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Tampan Pushed the Ape Bill

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It was "The Roarin’ 20s" and many subjects, both zany and serious, occupied the minds and imaginations of Americans. The country "chose up sides" and followed with unsurpassed curiosity the strange drama that was unfolding in the court house of the tiny town of Dayton, Tennessee.

It was the nationally famous trial of an obscure school teacher named John Thomas Scopes for violating the anti-evolution statute of Tennessee. The law passed and the trial was held the same year-1925, fifty two years ago.

There was an exciting sequel to those events in Tennessee right here in Florida. Shortly after the Tennessee battle, and as a direct

I still think, after the passage of 50 years, that my anti-evolution bill I introduced in the 1927 Legislature, was a good bill.
offshoot of the big stir in Dayton, a similar bill to the law under fire in Tennessee was introduced in the Florida Legislature. It created a national conversation piece, brought widespread publicity to our Legislature, and the bill itself almost became law!

'A Good Purpose'

The sponsor of the Florida measure was a young Tampa lawyer, Leo Stalnaker Sr., who had served as Municipal Judge, and who still practices law in his home town. Stalnaker was and is a staunch admirer of William Jennings Bryan, one of the antagonists in the Dayton legal struggle. Bryan, three times the Democratic nominee for President of the United States and in his latter years a resident of Florida, tangled with equally famed Clarence Darrow in that historic trial in Tennessee.

To this very day, Stalnaker, key figure in the Florida anti-evolution controversy, firmly believes his was a good bill. He also feels that even though it failed to clear the State Senate before adjournment of the 1927 session, it served a good purpose.

he Tampa attorney reminisced to this writer the other day about the hullabaloo his proposal caused. He said that during House hearings on his bill, he produced and displayed "15 or 20" books bought from the University of Florida and Florida State College for Women (now F.S.U.) that quoted Darwin's views on evolution "as fact rather than a theory." Stalnaker appeared pleased as he reported that the Universities discontinued use of the texts he found objectionable.

Now 80 Years Old

Looking back, Stalnaker mused, "I thought it was a good bill then, and now that 50

Once upon a time there was a message service known as Postal Telegraph, and it delivered a telegram from the Optimist Club of Tampa to State Rep. Leo Stalnaker Sr. in support of his anti-evolution bill which stirred the Florida Legislature in its 1927 session.
years have passed and I am more than 80 years old, I still feel it was a good bill."

Recalling the floor fight on his proposal, Stalnaker said his main argument for passage was that "the money of Christian taxpayers should not be used to pay the salaries of instructors to teach their children an atheistic philosophy as fact, a theory that is repugnant to them and not in keeping with the Biblical account of the creation of man in its accepted interpretation."

Text of Bill

Stalnaker’s bill as passed by the House of Representatives-by a whopping-67 to 24 majority read as follows:

"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 text book 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 text book which teaches as fact any theory that denies the existence of God, that denies the Divine creation of man, or which teaches atheism or infidelity or that contains vulgar, obscene or indecent matter."

The penalty set for violation of the law was fines of not more than $100.

The Florida bill had been watered down (some in the Legislature said at the time it had lost its "teeth") from the law that had

**Bible Biology**

**Text To Be Used In Dallas**

DALLAS (UPI) - The school board has indicated it will introduce into classrooms a high school biology text which relies heavily on Christian religion to explain creation of man and the universe.

"There are two main theories of creation - that of Darwin and the special creation as set forth in the first chapter of Genesis," board president Bill Hunter said.

"Giving only the Darwin version is not a balanced presentation. This textbook offers both the Darwin idea and the biblical one. I think the approach is very sound."

HUNTER SAID IT was highly likely the book - entitled "A Search for Order in Complexity" - would be approved for use Wednesday night at the board’s next regular meeting despite the State Textbook Committee’s rejection of the text last spring.

Last May the nine-member board voted unanimously to instruct school superintendent Nolan Estes to lobby for the book’s adoption before the State Textbook Committee. But the committee rejected the book and recommended five others, none of which included the biblical account.

"We used the state committee's recommendations on textbooks but we can make our own choice of classroom resource material," Hunter said. "We are not going to replace the textbooks now being used. We are just providing teachers and students with a resource to balance out the presentation."

The book, co-authored by professors at Michigan State University and the University of Texas-El Paso, and is funded by the Creation Research Society.

"HEY, THIS IS a very scientific book," Hunter said. "The society has about 500 scientists. Their approach is to study scientific evidence and along with the biblical approach."

The book makes several references to the creation theory, including one reference which said science had not been able to answer how life began.

In a note to the student in the accompanying lab manual, the authors said "this lab manual emphasizes good biological principals, and the glories and the handiwork of God in His marvelous creation are made evident."
been enacted in Tennessee. The Tennessee anti-evolution act, still in effect today despite a 1960 effort to wipe it off the books, had been sponsored by a farmer named John Washington Butler. It forbids schools and teachers "to teach the theory that denies the story of the Divine creation of man as taught in the Bible, and to teach instead that man has descended from a lower order of animals."

**Overrides Committee**

The Stalnaker bill had its ups and downs in that 1927 session. At first referred to the House Committee on Education, it cleared that unit without a dissenting vote. But then a pocket of opposition to the bill had developed and this hostile group of Representatives succeeded in having the bill referred to a special committee made up of all five House Judiciary Committees. (Rep. Fred H. Davis of Leon County was House Speaker that year). The special Judiciary group gave the Stalnaker bill an unfavorable report which might have killed it except by then public interest had built up in the measure and a movement swept the House to override the unfavorable committee report. The move succeeded by an overwhelming vote and the bill returned to the House calendar, and passed by the nearly three to one margin.

The anti-evolution bill sailed through the Senate’s Education Committee, but the session was nearing the end and the bill bogged down on the Senate calendar. And that ended the Florida movement for a Tennessee-type bill.

**Hostile Legislators**

Among the hostile legislators bucking the Stalnaker bill was a 21-year-old lad from Calhoun County, the youngest member of the Legislature. He was Rep. Fuller Warren, of Blountstown, who later was to become Governor of Florida.

Another personality in the scrap, this one on Stalnaker’s team of supporters, was the late J. M. Lee, then a Representative from Highlands County, and later State Comptroller for many years.
In one of the arguments on the House floor, Representative Getzen of Sumter County characterized the original bill as "a disgrace to the state and the worst thing which ever happened in a Florida Legislature."

As the Florida "evolution bill" gained national publicity, the battle lines were drawn in ranks of the public at home.

**Tampa Stirred Up**

In Stalnaker's home town of Tampa, a group calling itself the Florida Society for the Advancement of Science was formed for the sole purpose of fighting the bill. Many years later, in 1951, one of the leaders of that organization, A. M. Wade, recounted the fight from his viewpoint in a letter to a local newspaper historical page.

"Nothing could have made me 'see red' more emphatically than such an enactment," Wade wrote of the Stalnaker bill. "As one schooled in the field of evolution, it struck me that such a law would undermine the very foundation of education and make Florida a laughing stock among the progressive states of the union.

"To me, the basis of all knowledge was well grounded in the doctrine of evolution. The term 'theory of evolution' had long since been dropped from my category and I accepted it as a principle of law..."

**1200 at Mass Rally**

Wade reported that his group staged a mass public rally in the elegant old Tampa Bay Casino and that more than 1200 persons turned out for the meeting. Among those leading the opposition locally, Wade recalled, was Dr. H. Spencer Lewis, at the time head of the Rosecrucian order in the United States which then had its headquarters in Tampa but which has since moved to California.

Supporters of the Stalnaker bill all over the state also got fired up, and shouted their approval of what the Tampa legislator was trying to do.

Calvary Baptist Church of Jacksonville wired that 1500 strong it was "squarely behind your anti-evolution measure." A man in DeFuniak Springs wrote, "If there are any monkeys or apes in the Legislature they ought to be unseated, but of course you cannot tell who they are as some of them resemble a man so much but after the vote is taken then you can tell by their vote who are the monkey's descendants.

"**Moses Is Right**"

The Jacksonville Baptist Ministers Conference backed Stalnaker, so did the Protestant Ministerial Association of Polk County, the Starke Ministerial Association, the "Betsy Ross Club" of Tampa, the Clearwater Wesley Brotherhood, the ministers of Leesburg, and numerous other groups and individuals got behind the bill. The Leesburg ministers reported results of polls of their congregations and summarized it that out of 650 persons, 644 were for the bill, that is for opposing "the teaching of evolution in our schools" and four were neutral and two were against it.

A gentleman in Starke wired: "Seventy five percent of the people are with you on your antievolution bill. The mothers of the state want their children taught facts not theories. There is no case where one species is derived from another species. Moses is right, God created. Don't let them bluff you with filibuster."
In West Palm Beach and elsewhere, sermons were preached from the pulpits. Cried Dr. Joseph Taylor, pastor of the First Presbyterian Church: "The significant thing about the anti-evolution, anti-atheism bill now before the Florida Legislature is that some of the legislators believe it necessary to protect our youth from the ravages of atheism and unbelief."

**Stalnaker For Governor**

It was a burning issue in the newspapers of the day, too, and some of them started a boomlet for Stalnaker for Governor.

**ANTI-EVOLUTION BILL BACKING-ISSUE REVIVED**

Clipping from THE TAMPA TRIBUNE of Saturday, Jan. 22, 1977, reports on Bible biology text to be used in Dallas, Tex., schools.

Leo Stalnaker, Tampan who sponsored the antievolution bill in the 1927 Florida Legislature, commented after this story appeared: "The article about the textbooks for use in the Texas schools containing the Biblical account of creation also, indicates that our thinking of 50 years ago—that the teaching of the Darwin theory of creation as an established fact was false—and that giving only the Darwin version is not a balanced presentation; that the Biblical version should be presented also."

Stalnaker told this writer that he had no direct contact with the Great Commoner, prior to his death, but that he did get wholehearted support of his measure from George E. Washburn who was the associate teacher of Bryan’s Sunday School class in Miami. Bryan died in Dayton a few days after the Scopes trial ended.

But Bryan had done much to stir up Floridians in his fight against evolution. When he published his famous pamphlet, "The Menace of Darwinism," in 1922, Bryan sent 200 copies to his very close friend, Dr. A. A. Murphree, president of the University of Florida, for distribution to the faculty and students taking sociology.

**Bryan At University**

The national figure, by then active in many Florida affairs and a booster of the Gator institution, came to Gainesville on Feb. 22, 1922, and spoke to the student body ripping into the practice of teaching evolution.

According to an account of this event, published in the *Florida Historical Quarterly* by Dr. Samuel Proctor (Vol. XXXIX, No. 1, July, 1960) the student newspaper, the *Florida Alligator*, gave a glowing report on Bryan's campus visit, and declared "the students were completely under his (Bryan's) spell throughout the entire evening, laughing or serious, thoughtful or jubilant, just as he pleased. Applause interrupted the discourse throughout, and a 'long Gator' was lustily given at the end."

Bryan had in mind pushing anti-evolution laws in the Florida Legislature. He had said in a Tallahassee speech, "We only ask that if you will not permit Christianity to be taught in public schools that you do not allow the atheists, or the Darwinists to spread their doctrine."

Agan in 1924, Bryan spoke in Gatorland. Of that series, Dr. Murphree wrote to a friend saying that "His (Bryan's) foolish notions on evolution came in for a round, though he was not so bitter and not quite so unreasonable..."
But Bryan literally went down fighting for the cause of anti-evolution. Less than a week after the Scopes trial ended, and while he was still in the little town resting, Bryan died. On the afternoon of the day he died, he was busily preparing a speech on evolution. His finishing touches on the speech were:

"Faith of our fathers-holy faith,
We will be true to Thee till death."

So excited was the young Tampa lawyer, Leo Stalnaker Sr., about the Scopes trial and the death of his hero Bryan, he made a special trip to Dayton and took pictures of the room where Bryan died and of other scenes in the notable community.

Darwinism is still a controversy but its use is spreading in American public schools, according to an Associated Press survey several years ago. Tennessee and two other states, Arkansas and Mississippi, have laws barring Darwinism from the classrooms.

Florida’s proposal on the subject didn’t make the grade-50 years ago.