

OKLAHOMA'S ANTI-EVOLUTION CONTROVERSY, 1923-1930

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1957

Submitted to the faculty of the Graduate School of
the Oklahoma State University
in partial fulfillment of the requirements
for the degree of
MASTER OF ARTS
August, 1959

FEB 29 1960

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PREFACE

An attempt has been made in these pages to show that Oklahoma witnessed a pungent anti-evolution controversy during the decade of the 1920s. Oklahoma has been largely overlooked or ignored by scholars working in this field. Yet, this southwestern commonwealth in many ways set the precedent that her sister states were to follow. She was the first state in the union to enact "anti-Darwin" legislation (more than two years prior to the celebrated Scopes trial), and in turn, she was also the first to rescind such a statute. Moreover, the controversy endured one of its longest and bitterest durations in our state.

My purpose was to give a brief, simple, and straightforward account of the controversy. Evidently my narrative will not please everybody, since few subjects are more provocative and controversial. The passage of more than a quarter of a century has not succeeded in lessening all the strong feelings attached to this topic. Dissensions and disagreements over evolution continue to exist within and among some religious denominations.

By treating the events of this controversy, this work is directed at opening other facets of the issue for further research. The social implications of the anti-evolution movement are too large to discuss in complete detail here and would surely provide fruitful compensation with additional research.

Acknowledgements are in order. I would like to recognize the able assistance of my wife, La Vonne, in the preparation of this manuscript

and the co-operation of my daughters, Janet and Judith, in allowing their mother's assistance. Also, I wish to express my gratitude to Dr. Alfred Levin, head of the graduate studies committee, for approving a treatise on this subject. Heartfelt thanks are also due to my advisory committee, Dr. Norbert L. Mahnken and Dr. Theodore L. Agnew, for their constructive criticisms and judicious advice. The invaluable assistance of Mr. Alton F. Juhlin, head of special services, and Mrs. Marguerite Howland, documents librarian, is sincerely appreciated. I am also indebted to former Governor Henry S. Johnston for his kindness in granting me an interview during his annual visit to the Oklahoma State University campus. Last, but most definitely not least, I want to acknowledge my colleagues and the history graduate assistants. Their camaraderie and fellowship has furnished much food for thought and food for the pen, both of which I partook to the last full measure.

Any value which might be subsequently attached to this work is to a large degree attributable to those acknowledged above. The author, however, assumes full responsibility for any errors or defects which may be contained herein.

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CHAPTER I

ANTI-EVOLUTION TEXTBOOK LAW

Charles R. Darwin probably foresaw the effect his theory of the descent of man would have upon the scientific disciplines. It is extremely doubtful, however, that he appreciated the repercussions it was to have upon the theological world.

The credibility of the maxim that everything changes except change itself is seldom seriously questioned. However, man seems to have a tendency to resist most rapid and radical change and continues to cherish that which has become obsolete and passe. This seems especially true when the proposed change is of a nature which affects morality and theology.

This resistance to change was manifested in the anti-evolution movement which made its participants into one of the most vocal and adamant pressure groups since the abolitionists of the Civil War era.

The wave of Christian fundamentalism¹ which swept over much of the

¹Webster's New International Dictionary of the English Language (second edition), G. & C. Merriam Company, Springfield, Mass., 1954, defines fundamentalism as being, "A recent movement in American Protestantism in opposition to modernistic tendencies, re-emphasizing as fundamental to Christianity the inerrancy of the Scriptures, Biblical miracles, especially the virgin birth and physical resurrection of Christ, and substitutional atonement." Funk & Wagnall's New "Standard" Dictionary of the English Language, Funk & Wagnalls Company, New York, 1958, omits the word fundamentalism altogether and inadequately defines a fundamentalist as, "One who believes in the basic truths of the Bible; distinguished from a modernist." No single explanation of a fundamentalist can be definitive, however, since they appeared independently in

nation during the third decade of our century experienced its first legal triumph in the state of Oklahoma. It is not at all surprising that the anti-evolution controversy appeared in Oklahoma, since the state lies within that amorphous geographical area often referred to as the "Bible belt."

Purism has made frequent appearances throughout the past two centuries in various denominations. Fundamentalism, however, originated in 1909 with the uniting of conservative Protestants in an effort to resist the spread of "modernism"² in theology. In 1918 the World's Christian Fundamentals Association was founded; its aims being to defend the primacy of the Biblical gospel in the churches and to check all "anti-Christian" tendencies.

The fundamentalists took violent exception to the advocacy and teaching of evolutionary theories. They attempted to arrest this "heretical" practice by seeking state and federal laws which would forbid the teaching of such doctrines in the public schools. Colleges and universities were usually placed in the same categorical position as elementary and secondary schools if they were entirely or in part state

the Baptist, Disciples, Episcopal, Methodist, Presbyterian, and various other smaller persuasions. The scope of this study is limited to one point of exegesis upon which all fundamentalists were in agreement, however. This being the infallibility of the Scriptures, or more explicitly the inerrancy of Genesis' account of the Creation.

²Webster's New International Dictionary defines modernism as, "a current movement in the Protestant churches arising mainly from the application of modern critical methods to the study of the Bible and the history of dogma, and emphasizing the spiritual and ethical side of Christianity rather than the historic dogmas and creeds." To the fundamentalists, however, anyone who was not a fundamentalist was a modernist.

supported.

It is interesting to note that the first objections to evolutionary teachings in Oklahoma concerned the social and physical sciences. History and geology were the disciplines particularly involved. Fundamentalist agitation in most other states centered on the biological sciences and biology in particular.

The Southern Baptist Convention of 1922 set the stage upon which Oklahoma's anti-evolution drama was to unfold. The Baptists declared that the textbook was the anvil upon which evolution was to be crushed. Textbooks "calculated to undermine the faith of students in the Bible" must not be used. In explanation, the convention declared ". . . if in the department of science no text book can be found which does correctly teach about evolution the teacher ought to be able to interpret the text-book in the light of revealed Biblical facts. . . ." The convention then made its position unequivocally clear by declaring, "One can understand both the Bible and evolution and believe one of them, but he cannot understand both and believe both."³

One of the first evidences of an impending anti-evolution controversy in Oklahoma came in October of 1922 and was contained in the minutes of the eleventh annual session of the Oklahoma State Association of Missionary Baptist Churches held at Alex. During the session and after a "good and uplifting" sermon by Elder Ben J. Smith of Sheridan, Arkansas, the convention adopted a report from the education committee which read, "Our public schools. . .and higher institutions of learning

³"The Report of the Committee on the Report of the Education Board," Annual of the Southern Baptist Convention 1922, May 17-22, 1922, p. 33.

are infested with infidelity, rationalism and false science."⁴ This pronouncement was a harbinger of more determined onslaughts by fundamentalists, and especially Baptists, upon the teaching of evolutionary theories in the schools.

In November, Oklahoma's Baptists met in a general session at Altus. There, a censuring motion was made and adopted to "memorialize the state legislature regarding the matter of the teaching of evolution in our public school system. . ."⁵

One of the first publicized accounts of the fundamentalist spirit occurred during January of 1923 in Tulsa. Miss Lola De Vault, chief stenographer in the Tulsa County Attorney's office and an ardent Baptist, resigned her position as president of the Athena society which was one of seven Delphian study clubs in that city. The society's academic study courses included English, history, music, foreign languages, and other disciplines taught in accredited colleges. Miss De Vault charged that the history course made an effort to discount the inspiration of the scriptures, the story of the creation, and, hence, the deity of Jesus Christ.⁶

The genesis of Oklahoma's anti-evolution law, however, is entwined with the free textbook bill passed by the Ninth Oklahoma Legislature. In 1922 and 1923, during the ascendancy of the Farmer-Labor Reconstruction

⁴"Christian Education," Minutes of the Eleventh Annual Session of the Oklahoma State Association of (Landmark) Missionary Baptist Churches, October 24-26, 1922, n. p., Author's italics.

⁵Minutes of the Seventeenth Annual Convention of the Baptist General Session of Oklahoma, November 15-17, 1922, p. 95.

⁶Tulsa Tribune, January 21, 1923, p. A-1.

League and its "Shawnee platform,"⁷ agitation was renewed for free textbooks. The "Shawnee platform" contained a "plank" demanding free textbooks, and during the succeeding year free texts were advocated in both the Republican and Democratic party platforms. The "plank" in the Democrats' platform in the past election stipulated, "We [Democratic party] demand that the state publish text books and sell them to the school districts at cost and the school districts furnish them to the pupils free."⁸

Governor John C. Walton was in complete agreement with the "free textbook plank." In his inaugural address to the legislature, in January of 1922, he stated, "It is my judgment that this state ought to furnish the school text books free to all pupils of the state and trust your wisdom will accomplish that end."⁹

Both the Democrats' and Republicans' promises were partially fulfilled when a bi-partisan group comprising Representatives J. W. Bremer, Lulu D. Anderson, Richard Elam, L. Lowrey, G. W. Moothart, W. B. Thornsborough, D. T. Wooten, J. H. Windle, Democrats, J. S. Mabon, D. B. Acton, L. A. Everhart, and W. J. Otjen, Republicans, introduced House bill number 197, an act creating and providing for a system of free textbooks in the public schools of Oklahoma.¹⁰ The authors ignored the

⁷See Gilbert C. Fite, "Oklahoma's Reconstruction League: An Experiment in Farmer-Labor Politics," Journal of Southern History, XIII (1947), pp. 535-555. Also Gilbert C. Fite, "The Nonpartisan League in Oklahoma," Chronicles of Oklahoma, XXIV (1946), pp. 146-157.

⁸Tulsa Tribune, February 14, 1923, p. 18.

⁹Ibid., January 8, 1923, p. 8.

¹⁰House Journal, Regular Session, Ninth Legislature, Oklahoma, 1923, p. 304.

Democratic party platform, however, and wrote a bill stipulating that textbooks were to be purchased from a publisher rather than printed by the state.¹¹

At first there was very little opposition to the bill other than a mild concern over its cost.¹² Publishers appeared indifferent toward the measure, as they would merely sell books to the state instead of to private distributors if the bill passed.¹³

This tranquil atmosphere proved to be ephemeral, however, for the chamber was soon surprised by a proposed amendment to the bill. Representative J. L. Montgomery, Democrat from Anadarko, proffered an "anti-Darwin clause." This amendment was apparently offered without previous warning and was to Section 12 of the bill and read ". . . provided, further, that no copyright shall be purchased, nor text book adopted that teaches the 'Materialistic Conception of History' (i. e.) The Darwin Theory of Creation vs. the Bible Account of Creation."¹⁴

The proposal caused an immediate furor in the chamber; legislators jumped to their feet and clamored for recognition. The House was sitting as a Committee of the Whole with Representative W. I. Cunningham of Sapulpa presiding. Cunningham promptly submitted the proposal to a vote and the "ayes" carried by a thirty-eight to thirty-three count.¹⁵

¹¹Session Laws of Oklahoma, 1923, pp. 292-298.

¹²Oklahoma Farmer Stockman, March 10, 1923, p. 4.

¹³Ibid., February 24, 1923, p. 4.

¹⁴Session Laws of Oklahoma, 1923, p. 296.

¹⁵Daily Oklahoman (Oklahoma City), February 22, 1923, p. 1.

Representative Joseph P. Rossiter of Henryetta, the majority floor leader, moved for a reconsideration of the vote. The administration spokesman then took the floor to criticize the amendment and warned that, "This is a step toward the dark ages." His attempt to forestall hasty action was received with "hoots" of disapproval. Representative Montgomery, author of the amendment, retorted, "it usually takes the floor leader an hour or so to get it into his head whether a thing is religion or politics!" Continuing, he said, "I'm neither a lawyer nor a preacher, but a two-horsed layman and I'm against this theory called science!"¹⁶

Taking the floor for his first speech of the session, J. L. Watson, Democrat from Sallisaw, launched into a tirade of oratory in defense of the amendment. Watson pounded his desk and shouted, "I promised my people at home that if I had a chance to down this hellish Darwin here that I would do it." In another outburst he warned, "If you want to be a monkey, go out and be a monkey, but I am for this amendment and will strike this infernal thing while I can!"¹⁷

A "near-riot" was precipitated when E. P. White of Bennington, Democrat and farmer-labor member, attacked the amendment as an attempt to "load down" and "kill" the bill. "The man who wrote that amendment is not a saint," he charged, "and the men talking about the Bible here now are not saints either!" "Go down to the hotel lobbies with 'em and see for yourself if that bunch doesn't act like monkeys at times."¹⁸ Turning

¹⁶Ibid.

¹⁷Ibid.

¹⁸Ibid.

toward Representative D. A. Stovall of Hugo, White shouted, "if the gentleman from Choctaw [County] ever prayed it was to the trusts and if a light was every seen in his room at night it was to welcome some representative of the book interests."¹⁹

Representatives Allen Street and R. A. Singletary of Oklahoma City, along with Frank M. Boyer of Tulsa, leaped to their feet shouting that White was violating the privileges of the House. "If he wants to get personal, let me take him! I'd like to do it," Singletary belligerently hurled at the chair.²⁰

In order to quiet the disturbance, floor leader Rossiter withdrew his motion to reconsider exclaiming, "I am not against religion. I believe in the holy Bible! My father was a Quaker preacher and I believe just as you other men believe. I said, however, that this amendment had no place in the bill, but I withdraw my motion and shall not object to the adoption of the Montgomery amendment!"²¹

After this "chaotic" session featured by charges of corruption and threats of personal violence, the House passed the bill eighty-seven to two on the final roll call vote. Anna Laskey, Democrat from Oklahoma City, and Leslie I. Ray, Republican from Laverne, were the only House members to cast a negative vote. J. W. Callahan, Democrat from Wilburton, registered the lone "no" against the adoption of Section 12 which contained the anti-Darwin proviso, henceforth referred to as the

¹⁹Daily Oklahoman (Oklahoma City), February 22, 1923, p. 1.

²⁰Ibid.

²¹Ibid.

Montgomery amendment.²²

This swift and cursory action by the House incurred the wrath of many Oklahomans. Even the fundamentalist-oriented supporters of William Jennings Bryan's belief in the Biblical account of creation generally thought the legislation to be unnecessary.²³

A Tulsa reporter interviewed a "cross section" of the city's prominent citizens concerning their sentiments on the Montgomery amendment. Of more than a score questioned, only one defender could be found for the bill.²⁴ Three Protestant ministers, all non-Baptist, condemned the measure and Reverend Rolfe P. Crum, rector of the Trinity Episcopal Church, remarked, ". . . if they [the legislature] debar teaching of evolution or science, they are setting themselves up as a new inquisition . . ." ²⁵ Mrs. C. C. Simmons, president of the high school Patron-Teachers Association, believed the law to be unnecessary, but added, ". . . there's not much question that Christian people ought to support the measure."²⁶ E. E. Oberholtzer, superintendent of schools, and the school board president, W. A. Marquis, both criticized the amendment. Most of the other board members considered the bill to be a joke.²⁷

Mr. Raymond Bell, a Christian Scientist and local cafe proprietor, proved to be the only champion of the bill among the interviewed. He

²²Ibid.

²³Tulsa Tribune, February 22, 1923, p. 1.

²⁴Ibid.

²⁵Ibid.

²⁶Ibid.

²⁷Tulsa Tribune, February 22, 1923, p. 1.

stipulated that, "The action of the legislature meets my approval. I do not believe in teaching such theories to our children."²⁸

The most opinionated of all who attacked the legislature was attorney Charles O'Conner. When asked for his views, he exhorted, "When scientists, theologians, philosophers, and educators, who have given their life [sic] to study and research and thoughtful examination of the facts, fail to agree, it is not a bit too much to expect that a bunch of legislators from the short grass country, admirably fitted to hold the office of notary public should assume to decide once and for all time truths, which have puzzled the thinkers of ages. . . ."²⁹

Like many surveys, however, the Tulsa poll was not completely objective or scientific. The Baptist clergy were not contacted, and the city's Baptist churches were almost without exception fundamentalist.³⁰

The Senate received House bill 197 (the free textbook bill) on February 26.³¹ During its deliberations, the chamber was successful in attaching a total of twenty-five amendments to the act.³² Among the more important provisos appended was Engrossed Senate Amendment Number I, which restricted free textbooks to include only those used in grades one through eight instead of one through twelve as provided in the original

²⁸Ibid.

²⁹Ibid.

³⁰Tulsa Tribune, July 7, 1925, p. 1.

³¹Senate Journal, Regular Session, Ninth Legislature, Oklahoma, 1923, p. 1087.

³²House Journal, Regular Session, Ninth Legislature, Oklahoma, 1923, p. 1380.

bill.³³

An unsuccessful amendment offered on the floor of the Senate proposed to strike out the anti-Darwin or Montgomery amendment. While introducing the motion, Senator John Golobie of Guthrie cautioned his fellow legislators, "If this legislature forbids the study of evolution in the public schools it will make Oklahoma the laughing stock of the world."³⁴

Senator Jed Johnson of Walters immediately attacked the proposed deletion and erroneously declared that the Protestant churches of the state were "up in arms" against the teaching of evolution.³⁵ He continued saying, ". . . let's not make our children study these theories. I object to Darwin or Spencer or any so-called evolutionists giving our children their spiritual life. Let's leave their hellish teachings out. Practically all of the church members of this state are opposing the teaching of Darwinism . . . in the public schools."³⁶ Johnson then placed himself on record as believing in the infallibility of the scriptures, and admonished his colleagues, "If we can't believe the story of Genesis we shouldn't believe the story of the . . . Nazarene." He reiterated further that if the theories of evolution were taught to the school children of the state they would become "agnostics" and "infidels."³⁷

Senator H. E. Darnell of Clinton was the only vocal supporter of Golobie's motion to omit the Montgomery amendment. Darnell attempted to

³³Ibid.

³⁴Tulsa Tribune, March 21, 1923, p. 5.

³⁵Ibid.

³⁶Ibid.

³⁷Ibid.

convince the Senate that evolutionary theories did not threaten the sanctity of the Bible, explaining that he had read the theories, and his faith had remained unchanged. Then he apprised the Senators, "In voting for this motion [to strike the Montgomery amendment], I am not voting against the Bible and the story of the Creation, or that you must believe with Darwin that there was a monkey somewhere." Then he chastised his fellow legislators with, "When I hear such theories I do sometimes believe that there may have been a monkey back there somewhere."³⁸

The oratory of Golobie and Darnell was of no avail, however, as Golobie's motion was voted down by an overwhelming majority. Several similar motions were introduced only to meet with the same fate.³⁹

On March 22, the Senate passed House bill 197 by a vote of twenty-nine to seven with the Montgomery amendment intact.⁴⁰ Later on the same day the House concurred with the Senate's amendments.⁴¹ Two days later the bill was sent to the governor's desk, and on March 26, 1923, Governor John C. Walton signed the controversial measure into law, thereby honoring the free textbook pledge made and continually made anew by both political parties since the granting of statehood.⁴²

Senators John Golobie and A. E. Darnell, along with Representatives

³⁸Tulsa Tribune, March 21, 1923, p. 5.

³⁹Ibid.

⁴⁰Senate Journal, Regular Session, Ninth Legislature, Oklahoma, 1923, p. 1718.

⁴¹House Journal, Regular Session, Ninth Legislature, Oklahoma, 1923, p. 1380.

⁴²Ibid.

J. P. Rossiter and E. P. White, arch-enemies of the anti-Darwin amendment, voted for the bill. None of the negative votes of either house were cast because of the Montgomery amendment.⁴³

The legislative "mill" was not slowed appreciably by the controversy over Montgomery's anti-Darwin amendment. House bill 197 had been introduced on January 23, 1923, and was signed into law only sixty days later, on March 26, 1923. It was thus that Oklahoma earned the dubious distinction of being the first state in the union to take official action to prohibit the teaching of evolutionary theories in its public schools.⁴⁴

The anti-Darwin provision in the free textbook law was insufficient to satisfy the Missionary Baptist churches of the state. At the annual state convention held at Gerty, Oklahoma, in October of 1923, seven months after passage of the law, they adopted a report from the education committee stating, ". . . there must be a strong fight against that evolutionary theories that's being taught to our sons and daughters in practically all places of learning even down to common schools." Moreover, "This. . . teaches the Bible to be untrue for it gives the Genesis account of 'creation of man'. . . the lie." Also, "It teaches. . . that our Lord was only a fake. . . and there is no Hell or Heaven. . . ." Then the "conventicle"⁴⁵ proceeded to identify the peril with the statement, "The name of the demon is. . . 'evolution,' whatever form it may be known by it is 'evolution' and it will ultimately lead your child to Hell."⁴⁵

⁴³Senate Journal, Regular Session, Ninth Legislature, Oklahoma, 1923, p. 1718.

⁴⁴New York Times, January 30, 1927, Sec. 8, p. 3.

⁴⁵"Report on Christian Education," Minutes of the Twelfth Annual Session of the Oklahoma State Association of (Landmark) Missionary Baptist Churches, 1923, n. p.

Some of Tulsa's Baptists must have been satisfied, however, as they passed the commendatory resolution, "Resolved, that the Immanuel Baptist Church of Tulsa go on record as. . . commending the action of the two houses of the Oklahoma legislature, and heartily standing behind the enforcement of the Montgomery amendment."⁴⁶

Oklahoma had cast the die, and no less than five other states were destined to follow her example in adopting anti-evolution legislation of various types. Tennessee, Florida, Texas, Mississippi, and Arkansas passed restrictive measures concerning the teaching of evolution in their public schools. During the decade of the 1920s anti-evolution bills, resolutions, or "riders," were introduced into the legislatures of at least thirty-seven states. The Arkansas electorate passed an initiative petition of the same character.⁴⁷ The prohibitive act adopted by the state of Tennessee on March 21, 1925, (almost two years to the day after Oklahoma adopted its law) remains on the statute book to the present day.⁴⁸

⁴⁶"Barring of Darwinism From Schools Lauded in Resolution," The Commoner, April, 1923, p. 7.

⁴⁷Maynard Shipley, "Growth of the Anti-Evolution Movement," Current History, XXXII (1930), pp. 330-332.

⁴⁸"Stop on Highway 27 - 'Monkey Trial' Town Today," Newsweek, September 1, 1958, p. 35.

CHAPTER II

REPEAL OF THE TEXTBOOK LAW

The first of Oklahoma's free, though censored, textbooks were distributed prior to the 1924-1925 academic year.¹ According to M. A. Nash, State Superintendent of Public Instruction, the State Textbook Commission carefully scrutinized the various books submitted to that body, making certain that nothing "hinting" at the Darwinian theory had been "slipped" into the wording.²

It is doubtful, however, that strict adherence to the law seriously impaired the teaching or learning processes of those involved. First, the prohibition applied only to the content of textbooks and did not apply to the classroom lecture. Technically, the instructor continued to enjoy a large measure of academic freedom. Secondly, the law affected only grades one through eight. There was a minimum of courses within those limits that might prove controversial. History and the physical and biological sciences were taught primarily on the secondary school level where the law had no application.

The proponents of fundamentalism were well aware of the limited applicability of the law. The Missionary Baptists continued their

¹"Status of the Oklahoma Free Text Book Law," Harlow's Weekly, February 6, 1926, p. 4.

²Tulsa Tribune, July 17, 1925, p. 1.

denunciation of evolutionary teachings in their state convention of 1924. They charged that the secular institutions were allowing evolution to run "rampant." The Missionary Baptist Colleges at Sheridan, Arkansas, and Jacksonville, Texas, were described in a statement more doctrinaire than literate as "schools . . . where the text books and class rooms are free from the infidel poison of so-called modernism . . . where the advantage [sic] of a secular education are [sic] to be had. Without the rawdyism of Base ball and football in the coriculum or the poison of infidelity in the air."³

Two weeks later the Oklahoma Baptist General Convention met at Chickasha. Doctor W. W. Phelan reported that an intense industrial civilization surrounded young people with influences that undermined Christian faith. Doctor Phelan explained, "I allude to the evolution doctrine. I am fearful of the scientific scepticism which is dealt out to the youth of our land by glib teachers. . . ."⁴

When Governor John C. Walton was impeached and subsequently removed from office in 1923, the free textbook supporters lost a staunch ally. The incoming chief executive, Governor M. E. Trapp, had little sympathy for furnishing textbooks for Oklahoma's school children. Due to the tremendous cost incurred, the free textbook law had proved to be exceedingly unpopular. Governor M. E. Trapp, addressing the Taxpayers

³"The Report on Christian Education," Minutes of the Thirteenth Annual Session of the Oklahoma Baptist Missionary Association of (Landmark) Missionary Baptist Churches, October 28-30, 1924, n. p.

⁴"Report of Christian Education," Minutes of the Nineteenth Annual Session of the Baptist General Convention of Oklahoma, November 11-13, 1924, p. 83.

Protective League in Tulsa's convention hall on January 12, 1925, said there was far too much waste in the schools. He specifically stated he hoped the legislature would repeal the textbook law, and that he would sign the bill if they did. The governor further mentioned that he did not believe the citizenry wanted free textbooks.⁵

Early in the session, measures to repeal the textbook statute were introduced in both houses of the Tenth Legislature. The first was Senate bill 54, "An act providing for the repeal of Chapter Number 175, Session Laws of Oklahoma, 1923, the same being the State Textbook Act," introduced on January 13, 1925, by Senators Earl Brown of Marietta and U. G. Rexroat of Ardmore.⁶

At the same time in the House of Representatives, House bill 162, "An act relating to text books for the use in public schools in Oklahoma; providing for the repealing of Chapter 175, Session Laws of Oklahoma, 1923, the same being the State Text Book Act. . ." followed and was introduced on January 31, 1925, by Representative M. M. Henderson of Tecumseh.⁷ Two days later the measure was referred to the committee on education,⁸ and on March 21, the committee chairman, Gladys Whittet, returned the bill with a "do not pass" recommendation.⁹ This motion ended, for the moment,

⁵Tulsa Tribune, February 13, 1925, p. 2.

⁶Senate Journal, Regular Session, Tenth Legislature, Oklahoma, 1925, p. 159.

⁷House Journal, Regular Session, Tenth Legislature, Oklahoma 1925, p. 383.

⁸Ibid., p. 399.

⁹Ibid., p. 1486.

all efforts in the House, though there was still a considerable amount of vocal sentiment for the repeal of the law.¹⁰

Senate bill 54 was not destined for the same fate. On January 23, Chairman Jed Johnson of the Senate Education Committee reported the bill with a "do pass" recommendation.¹¹ After extensive debate the upper house voted to repeal the textbook act by a margin of one vote.¹² The House of Representatives made only minor changes in accepting the bill and the Senate quickly concurred on the amendments. On March 26, 1925, the bill was ready for Governor Trapp's promised signature,¹³ which was duly appended on March 31, 1925.¹⁴

The sentiment to repeal the textbook law was thus entirely fiscal and had nothing to do with Montgomery's anti-Darwin amendment. The action of the legislature was based upon economy, not intellectual honesty and freedom.

At this juncture, just as the governor was about to sign the repeal law, a political and religious "bombshell" was cast into the legislative proceeding. The proponents of free textbooks, led by the Oklahoma Farmers' Union, "initiated" a referendum petition to have the matter of free textbooks voted upon at the next general election, thereby hoping

¹⁰"The Tenth Legislature," Harlow's Weekly, February 7, 1925, p. 8.

¹¹Senate Journal, Regular Session, Tenth Legislature, Oklahoma, 1925, p. 290.

¹²"The Tenth Legislature," Harlow's Weekly, February 21, 1925, p. 4.

¹³Senate Journal, Regular Session, Tenth Legislature, Oklahoma, 1925, p. 1902.

¹⁴"Status of the Oklahoma Free Text Book Law," Harlow's Weekly, February 6, 1926, p. 4.

to salvage the law despite the action of the legislature.¹⁵ At first there was only mediocre success in obtaining the 26,400 signatures required, and it appeared that the requisite number would not be obtained. At a propitious time, however, that portion of Section 12 in the law which read, ". . . Provided, further, that no copyright shall be purchased, nor text book adopted that teaches the 'Materialistic Conception of History' (i. e.) The Darwin Theory of Creation vs. the Bible Account of Creation," was seized upon with considerable alacrity by the free textbook supporters.¹⁶

Immediately a cry went out to church congregations throughout the state heralding the opinion that repeal of the textbook act would allow the teachings of Darwin and the evolutionists in the schools.¹⁷ This precipitated a bitter conflict between the fundamentalists and the modernists in the state and provided more than sufficient interest and signatures to insure the success of the circulating petition.¹⁸

After litigation as to the sufficiency and authenticity of the signatures, Secretary of State R. A. Sneed ruled that the petition was sufficient and in order.¹⁹ As a result of the decision upholding the validity of the petition, the repealing law passed by the Tenth Legislature

¹⁵ Ibid.

¹⁶ Ibid.

¹⁷ Ibid.

¹⁸ "Status of the Oklahoma Free Text Book Law," Harlow's Weekly, February 6, 1926, p. 4.

¹⁹ Ibid.

immediately became inactive, and the free textbook act went back into force pending a final decision by the electorate in the November general election.²⁰

Most of the secular press throughout the state deplored the action of the petitioners and viewed the increasing strength of the fundamentalists apprehensively.²¹ One of the state's most popular journals indicated concern over fundamentalist activity by saying, "If the public press is any criterion of the attitude of the state as a whole -- and surely it should be -- the referendum on free textbooks, were it not for the evolution angle, would be badly defeated. . . ."²² Practically every editor who commented on the issue expressed vehement opposition to the continuation of free textbooks. The Chickasha Express declared, "It will be extremely unfortunate if the evolution argument is permitted to overshadow the real issues involved in the referendum. . . . This law has been tried and found wanting both from an economic and educational point of view."²³ The editor of the Henryetta Free-Lance, although in opposition, foresaw probable retention of the law when he stated, "There are many people who want to get something . . . as a gift . . . and the anti-evolution feature . . . will carry an appeal to many voters."²⁴ The

²⁰"Evolution and Oklahoma," Harlow's Weekly, July 11, 1925, p. 3. Reactivation of the law was of no consequence, however, since all textbooks had already been adopted and purchased for a four year period.

²¹"Status of Referendum Petitions Uncertain," Harlow's Weekly, July 4, 1925, p. 6.

²²Ibid.

²³Ibid.

²⁴Ibid.

Ponca City News mentioned several reasons why textbooks should not be furnished free of charge to students, principally that it was "paternalistic" and "socialistic" to do so.²⁵

The defeat of the free textbook bill and its anti-Darwin amendment was probably expected by the state's Baptists. At its annual meeting in May, the Southern Baptist Convention urged Baptist scholars to begin publishing textbooks in the scientific fields. The Oklahoma delegation concurred in the statement, "Some of our men, who are most scholarly and who have majored in the natural sciences, believe there is no conflict between true science and true religion. They have delved deep into the study of the 'ages of the rocks,' and all the while have kept their feet firmly planted on the 'Rock of Ages.'"²⁶

Meanwhile, the Farmers' Union continued to press its campaign for retention of the textbook law. The Union's president, John A. Simpson, reminded both the legislature and the electorate that free textbooks had been a "plank" in both the Republican and Democratic party platforms. Simpson mentioned that thirty-one other states had free textbook laws, and in some of the states that did not have the law the larger and more "progressive" cities did. The Union pointed out that free textbooks were

²⁵"Status of Referendum Petitions Uncertain," Harlow's Weekly, July 4, 1925, p. 6.

²⁶"Sixth Annual Report of the Education Board," Annual of the Southern Baptist Convention, May 13-17, 1925, p. 423. Also see "Report of Committee on Christian Education," Minutes of the Twenty-First Annual Session of the Baptist General Convention of Oklahoma, November 10-12, 1926, p. 99. The "Rock of Ages" phrase was probably borrowed from a speech made by William Jennings Bryan before the West Virginia State Legislature on April 13, 1923, in which he said, "it is more important that he [the student] should know the Rock of Ages than the age of rocks." See The Commoner, April, 1923, p. 3.

not an innovation, Massachusetts having had them for forty-one years, Nebraska for thirty-four years, and a half-dozen states for more than a quarter of a century. According to the state superintendents of "free-text-book-states," the law was highly desirable; for when asked, "Do you find the Free Text Book Law generally satisfactory to patrons and pupils?" the answers were affirmative without a single negative reply.²⁷

Prior to the referendum election, the attention of fundamentalists and modernists alike became centered on the remote Tennessee hamlet of Dayton. This rustic little village nestled at the foot of a promontory known as Shin Bone Ridge, where numerous nocturnal revivals of "old-time-religion" were held,²⁸ had been "put on the map" by the world-wide news coverage of the celebrated "monkey trial."²⁹ John Thomas Scopes, a twenty-four-year-old biology teacher and part-time football coach in the local Rhea County High School, had been indicted for teaching, in violation of Tennessee's anti-evolution law, that man had descended from a lower order of animals.³⁰ The state's counsel for prosecution included the "great commoner," William Jennings Bryan, perennial presidential candidate and past United States Secretary of State. Bryan, the pious apostle of fundamentalism, was opposed by the skeptic Clarence Darrow, America's most eminent criminal lawyer, for the defense.³¹

²⁷John A. Simpson, "Why the Farmers' Union Favors Free Taxes [Texts]", Harlow's Weekly, July 18, 1925, p. 12.

²⁸Allene M. Sumner, "The Holy Rollers on Shin Bone Ridge," Nation, July 29, 1925, p. 137.

²⁹New York Times, July 14, 1925, p. 3.

³⁰Ibid., July 12, 1925, p. 1. See appendix "A" for the text of Tennessee's anti-evolution statute.

³¹Ibid.

The Scopes trial caused considerable excitement and comment in Oklahoma. The public libraries experienced an increased demand for books on evolution with Charles R. Darwin's The Origin of Species and The Descent of Man usually being the most popular. More than twenty separate titles on evolution alone, many in multiple copies, were in the Tulsa public library and received constant use.³² By some "peculiar and persistent quirk of nature, people were quick to demand the very thing that written law said should be kept from them." "Little Blue Books" on evolution became "as common as house-flies in an unscreened restaurant."³³ One editor explained, "In spite of all laws seeking to handcuff the brains of men, they will go right on thinking, and their first thought is liable to be that the authors of this evolution law are a wee bit asinine."³⁴ The Daily Oklahoman ran a two-page advertisement of Halderman-Julius' "Little Blue Books," among which were twenty-one separate titles on evolution.³⁵

Oklahomans considered the Scopes case in both serious and ludicrous perspectives. Ministers of the gospel preached on the subject, both for and against, often having copies of the sermons made for general distribution.³⁶ Publishers reveled in the pungent controversy and there was no dearth of sensational "copy." Newspaper headlines and editorial pages

³²Tulsa Tribune, July 14, 1925, p. 8.

³³Daily Oklahoman (Oklahoma City), January 15, 1927, p. 8.

³⁴Ibid.,

³⁵Daily Oklahoman (Oklahoma City), January 23, 1927, p. A-7. See appendix "B" for a listing of the titles.

³⁶Ibid., July 18, 1925, p. 1.

often leaned toward the sensational. The ludicrous vein is depicted by the newspaper headline, "Team of Elks to Twist the Monk's Tail," announcing a "hectic and merciless" battle of oratory to determine which should be convicted, Scopes or the monkey.³⁷

The Tennessee trial helped to augment a rising tide of desire upon the part of many Oklahomans that the fundamentalists' religious beliefs be made the standard thought upon theological subjects, and that contradictory doctrines, scientific or otherwise, be suppressed. Though the conditions were not identical, the same forces that were active in Tennessee were said to be operating in Oklahoma.³⁸

As the August primary election approached, the anti-evolution controversy became more heated. The fundamentalists considered the subsequent conviction of Scopes a positive victory and were looking forward to introducing more anti-evolution legislation in the Eleventh Legislature.³⁹

On July 17, a Tulsa newspaper delivered a scathing front-page attack upon the legislature, accusing its members of acting like "sheep. . . taken to the woods on the evolution question." The law-makers were also accused of hypocrisy as the newspaper charged, "There isn't one who will stand up and demand that Oklahoma's school books be opened to all theories of all truths, even though they may personally believe this is what should be done." The voting record of the legislature tends to substantiate this

³⁷Ibid., July 19, 1925, p. 1-B. Antics of the type mentioned here were being perpetrated trans-continently. See New York Times, July 12, 1925, p. 1; July 17, 1925, p. 3.

³⁸"Evolution and Oklahoma," Harlow's Weekly, July 11, 1925, p. 3.

³⁹Ibid.

assertion. The indictment pessimistically continued, ". . . Oklahoma politicians and schools will continue to stand firm against any questioning of the Bryan explanation of the Bible. The reason was a fear of ". . . be ing buried beneath an avalanche of opposition fundamentalist votes."⁴⁰

The state's educators received a caustic denunciation also. The press correctly reported that, ". . . there hasn't yet been a single outstanding educator in Oklahoma to speak out against the law." Not only had the pedagogues failed to take the initiative in combating the proscription placed upon academic freedom, but they usually refused even to comment on the controversial issue. When inquiries were directed at them specifically, Doctor Herbert Patterson, Dean of the Oklahoma A. & M. College Summer School, made only an "ambiguous" statement. M. A. Nash, State Superintendent of Public Instruction and a member of the Oklahoma Baptist University Board of Trustees, asked to be excused from making any comment. John G. Mitchell, president of Central State Teacher's College, and Doctor Eugene Antrim, president of Oklahoma City University, refused to be quoted. Mr. J. R. Barton, superintendent of the Oklahoma City schools, chose to remain silent also. It is noteworthy that during the entire life of Representative Montgomery's anti-Darwin amendment, the Oklahoma Teacher, the official organ of the Oklahoma Education Association, not once denounced the prohibitory measure.⁴²

⁴⁰Tulsa Tribune, July 17, 1925, p. 1.

⁴¹Ibid.

⁴²An exhaustive perusal of the Oklahoma Teacher for the years 1923 through 1926 failed to produce a single reference concerning the Montgomery amendment or the anti-evolution issue.

By their determination to proscribe evolutionary teachings, the fundamentalists helped to cast an ultra-conservative die in Oklahoma. The "literal interpreters," which was a common appellation, served as harbingers for and later joined with another pressure group in advocating a series of "blue laws" for the state. Proposals were made to ban motion pictures on Sunday in more than a dozen cities, and Guthrie had an unofficial board to censor moving pictures. The "group" obtained numerous court injunctions to prevent such spectacles as rodeos, baseball games, and other types of contests and spectator sports on the Sabbath. Certain commercial establishments, ranging from pool halls to grocery stores, were forced to close every Sunday.⁴³

This conservative influence was also maintained in a condemnation of Governor Henry S. Johnston's inaugural ball. The Oklahoma City Ministerial Alliance denounced the dance, and the Baptist Messenger, the official organ of the Baptist church in Oklahoma, printed an editorial protesting the ball. Several secular newspapers entered into the argument by defending the dance, thereby precipitating another raucous exchange between fundamentalists and modernists.⁴⁴

Despite the journalistic "war" being waged between the state's secular and ecclesiastical press, out-going Governor Trapp issued official notice that the gala event would be held. Ed Overholser, president and manager of the Oklahoma City Chamber of Commerce, declared that the ball

⁴³"Sunday Blue Law Advocates Active in State," Harlow's Weekly, August 8, 1925, p. 12.

⁴⁴"To Dance or Not To Dance - That's the Question," Harlow's Weekly, December 25, 1926, p. 7.

would be held "Willynilly," and M. A. Nash, State Superintendent of Public Instruction, urged all "school folks" to attend.⁴⁵ The Reverend E. P. Roe, pastor of the Central Baptist Church in Oklahoma City, countered these actions by stating that he would recommend exclusion from the church of any member in attendance at the ball who participated in the dancing.⁴⁶ The inaugural ball was held and broke all previous attendance records.⁴⁷

This blue law "side show" was not allowed to eclipse the "center ring attraction," however, as anti-evolution agitation continued all over the state. The Baptist convention of Love and Carter counties did not hesitate to accept as read a resolution stipulating, "We feel that one of the most dangerous things being taught today is the theory of evolution. This denial is a flat contradiction of God's word. God's word says that the time will come when they would deny the God who brought them." This exegesis continued with, "So evolution is a fulfillment [sic] of the Scripture." The convention then demonstrated its obeisance to Section 12 of the free textbook law by saying, "We recommend [sic] . . . and urge that everything be stricken from our textbooks that would in any way teach it [evolution]. We recommend [sic] that so far as possible all school boards employ teachers who do not teach or favor evolution."⁴⁸ This last statement was another clear indication that more prohibitive legislation was under consideration for the

⁴⁵Ibid.

⁴⁶Ibid.

⁴⁷Daily Oklahoman (Oklahoma City), January 15, 1927, p. 8.

⁴⁸"Evolution Report," Minutes of the Annual Session of the Love and Carter Counties Baptist Association, September 3-5, 1925, p. 7.

"leviathan"⁴⁸ evolution and could be expected when the Eleventh Legislature convened.

The November general election included seven separate measures of direct legislation which were proposed for a decision by the electorate. One of the more controversial of these was State Question Number 137, which was to determine whether the act repealing the free textbook law should be itself repealed. The Farmers' Union with the acquiescence of the Baptists continued a relentless campaign against the state question. The secular press had about exhausted itself on the subject, but of those papers commenting, the majority favored repeal.⁴⁹

With the closing of the polls on Tuesday, November 2, 1926, the electorate had overwhelmingly approved the repeal of the free textbook law by a vote of 187,369 to 120,210. A vote of 197,587 would have been required to retain the free textbook law.⁵⁰ This action left Oklahoma free of restrictions in the selection of future texts. Since adoptions had been made for a period of four years, however, the emasculated textbooks would still be in use for an additional two years.

Just as Oklahoma had been the first state to adopt the obfuscalable anti-Darwin legislation by the medium of the textbook law, it was also the first state ever to repeal a free textbook law.⁵¹

⁵⁰Oklahoma State Election Board, Directory of the State of Oklahoma 1957, (Guthrie: Co-Operative Publishing Company, n. d.), p. 179.

⁵¹John A. Simpson, "Why the Farmers' Union Favors Free Taxes /Texts/", Harlow's Weekly, July 18, 1925, p. 12.

CHAPTER III

"ANTI-DARWIN BILL" OF 1927

In the early part of 1927, Oklahoma's conservative element was still lending its support to "blue laws" and the Anti-Cigarette League as well as opposing the teaching of evolutionary theories. A. P. Jones, secretary of the league, traveled over much of the state accompanied by a minor. The youngster, acting as a "decoy," would attempt to purchase cigarettes and when successful, as he usually was, Jones would bring charges against the merchant involved. At one time, Jones had indictments pending against sixty-one Logan County merchants alone.¹

As expected, the fundamentalists also sought to obtain new and more stringent anti-evolution legislation in the Eleventh Legislature. Early in the session, on January 13, Representative W. R. Trent and several colleagues introduced House bill 81, which was "An Act prohibiting the teaching of the Evolution Theory in all the universities, normals, and all other public schools of Oklahoma, which are supported in whole or in part by the public school funds of the state, and to provide penalties for the violations thereof."² There are no extant copies of House bill

¹Tulsa Tribune, January 12, 1927, p. 11.

²House Journal, Regular Session, Eleventh Legislature, Oklahoma, 1927, p. 281. The bill was introduced by Representatives Webster, Lee-craft, Trent, McClintock, Fry, Christian, Butler, Beck, Wilson, Manning, Crowley, Thompson and Cash. These legislators represented both major political parties and came from widely scattered areas of the state.

81, as "The House destroyed all copies of this bill,"³ However, "The bill would provide a fine of not less than \$100 or more than \$500 to be imposed upon any teacher guilty of teaching 'any theory, that denies the story of the divine Creation, as taught in the Bible,' and teaching instead that man has descended from a lower order of animals."⁴

On January 14, the measure received its second reading and was then referred to the committee on education.⁵

Representative W. R. Trent, a Baptist preacher from Hammon, Oklahoma, was one of the authors of the bill and acted as the spokesman for the measure. He steadfastly maintained that the proposed legislation was not sponsored by any religious group or denomination. In explanation, he stated, "We just talked it over between ourselves and decided to introduce the bill." Trent expressed confidence that the measure would not meet with any serious opposition and would be passed in rapid order.⁶

Meanwhile, on January 15, 1927, after some eighteen months of litigation, the Tennessee Supreme Court held that state's anti-evolution law to be constitutional.⁷ Since Oklahoma's proposed law was modeled after the Tennessee statute, this gave considerable encouragement to the state's

³Mrs. Leah H. Law, Reference Librarian, Oklahoma State Library, to author, June 11, 1959.

⁴Daily Oklahoman (Oklahoma City), January 14, 1927, p. 20; Maynard Shipley, "Evolution Still a Live Issue in the Schools," Current History, XXVII (1928), pp. 801-803.

⁵House Journal, Regular Session, Eleventh Legislature, Oklahoma, 1927, p. 305.

⁶Tulsa Tribune, January 14, 1927, p. 11.

⁷New York Times, January 16, 1927, p. 1; Tulsa Tribune, January 14, 1927, p. 11.

fundamentalists.⁸

Opponents of the anti-evolution law viewed the Tennessee Supreme Court decision and Representative Trent's bill in a different perspective than did the fundamentalist protagonists. Even though several other states were considering similar legislation, some Oklahomans were of the opinion that an anti-evolution law "would make of our Oklahoma a ridiculous Tennessee."⁹ Some opponents of the proffered law argued that the prohibitive measure would repudiate the very geology that gave Oklahoma its mining and oil industries. One editor admonished, "Pass such a bill and you could not lawfully conduct either the university at Norman, the state college at Stillwater or maintain a single high school or college in the commonwealth that has enough intellect to meet the respect of the enlightened twentieth century."¹⁰ Editors all over the state "scored" the proposed legislation and according to Harlow's Weekly, not one could be found that viewed it favorably.¹¹ Educators did not desire legislation that would restrict academic freedom. Faculty members of all state institutions remained discreetly silent, however, since they were afraid to jeopardize the security of their positions.¹² "Evolution" was a term never used by most of the high school teachers in the state.¹³

⁸Tulsa Tribune, January 14, 1927, p. 11.

⁹Ibid., January 18, 1927, p. 20.

¹⁰Ibid.

¹¹"Anti-Evolution Bill Is Scored by Editors," Harlow's Weekly, January 29, 1927, p. 12.

¹²Ibid.

¹³Maynard Shipley, "Evolution Still A Live Issue in the Schools," Current History, XXVII (1928), pp. 801-803.

Considerable comment concerning Governor Henry F. Johnston's deep religious convictions and his apparent intention to mix religion with his duties as governor circulated over the state.¹⁴ In November of 1929 Doctor William B. Riley, President of the World's Christian Fundamentals Association, had remarked from an Oklahoma City platform that the fundamentalists would have a clear majority in the next legislature and would pass anti-evolution legislation with Governor Johnston's approval.¹⁵ Opponents of the governor described him as being "... the apostle of Rosicrucianism, who is said to decide Executive matters by recourse to astrology."¹⁶ Nevertheless the governor continued to carry on a speaking campaign from the pulpits of various churches over the state urging literalism in the interpretation of Genesis.¹⁷

Aside from the lay press, there was still practically no organized opposition to the fundamentalist agitation. Some Oklahoma editors, however, were caustic in their denunciation of Trent's bill. Luther Harrison, columnist for the Daily Oklahoman, commented that the introduction of an anti-evolution bill in the legislature with the promise of its proponents that it would pass, opened a myriad of new fields with infinite possibilities to the law-makers. "It heralds the ... day when the teaching of any minority theory may be prohibited. ... If ... the

¹⁴"Anti-Evolution Bill Is Scored by Editors," Harlow's Weekly, January 29, 1927, p. 12.

¹⁵Maynard Shipley, "Evolution Still a Live Issue in the Schools," Current History, XXVII (1928), pp. 801-803.

¹⁶Ibid.

¹⁷Ibid.

evolutionists ever become the majority party . . . they will find a predicate . . . for . . . a law forbidding the teaching . . . of the theory of Creation found in Genesis." Harrison continued, ". . . they [fundamentalists] can hardly deny that what is sauce for the goose is sauce for the goose's masculine mate." With scathing sarcasm, the author asked, ". . . why not the immediate passage by the majority party of a law forbidding the teaching of all republican doctrines? Why not a law fixing a prohibitory ban on all teaching of the Hamiltonian theory, the Liberty and Union speech of Daniel Webster, and the protective tariff theory. . . [of] Henry Clay?"¹⁸ These comments by Harrison were printed in no less than five separate publications over the state.¹⁹

Speaking of the bill, the Sallisaw American stated ". . . it's not a question for our Legislature to waste any time over, and we believe that it will be so overwhelmingly snowed that we may be able to pass it off as the work of a practical joker rather than the serious proposition it appears to be in the mind of its introducer."²⁰

Threats of a minority report that House Bill 81 "do not pass" caused "rough sailing" for the House Education Committee and delayed the

¹⁸Daily Oklahoman (Oklahoma City), January 19, 1927, p. 8.

¹⁹"Anti-Evolution Bill Is Scored by Editors," Harlow's Weekly, January 29, 1927, p. 12. The article originally appeared in the Daily Oklahoman and was subsequently reprinted in the Lawton Constitution, the Ponca City News, the Muskogee Times-Democrat, and Harlow's Weekly.

²⁰Ibid., The Muskogee Times-Democrat republished the Sallisaw American's editorial in its entirety. Other editorials which received wide attention were printed in the Ada Bulletin, Ada News, Blackwell Tribune, Daily Oklahoman, Henryetta Free-Lance, Lawton Constitution, Muskogee Phoenix, Muskogee Times-Democrat, Oklahoma City Times, Oklahoma News, Pawhuska Journal-Capital, Ponca City News, Sallisaw American, Tulsa Tribune, Tulsa World, and Wagoner Record Democrat.

"reporting out" of the measure.²¹ Representative David M. Logan, a committee member who did not favor the bill, attempted to sponsor such a report. Committee Chairman J. T. Daniels, Claude Briggs, and one or two other committeemen also opposed the measure.²² Representatives Will M. Thompson, P. R. Crowley, Frank Manning, Tom Johnson, and A. C. Easter, however, recommended the bill²³ and on February 25, chairman Daniel "reported" the bill thus, "We your Standing Committee on Education, to whom was referred House Bill No. 81, beg leave to report that we have had the same under consideration, and herewith return the same with the recommendation that it do pass. . . ." ²⁴

The bitter fight that was expected to occur on the House floor failed to materialize. Representative Will M. Thompson, one of the authors of the bill and a leader of the group favoring its passage, sought to have the measure declared a special order to accelerate its progress. Representative David M. Logan countered with a substitute motion that the bill be stricken from the calendar.²⁵ Logan, a geologist from Okmulgee, was opposed to the bill because of the effect it would have upon the teaching of geology in the state colleges.²⁶ The University of Oklahoma was about to receive a large grant from Standard Oil and several other companies for

²¹"The Eleventh Legislature," Harlow's Weekly, February 5, 1927, p. 6.

²²Tulsa Tribune, February 2, 1927, p. 18.

²³Ibid.

²⁴House Journal, Regular Session, Eleventh Legislature, Oklahoma, 1927, p. 1203.

²⁵Ibid., p. 1208.

²⁶Harlow's Weekly, March 5, 1927, p. 6.

the founding of the largest geological school in the world. It was feared that if the granting oil companies learned that the institution would be "trammeled" by such a law, they might decide against making the grants.²⁷

After considerable maneuvering, a standing vote was taken on Representative Logan's motion, and it carried by the margin of forty-six to thirty.²⁸ A motion to reconsider was then voted down forty-six to twenty and House bill 81 was thereby stricken from the calender. This action eliminated any anti-evolution legislation in the Eleventh Legislature.²⁹ The death of the bill caused no explanations of triumph in the state's press, which now remained uncommonly silent.

It is not surprising that the House of Representatives refused to pass anti-Darwin legislation in 1927. Whereas in 1925 the legislature was accused of acting like, "sheep. . . taken to the woods on the evolution question,"³⁰ the law-makers now had a broader perspective upon which to base a decision.³¹ Anti-evolution legislation seemed to be going out of style in 1927, as Alabama, Arkansas, California, Delaware,

²⁷"Anti-Evolution Bill Is Scored by Editors," Harlow's Weekly, January 29, 1927, p. 12.

²⁸New York Times, February 26, 1927, p. 15.

²⁹Tulsa Tribune, February 25, 1927, p. 1. A careful perusal of the news media which usually contributed information on the anti-evolution issue furnished only general editorial comments condemning House bill 81.

³⁰Ibid., July 17, 1925, p. 1.

³¹Maynard Shipley, "Growth of the Anti-Evolution Movement," Current History, XXXII (1930), pp. 330-332. Alabama, Arkansas, Louisiana, Missouri, and South Carolina had all previously defeated such legislation, and the law-makers of Florida, Georgia, Kentucky, North Carolina, Texas, and West Virginia had defeated such proposals twice.

Florida, Minnesota (the home state of Doctor William Bell Riley, president of the World's Christian Fundamentals Association), Missouri, North Carolina, North Dakota, New Hampshire, and West Virginia all rejected varying proposals of this type during the year.³²

With the exception of the press there had been practically no organized opposition to Representative Montgomery's amendment in 1923.³³ By 1927, however, several organized groups opposed any such legislation. Prominent leaders and organized groups in the Seventh Day Adventist,³⁴ Methodist,³⁵ Episcopal,³⁶ Unitarian,³⁷ and Roman Catholic,³⁸ churches opposed the legislation. Several other denominations remained silent on the controversy from the very beginning, others allowed the individual to settle the matter in his own conscience.³⁹

The laity had made themselves "heard" as letters to the editors of the metropolitan newspapers show; moreover, the press was more vociferous than ever in its campaign against the measure. A random but representative editorial example is:

³²Ibid.

³³The Oklahoma Farmer Stockman, February 24, 1923, p. 4.

³⁴"Religion," Harlow's Weekly, January 14, 1928, p. 14; February 2, 1929, p. 7.

³⁵Tulsa Tribune, March 22, 1923, p. 11; July 18, 1928, p. 1; February 5, 1927, p. 10.

³⁶Ibid., February 22, 1923, p. 1; July 18, 1925, p. 1.

³⁷Ibid., "Religion," Harlow's Weekly, March 31, 1928, p. 7.

³⁸"Religion," Harlow's Weekly, January 14, 1928, p. 14.

³⁹Personal interview with Doctor Robert G. Martin, Dean of the Undergraduate Bible College, Phillips University, Enid, Oklahoma, May, 1959.

Here in Oklahoma. . . we have fellows down in our legislature who are as hill-billy-minded as anything Tennessee ever brought down her red clay roads to Nashville.

They say, "By gum the earth ain't round and it's got four corners, the Arkansas Valley was made on the first Friday afternoon at about 4 o'clock, and there ain't no sense to science, --we ain't going to have none of this gol-durned nonsense in Oklahoma."⁴⁰

The state's geologists were as "a unit in opposing the anti-evolution bill."⁴¹ Educators did not favor the bill even if they did remain silent, and many of the fundamentalist agitators had alienated a portion of their support by being so belligerently vocal. Also, by this time the fundamentalists had begun to divide among themselves, as the following chapters will indicate.

⁴⁰Tulsa Tribune, February 4, 1927, p. 30.

⁴¹American Saturday Night (Tulsa), quoted in "Anti-Evolution Bill Is Scored by Editors," Harlow's Weekly, January 29, 1927, p. 12.

CHAPTER IV

CONTINUED FUNDAMENTALIST AGITATION AND INTERNAL DISSENSION

Though the legislature had again closed the statute books on the anti-evolution issue for at least two years, the fundamentalists continued to agitate to restrict and prohibit the teaching of "Darwinish" theories. This agitation was strongest, as might be expected, among the various Baptist conventions of Oklahoma.

The minutes of the Baptist General Convention of Oklahoma reveal statements each year from 1922 through 1926 attesting to the orthodoxy of Oklahoma Baptist University faculty members. In 1923 the convention reported, "Our professors, all of them, believe in the Old Book--they believe the Bible to be the inspired Word of God. There is not the faintest suspicion of even the shadow of evolution either materialistic or theistic believed or taught in Oklahoma Baptist University."¹ The 1924 state convention reported, "The whole campus from the class-room to the athletic field is shot through and through with the life of Christ, no better or more conservative group of teachers can be found in any college in the country."² The University's "fundamentalist" faculty was again eulogized in 1925. Professor J. Vernon Harvey, head of the botany

¹"Report on Christian Education," Minutes of the Eighteenth Annual Convention of the Baptist General Convention of Oklahoma, November 14-16, 1923, p. 85.

²"Report of Oklahoma Baptist University," Minutes of the Nineteenth Annual Session of the Baptist General Convention of Oklahoma, November 11-13, 1924, p. 84.

department, was singled out and described as a "real" scientist. "He is the son of a Baptist minister; sound in faith; committed, without reservation, to conservative Christian thought. He is no kind of an evolutionist. . . . He is an active, old fashioned Baptist. He fits the fundamentalist program of O. B. U. as if he were made for it."³ Little did the convention suspect just how soon these flowery words would return to haunt it.

The annual Southern Baptist Convention of 1926, meeting in Houston, Texas, declared, "This Convention accepts Genesis as teaching that man was the special creation of God, and rejects every theory, evolution or other, which teaches that man originated in, or came by the way of, a lower animal ancestry."⁴ This resolution became widely known as the McDaniel Statement in reference to the president of the Houston Convention.

The Reverend C. P. Stealey, editor of the Oklahoma Baptist Messenger and an ardent fundamentalist, had helped to draft the resolution which became the McDaniel Statement. Becoming prominent in the 1924 convention, the Reverend Stealey was placed on a committee to draft a statement of belief regarding the interpretation of the Genesis account of creation. No resolution was passed at that time; however, Stealey immediately launched a "militant" campaign for future passage; thus, when the McDaniel Statement was adopted two years later, Stealey was described as "its leading advocate."⁵

³Ibid., 1925, p. 89.

⁴Annual of the Southern Baptist Convention, May 12-16, 1926, p. 98.

⁵Daily Oklahoman (Oklahoma City), quoted in "Religion," Harlow's Weekly, December 24, 1927, p. 13.

Another resolution designed to supplement the McDaniel Statement was quickly passed by the Houston convention. This was known as the Tull resolution, the substance of which was that all faculty members of Southern Baptist Institutions be requested to indorse the McDaniel Statement.⁶

Only six months later both of the aforementioned resolutions were in turn supplemented by Oklahoma's Baptists when they met in convention at Enid. Doctor C. C. Morris of Ada offered a resolution requiring that Oklahoma funds be withheld from institutions failing to subscribe to the McDaniel Statement. The Morris resolution appealed to the convention and was passed by a five to one vote.⁷ The faculty at Oklahoma Baptist University unanimously adopted these resolutions with the statement, "We glory in our reputation as 'fundamentalists.'"⁸

All institutions which received funds from Oklahoma Baptists "signed up" with the exception of Southern Theological Seminary of Louisville, Kentucky, and Southwestern Theological Seminary of Ft. Worth, Texas.

⁶"The Special Features of the Year," Minutes of the Twenty-Second Annual Session of the Baptist General Convention of Oklahoma, November 9-11, 1927, p. 43.

⁷"Religion," Harlow's Weekly, April 7, 1928, p. 5.

⁸"Faculty of Oklahoma Baptist University Unanimously Adopts Houston Anti-Evolution Resolution," Minutes of the Twenty-First Annual Session of the Baptist General Convention of Oklahoma, November 10-12, 1926, p. 86. The statement adopted by the O. B. U. faculty read "Be it resolved by the faculty of Oklahoma Baptist University in session June 17th, that we hereby affirm our acceptance of the recent Southern Baptist Convention statement on the evolution issue as follows: 'This Convention accepts Genesis as teaching that man was the special creation of God and rejects every theory, evolution or otherwise, which teaches that man originated in or came by way of a lower animal ancestry.'" This contains several slight differences, chiefly in punctuation, from the McDaniel Statement.

These two institutions claimed that Oklahoma's demands were "unreasonable" and "unjust."⁹

Another resolution indigenous in scope was:

Be it resolved by the Baptist General Convention of Oklahoma: First, That we request each member of the Board of Trustees of Oklahoma Baptist University to file with the Secretary of this Convention a personally signed copy of the McDaniel statement, as adopted by the Southern Baptist Convention at Houston, Texas, May, 1926.

"Second: That any member who is found not to be in full sympathy with said statement be stricken from the Board.

"Third: That This requirement shall be made of all future appointments to the Board of Trustees."¹⁰

Doctor W. W. Phelan, president of O. B. U., secured the signatures of all trustees with the exception of C. C. Hatchett of Durant, who dissented and resigned. All of the university faculty had previously signed the statement.¹¹

Consequently, it must have come as a great shock when only six months later the Oklahoma Baptist University Board of Regents began to examine the beliefs of members of the faculty at Oklahoma Baptist University. Fifteen of the twenty-four regents met in executive session and over the strenuous objection of President W. W. Phelan, summarily dismissed three professors without the benefit of a hearing.¹² "The three . . . [were] charged with teaching evolution contrary to the

⁹"The Special Features of the Year," Minutes of the Twenty-Second Annual Session of the Baptist General Convention of Oklahoma, November 9-11, 1927, p. 43.

¹⁰Ibid.

¹¹Ibid.

¹²Tulsa Tribune, April 3, 1927, p. 1.

principles of the Baptist faith."¹³ Those dismissed were Professor Sinclair B. Conley, head of the psychology and education departments, Professor J. Vernon Harvey, botany department head, and Professor Newell W. Sawyer, head of the English department.¹⁴ The professors had all signed the anti-evolution statement drawn by the 1926 Southern Baptist Convention and approved by the Oklahoma state convention of the same year.¹⁵ Professor J. Vernon Harvey had in only the prior year been described as a "real" scientist, fitting ". . . the fundamentalist program at O. B. U. as if he were made for it."¹⁶

The university's student publication, the Bison, declared that ninety percent of the student body were unequivocally opposed to the regents' actions. The newspaper further charged that ". . . the board [of regents] by so acting has allowed a few students to practically dictate the policies of the University, to determine who shall teach, to sit as spies in the professors' class rooms, to set up a modernized Spanish inquisition over the other students and professors. . . ." Then the Bison asked, "Shall the liberty of teaching the truth at Oklahoma Baptist University die on the altar of ignorance, narrow-mindedness, and bigotry?"¹⁷

¹³"Baptist University Students in Revolt," Harlow's Weekly, April 9, 1927, p. 5.

¹⁴Ibid.

¹⁵"Faculty of Oklahoma Baptist University Unanimously Adopts Houston Anti-Evolution Resolution," Minutes of the Twenty-First Annual Session of the Baptist General Convention of Oklahoma, November 10-12, 1926, p. 86.

¹⁶"Report of Oklahoma Baptist University," Minutes of the Nineteenth Annual Session of the Baptist General Convention of Oklahoma, November 11-13, 1924, p. 84.

¹⁷"Baptist University Students in Revolt," Harlow's Weekly, April 9,

Even though a large part of the student body threatened to leave the institution and go elsewhere to pursue their education, the board remained adamant in its dismissal of the accused professors. Doctor W. S. Spears, president of the board of trustees, stated that the board ". . . is prepared to see that the University is thoroughly 'fundamental' and that its teachers do not disseminate theories contrary to Baptist tenets." "I believe," continued Spears, "that the great Baptist hosts of Oklahoma are fundamentalists to the core and desire Oklahoma Baptist University to be maintained upon this principle. Because of this, the board . . . is set to protect the Baptists of Oklahoma . . . against the invasion of any form of evolutionary teaching."¹⁸

Apparently at least some of the alumni agreed with this decision of the regents. C. R. Ballard, the superintendent of schools at Fargo, Oklahoma, called a meeting of alumni to be held at Shawnee on April 9 to discuss the ouster of the three professors. The meeting was an attempt to foster a movement to keep the students in "accord" with the policies of the University.¹⁹

Before the animosity at Shawnee had ameliorated another Oklahoma college was hit by, "the deadly missile of anti-evolution. . ."²⁰ Kings

1927, p. 5. Neither the present addresses nor any further information concerning the three dismissed professors are available from Oklahoma Baptist University. Scales, James R., Executive Vice President, Oklahoma Baptist University, Shawnee, Oklahoma, to author, July 2, 1959.

¹⁸Ibid.

¹⁹Tulsa Tribune, April 7, 1927, p. 13.

²⁰"Another College in Fundamentalist Struggle," Harlow's Weekly, May 7, 1927, p. 8.

College at Checotah, an institution serving a four-state district in a conference of the Church of Apostolic Holiness, released or accepted the resignations of three of its professors for alleged failure to conform to the church's policy of "radical fundamentalism." The college board acted following a "shakeup"²¹ over the contents of the school library. Six weeks previous to the incident, a newspaper article had mentioned a number of titles shelved in the library. An anonymous church member lodged an official protest, which precipitated a conference of the education board representing Oklahoma, Kansas, Texas, and Missouri. After a week of "executive" sessions, the board released Doctor C. A. Place, a Methodist minister and instructor in literature, history, and civic science.²²

Professor Place readily "admitted" that he believed "modernistic" theories, although describing himself as a theistic and not a mechanistic evolutionist. Place was dismissed despite the assertion of Doctor George W. Ryder, president of Kings College, that the professor had never taught his personal views or recommended the reading of any of the "dangerous books."²³

The greater part of the college library, approximately 1200 volumes, was the personal property of Doctor Place and was loaned to the school for the benefit of the study body. Among the "offending" authors of the "dangerous" works were Herbert Spencer, George T. Ladd, Charles Darwin, Thomas Huxley, Ernst H. Haeckel, and Thomas Paine. Place believed that his most serious heresy was that he had taught that the world was becoming

²¹Ibid.

²²Ibid.

²³Ibid.

a better place in which to live. This was contradictory to the Apostolic Holiness doctrine of the near approach of the millennium.²⁴

Although Mr. and Mrs. Ben Schofield, also members of the college faculty, were "exonerated of suspicious theories," they resigned their respective positions at the institution in a reported protest against President Ryder's defense of Doctor Place.²⁵

While the controversy was raging at Checotah, another fundamentalist organization was born at Tulsa. In May of 1927, a charter was granted the Roger Williams Club of America, organized with a national extension board through which new local chapters might be formed. The purpose of the organization was explained by H. C. Hall, the extension secretary, when he said ". . . I am frank to tell you that opposition to evolution and modernism in our Baptist denomination is our principal plank."²⁶

The failure to secure an anti-evolution law from the Eleventh Legislature and the dissension within their own ranks may have tended to dissipate the energy and determination of the fundamentalists. Their forces remained relatively quiet until the latter part of 1927, when they recouped their strength in the various regional, state, and national Baptist conventions.

²⁴"Another College in Fundamentalist Struggle," Harlow's Weekly, May 7, 1927, p. 8. The Apostolic Holiness Church expounded the theory that the world must pass through a "horrible" wave of sin before the millennium arrived and ultimate purity attained.

²⁵Ibid.

²⁶"Religion," Harlow's Weekly, February 11, 1927, p. 13. The membership of the Roger Williams Club was to be composed entirely of "male citizens of the white race who speak the English language, above the age of eighteen years, who hold membership in Missionary Baptist Churches of the United States."

This recovery commenced at the Red River Missionary Baptist convention held at the Spears Baptist Church on October 14, 1927. This convention immediately adopted a resolution declaring that "Inasmuch as the evolutionary Theory is contrary to the . . . Bible and . . . true science, we bitterly protest against it being taught in our public [sic] schools. Therefore . . . the Red River Association . . . go[es] on record as opposing the teaching of Evolution in our tax supported schools. . . ."27 The association then initiated a new attempt to gain anti-evolution legislation from the Twelfth Legislature by adding, "Be it further resolved that a copy of this writing be sent to each of our respective members of the State Legislature. . . ."28

The Baptist state convention was held three weeks later at Tulsa, and evolution again occupied a prominent place on its agenda. C. C. Morris, author of the Morris resolution denying funds to institutions not complying with the McDaniel Statement and the Tull resolution, attempted to put "teeth" into these restrictions. Morris resolved that the Baptists should give \$3422.59 which was being withheld from the Southern and Southwestern Seminaries for non-compliance with the McDaniel Statement to the Baptist Bible Institute of New Orleans, unless the other institutions complied by April 1, 1928. Morris' resolution was adopted by a vote of 548 to 139, which gives an indication of fundamentalist strength within Oklahoma's Baptist churches.²⁹

²⁷"Resolution," Minutes of the Eighth Annual Session of the Red River Missionary Baptist Association, October 14-16, 1927, p. 7.

²⁸Ibid.

²⁹"Proceedings," Minutes of the Twenty-Second Annual Session of the Baptist General Convention of Oklahoma, November 9-11, 1927, p. 24.

The "recalcitrant" institutions failed to comply with the Morris resolution until March of 1928, less than a month before the ultimatum's expiration, when both institutions signed a "satisfactory" document. On March 24, 1928, J. B. Rounds, the corresponding secretary, forwarded the Oklahoma funds which had been withheld for eighteen months to Doctor Rufus Weaver of the Baptist Educational Board in Birmingham, Alabama.³⁰

With the Southern and Southwestern Seminaries back in good standing and an approved faculty at O. B. U., it appeared that the fundamentalists had won a victory over internal dissent even if they had fought a losing battle with the legislature. This was untrue, however, as dissent within the "ranks" was to continue.

³⁰J. B. Rounds to Dr. Rufus Weaver, March 24, 1928, reprinted in "Ninth Annual Report of the Education Board," Annual of the Southern Baptist Convention, May 16-20, 1928, p. 369.

CHAPTER V

"BARN-STORMERS AND WITCH-HUNTERS"

During and immediately after the Baptist state convention of 1927, the fundamentalists brought several eminent theologians to Oklahoma for a series of lectures. Among the first was "the pugnacious Fundamentalist preacher"¹ the Reverend J. Frank Norris of Ft. Worth, Texas, who appeared in Tulsa while the convention was in progress. It is not surprising that Doctor Norris was invited to Tulsa, since he was one of the South's most vocal anti-evolutionists. In 1925 he had been given the opportunity to present his views on evolution before the Thirty-Ninth Texas Legislature, and had said, "So far as I am concerned, so help me God, I will not be a party to wink at, support, or even remain silent when any group, clique, crowd or machine undertakes to ram down the throats of Southern Baptists that hell-born, Bible destroying, deity-of-Christ denying, German [!] rationalism known as evolution."² Norris was quite an attraction when he arrived in Tulsa; ". . . breathing vivacious fundamentalist declarations almost with every breath, . . ." his quick answers and witty "mannerisms" kept his hosts, the Roger Williams Club of Tulsa, in "continual laughter."³

¹Maynard Shipley, The War on Modern Science, New York: Alfred A. Knopf, 1927, p. 171.

²Ibid., pp. 171-172. Shipley's exclamation point.

³Tulsa Tribune, December 5, 1927, p. 5.

The Texas minister lost little time in becoming involved in a dispute between factional elements of the denomination. Doctor W. O. Anderson, pastor of Tulsa's First Baptist Church, and at least two other local ministers opposed the Reverend C. P. Stealey's continual vociferous denunciations of modernism in the Baptist Messenger. These three ministers proved to represent a minority, however, and the Tulsa Baptist Ministers Union went on record endorsing Stealey. Doctor Anderson's action was the basis for accusations that he was a "modernist" which were subsequently leveled at him.⁴

J. Frank Norris immediately selected Anderson as a target. Norris accused the Tulsa minister of indeed being a modernist and of reading literature written by Doctor Harry Emerson Fosdick, the eminent New York City modernist in his sermons. The deacons of Anderson's church immediately came to his defense with the statement that "Dr. Anderson. . . is a four-square fundamentalist. . . ." ⁵ Norris, in turn, retaliated with a statement explaining how to be a "good" preacher. Initials after a minister's name, indicating academic degrees, were referred to by Norris in these terms: "Preachers are like dogs, the sooner their tails are bobbed, the better off they are. As soon as they are deprived of these, they get down to real gospel methods."⁶

Norris' conduct led to an uncomplimentary editorial in the Tulsa World. The Texas preacher became incensed and replied that he could "smell" the newspaper. For good measure, Norris described his method to

⁴Ibid., November 8, 1927, p. 1.

⁵Ibid., November 9, 1927, p. 1.

⁶Ibid., November 10, 1927, p. 1.

"shut up" editors who made uncomplimentary statements in their columns. Speaking of a Texas editor who, Norris said, attacked him, "I just gave the people his congregation the information where he parked his car about one night in a week. The next day that paper said editorially it would never mention the name of J. Frank Norris again."⁷

Despite the fact that the Reverend Mr. Norris was an acknowledged fundamentalist leader, the Oklahoma Baptist convention followed the precedent of Texas⁰ Baptists and did not allow him to address the convention. The Texas Baptists would only allow him to preach from his own pulpit. Enroute to Tulsa, Norris had spoken at the Baptist church at Okmulgee, and the ministerial alliance of that city voted a resolution opposing and deploring his appearance, "not on account of his views, or teachings, but on his character and record as a man⁰ whose hands are stained with human blood."⁸

In late November of 1927, Doctor William Bell Riley, president of the World's Christian Fundamentals Association and pastor of the First Baptist Church of Minneapolis, Minnesota, arrived in Oklahoma City. Doctor Riley's purpose was to further plans to secure passage of a new law prohibiting teaching of evolution in Oklahoma's public schools. Riley hoped to launch a program to "stir up" the electorate and cause the voters

⁷Tulsa Tribune, November 10, 1927, p. 1.

⁸"Religious Notes," Harlow's Weekly, November 12, 1927, p. 9. On July 17, 1926, Norris had shot and killed Dexter E. Chipps, a Ft. Worth lumber dealer. Norris claimed the shooting was in self-defense as Chipps had made a "hip pocket" move. Chipps was unarmed. A jury from which there was an attempt by the defense to exclude all Roman Catholics and "so-called liberals" and the prosecution to exclude all fundamentalists and members of the Ku Klux Klan, acquitted Norris on January 25, 1927. See Daily Oklahoman (Oklahoma City), January 9-26, 1927.

to demand an anti-Darwin bill from the Twelfth Legislature.⁹

The Reverend Doctor Riley sought the use of the University of Oklahoma auditorium for a lecture. Doctor W. B. Bizzell, president of the university and himself a Baptist, refused; his action became a cause celebre to the fundamentalists. Doctor Riley described their situation by saying, "An overwhelming majority of the church people of Oklahoma [Baptist] now are in favor of an anti-evolution law but the 'liberals' hold the offices, while university and college leaders throughout the country are almost as a unit in opposing the fundamentalists."¹⁰

The press devoted considerable space to the W. C. F. A. president, who professedly had come to Oklahoma to carry "war" into the state. One editor replied in part:

Would it be amiss to state that Oklahoma has enough troubles already without lugging in more from Minnesota? And is it out of place to say that the state has enough troublemakers without importing any more?

Shades of the Lowly Nazarene!

Just at a time when there is disposition on the part of the people of all the world to preach peace, and at a time when Oklahoma, more especially, wants peace, here comes a fundamentalist carpetbagger from Minneapolis to "fight to the finish."

We wonder if the people of Oklahoma will tolerate this interference with their business on the part of this busy-body, or if they will take him by the slake of the pants, as it were, and fling him over the backyard fence. We are inclined to the belief that they will pursue the latter course.

Certainly the Dayton, Tennessee, episode furnished all the amusement we need at the expense of things sacred for this generation.¹¹

⁹"Religion," Harlow's Weekly, November 26, 1927, p. 14. The crux of the legislation sought would be that no public school teach that man had descended from a lower order of animal life.

¹⁰Ibid.

¹¹Altus Times-Democrat (Altus, Oklahoma), quoted in "Religion," Harlow's Weekly, December 10, 1927, p. 15.

The next week the Reverend Mordecai F. Ham, pastor of the First Baptist Church of Oklahoma City, announced that he was working with an organization to carry the evolution question before the next legislature. Ham warned, "Oklahoma soon will find itself in the midst of the greatest fight in the state's history. I speak of the impending clash of the fundamentalists and modernists."¹²

On December 5, following the announced intentions of the Reverend Messrs. Riley and Ham to carry on an aggressive anti-evolution campaign, the Reverend J. Frank Norris once again journeyed to Tulsa. Norris, this time the guest of the Roger Williams Club of Tulsa's Emanuel Baptist Church, quickly began to wage an attack on modernism and Al Smith.¹³ The Reverend Mr. Norris also gave his opinion on birth control and divine healing. Then he credited the fundamentalist "victory" in Texas to the example provided by Oklahoma's Baptists.¹⁴

Just as the fundamentalists' propaganda began to accelerate, internal dissention again temporarily side-tracked their energies. On December 13, 1927, the Reverend C. P. Stealey, editor of the Baptist Messenger, was discharged. The Messenger was the official organ of Oklahoma's Southern Baptists and was owned by the General Conference of the state, a religious corporation. Officers of the corporation would report only that Stealey was "retired," as they could not agree upon an explanation of why he was

¹²"Religion," Harlow's Weekly, December 3, 1927, p. 13.

¹³Tulsa Tribune, December 6, 1927, p. 11. Norris, along with the Reverend John Roach Straton and other prominent fundamentalists, led the crusade against the "Catholic menace" epitomized by Al Smith's candidacy for the presidency of the United States in 1928.

¹⁴Ibid., December 5, 1927, p. 5.

discharged. It was rumored widely, however, that Stealey had been "retired" because of his uncompromising attitude on modernism. The Daily Oklahoman reported:

Those opposing the editor were agreed in their talks before the meeting that no indorsement of modernism was intended by removal of the editor. They declared that they had no personal reasons and those who spoke indorsed him personally.

Resolutions which were brought before the meeting to explain the retirement after it was accomplished were tabled after a warm fight. These resolutions would have carried the sense that Mr. Stealey was removed because of his constant agitation against the doctrines of evolution¹⁵

The Reverend Mr. Stealey was remembered not only as having been editor of the Messenger for many years, but also as a member of the committee that drafted the McDaniel Statement in the 1926 Southern Baptist Convention. Stealey had also championed the supplemental Morris resolution which proscribed the sending of Oklahoma funds to schools and organizations failing to comply with the McDaniel Statement.¹⁶ Editor Stealey was one of the most outspoken fundamentalists in Oklahoma and through the Messenger had built a considerable following. Baptists all over the state were said to be "up in arms" over his dismissal.¹⁷ The available evidence tends to corroborate Stealey's ambiguous assertion that "modernism" was the cause of his dismissal.¹⁸ Certainly, moderation on his part probably would have helped to keep his position secure. The overt opposition to Stealey appeared quite suddenly and was not publicized by the church. In

¹⁵Daily Oklahoman (Oklahoma City), quoted in "Religion," Harlow's Weekly, December 24, 1927, p. 13. Doctor W. O. Anderson, pastor of Tulsa's First Baptist Church, had opposed Stealey at the previous state convention and was one of the leaders in the ousting of the editor.

¹⁶Ibid.

¹⁷Ibid.

¹⁸"Religion," Harlow's Weekly, December 31, 1927, p. 14.

1922 he had reported to the Baptist state convention:

So far as we have been able to learn from the expressions coming to us, the policy of the paper Baptist Messenger in standing for an infallible Book and divine Lord who died as a substitute for sinners and the exposing of the many subtle, attractive theories that in effect deny these fundamental truths, has been well received by our Oklahoma Baptists and without opposition worthy of mention.¹⁹

Stealey was still in good standing during the Southern Baptist conventions of 1924 and 1926 and had received a vote of confidence from the Oklahoma Baptist convention only one month before his dismissal.²⁰

Late in January of 1928 twelve members of the Messenger's board of directors issued a signed statement with regard to the Stealey dismissal. The board declared, "The present trouble has been brought on by the agitation in the Messenger, and that there was a strong demand made on Board members for a change of editors. . ."²¹ The board denied that there was any "outside influence used" by stating, "The suggestion that 'certain outside prominent brethren had determined to get the editor' (Dr. Stealey's words) is either based on an imagination or used to prejudice the thinking of our people."²² "Misrepresentations are being used to prejudice the people against the Board's action," and furthermore:

An effort is being made by some who would like to pull off

¹⁹"Our Publishing and Book Business," Minutes of the Seventeenth Annual Convention of the Baptist General Session of Oklahoma, November 15-17, 1922, p. 74.

²⁰Tulsa Tribune, November 8, 1927, p. 1. In January of 1928, E. C. Routh was selected for the editorship of the Baptist Messenger, at a salary of \$4000. per annum. This was \$200. more than Stealey had received. See "Religion," Harlow's Weekly, January 21, 1928, p. 12.

²¹"Religion," Harlow's Weekly, January 28, 1928, p. 16.

²²Ibid.

a faction from our denomination into some kind of an inter-denominational fundamentalist organization. There will be an effort made to create suspicion, to spread discord and there will be a campaign of false information. It behooves our people to stand firm, and to remember that the so-called fundamentalist organization is not a Baptist Organization."²³

These last remarks were directed at Doctor Stealey's new publication the Southern Baptist Trumpet, which had charged that "certain wealthy men who had supported the debt-paying movement [at Oklahoma Baptist University] were insisting that a change be made."²⁴

Later during the same month (January) the board of directors of the Baptist Messenger met to select a successor for Stealey. Two petitions were submitted for the board's consideration. The first was a request to reconsider Stealey's firing and submit the question to a "referendum" of the Baptist churches in Oklahoma. This petition was "recommended" by one-hundred and sixty-two ministers, twenty-four congregations, and fifty-six laymen. The second petition was presented by a committee headed by Doctor J. W. Gillon of Shawnee and recommended that Doctor E. C. Routh, editor of the Baptist Standard of Ft. Worth, Texas, be elected to the Messenger's editorship.²⁵

The second petition was the basis of the board's decision for electing Routh to the vacant position. The nine to seven vote on the issue, however, indicated that the followers of Stealey were barely in the minority.²⁶ This action can legitimately be construed as indicating that there was still

²³Ibid.

²⁴Ibid.

²⁵"Religion," Harlow's Weekly, January 21, 1928, p. 12.

²⁶Ibid.

a cleavage within and among the Baptist fundamentalists.

Stealey's dismissal failed to delay the fundamentalists' plans, and they soon resumed the offensive. In a press interview the Reverend Mordecai F. Ham renewed his previous verbal attack on Doctor W. B. Bizzell for refusing the university auditorium to Doctor William Bell Riley. Ham charged that "Red" money of the Soviet government was to blame for the teaching of evolution in the University of Oklahoma. The Oklahoma City minister then informed the press, "The fundamentalists are organizing, however, and some surprises are in store during the next legislature."²⁷ "All of the schools, the modernistic churches and the newspapers," he said soon after, "will be cast into the junk heap."²⁸

Editors over the state again began to take notice of the fundamentalists' activities. One newspaper in a long editorial entitled "John Wesley vs. Fundamentalism," quoted a lengthy statement of Wesley, in which the founder of Methodism was said to have set forth a "practical" belief in evolution. The editor then continued, "Let Oklahoma pass the Hamites' anti-evolution law if she will, but in its passage she will condemn her children to ignorance of the world in which they are to live and work and herself to be the laughing stock of enlightened men and women throughout the earth."²⁹ The Lawton Constitution also opposed any attempted legislation as a constitutional violation of the separation of church and

²⁷"Religion," Harlow's Weekly, January 14, 1928, p. 14.

²⁸Ibid., January 28, 1928, p. 16.

²⁹Oklahoma Leader (Oklahoma City), quoted in "Religion," Harlow's Weekly, January 28, 1928, p. 16.

state.³⁰

During the month of March, the American Baptist Association met in Oklahoma City and proved itself to be a strong supporter of the anti-evolution doctrine.³¹ The association adopted a resolution which stated their position without the slightest trace of ambiguity. The statement read:

Resolved, that we place ourselves on record as being opposed to the theory of evolution, which teaches that mankind descended from some lower order of animals, and that we recommend to the churches that they give no encouragement to any preacher or teacher who may hold to that theory;

Second, that we use all diligence to circulate literature against the theory and that we seek to prevent any teacher from teaching, in any tax supported schools, who may believe the theory to be true;

Third, that we encourage legislation which will prohibit the theory of evolution being taught in our tax supported schools.³²

While the American Baptist Association was in session, Doctor John Roach Straton, pastor of the Calvary Baptist Church in New York City, was engaged to deliver five lectures at the First Baptist Church in Oklahoma City. Doctor Straton had an eminent reputation as a fundamentalist, and all of his lectures were directly concerned with evolution.³³ The Reverend Doctor Straton had previously served as a lecturer for the Supreme Kingdom, a fundamentalist organization formed largely by Edward

³⁰Lawton Constitution (Lawton, Oklahoma), quoted in "Religion," Harlow's Weekly, January 28, 1928, p. 16.

³¹The American Baptist Association was an organization of Baptist Missionary groups, and was distinct from the Baptist General Assembly.

³²"Religion," Harlow's Weekly, March 17, 1928, p. 5.

³³Ibid.

Young Clarke, former "Imperial Giant, Imperial Wizard"³⁴ of the Ku Klux Klan.³⁵ Straton was also known for his "campaign against the American Museum of Natural History." He had demanded "that a representation of Moses be substituted for fossil relics of man in the museum."³⁶ During his Oklahoma City lectures (March 18 through March 21) the Reverend Doctor Straton ". . . made a powerful appeal for action to secure laws for forbidding the teaching of evolution in public schools."³⁷

When Straton completed his lectures in Oklahoma City, he journeyed to Tulsa, where he repeated a similar series of performances. Then he returned to Oklahoma City and again ". . . appealed for legislative enactment against the teaching of evolutionary theories."³⁸ The New York City minister chose the subjects of modern dancing and morality for his final sermons in Oklahoma, then after addressing about five thousand members of the Baptist Young People's Union, who were in state convention in Oklahoma City, he departed from the state.³⁹

The day after Straton's departure, Doctor Leon M. Birkhead, pastor of All-Souls Unitarian Church of Kansas City, began a series of lectures at the Temple B'nai Israel, the temporary quarters of an Oklahoma City Unitarian congregation. Doctor Birkhead was known as a "leading exponent

³⁴Shipley, The War on Modern Science, p. 24.

³⁵New York Times, January 30, 1927, Section 8, p. 3.

³⁶Shipley, The War on Modern Science, pp. 290-291.

³⁷"Religion," Harlow's Weekly, March 24, 1928, p. 12.

³⁸Ibid., March 31, 1928, p. 7.

³⁹Ibid.

of modernism." His lectures were virtually replies to Doctor John Roach Straton, giving the modernist viewpoint on the same subject.⁴⁰ During the same month the equally celebrated "Pussyfoot" Johnson was making a tour of the state in the interests of prohibition.⁴¹

After viewing the situation as it then existed, Victor E. Harlow, editor of Harlow's Weekly, philosophically commented:

Socrates fell a victim to the conviction of his fellow citizens that they had a right to prohibit the teaching of views contrary to those held by the majority. Jesus of Nazareth met the martyrdom that so often befalls those whose outlook is too far ahead of his own time. Galileo who bent to save his life and Giordano Bruno who refused to bend and lost his are merely notable examples of the price that had to be paid over and over again by those individuals who sought knowledge of the universe in the study of its facts before men became reconciled to permitting the search for truth wherever the individual thought he could find it and to permitting each searcher to reveal the truth he thought he found in the forms which seemed to him the most intelligible.

That same spirit which seeks to compel intellectual conformity to the notions of a majority again walks the earth, not in some far-off land but in our own America and here in our own Oklahoma.⁴²

In April the Reverend Mordecai Ham, pastor of Oklahoma City's First Baptist Church, initiated an inquisitorial practice which probably represents the apogee of the fundamentalist leader's brazeness. The Reverend Mr. Ham formulated a questionnaire to be sent to all Oklahoma City school teachers. The document inquired into the classroom teacher's religious convictions by asking a series of specific questions designed to "ferret" out "infidel beliefs." All questions were to be answered with a "yes"

⁴⁰Ibid.

⁴¹"Religion," Harlow's Weekly, March 31, 1928, p. 7.

⁴²"Tennessee for Oklahoma?" Harlow's Weekly, March 24, 1928, p. 3.

or "no." The questions the teachers were asked to answer were, "Do you believe an intelligent personality was the first cause of Creation? Did it [creation] come about by chance? Do you believe man is a created being? Do you believe development and progress such as we see taking place, is directed by intelligent personality? (either God or man?) Does development and progress come about through inanimate matter, independent of external aid?"⁴³

The "insidious propaganda going on in our schools," was the explanation The Reverend Mr. Ham offered for his questionnaires. Ham promised that "The ones who refuse to answer the questionnaires will be checked over."⁴⁴ While the formulation of the questions and their subsequent mailing to Oklahoma City teachers was entirely the work of Doctor Ham, it was reported that several of the City's Baptist ministers gave their approval to his actions. The "check/ing over" indicated that an effort would be made to dismiss teachers who supplied "wrong" answers to the questions. Many of the teachers promptly answered all questions and returned the documents to Doctor Ham, but of this number two appended a note stipulating that they believed in evolution.⁴⁵ One teacher candidly answered, "None of your damned business/!"⁴⁶

The Oklahoma Leader, under the headline "Intimidating the School Teachers," commented on the questionnaire by saying:

⁴³"Religion," Harlow's Weekly, April 14, 1928, p. 12.

⁴⁴Ibid. Author's italics.

⁴⁵Ibid.

⁴⁶Ibid., April 28, 1928, p. 5.

The effort of Oklahoma City's evangelical Kluxer, Reverend Mordecai Ham to intimidate the school teachers by sending them questionnaires which, if replied to, would disclose their religious predilections, is the most contemptible piece of presumptuous meddling to which our attention has ever been called.

School teachers as well as our other good people, have a right to hold their own private religious opinions and there isn't a piece of human pork on earth entitled to question them or discriminate against them if the pork doesn't approve of those opinions.⁴⁷

The Reverend C. P. Stealey's Southern Baptist Trumpet viewed the questionnaires from a different perspective. The Trumpet commented:

Some feel that it is an impertinence, others that it is none of his business. The majority, however, are seemingly glad to answer and we rejoice to say that they indicate a proper attitude. We believe that the present conditions fully warrant Dr. Ham using this method and that the results will be beneficial even if some few public servants do show their contempt by their discourteous replies. The discovery of such will warrant the questionnaire. Every man or woman who teaches the youth and has the right attitude will gladly co-operate by indicating their position [concerning evolutionary theories].⁴⁸

Doctor Ham corresponded with other ministers in Oklahoma City requesting their approval and support for his questionnaires. "Most of the replies," according to Ham, approved his action.⁴⁹ A replying letter from the Reverend Frank H. Sheldon, pastor of the Pilgrim Congregational Church, was made public. In it Sheldon discussed the "problem" of the teacher with regard to answering Ham's questions, as follows:

To My Dear Mr. Ham and the Editor:

Since apparently, your letters to teachers were written without consultation with school board or ministers, one wonders just a bit, why, after it has been done, other ministers should be consulted.

⁴⁷"Religion," Harlow's Weekly, May 5, 1928, p. 12.

⁴⁸Ibid. Author's italics.

⁴⁹Ibid.

My first impulse was to ignore your letter, just as I have said two or three times (in small groups, where teachers were present) I would do, if a teacher. But for fear one may wish to arrogate to himself the justice of the Almighty, passing judgment upon all people and institutions, and might be a bit shy on data at some possible point, or about to run out of sermon material, I presume all of us should help out. So here goes.

Whether or not teachers or others would choose to answer such a questionnaire, or any questionnaires, (since they are under no obligation to answer) might depend largely upon their judgment as to the character and standing of the questioner, and the possible use, fair or unfair, which they might expect him to make of the material.

Why should teachers with fine service ideals and held in high esteem by the majority of the public, be concerned with criticism or defense, either by illiberal, loose thinking liberals or by equally illiberal and narrow conservatives?

Suppose the questioner had not shown that breadth, sympathetic insight, judicial and fair spirit toward those who disagree with him as to facts and their interpretation, which would warrant teachers to expect that their viewpoints, where they differ from his, would receive intelligent and fair consideration and handling, should they answer? Would you?

. . .

It is not for me to judge or decide the merits of this particular case for any teacher, but I trust you can see now, in case they were suspicious that the answer to the . . . questions might not be wholly favorable, they might wish to be excused from answering and be wholly justified in not answering. . . .⁵⁰

When asked to make a statement on the questionnaire, Earl E. Leech, president of the Oklahoma City school board, replied, "We hire no teachers who are atheists, and the question of whether they believe in evolution is another matter." Leech then explained that, "Signing of the questionnaire is up to the teachers so far as I am concerned. Certainly failure to sign it would not be a cause for dismissal. We know what kind of teachers we are hiring before they go to work. They're all on record as to their religion."⁵¹

⁵⁰"Religion," Harlow's Weekly, April 14, 1928, p. 12.

⁵¹Ibid., April 14, 1928, p. 12.

Leech's statement failed to satisfy Carl Magee, editor of the Oklahoma News, and he published an article entitled "Turning on the Light."

Magee stipulated; in part:

With all due respect to my friend Doctor Ham, I am compelled to suggest to the school board the imperative necessity of protecting our school system from being drawn into any religious or political controversy by directing the teachers not to answer the questionnaire of anyone without the consent of the board, when the questions are directed toward finding out the private religious or political convictions of employees of the board.

It the teachers refuse to answer, they are open to the charge of entertaining views which make them afraid to answer. It is clear to me that the school board is the one which has a duty to perform by making a rule on questionnaires. . . .⁵²

The Daily Oklahoman was also critical of the questionnaires, saying, "If the local school board establishes the precedent of permitting one earnest soul to cross-examine our city teachers concerning the religious beliefs that animate them, the good old American doctrine of equality will demand that all factions and beliefs and cults and creeds shall have an inquisitorial inning."⁵³

The Reverend Mr. Ham admitted he sent out the questionnaires as an "important step" in the campaign for a state anti-evolution law. He then announced his intention of expanding the questionnaire program by informing the press, "This inquiry is not going to stop with just the Oklahoma City teachers. It will be carried into every school in the state. If the teachers do not answer in the spirit of helpful understanding in

⁵²Oklahoma News (Oklahoma City), quoted in "Religion," Harlow's Weekly, April 14, 1928, p. 12.

⁵³Daily Oklahoman (Oklahoma City), quoted in "Religion," Harlow's Weekly, April 14, 1928, p. 12.

which the letters were sent out, the only alternative is iron clad legislation."⁵⁴ Ham then challenged the press and other Oklahoma ministers by saying, "The press has attempted to close the door on the inquiry but it can't prevent the issue, it's coming. I'm not afraid of any atheist, evolutionist or modernist that every lived. Other pastors are going to take this up or be traitors to the parents who are demanding action."⁵⁵

Doctor Ham's press conference may have prodded the Oklahoma City school board into action, because they immediately officially informed the teachers that answering the questionnaire was entirely optional.⁵⁶

A further development was some consideration of the possibility that the fundamentalists might gain control of the school board in the next election. The Ku Klux Klan had previously accomplished this feat, and certain Roman Catholic teachers were suddenly dropped from employment, some of them in the middle of the term.⁵⁷

Late in April Doctor Ham delivered a series of sermons at Cushing and extended his questionnaire to the teachers of that city. Sixty-one Cushing teachers answered all the questions asked and all except two answered in accordance with fundamentalist theory.⁵⁸ One of the teachers appended a note to the questionnaire which read, "If God chose to work through evolutionary processes, that is strictly and exclusively His

⁵⁴"Religion," Harlow's Weekly, April 14, 1928, p. 12.

⁵⁵Ibid.

⁵⁶Ibid., April 21, 1928, p. 13.

⁵⁷Ibid.

⁵⁸"Religion," Harlow's Weekly, April 28, 1928, p. 5.

business. Your contention that God had to use cataclysmic means to create the world is crude. God made the world and why worry about how He made it. You know nothing about the process; neither do I."⁵⁹

Although the press usually criticized Ham severely, he had many friends who supported his actions. A "number" of letters to the press were published, both for and against the Oklahoma City minister's position. Most of them endeavored to make reasonable discussion, but there were also the emotional ones consisting of "brick-bats and bouquets." Both of these qualities were exemplified in a Shawnee letter, which said in part:

. . . a discard from the Reform Church has assumed to criticize old Brother Ham, a man who has led thousands and thousands from the ranks of Satan, even many of the monkeyfaced criticizing modernists, and placed them in the ranks of the Church of God. Cannot this criticizing discard find a more honorable avocation than to publicly cast his sarcastic criticisms at an aged, gray-headed soldier of God, whose body carries the scars of the Satanic-assassins whose purpose is to rid the earth of a man who has spent his life in the service of mankind, and who now is continually receiving heart-thrusts from those monkeyfaced false brethen whose greatest ambition seems to be a bid for notoriety by trying to destroy Brother Ham's efforts in trying to prevent this insidious propaganda being taught our children. Such bullet-headed critics should have enough self-respect to keep their pens from reflecting against the gray head that is now waiting for the Master's crown.⁶⁰

An editor explained what some others thought about the controversy by stating that attempts to force one's religion upon another was a violation of the law, ". . . we are constantly finding some 'spiritual dictator' ready to force upon the state, the nation or the world his particular version of everything from the Garden of Eden to everlasting

⁵⁹ Ibid.

⁶⁰ Ibid.

hell-fire."⁶¹

Nevertheless, the fundamentalist forces seemed to be in a fairly favorable position. Their imported speakers had appeared before thousands of Oklahomans, and Doctor Ham's questionnaire had certainly kept the evolution issue before the people. The "literal interpreters" also received implied support in May of 1928, when Oklahoma's Lutherans of the Missouri Synod met in their state conference. The Lutheran church had remained quiescent during the previous five years of the evolution controversy, but in the 1928 conference they affirmed their "full and final fundamentalism."⁶²

This declaration by the Lutherans was more than offset two weeks later, however, at the one hundred and fortieth General Assembly of the Presbyterian Church, held in Tulsa. The fundamentalist question appeared in the first item of business, the election of a moderator. No strong fight was made, however, and the "liberal" candidate was chosen by a "decisive" majority.⁶³

At approximately the same time, the Quadrennial General Conference of the Methodist Episcopal Church held a month-long session in Kansas City. At this meeting the Methodists ". . . passed on a number of questions of doctrine and policy." Among them, the conference "Refused to permit a discussion of modernism vs. fundamentalism," by a ten to one

⁶¹Sallisaw American, (Sallisaw, Oklahoma) quoted in "Religion," Harlow's Weekly, April 28, 1928, p. 5.

⁶²"Religion," Harlow's Weekly, May 12, 1928, p. 11.

⁶³Ibid., June 2, 1928, p. 7.

vote.⁶⁴ Then the Methodists adopted a declaration on this subject, saying, "If we are afraid to go into the laboratory with the scientist or into the geological field with true and reverent investigators, then we are doubting God. The preacher may go with the scholar wherever reverent and honest scholarship can go."⁶⁵ Editor Harlow summarized: "Thus it will appear that neither of these [Presbyterians nor Methodists] religious bodies, each with a membership in the millions, is opposed to the teaching of science, or the theory of evolution in the schools, which is being made the object of bitter attack from others."⁶⁶ This action in which two of Oklahoma's larger persuasions participated was the only item of note during the summer of 1928. This stand, however, by two of the state's three larger denominations proved to be a calamitous blow to anti-evolutionism in Oklahoma.

The Tulsa County Attorney's office reappeared on the anti-evolution scene in the fall of 1928. It will be remembered that Miss Lola De Vault, the chief stenographer in that office, resigned the presidency of a Delphian study club in January of 1923. Miss De Vault charged that the club's history course made an effort to discount the inspiration of the scriptures. Now, in November of 1928, Joseph A. Gill, Jr., Tulsa's Assistant County Attorney, was elected to the national presidency of the Roger Williams Club.⁶⁷

⁶⁴Ibid.

⁶⁵Ibid.

⁶⁶"Religion," Harlow's Weekly, June 2, 1928, p. 7.

⁶⁷Ibid., November 10, 1928, p. 10.

Later in November Oklahoma's Southern Baptists gathered at Ardmore for their state convention of 1928. Evolution, for the first time in six years, was not a prime topic for discussion in the meeting. A "prominent" Baptist leader estimated the strength of the fundamentalists as seventy-five per cent of the convention, however.⁶⁸

Thus 1928 ended without any additional happenings of significance. Early January of 1929, however, found J. Frank Norris visiting the Reverend Mordecai Ham in Oklahoma City. Doctor Norris proceeded to criticize the Baptist church, laud the industrial potential of Oklahoma City and its accompanying "tin bucket" brigade, and eulogize President Herbert Hoover (whom he had done much to elect). Striking at "disbelief and modernism," Norris said, "The church is over-organized. . . . It is water-logged. It has so many committees that people forget what they come to church for. . . . But the church has nothing to fear," Norris ambiguously continued. "The mother wants to know whether she will ever see her lost babe again. The wife who mourns over a husband must have hope. Education can't comfort him. It is like an icicle hanging in the sun, beautiful but cold."⁶⁹ There was no equivocation, however, in Doctor Norris' last statement, "As for the Atheists. Let them teach if they want to. But let them finance their own schools."⁷⁰

The following day the Texas preacher told a "packed congregation" at the Oklahoma City First Baptist Church that Oklahomans were to be

⁶⁸Ibid., November 24, 1928, p. 16.

⁶⁹Ibid.

⁷⁰Ibid.

congratulated, "for what you did on a certain historically important Tuesday not so far back."⁷¹ This, of course, was an allusion to the defeat of Alfred Smith, and a consequent fundamentalist victory over the forces of "rum and Romanism."

While the Reverend Mr. Norris was visiting in Oklahoma City, Doctor W. O. Anderson, pastor of Tulsa's First Baptist Church, attempted to resign.⁷² The Reverend Mr. Anderson had been instrumental in relieving C. P. Stealey of the editorship of the Baptist Messenger, and had been a target for charges of modernism from J. Frank Norris. Anderson declined to give details for his resignation, but said, "As things now are, I feel it to be for the best interests of the church that I resign."⁷³ On another occasion, however, Doctor Anderson gave "mounting discord in the church," as his reason for resigning.⁷⁴ The deacons of Anderson's church refused to accept his proffered resignation and then referred their action to the congregation, which voted six to one for his retention.⁷⁵

It is doubtful that J. Frank Norris appeared accidentally in Oklahoma City at the very time the Twelfth Legislature was convening. On January 11, 1929, Harlow's Weekly reported, "Simultaneously with the convening of the Legislature, the campaign to pass an anti-evolution law similar to that enacted in Arkansas last summer by popular vote has taken

⁷¹Ibid., January 8, 1929, p. 11.

⁷²Tulsa Tribune, January 8, 1929, p. 1.

⁷³Oklahoma City Times, January 8, 1929, p. 2.

⁷⁴"Religion," Harlow's Weekly, January 11, 1929, p. 12.

⁷⁵Ibid., March 1, 1929, p. 7.

on renewed activity. Thus far; it appears to be principally in the Baptist Church."⁷⁶ This reported movement received no mention in the state's metropolitan press and there was a conspicuous silence from Mordecai Ham. No mention of evolution appeared in the large city daily press until January 26, when the Oklahoma City Times (while editorially reporting on the Arkansas law) said, "Another anti-evolution measure is likely to be introduced this legislative session."⁷⁷

It was not until March that Doctor Ham's silence was partially explained. It was at this time that "A petition for an initiated bill to prohibit the teaching of evolution in tax supported schools in Oklahoma . . ." was circulated in an effort to secure by popular vote a " . . . law, as was done in Arkansas."⁷⁸ The Reverend Mordecai Ham was not in charge of this work; in fact, the records do not show that he had any part whatever in the movement.

This new effort to circulate an initiative petition was in the charge of the self styled Doctor T. T. Martin,⁷⁹ a new person in the Oklahoma controversy and field secretary of the People's League of America, whose home was in Blue Mountain, Mississippi.⁸⁰ Martin addressed a group at the Kelham Avenue Baptist Church in Oklahoma City on the subject of the

⁷⁶Ibid., January, 11, 1929, p. 12.

⁷⁷Oklahoma City Times, January 26, 1929, p. 16.

⁷⁸"Religion," Harlow's Weekly, March 9, 1929, p. 12.

⁷⁹Shipley, The War on Modern Science, p. 67. Martin was formerly a fundamentalist editor and teacher of "natural science" in a Texas fundamentalist "female college" and had been one of the leaders in gaining an anti-evolution law for Mississippi in 1926.

⁸⁰Ibid.

petition, and the pastor of the church supported his effort.⁸¹ Both the petition and T. T. Martin dropped from sight almost immediately, however, and neither was heard from again in Oklahoma. The anti-evolution controversy was rapidly becoming a moribund issue.

In June of 1929, the Reverend Mordecai Ham was back in the news, but this time evolution was not the cause. Ham resigned his pastorate at Oklahoma City's First Baptist Church and announced that he was returning to evangelistic work.⁸²

This caused some consternation within the congregation of the First Baptist Church, and some members offered to build Ham a new tabernacle if he would return from his work in Tennessee. However, Doctor Ham sent a replying telegram to the chairman of the church deacons explaining that he would not return.⁸³

This was the sum of activity concerning the participants of the anti-evolution controversy for the entire summer of 1929. In October, however, the Reverend W. O. Anderson, pastor of Tulsa's First Baptist Church, again resigned his pastorate there and assumed a position in Long Beach, California.⁸⁴

At approximately the same time, the Chairman of the Board of Trustees of Oklahoma Baptist University announced that Doctor W. W. Phelan would be dismissed as president of that institution at the end of the current

⁸¹Ibid.

⁸²Ibid., June 15, 1929, p. 8.

⁸³"Religion," Harlow's Weekly, July 6, 1929, p. 7.

⁸⁴Ibid., October 19, 1929, p. 4.

academic year. The vote of the board was said to be ten to eight for the ousting of Phelan.⁸⁵ The reported reason for Doctor Phelan's dismissal came out of a study of Baptist Christian education in Oklahoma which, "disclosed a task, not only of running a school, but of firing the imagination of Baptists out over the state and inspiring them to give both of their time and money in a way they never have done before."⁸⁶ Referring to the president, the statement continued, "the task immediately ahead has requirements that, in the judgment of some members of the board, call for a line of experience which Dr. Phelan has not had."⁸⁷ Doctor Phelan, formerly a professor at the University of Oklahoma and a "prominent" Baptist layman, had served as president of Oklahoma Baptist University for three years. Some sources believed "The fundamentalist-modernist division among the Baptists of the state, is said to be responsible also for differences of opinion at the university."⁸⁸

The dismissal of Phelan removed the last of the principals in Oklahoma's anti-evolution controversy. The paladins of fundamentalism had already dropped by the wayside. The Reverend C. P. Stealey had been discharged as editor of the Baptist Messenger, the Reverend Mordecai F. Ham had resigned from his Oklahoma City pulpit, and national personalities such as J. Frank Norris, William Bell Riley, and John Roach Straton were no longer returning to the state.

⁸⁵Ibid.

⁸⁶Ibid.

⁸⁷"Religion," Harlow's Weekly, November 9, 1929, p. 14.

⁸⁸Ibid., October 19, 1929, p. 4; March 18, 1930, p. 19.

When the Southern Baptists met in state convention at Shawnee in November of 1929, "The tense atmosphere which had been in evidence at the meeting the past few years due to the modernist-fundamentalist controversy appeared to be absent."⁸⁹

Oklahoma appears to be fortunate in not having had to share "The Shame of Tennessee,"⁹⁰ which was aptly described by Lady Darwin, daughter-in-law of Charles Darwin, as she boarded an ocean liner after a visit to this country. In response to a request to comment on the Scopes trial she quipped, "I think men are beginning to make monkeys of themselves."⁹¹

⁸⁹Ibid., November 9, 1929, p. 14.

⁹⁰Shipley, The War on Modern Science, p. 187.

⁹¹New York Times, June 14, 1925, Section I, p. 15.

CONCLUSIONS

Representatives of both poles of evolutionary thought existed in Oklahoma, and both played prominent roles in the blatant anti-evolution controversy. The negative pole was represented by the various sects of the Baptist persuasion, who were almost without exception the only vocal anti-evolutionists and the sole organized group seeking prohibitory legislation. Eventually even the Baptists' sentiments became divided over the issue, thereby leaving themselves hopelessly split and thus relatively ineffective. The anti-evolution cause was severely handicapped because of the lack of a state-wide inter-denominational organization to direct and carry on the work of the literal interpreters. The fundamentalist members of other persuasions taking no active part in the controversy were thus lost to the cause.

The opposite pole was represented again almost without exception, by the secular press throughout the state. Oklahoma's editors pioneered the opposition later taken over by such journalists as H. L. Mencken, Allene Summer, Royce Jordan, and Maynard Shipley during the Scope's trial.

Unlike H. L. Mencken's descriptions of "Babbits," "morons," "peasants," "hill-billies," "yokels," and other unsavory appellations, this author has reached the conclusion that the fundamentalists were usually serious, hardworking, God-fearing, pious individuals who were completely earnest about their religious convictions. Generally speaking they were not too well educated and were led by a scant handful of fire-eating, self-righteous sanctimonious anti-evolution protagonists.

The demise of the anti-evolution movement in Oklahoma can be attributed to multiple causation. The death of William Jennings Bryan was a severe blow to the fundamentalist partisans. The firing of C. P. Stealey and Mordecai Ham's sudden departure from the scene also affected the cause adversely; moreover, the opposing declarations made by the Methodist and Presbyterian denominations lent considerable support to making anti-evolution a moribund issue.

By their rapid growth during the period, all of Oklahoma's churches may have aided in overcoming the fundamentalists. During the decade from 1919 to 1929, church member in the state increased over forty percent.¹

The economic factor played an eminent role in defeating the anti-evolution movement. Geology occupied a prominent position in Oklahoma. The oil, coal, natural gas, and metals industries made up a large segment of the state's economy, and the geologists were naturally opposed to the anti-evolutionists. The proposed geological school at the University of Oklahoma was the paramount factor in defeating the 1927 anti-evolution bill.

The 1928 presidential campaign also served to distract attention from evolution, as many of the fundamentalists devoted much of their energy to defeating Al Smith, while others divided their time among the issues of rum, Romanism, and evolution.

¹"Religion," Harlow's Weekly, December 7, 1929, p. 5.

APPENDIX "A"

Reproduced here is a true copy of Tennessee's anti-evolution bill as written by John Washington Butler, passed by both houses of the state legislature, and signed into law by Governor Austin Peay.

HOUSE BILL NO. 185.¹

(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 Universitis /sic/, 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 11, 1925

W. F. Berry,

Speaker of the House of Representatives

L. D. Hill,

Speaker of the Senate

Approved March 19, 1925

Austin Peay,

Governor

¹Public Acts of the State of Tennessee, Passed by the 64th General Assembly. Nashville: issued by Secretary of State, 1925, pp: 50-51. John W. Butler was clerk of the Round Lick Association of Primitive Baptists.

APPENDIX "B"

Evolution: A Complete Survey¹

- Mason, Evolution Made Plain
 Fenton, History of Evolution
Records of Evolution
Evidence for Evolution
Embryology and Evolution
 Carrol Lane Fenton, Darwin and the Theory of Evolution
Ernst Haeckel's Evolution
 Ernst Haeckel, Controversy on the Creation of Man
 Maynard Shipley, Evolution vs. Church Dogma
 Fenton, Man and His Ancestors
The Origin of the Human Race
The Age of Mammals
The Structure of the Earth
 Tichenor, H. M., The Survival of the Fittest
 Finger, Explaining the Ice Age
 Clement Wood, Explaining the Stone Age
 Sir Arthur Keith, The Religion of a Darwinist

¹Daily Oklahoman (Oklahoma City), January 23, 1927, p. A-7.

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STATE DOCUMENTS

Journal of the House of Representatives. Regular Session, Ninth Legislature, Oklahoma, 1923, Oklahoma City: Great Western Publishing Co., 1923.

The House Journal is a valuable guide in following the legislative processes of Oklahoma's anti-Darwin law. The scholar must be familiar with legislative procedures to enjoy the full use of the Journal, however.

Journal of the House of Representatives. Regular Session, Tenth Legislature, Oklahoma, 1925, Oklahoma City: Warden Co., 1925.

Accounts of the repeal of the anti-evolution law are found in this volume.

Journal of the House of Representatives. Regular Session, Eleventh Legislature, Oklahoma, 1927, n. p., 1927.

Manueverings which led to the death of the proposed 1927 anti-evolution bill have to be followed with care in this Journal.

Journal of Senate of the Ninth Legislature of the State of Oklahoma.

Regular Session, 1923, Oklahoma City: Novak & Walker, 1923.

The Senate Journal, which is the companion of the House publication, should always be consulted on all legislation, or attempted legislation, regardless of the point of origin of any specific bill.

Journal of Senate of the Tenth Legislature of the State of Oklahoma.

Regular Session, 1925, Oklahoma City: Harlow Publishing Co., 1925.

Oklahoma's Senate played the dominant role in repealing the free textbook law in 1925.

Oklahoma State Election Board, Directory of the State of Oklahoma 1957,

Guthrie: Co-Operative Publishing Co., n. d.

This work is a compendium of statistics and Oklahoma election information in general.

Public Acts of the State of Tennessee, Passed by the 64th General Assembly.

Nashville: issued by Secretary of State, 1925.

The student should check this reference for Tennessee's anti-evolution law passed in 1925.

Session Laws of 1923 of the State of Oklahoma. Oklahoma City: Harlow Publishing Co., 1923.

Oklahoma's anti-evolution law can be found in this volume.

NEWSPAPERS

Daily Oklahoman (Oklahoma City), (January, 1922, through 1930).

The Daily Oklahoman was used throughout this study. Its coverage is limited more to the editorial page than is the Tulsa Tribune. The paper provides an excellent account of the J. Frank Norris murder trial. The Oklahoman usually lacked objectivity in accounts of the anti-evolution controversy.

New York Times, (January, 1922, through 1930).

This newspaper was perused in an attempt to gain an understanding of how others saw Oklahoma during the controversy. The Times presents better coverage of other states than Oklahoma, however.

Oklahoma City Times, (January, 1922, through 1930).

During late 1929 and the early part of 1930, the Times provides the best newspaper coverage of the controversial issue. The daily log of the legislature is found in this paper and is a handy guide.

Tulsa Tribune, (January, 1922, through 1930).

The Tribune gave better coverage of the issue than any other newspaper the author consulted. It also provided a national perspective of the issue, including an excellent account of the Scopes trial. Despite the fact that the Tribune was a pro-Ku Klux Klan newspaper, it was violently opposed to the fundamentalists.

PERIODICALS

The Commoner (Lincoln, Nebraska), (April, 1923).

Since this periodical was published and largely written by William Jennings Bryan, it must be studied with great care. It is an invaluable source of fundamentalist philosophy, however.

Harlow's Weekly, (Oklahoma City), (1920 through 1930).

The largest quantity and best quality of information available on the controversy is contained in this periodical edited by Victor E. Harlow. It is a "must" source for the researcher in Oklahoma history during this period.

Oklahoma Farmer Stockman (Oklahoma City), (1922 through 1930).

Perusal of this periodical was a calculated attempt to determine rural sentiments.

Oklahoma Teacher, (1922 through 1926).

The value of this professional publication is represented only by its complete silence on the anti-evolution issue throughout the entire controversy.

PERIODICAL ARTICLES

Fite, Gilbert C., "The Nonpartisan League in Oklahoma," Chronicles of Oklahoma, XXIV (1946), pp. 146-157.

_____, "Oklahoma's Reconstruction League: An Experiment in Farmer-Labor Politics," Journal of Southern History, XIII (1947), pp. 535-555.

Shipley, Maynard, "Evolution Still a Live Issue in the Schools," Current History, XXVII (1928), pp. 801-803.

Shipley must be studied with care; his work is a valuable source of material, but must be laboriously screened. Incorrect quotations, statistics, and various other wrong data appear throughout his work.

_____, "Growth of the Anti-Evolution Movement," Current History, XXXII (1930), pp. 330-332.

This article appears to be a gross exaggeration of the situation at this late date; however, it contains an accurate statistical table of great value to the researcher.

"Stop on Highway 27- 'Monkey Trial' Town Today," Newsweek, September 1, 1958, p. 35.

A contemporary view of Dayton, Tennessee, more than thirty years after the Scopes trial. According to Newsweek, Dayton has changed very little.

Summer, Allene M., "The Holy Rollers on Shin Bone Ridge," Nation, July 29, 1925, p. 137.

Summer's article is representative of the biased reporting of most journalists who participated in the controversy.

PERSONAL INTERVIEWS

Johnston, Henry S., (Oklahoma State University, Stillwater, Oklahoma), May, 1959.

In this interview, the author attempted unsuccessfully to ascertain the former governor's position on the controversy and especially as concerning the 1927 bill.

Martin, Robert G., (Enid, Oklahoma), May, 1959.

Doctor Martin is the Dean of the Undergraduate Bible College, Phillips University, Enid, Oklahoma. His remarks aided the author's attempts to understand why most of Oklahoma's denominations remained silent on the issue.

Stipe, Gene, Oklahoma State Senator, (Oklahoma State Capitol, Oklahoma City), May, 1959.

Senator Stipe informed the author that not one legislator who occupied a prominent role, either for or against the anti-Darwin law, was still in office.

LETTERS

Law, Mrs. Leah H., Reference Librarian, Oklahoma State Library, to author, June 11, 1959.

Mrs. Law's correspondence ended a long search for a copy of the non-existent 1927 bill.

Scales, James R., Executive Vice President, Oklahoma Baptist University, Shawnee, Oklahoma, to author, July 2, 1959.

This letter informed the author that neither the present addresses nor any further information concerning the three dismissed professors were available at O. B. U.

ANNUALS AND MINUTES

Annual of the Southern Baptist Convention 1922. (held at Jacksonville, Florida) Nashville, Tennessee: Marshall & Bruce Co., 1922.

The Annual contained an anti-evolution report aimed directly at censoring textbooks. It must be used cautiously, however, since it did not necessarily represent the true opinion of all the 4,500,000 Southern Baptists.

Annual of the Southern Baptist Convention, 1925. (held at Memphis, Tennessee) Nashville, Tennessee: Marshall & Bruce Co., 1925.

In this Annual Baptist scholars in the field of science were to begin publishing textbooks which would not conflict with Southern Baptist doctrine.

Annual of the Southern Baptist Convention, 1926. (held at Houston, Texas) Nashville Tennessee: Marshall & Bruce Co., 1926.

The Tull resolution and McDaniel Statement were adopted in this convention. The Oklahoma delegation were not only favorable to these resolutions, but helped to draft the McDaniel Statement.

Annual of the Southern Baptist Convention, 1928. (held at Chattanooga, Tennessee) n. p., 1928.

Evolution was not the great issue in this convention as it had been in past years. This Annual, however, contained the letter which returned Oklahoma funds to the Southern and Southwestern Theological Seminaries.

Minutes of the Annual Session of the Love and Carter Counties Baptist Association (Oklahoma). (held with the Blue Ribbon Baptist Church) Chickasha, Oklahoma: The Baptist Worker Publishing Co., 1925.

These minutes as well as the records of other Baptist publications in Oklahoma were perused by the author. Almost invariably they contained numerous examples of anti-evolution sentiment.

Minutes of the Eighteenth Annual Convention of the Baptist General Convention of Oklahoma. (held at Ada, Oklahoma) n. p., n. p., 1923.

Since Oklahoma's anti-evolution law had already been enacted, this convention was relatively quiet concerning the evolution issue - except for congratulating itself for its own fundamentalist institutions.

Minutes of the Eighth Annual Session of the Red River Missionary Baptist Association (Oklahoma). (held with the Spears Chapel Church) Chickasha, Oklahoma: The Baptist Worker Publishing Co., 1927.

An anti-evolution resolution passed by this association appeared in the minutes - as did such resolutions in practically all the minutes and annuals of the various Baptists sects.

Minutes of the Eleventh Annual Session of the Oklahoma State Association of (Landmark) Missionary Baptist Churches. (held at Alex, Oklahoma) n. p., n. p., 1922.

So far as the author can determine, these minutes contained the first anti-evolution resolution adopted in Oklahoma.

Minutes of the Nineteenth Annual Session of the Baptist General Convention of Oklahoma. (held at Chickasha, Oklahoma) n. p., n. p., 1924.

The situation concerning evolution at Oklahoma Baptist University (as seen by the convention) is discussed in detail in this Annual.

Minutes of the Seventeenth Annual Convention of the Baptist General Session of Oklahoma. (held at Altus, Oklahoma) n. p., n. p., 1922.

The first state-wide anti-evolution resolution was adopted at this convention. For the purposes of correlation one should also make certain to consult the Annual of the Southern Baptist Convention 1922, in connection with this source.

Minutes of the Thirteenth Annual Session of the Oklahoma Baptist Missionary Association of (Landmark) Missionary Baptist Churches. (held at Oakland, Oklahoma) n. p., n. p., 1924.

The fact that Oklahoma's anti-Darwin law was insufficient to

satisfy this group was evident from their report. Also it was a clear indication that more stringent legislation would be sought.

Minutes of the Twelfth Annual Session of the Oklahoma State Association of (Landmark) Missionary Baptist Churches. (held at Gerty, Oklahoma) n. p., n. p., 1923.

Resolutions against the teaching of evolutionary theories appeared in minutes of practically all of these state and regional associations.

Minutes of the Twenty-First Annual Session of the Baptist General Convention of Oklahoma. (held at Enid, Oklahoma) n. p., n. p., 1926.

Oklahoma's Southern Baptists always met after the various regional and the national conventions. Then they not only accepted the findings of these organizations, but, usually attempted to improve upon them -- as concerning the prohibition of evolution in the schools of the state.

Minutes of the Twenty-Second Annual Session of the Baptist General Convention of Oklahoma. (held at Tulsa, Oklahoma) n. p., n. p., 1927.

J. Frank Norris appeared at this convention and, although prohibited from officially addressing the convention, was instrumental in the problems of internal discussion. The Tulsa convention was the last "anti-evolution convention" of Oklahoma's Southern Baptists.

GENERAL

Shipley, Maynard, The War on Modern Science, New York: Alfred A. Knopf, 1927.

A completely biased account of the anti-evolution controversy, yet it is valuable source material if the researcher uses it carefully.

VITA

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candidate for the degree of

Master of Arts

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Personal data: Born near McAlester, Oklahoma, December 31, 1929, the son of Rudia and Oral Oney (Cable) Halliburton.

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