

THE BUTLER ACT

PUBLIC ACTS
OF THE
STATE OF TENNESSEE
PASSED BY THE
SIXTY-FOURTH GENERAL ASSEMBLY
1925

CHAPTER NO. 27
House Bill No. 185
(By Mr. Butler)

AN ACT prohibiting the teaching of the Evolution Theory in all the Universities, Normals and all other public schools of Tennessee, which are supported in whole or in part by the public school funds of the State, and to provide penalties for the violations thereof.

Section 1. Be it enacted by the General Assembly of the State of Tennessee, That it shall be unlawful for any teacher in any of the Universities, Normals and all other public schools of the State which are supported in whole or in part by the public school funds of the State, to teach any 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.

Section 2. Be it further enacted, That any teacher found guilty of the violation of this Act, Shall be guilty of a misdemeanor and upon conviction, shall be fined not less than One Hundred \$ (100.00) Dollars nor more than Five Hundred (\$ 500.00) Dollars for each offense.

Section 3. Be it further enacted, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 13, 1925

W.F. Barry,
Speaker of the House of Representatives

L.D. Hill,
Speaker of the Senate

Approved March 21, 1925.

Austin Peay,
Governor.

Sources

ushistory.org

NPR: Remembering the Scopes Monkey Trial

Timeline - The Motivations Behind the Scopes Monkey Trial

Jan. 21, 1925 – Rep. Butler introduces legislation in the Tennessee House of Representatives calling for a ban on the teaching of evolution. The proposed law, known as the Butler bill, would prohibit the teaching of "any 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."

Jan. 27, 1925 – The Tennessee House of Representatives approves the Butler bill on a 71-to-5 vote.

March 13, 1925 – After several hours of heated debate, the Tennessee Senate approves the Butler bill 24 to 6.

March 21, 1925 – Tennessee Gov. Austin Peay signs the Butler bill into law. The new law is the first in the United States to ban the teaching of evolution.

May 4, 1925 – A Chattanooga newspaper runs an item noting that the American Civil Liberties Union is seeking teachers willing to challenge the Butler law. The item says that the ACLU is "looking for a Tennessee teacher who is willing to accept our services in testing this law in the courts. Our lawyers think a friendly test case can be arranged without costing a teacher his or her job... All we need now is a willing client."

May 5, 1925 – A group of town leaders in Dayton, Tenn., read the news item about the ACLU's search. They quickly hatch a plan to bring the case to Dayton, a scheme that they hope will generate publicity and jump-start the town's economy. They ask 24-year-old science teacher and football coach John Thomas Scopes if he'd be willing to be indicted to bring the case to trial. Scopes agrees, even though he has only taught biology as a substitute teacher and later says he isn't sure he covered evolution in his classes.

May 12, 1925 – Bryan agrees to participate in the trial on the side of the prosecution, ensuring that the case will receive significant national interest. Several days later, well-known attorneys Clarence Darrow and Dudley Field Malone announce their interest in representing Scopes.

May 25, 1925 – Scopes is indicted by a grand jury for violating Tennessee's anti-evolution law.

May-July, 1925 – Preparations begin in Dayton for an expected onslaught of trial-related publicity. Six blocks of Dayton's main road are transformed into a pedestrian mall; a speaker's platform is built on the lawn of the courthouse; and a tourist camp is constructed. The courtroom is outfitted with the latest technology to transmit the story to the world: telegraph and telephone wiring, movie-newsreel camera platforms and radio microphones. WGN Radio broadcasts the trial live at a cost of more than \$1,000 a day just for telephone lines — the first such broadcast of its kind.

Sources

ushistory.org

NPR: Remembering the Scopes Monkey Trial