugstore where the Scopes Trial conspirators met—testified that Scopes had admitted that he had taught the evolutionary tree shown on this page. Hunter's book, which claims that Caucasians were "the highest type of all" humans, had been officially adopted for use in Tennessee in 1919. The biggest impact of the antievolution movement was not on court decisions or legislative acts, but instead on biology textbooks. Indeed, after the Scopes Trial, the word *evolution* disappeared from biology textbooks in the United States. (William McComas.)

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EVOLUTION

The Doctrine of Evolution. — We have now learned that animal forms may be arranged so as to begin with very simple one-celled forms and culminate with a group which contains man himself. This arrangement is called the evolutionary series. Evolution means



The evolutionary tree. Modified from Galloway. Copy this diagram in your notebook. Explain it as well as you can.

belief that simple forms of life on the earth slowly and gradually gave rise to those more complex and that thus ultimately the most complex forms came into existence.

The Number of Animal Species. — Over 500,000 species of animals are known to exist to-day, as the following table shows.

Protists	8,000	Arachnids	16,000
Sponges	2,500	Crustaceans	16,000
Ciliates	4,500	Mollusks	61,000
Echinoderms	4,000	Fishes	13,000
Flatworms	5,000	Amphibians	1,400
Roundworms	1,500	Reptiles	2,500
Annelids	4,000	Birds	13,000
Insects	360,000	Mammals	2,500
Myriapods	2,000	Total	518,500



As John Scopes's trial approached, geologist Leonard Darwin (right)—who would be the last surviving child of Charles and Emma Darwin—sent a letter to Scopes congratulating him for “his courageous effort to maintain the right to teach well-established theories . . . To state that which is true cannot be irreligious . . . May the son of Charles Darwin send you in his own name one word of warm encouragement.” Leonard Darwin is shown here with paleontologist Henry Fairfield Osborn, who had several public skirmishes with William Jennings Bryan about evolution. Osborn was invited to Dayton to help the defense but could not come because of his wife’s poor health. (LC.)



During the trial's second weekend, most reporters (including H.L. Mencken) left Dayton because they believed the trial was virtually over. They were wrong. Those who left early missed Darrow (right) in his legendary questioning of Bryan (left) on the platform outside the courthouse, which was watched by almost 2,000 spectators. Bryan, who believed that children lose interest in the Bible "when they come under the influence of a teacher who accepts Darwin's guess," proudly defended the Bible during Darrow's questioning about Noah and the flood, "the big fish [that] swallowed Jonah," Joshua commanding the sun to stand still, human ancestors, and the age of Earth. After the questioning, John Scopes noted that "Bryan was never the same." Scopes later praised Darrow's work, noting that "if men like Clarence Darrow had not come to my aid and had not dramatized the case to a responsive world, freedom would have been lost." Scopes was conscripted to write reports for the absent reporters. (LC.)