

# Darrow and Malone Services Are Accepted for Defense Of Teacher of Evolution

## Freedom of Teaching and Learning Involved in Tennessee Test Suit, De- clares Leading Counsel.

Knoxville, Tenn., May 16.—Offer of Clarence Darrow, of Chicago, and of Dudley Field Malone, of New York, nationally known trial lawyers, to aid in the defense of J. T. Scopes, teacher in the Tennessee public schools at Dayton, who is charged with a violation of the recently enacted law forbidding the teaching of any theory of evolution, was accepted today by Dr. John R. Neal, leading counsel for the defendant.

In the telegram of acceptance, Dr. Neal emphasizes that the trial of Professor Scopes involves a broader question than a mere test case, making an issue of whether the Darwin theory of evolution is true or not true, the attorney contending that freedom of teaching and freedom of learning being the principle involved.

### Telegram of Acceptance.

"Clarence Darrow and Dudley Field Malone,

"New York City."

"Your joint telegram, proffering your services in the anti-evolution test case just received. Our efforts to have declared unconstitutional the law making it a criminal offense to teach in the public schools the Darwin theory of evolution, is not solely a fight in behalf of any theory of evolution.

"The question is not whether evolution is true or untrue, but involves the freedom of teaching. Or, what is more important, the freedom of learning. As we see it, the great question is whether the Tennessee legislature has the power to prevent the young minds of Tennessee from knowing what has been thought and said by the world's greatest scientists and thus prevent them from forming their own judgment in regard to questions of life and science.

"We regard equally un-American and therefore unconstitutional any attempt to limit the human mind in its inquiry after the truth.

"On account of your preeminent ability and your great and varied services in battling for human freedom, I am sure Professor Scopes will welcome your assistance in his defense."

Entry of the nationally known attorneys into the Scopes trial, which will be held during the first week in August at Dayton, a small Tennessee town, is regarded here as the opening move in a drama that will be national in interest.

Dr. Neal stated that in event the act is not declared unconstitutional in the Scopes case, prosecutions would be started against most of the faculty members of the University of Tennessee and every instructor of science in the high schools of the state, since all of the text books of science, used in the university and in the high schools, contain a theory of creation not in accord with the Biblical account.

The object of the prosecutions, according to Dr. Neal, will cause the repeal of the recent act, in event it is not declared unconstitutional.