

Dramatis Personae of the Scopes Trial

Author of the Anti-Evolution Act
John Washington Butler

The Man Behind the Scopes Trial
George Rappalyea

The Defendant
John Scopes

The Visiting Prosecuting Attorney
William Jennings Bryan

The Most Famous of the Defense Attorneys
Clarence Darrow

A Scientific Expert
Maynard Metcalf

The Reporter from Baltimore
H.L. Mencken

Other Trial Participants
Ben G. McKenzie , Prosecutor
A. Thomas Stewart, Prosecutor
Arthur Garfield Hays , Defense Attorney
Dudley Field Malone , Defense Attorney
John Randolph Neal, Defense Attorney
Judge John T. Raulston

H.L. Mencken's Account



I. "THE MONKEY TRIAL": A Reporter's Account

July 9

On the eve of the great contest Dayton is full of sickening surges and tremors of doubt. Five or six weeks ago, when the infidel Scopes was first laid by the heels, there was no uncertainty in all this smiling valley. The town bloomers leaped to the assault as one man. Here was an unexampled, almost a miraculous chance to get Dayton upon the front pages, to make it talked about, to put it upon the map. But how now?

Today, with the curtain barely rung up and the worst buffooneries to come, it is obvious to even town boomers that getting upon the map, like patriotism, is not enough. The getting there must be managed discreetly, adroitly, with careful regard to psychological niceties. The boomers of Dayton, alas, had no skill at such things, and the experts they called in were all quacks. The result now turns the communal liver to water. Two months ago the town was obscure and happy. Today it is a universal joke.

I have been attending the permanent town meeting that goes on in Robinson's drug store, trying to find out what the town optimists have saved from the wreck. All I can find is a sort of mystical confidence that God will somehow come to the rescue to reward His old and faithful partisans as they deserve--that good will flow eventually out of what now seems to be heavily evil. More specifically, it is believed that settlers will be attracted to the town as to some refuge from the atheism of the great urban Sodoms and Gomorrah.

But will these refugees bring any money with them? Will they buy lots and build houses? Will they light the fires of the cold and silent blast furnace down the railroad tracks? On these points, I regret to report, optimism has to call in theology to aid it. Prayer can accomplish a lot. It can cure diabetes, find lost pocketbooks and retain husbands from beating their wives. But is prayer made any more officious by giving a circus first? Coming to this thought, Dayton begins to sweat.

The town, I confess, greatly surprised me. I expected to find a squalid Southern village, with darkies snoozing on the horse blocks, pigs rooting under the houses and the inhabitants full of hookworm and malaria. What I found was a country town of charm and even beauty....

July 10 (the first day)

The town boomers have banqueted Darrow as well as Bryan, but there is no mistaking which of the two has the crowd, which means the venire of tried and true men. Bryan has been oozing around the country since his first day here, addressing this organization and that, presenting the indubitable Word of God in his caressing, ingratiating way, and so making unanimity doubly unanimous. From the defense yesterday came hints that he was making hay before the sun had legally begun to shine--even that it was a sort of contempt of court. But no Daytonian believes anything of the sort. What Bryan says doesn't seem to these congenial Baptists and Methodists to be argument; it seems to be a mere graceful statement to the obvious....

July 11

The selection of a jury to try Scopes, which went on all yesterday afternoon in the atmosphere of a blast furnace, showed to what extreme lengths the salvation of the local primates has been pushed. It was obvious after a few rounds that the jury would be unanimously hot for Genesis. The most that Mr. Darrow could hope for was to sneak in a few bold enough to declare publicly that they would have to hear the evidence against Scopes before condemning him. The slightest sign of anything further brought forth a peremptory challenge from the State. Once a man was challenged without examination for simply admitting that he did not belong formally to any church. Another time a panel man who confessed that he was prejudiced against evolution got a hearty round of applause from the crowd....

In brief this is a strictly Christian community, and such is its notion of fairness, justice and due process of law. Try to picture a town made up wholly of Dr. Crabbes and Dr. Kellys, and you will have a reasonably accurate image of it. Its people are simply unable to imagine a man who rejects the literal authority of the Bible. The most they can conjure up, straining until they are red in the face, is a man who is in error about the meaning of this or that text. Thus one accused of heresy among them is like one accused of boiling his grandmother to make soap in Maryland....

July 13 (the second day)

It would be hard to imagine a more moral town than Dayton. If it has any bootleggers, no visitor has heard of them. Ten minutes after I arrived a leading citizen offered me a drink made up half of white mule and half of coca cola, but he seems to have been simply indulging himself in a naughty gesture. No fancy woman has been seen in the town since the end of the McKinley administration. There is no gambling. There is no place to dance. The relatively wicked, when they would indulge themselves, go to Robinson's drug store and debate theology....

July 14 (the third day)

The net effect of Clarence Darrow's great speech yesterday seems to be preciously the same as if he had bawled it up a rainspout in the interior of Afghanistan. That is, locally, upon the process against the infidel Scopes, upon the so-called minds of these fundamentalists of upland Tennessee. You have but a dim notice of it who have only read it. It was not designed for reading, but for hearing. The clangtint of it was as important as the logic. It rose like a wind and ended like a flourish of bugles. The very judge on the bench, toward the end of it, began to look uneasy. But the morons in the audience, when it was over, simply hissed it. During the whole time of its delivery the old mountebank, Bryan, sat tight-lipped and unmoved. There is, of course, no reason why it should have shaken him. He has these hillbillies locked up in

his pen and he knows it. His brand is on them. He is at home among them. Since his earliest days, indeed, his chief strength has been among the folk of remote hills and forlorn and lonely farms. Now with his political aspirations all gone to pot, he turns to them for religious consolations. They understand his peculiar imbecilities. His nonsense is their ideal of sense. When he deluges them with his theologic bilge they rejoice like pilgrims disporting in the river Jordan....

July 15 (the fourth day)

A preacher of any sect that admit the literal authenticity of Genesis is free to gather a crowd at any time and talk all he wants. More, he may engage in a disputation with any expert. I have heard at least a hundred such discussions, and some of them have been very acrimonious. But the instant a speaker utters a word against divine revelation he begin to disturb the peace and is liable to immediate arrest and confinement in the calaboose beside the railroad tracks...

July 16 (the fifth day)

In view of the fact that everyone here looks for the jury to bring in a verdict of guilty, it might be expected that the prosecution would show a considerable amiability and allow the defense a rather free play. Instead, it is contesting every point very vigorously and taking every advantage of its greatly superior familiarity with local procedure. There is, in fact, a considerable heat in the trial. Bryan and the local lawyers for the State sit glaring at the defense all day and even the Attorney-General, A. T. Stewart, who is supposed to have secret doubts about fundamentalism, has shown such pugnacity that it has already brought him to forced apologies.

The high point of yesterday's proceedings was reached with the appearance of Dr. Maynard M. Metcalf of the John Hopkins. The doctor is a somewhat chubby man of bland mien, and during the first part of his testimony, with the jury present, the prosecution apparently viewed him with great equanimity. But the instant he was asked a question bearing directly upon the case at bar there was a flurry in the Bryan pen and Stewart was on his feet with protests. Another question followed, with more and hotter protests. The judge then excluded the jury and the show began.

What ensued was, on the surface, a harmless enough dialogue between Dr. Metcalf and Darrow, but underneath there was tense drama. At the first question Bryan came out from behind the State's table and planted himself directly in front of Dr. Metcalf, and not ten feet away. The two McKenzies followed, with young Sue Hicks at their heels.

Then began one of the clearest, most succinct and withal most eloquent presentations of the case for the evolutionists that I have ever heard. The doctor was never at a loss for a word, and his ideas flowed freely and smoothly. Darrow steered him magnificently. A word or two and he was howling down the wind. Another and he hauled up to discharge a broadside. There was no cocksureness in him. Instead he was rather cautious and deprecatory and sometimes he halted and confessed his ignorance. But what he got over before he finished was a superb counterblast to the fundamentalist buncombe. The jury, at least, in theory heard nothing of it, but it went whooping into the radio and it went banging into the face of Bryan....

This old buzzard, having failed to raise the mob against its rulers, now prepares to raise it against its teachers. He can never be the peasants' President, but there is still a chance to be the peasants' Pope. He leads a new crusade, his bald head glistening, his face streaming with sweat, his chest

heaving beneath his rumpled alpaca coat. One somehow pities him, despite his so palpable imbecilities. It is a tragedy, indeed, to begin life as a hero and to end it as a buffoon. But let no one, laughing at him, underestimate the magic that lies in his black, malignant eye, his frayed but still eloquent voice. He can shake and inflame these poor ignoramuses as no other man among us can shake and inflame them, and he is desperately eager to order the charge.

In Tennessee he is drilling his army. The big battles, he believes, will be fought elsewhere.

July 17 (the sixth day)

Malone was in good voice. It was a great day for Ireland. And for the defense. For Malone not only out-yelled Bryan, he also plainly out-generated and out-argued him. His speech, indeed, was one of the best presentations of the case against the fundamentalist rubbish that I have ever heard.

It was simple in structure, it was clear in reasoning, and at its high points it was overwhelmingly eloquent. It was not long, but it covered the whole ground and it let off many a gaudy skyrocket, and so it conquered even the fundamentalist. At its end they gave it a tremendous cheer--a cheer at least four times as hearty as that given to Bryan. For these rustics delight in speechifying, and know when it is good. The devil's logic cannot fetch them, but they are not above taking a voluptuous pleasure in his lascivious phrases..

July 18

All that remains of the great cause of the State of Tennessee against the infidel Scopes is the formal business of bumping off the defendant. There may be some legal jousting on Monday and some gaudy oratory on Tuesday, but the main battle is over, with Genesis completely triumphant. Judge Raulston finished the benign business yesterday morning by leaping with soft judicial hosannas into the arms of the prosecution. The sole commentary of the sardonic Darrow consisted of bringing down a metaphorical custard pie upon the occiput of the learned jurist.

"I hope," said the latter nervously, "that counsel intends no reflection upon this court."

Darrow hunched his shoulders and looked out of the window dreamily.

"Your honor," he said, "is, of course, entitled to hope."...

The Scopes trial, from the start, has been carried on in a manner exactly fitted to the anti-evolution law and the simian imbecility under it. There hasn't been the slightest pretense to decorum. The rustic judge, a candidate for re-election, has postured the yokels like a clown in a ten-cent side show, and almost every word he has uttered has been an undisguised appeal to their prejudices and superstitions. The chief prosecuting attorney, beginning like a competent lawyer and a man of self-respect, ended like a convert at a Billy Sunday revival. It fell to him, finally, to make a clear and astounding statement of theory of justice prevailing under fundamentalism. What he said, in brief, was that a man accused of infidelity had no rights whatever under Tennessee law...

Darrow has lost this case. It was lost long before he came to Dayton. But it seems to me that he has nevertheless performed a great public service by fighting it to a finish and in a perfectly serious way. Let no one mistake it for comedy, farcical though it may be in all its details. It serves notice on the country that Neanderthal man is organizing in these forlorn backwaters of the land, led by a fanatic, rid of sense and devoid of conscience. Tennessee, challenging him too

timorously and too late, now sees its courts converted into camp meetings and its Bill of Rights made a mock of by its sworn officers of the law. There are other States that had better look to their arsenals before the Hun is at their gates.