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HISTORY OF
PUBLIC SCHOOL EDUCATION
IN ALABAMA

By STEPHEN B. WEEKS
OF THE BUREAU OF EDUCATION



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LETTER OF TRANSMITTAL

DEPARTMENT OF THE INTERIOR,
BUREAU OF EDUCATION,
Washington, February 19, 1915.

SIR: I submit herewith for publication as a bulletin of the Bureau of Education a brief account of the progress of education in the State of Alabama. This is the second in the series of brief histories of education in some of the States of the Union which this bureau is having prepared by and under the direction of Dr. Stephen B. Weeks, of this bureau, for the purpose of providing accurate information for the future historian, and the still more important purpose of helping those who are now working for the improvement of education in the States, as set forth in my letter transmitting the manuscript of Bulletin, 1912, No. 27.

Respectfully submitted.

P. P. CLAXTON,
Commissioner.

The SECRETARY OF THE INTERIOR.

ACKNOWLEDGMENTS.

The compiler wishes to acknowledge with thanks many courtesies which he has received from citizens of Alabama during the preparation of this bulletin. Supt. John H. Phillips, of Birmingham; Mr. Henry J. Willingham, now president of the State Normal School at Florence; and Mr. William F. Feagin, the present State superintendent, courteously answered numerous questions; Hon. John W. Abercrombie and Mr. Isaac W. Hill, former State superintendents, read parts of the paper and offered suggestions, while Mr. Thomas M. Owen, LL.D., director of the State department of archives and history, put the historical material in his office, including many pamphlets in the Curry Collection and the original manuscript letter books of the State superintendents down to 1873, at the service of the writer. Dr. Owen also read the manuscript and freely gave the benefits of his very wide knowledge of the subject.

HISTORY OF PUBLIC SCHOOL EDUCATION IN ALABAMA.

Chapter I.

EVOLUTION OF THE STATE.

The territory included within the present State of Alabama lies between $30^{\circ} 13'$ and 35° north latitude and between $84^{\circ} 51'$ and $88^{\circ} 31'$ west longitude. It has a total land and water area of 51,998 square miles, and was first visited by De Narvæz and later explored by De Soto (1540); but the Spaniards made no attempt at settlement and for more than a hundred years there was no other visit to the territory by white men. Then came La Salle, with his idea of a French empire extending through the heart of North America, the Mississippi to be the main artery of commerce, and a chain of forts to connect Canada and Louisiana (1682). Under the impetus of this idea came the settlement at Biloxi in 1699 and that at Twenty-seven Mile Bluff, on Mobile River in 1702. In 1711 this latter settlement was moved to the present site of Mobile. This removal marks the real beginning of European settlement in that section of the United States, and Mobile was for years the center of French opposition to the westward thrust of the English-speaking peoples from Georgia and the Carolinas.

It should be noted that the Spaniards never formally surrendered their claims to the country now represented by the State of Alabama, but included it within the ill-defined boundaries of Florida, and that the English made a similar claim to it as a part of their province of Carolana, "the east of Carolana joining to the west of Carolina," according to Coxe, who was the leading exponent of the English contention; but the French remained in actual possession of the soil till the peace of Paris in 1763, by the terms of which Canada and all of that part of Louisiana east of the Mississippi River, with the exception of the island of Orleans, was ceded to England, and the city of New Orleans with all of Louisiana west of the river to Spain. By these cessions France was forced out of the Continent of North America, and the visions of La Salle's American empire vanished.

By a treaty of 1762 East and West Florida had been ceded by Spain to England in exchange for Havana, and the English flag then waved over all the territory of North America east of the Mississippi except the city of New Orleans.

In reorganizing the territory of West Florida the English in 1767 extended its boundary northward to the line of $32^{\circ} 28'$, about the latitude of the present city of Montgomery. The territory north of $32^{\circ} 28'$ was included in the English province of Illinois. During the American Revolution, Bernardo Galvez, Spanish governor of Louisiana, captured both Pensacola and Mobile, and by the treaty of Versailles in 1783 the Floridas were retroceded to Spain by England, which at the same time acknowledged the southern boundary of the United States to run down to 31° , thus ignoring her own boundary of West Florida and bequeathing a bone of contention to the United States and Spain. This territory remained a subject of dispute till 1795, when under the Jay treaty Spain acknowledged the American contention for 31° , although it was not till 1798 that the Spanish colonial officials were forced to yield recognition of the treaty. By the Federal act of April 7, 1798, a territorial government was established for the Mississippi Territory then embraced between 31° and $32^{\circ} 28'$, of like character in all respects to that over the Northwest Territory, save as to the last ordinance (slavery). A commission was provided by the act for settling the contention between the United States and the State of Georgia over all lands lying north of 31° and south of the South Carolina cession of 1787 which Georgia claimed as a part of her territory under the original charter of Oglethorpe. In 1802 Georgia ceded to the United States all her claims to this territory; and in 1804 the territory between $32^{\circ} 28'$ and 35° , including the strip of land 12 miles wide known as the South Carolina cession, was annexed to the Mississippi Territory. In 1812 Congress added to that Territory what was known as the district of Mobile, being the lands between the Pearl and the Perdido Rivers, recently taken from Spain and extending from the Gulf northward to Ellicott's line in 31° . By act of March 3, 1817, the Territory of Alabama was established by Congress, with boundaries corresponding to those of the present State. This Territory was admitted as a State of the Union by the act of Congress of March 2 and resolution of December 14, 1819.

EVOLUTION OF THE STATE.

The growth in population has been as follows:

Statistical view of growth of Alabama population, 1800-1910.

Years	White	Colored	Total	Per cent of increase since last census.	Population per square mile. ¹
1800			1,250		
1810			9,046		
1818			25,000		
1820	5,451	42,450	127,901		2.49
1830	190,400	119,121	309,527	142.00	6.03
1840	335,185	255,571	590,756	90.86	11.52
1850	426,514	348,109	774,623	30.62	18.05
1860	526,271	437,770	964,041	24.98	18.80
1870	521,384	475,510	996,894	3.40	19.44
1880	662,185	600,103	1,262,288	26.63	24.62
1890	837,718	674,489	1,512,207	19.87	29.51
1900	1,017,152	827,307	1,844,459	20.83	35.66
1910	1,228,832	906,282	2,135,114	16.92	41.67

¹ In 1910 land area 51,279 square miles. Mississippi Territory.

² In Washington County, Ala., only. Pickett. Excludes a few Indians, Chinese, and Japanese.

The sources of this population, as far as it concerns the older States, are shown for different decades in the following table, which includes every State which has in any decade contributed as much as 1,000 to the State's population.

Statistical view of the sources of Alabama's population.

States	1850	1860	1870	1880	1890	1900
Georgia	5,997	83,517	93,028	95,872	95,675	99,654
South Carolina	48,663	45,185	42,971	35,764	24,355	18,921
Tennessee	22,541	19,139	19,797	23,859	25,185	31,085
North Carolina	28,521	23,504	30,290	23,289	15,491	12,102
Virginia (and West Virginia)	10,387	7,598	29,635	24,351	16,232	15,320
Mississippi	2,822	4,848	10,149	13,046	15,009	20,256
Florida	1,060	1,644	2,764	4,029	3,969	5,024
Kentucky	2,094	1,966	2,780	2,624	3,983	4,207
New York	1,443	1,848	1,539	1,668	2,066	2,109
Ohio	276	265	682	1,477	3,764	4,020
Louisiana	628	1,149	1,733	1,783	2,266	2,750
Pennsylvania	876	980	727	1,199	2,318	2,533
Maryland	757	683	2,209	1,889	1,483	1,121
Texas	55	275	640	1,251	1,822	3,220
Illinois	114	274	369	686	1,374	2,675
Indiana	93	186	278	785	1,741	2,171
Arkansas	91	343	650	863	1,094	2,053
Missouri	158	191	516	512	861	1,308

Assuming these figures to be correct, and a proper foundation on which to base generalizations, it is evident that in the development of Alabama immigration has come primarily from the States immediately adjoining; that it has been in direct proportion to distance; that it has been in this case, as in most others, in the main along lines of latitude; that the population coming into Alabama in the early days was distinctively southern, and that it was not till 1890 that an increase in the northern and western elements began to command attention.

The States that seem to have contributed most to the population of Alabama are, in the order of importance: Georgia, South Carolina,

Tennessee, North Carolina, and Virginia; these States in the four censuses between 1850 and 1880, stand with three exceptions in the above order. Two of them, Georgia and Tennessee, represent a migration from the neighboring older States, Virginia and the Carolinas. It is probable that an overwhelming per cent of the Alabama population of the ante bellum period traced its origin directly or indirectly to Virginia and the Carolinas, as is shown by the following tables:

Total population Alabama, 1850.....	428, 779
Born in the State.....	236, 332
Born out of State, but in United States.....	183, 913
Born in foreign countries.....	7, 509
Birthplace unknown.....	1, 025
	428, 779
Born outside of State, but in United States.....	183, 913
Born in—	
Georgia.....	58, 997
South Carolina.....	48, 663
North Carolina.....	28, 521
Tennessee.....	22, 541
Virginia.....	10, 387
	169, 132
Born in foreign countries.....	7, 509
Born in—	
England.....	941
Ireland.....	3, 639
Scotland.....	584
Wales.....	67
Germany and Prussia.....	1, 112
France.....	503
Austria.....	33
Switzerland.....	113
Denmark, Norway, and Sweden.....	74
British America.....	49
	7, 118

It is thus evident that the States which in the decade between 1840 and 1850 made the largest contribution to Alabama's population furnished no new ethnic elements; and that the foreign contribution was neither sufficient in size, nor sufficiently different in character, to produce variation in type. There was in general large racial homogeneity.

It may be interesting to inquire at this point how and along what lines of travel, and over what roads, these immigrants got into Alabama. If the lines of travel and the location of earliest settlement are known, these facts will help explain why certain sections were in advance of others in the organization of schools.

After the province of Louisiana came into the hands of the English as a result of the Treaty of Paris in 1763; they began to encourage immigration, and the first immigrants found homes not in what is

now Alabama, but in Mississippi, coming by water up the river from New Orleans or by water down the Ohio and Mississippi from the older colonies on the Atlantic coast.

The historian Pickett, writing of the period from 1768 to 1773, says:

The English authorities encouraged emigration and many availed themselves of their liberal offer. The first Anglo-American colony came from Roanoke, in the province of North Carolina and established themselves between Manchac and Baton Rouge. They were followed by others from North and South Carolina, who crossed the mountains to Tennessee, there constructing flatboats, descended that river into the Ohio and thence passed down the Mississippi. Others from Georgia even cut through the wilderness to find the Natchez country, which had become so favorably known. Emigrants from Virginia came down the Ohio. They all received upon their arrival liberal and extensive grants. After a while emigrants came from Great Britain, Ireland, and the British West Indies. During the three succeeding years many flocked from Georgia, the Carolinas, and New Jersey, and established themselves upon the soil by the Bayou Sara, the Homochitto, and Bayou Pierre. All these settlements extended from the Mississippi back for 15 or 20 miles. A few years afterwards the Scotch Highlanders from North Carolina arrived, and formed a colony upon the upper branch of the Homochitto, 30 miles eastward of Natchez, and their numbers were at a late period increased by others from Scotland. . . . In 1776 emigrants came from New Jersey, Delaware, and Virginia, by the way of the Ohio, and three years afterwards a much greater number advanced by that route.

In order to get a clearer conception of the growth of the Alabama country itself, it is desirable to point out (1) the four separate settlements within the present Alabama from which as nuclei the State has developed and (2) to indicate briefly the lines of travel by which these settlements were reached:

(1) In the early days territorial Alabama was made up of four distinct districts, based on the river systems to which they belonged.

(a) The oldest of these settlements was, of course, that at Mobile, which was founded by the French and later developed by the English and Spaniards. These settlers came by water. Later, Americans appeared and settled above and around Mobile in what is now Baldwin, Mobile, and Washington Counties, even before all of this had become American territory. In 1792, after Mobile itself, the most populous of these settlements was that upon the Tensas River. It was composed of both Whigs and Loyalists, the latter having been driven from Georgia and the Carolinas. This settlement was reached overland from Georgia, the creeks and rivers being passed on rafts, and household and other utensils being carried on pack horses.

(b) Next after Mobile came the American settlements on the Tombigbee River in the vicinity of old St. Stephens. This section contained the oldest American settlement in the State, and included a settlement of Georgians on the Alabama, a few miles above its confluence with the Tombigbee. This was made in 1777 and is

¹ Pickett's Alabama, Owen's ed., pp. 322-323.

believed to be one of the earliest settlements within the present limits of the State. The settlers had come overland through the Creek country from Georgia. In 1800 these settlements were included within the limits of Washington County, Mississippi Territory (now in Alabama), and a ferry across the Alabama River over Nannahubba Island, which facilitated the movements of immigrants, had been established as early as 1797. After the opening of the Federal Road the ferry was moved farther north.

From the time that the claims of Georgia to the Mississippi Territory were extinguished (1804), immigrants began to flock into what is now Alabama. One party left North Carolina, scaled the Blue Ridge with their wagons, and descended into the valley of the Tennessee. At Knoxville they built flatboats and floated down the river to the Muscle Shoals, where they disembarked their goods, placed them on pack horses which had been brought overland from Knoxville, and from the Muscle Shoals as a new basis, departed overland for the English settlements on the Tombigbee, about St. Stephens, in southern Alabama, thus traversing in a journey of 120 days from North Carolina nearly the whole length of the present State from north to south.¹

(c) The northern section of Alabama, the Tennessee Valley region, was settled mainly from Tennessee as early as 1787, and in the earlier period filled up more rapidly than some of the other sections. These immigrants came overland from the Cumberland settlements or floated down the river in flatboats from the settlements farther east.

(d) The fourth district was that along the Alabama River, with centers near Claiborne, in Monroe County, and along the Alabama River from the confluence of the Coosa and Tallapoosa Rivers down to and including the present city of Montgomery. This section was settled mainly by Georgians and Carolinians, who came in over the Government Road. From these four centers population grew and extended into the intervening sections.

(2) The lines of travel by which immigrants went into this new territory are indicated as follows: The Indians—the Creeks, Cherokees, Chickasaws, and Choctaws—had some well-defined trails through this country, and while these trails varied somewhat from one period to another they became in the main the basis of the routes for the French and English invasion. These Indian trails were followed by Indian traders and these in turn by the first immigrants, and in this perfectly natural way became the highways along which passed the settlers seeking new homes.

It will be sufficient to consider these highways under the general division of northern and eastern roads. The northern route led

¹ Pickett's Alabama, Owen's ed., pp. 466-467.

down the Tennessee River from Knoxville to the neighborhood of the Muscle Shoals. From the Shoals immigrants from Virginia and North Carolina, after floating down the Tennessee, went across the country with pack horses along the route later known as Gaines's Trace until they struck the Tombigbee at Cotton Gin Port in the present Monroe County, Miss., and thence to St. Stephens by water. On the other hand, others, instead of taking to the Tombigbee route, left Gaines's Trace and went south by land over the open prairie.

In 1801 the Government secured by treaty with the Chickasaws and the Choctaws the right to open a road from the Nashville country to the Natchez district. This road crossed the Tennessee River at Colbert's Ferry and was also utilized by immigrants coming into Alabama from the Tennessee country. About 1805 the Government acquired from the Cherokees the right of way for a road from Knoxville down the river. This road crossed the Tennessee at the Muscle Shoals and then joined the Natchez Trace.

The other great route was that which led to central Alabama from Georgia. It was secured by treaty with the Creeks in 1805. This route did not differ essentially from the older trade routes that in turn followed the Indian trails. The one leading to Alabama struck Georgia at Augusta, crossed the Savannah there, and branching, turned north and northwest to the Cherokee and Creek country. Another branch turned west to the territory of the Lower Creeks which it struck at the Ocmulgee. It passed old Fort Hawkins (near Macon) and thence to the Chattahoochee not far from the present Columbus, Ga. It passed to the south of Montgomery, along what is now the eastern boundary of Monroe County, to old Fort Mims, from which one arm reached out to Mobile at the south and the other to St. Stephens farther west, whence it passed on across the Choctaw country to Natchez. In the early days this road was in reality a mere trail—marked by three notches cut in the trees. The houses of accommodation were few in number and indifferent in kind, being kept by Indians and halfbreeds. The rivers and creeks were unbridged and without ferries.¹

With the improvement of the road by the Federal Government, the use of this route much increased. Hamilton says² it became for Alabama what the Via Appia was for the country south of Rome, and Pickott tells us that by 1810 the population of Washington County, Ala., was about 6,000, made up of Georgians and Carolinians who had come in over the "Three Chopped Way" from the east, and of Tennesseans who had come down from the north.

Jackson's military road cut southwardly from the Tennessee River into the Creek country of eastern Alabama, and the "great

¹ Pickett's Alabama, Owen's ed., 486.

² See Hamilton's article on early roads in Alabama, Publications Alabama Historical Society, II, 39-56.

Tennessee road" to Jones's valley in Jefferson County made access to the north easier still. But these roads belong to the later period of development and growth, rather than to the earlier one of exploration and settlement.

In the Memorial Record of Alabama Mr. Thomas H. Clark calls attention to the boat as an emblem of progress during the earlier days. This may be illustrated by the history of 90 barrels of flour sold in Montgomery in 1822. This flour was made from wheat grown in Washington County, Va., was ground on the Holston River 10 miles away, floated 150 miles down that river on flatboats, then 40 miles up the Hiwassee, then 10 miles up the Ocoa (Ocoee) to Hildebrand's Landing, then 12 miles by portage across country to O'Dear's, on the Connussowga,¹ thence by flatboat again into the Coosa, and thence to Montgomery, where it arrived after a journey extending from February 20 to April 27. Even this long haul was then found to be more profitable than to bring up freight by flatboat from Mobile. But this era was now passing. In 1821 a steamboat had arrived at Montgomery, from Mobile, in 10 days, and as soon as the steamboat had been adapted to commercial uses the problem of transportation was solved as fully as it could be until the coming of the railroad.

Thus we see immigrants came into the new land by all water or by all land routes, and by routes that were part one and part the other; they came with pack horses and on foot; later with rolling hogsheads, even ox-drawn, and finally by wagon. They came as individuals, as families, and even as communities. They brought with them their institutions, culture, religion, industries, and education. It was a new *völkerwanderung* of English-speaking men. The instinct that for two centuries had been driving their fathers to America now sent them into a new wilderness in pursuit of the same ideals—fortune, happiness, and liberty.

The United States Census for 1880 indicates the distribution of the population in Alabama from the various contributing States, and this may be assumed to be essentially correct for the earlier decades also. According to these census maps, which undertake to show the localities to which emigrants from the older States removed, the majority of the North Carolina immigrants were settled in the north-eastern and black-belt counties of the center. The South Carolinians, spread over nearly the whole of the eastern half of the State, had occupied the black belt, and in considerable force had pressed over to the western boundary. The Virginians went into the black belt, occupied the eastern part of the Tennessee Valley, and made their homes in the southwestern corner, in Washington and Mobile

¹ During this period there was much discussion in Tennessee on the question of uniting these rivers by a canal. In 1826 Tennessee chartered a company to cut such a canal from the Hiwassee to the Coosa.

Counties, for they represented a large part of the original immigrant settlers. The relation of Georgia to Alabama is like that of a natural overflow, being heaviest in the eastern half but reaching the western boundaries in considerable numbers, except in the extreme northwest corner and on the middle and headwaters of the Tombigbee, but increasing in numbers again in Washington and Mobile Counties in the extreme southwest and on the banks of the Perdido.

In a preeminent degree does the Tennessee population represent the idea of an overflow. It was heaviest in Jackson, Lauderdale, Limestone, and Madison Counties, all of which lie north of the Tennessee River. The next in importance for their Tennessee population are Colbert, Dekalb, Lawrence, Marshall, and Morgan Counties, which represent the first tier of counties south of the Tennessee River.

It seems fairly accurate to say that the various sections of the State during the early days had a more or less distinct and characteristic population of its own, one which was fairly differentiated from other communities by the source from which that population was derived. The one exception to this general statement is the black belt that lies on both sides of the Alabama River and includes the counties of Montgomery, Lowndes, Autauga, Dallas, Perry, Marengo, Hale, Greene, and Sumter. This was settled early and in common by immigrants mainly from Virginia and the Carolinas, who, being attracted by the fertility of the soil, brought in large bodies of slaves and began raising cotton.

In the early days and until the time of the Civil War Alabama and Mississippi performed for the old Southwest the function which Ohio and Indiana performed for the old Northwest. They served as a stopping place, as a sort of reservoir, in which one or two generations spent their lives before the movement into the newer golden West was resumed. The census records show that migration from Alabama has been uniformly westward, overflowing heaviest into eastern Mississippi, then jumping over the high lands of the center, settling in the Mississippi Delta country; thence crossing the river into upper Louisiana and all of Arkansas, except the northern quarter, and thence into eastern Texas.

Chapter II.

PRIVATE SCHOOLS BEFORE THE CIVIL WAR.

As the majority of the first settlers of Alabama came from the older Southern States, they brought with them the educational systems that there obtained. These systems produced private schools and academies—organized, conducted, and supported independently of any State action. The most expected from the State was incorporation. This gave the trustees a legal existence, and endowed them with full powers to conduct their business. The first act of incorporation was issued in 1811; many of these acts gave special favors; this favoritism became so bad in 1856 that Gov. Winston vetoed various college and academy acts and demanded that all schools be placed “on the same favorable footing” by general law and that no special favors be granted. But the system was then in the ascendant, and the special acts of incorporation became law over the governor’s veto. This tendency may be shown by the statement that there was no general law exempting school property from taxation till 1832. Before that it was taxed or not taxed according to caprice or pull. In the same way some institutions were expressly allowed to raise money by lottery, while others were not. The charters were, as a rule, drawn in the most general terms. This indefiniteness may have been due to lack of experience in educational legislation, but it was more probably intended to give the widest scope for educational endeavor. The acts, most of them based on the same stereotyped model, recited the names of persons who were to serve as trustees, the name of the new institution, in very general terms the purpose for which it was organized, the powers of the trustees and officers, the character and kind of education that might be given, the power to confer distinctions, diplomas, favors, or degrees, and the amount of capital that might be held, which was generally fixed; exemption from taxation was often specifically granted¹ and was generally coupled during the later years with a provision against the selling of liquors within a certain distance and in earlier years with the provision to raise money by lottery.

No report to a State authority was at any time required; no supervision or inspection under public conduct was to be exercised. The

¹ Act of January, 1832, exempted from taxation all houses and lots held by incorporated academies as long as used for educational purposes.

State was content to give the schools official life and then let each work out its own salvation. It was a policy in which there was a literal survival of the fittest.

Some of the leading institutions chartered in Alabama before the Civil War, and their distinctive features, are as follows:

I. PRIVATE SCHOOLS SUPPORTED ENTIRELY FROM PRIVATE SOURCES.

Pickett says (p. 469) that John Pierce established the first American school in Alabama in 1779 at the Boat Yard on Lake Tensas. "There the high-blood descendants of Lachlan McGillivray, the Taitts, Weatherfords, and Durants, the aristocratic Lindners, the wealthy Mimses, and the children of many others first learned to read."

With the organization of the Territory of Alabama, the cause of education came to the front. At the meeting of the first Territorial legislature in January, 1818, Gov. Bibb recommended the encouragement of education and the establishment of roads, bridges, and ferries, and the assembly responded to the governor's recommendations.

At the next session the Territory took a unique way of giving what was practically an endowment to two of the academies then at work. The law permitted the banks at St. Stephens and Huntsville to increase their capital stock by selling shares at auction. The profits to the extent of 10 per cent were to go to the stockholders; any profits above 10 per cent were to be applied to the support of Green Academy in Madison County and St. Stephen's Academy. We have no report as to how much was received for education under this law.¹

With the organization of the State the chartering of educational institutions begins in earnest. It may be assumed that these charters in most cases represent work projected, but not all were in this class, for the acts of incorporation sometimes state that the institution was already in working order. The following list does not give all that were established; only those institutions are here mentioned which seem to illustrate some principle.

1811.

The first legislation on education in what is now the State of Alabama was by the Mississippi Territory in 1811, when it chartered an academy in Washington County. It was called Washington Academy, and the exact location was to be fixed. It was made free from taxation, and given authority to raise \$5,000 by lottery. In 1814 this act was so amended that the proposed academy might be located in either Washington or Clarke County, which amendment would seem to indicate that the academy had not yet gone beyond the paper stage.

1812.

Green Academy, in Madison County; the trustees were empowered to locate the academy and to contract for buildings; they were to be free from taxation and might raise \$4,000 by lottery. By act of December 13, 1816, Green Academy was given \$500 from the Territorial treasury.

1818.

St. Stephens Academy incorporated. By act of December 13, 1816, an academy of this name had been given \$500 from the Territorial treasury. This was presumably the academy in Washington County, first chartered in 1811.

1820.

Solemn Grove Academy, Monroe County. Estate of corporation limited to an annual income of \$10,000.

1821.

Sparta Academy. Lottery for \$2,000 for buildings.
Montgomery Academy. Lottery for \$5,000 for buildings.

1822.

Athens Female Academy, Limestone County.
Jefferson Academy, Elyton; might hold \$10,000 in real estate and raise \$5,000 by lottery.

1823.

Huntsville Library Company. James G. Birney was one of the incorporators.

Claiborne Academy, Monroe County. Amended in 1824 so the trustees could purchase a site and locate the seminary.

1825-26.

Coosawda Academy, Autauga County. Allowed to hold \$10,000 worth of property.

Concord Academy, Greene County. Its annual income was not to exceed \$10,000.

Moulton Library Company. Incorporated and allowed to hold property up to an annual value of \$10,000.

Milton Academy, Montgomery. To raise \$3,000 for buildings by lottery and to hold property of not over \$3,000 per year.

Four other academies incorporated.

1826-27.

Act for school on the Lancastrian plan at Huntsville; lottery for \$2,500 to be devoted to buildings.

Greenville Academy, Butler County; was allowed to hold \$10,000 in property and to raise \$5,000 by lottery.

Tuscaloosa Library Company, a joint stock company, but banking powers especially forbidden; lottery to raise \$1,000; limit of property, \$5,000.

1827-28.

Henry County Academy and Court House, to be built out of a \$5,000 lottery.

Phylomathian Society, at Sommerville, incorporated and given power to raise \$500 by lottery to purchase a library.

Franklin Female Academy, Russellville, Franklin County. Building already erected; exempted from taxation; apparently first institution thus specifically exempted; male and female departments separate, but under same management.

1828-29.

Agricultural Society, Greensborough; property limited to \$5,000.

Wilcox Society, Wilcox County, "for encouragement of literature;" might hold \$10,000 tax free.

Athens Male Academy, Limestone County. Teachers and students exempted from military service during school sessions.

1829-30.

La Grange College. Act provides 50 trustees; limit of property, \$300,000; might establish a preparatory or primary school and confer degrees, a purely literary, scientific, and undenominational institution, as the trustees are "prohibited from the adoption of any system of education which shall provide for the inculcation of the peculiar tenets or doctrines of any religious denomination whatever." Apparently the first institution after the university empowered to confer degrees.

1830-31.

Tuscaloosa Female Academy was exempt from taxation and was to raise \$50,000 by lottery.

Jefferson Academy, Elyton, Jefferson County, was chartered with a property valuation limit of \$10,000. It was composed of two schools, a male and a female, each distinct and separate from the other. (See also 1822.)

Seven other academies chartered this year.

1832-33.

Summerville Female Seminary, Morgan County. Stock company with private stockholders and a capital of \$20,000.

Academy near Statesville, Autauga County. Lottery for \$5,000 authorized for building. This academy seems to have been incorporated for the purpose of getting the lottery.

1833-34.

Alabama Institute of Literature and Industry; property limit, \$200,000. This is like all other acts of incorporation, only bigger.

The Manual Labor Institute of South Alabama, Perry County, was incorporated December 16, 1833, and made big promises which were never mentioned again, even in the text of the law. It might confer degrees "in the arts and sciences," and the trustees might govern the students "by rewarding or censuring them," but there is no further mention of manual labor beyond the title, and in other respects the institution was like others. The title was changed to Madison College in 1839.

1834-35.

Alabama Female Institute takes over property of Tuscaloosa Female Academy.

1835-36.

Wesleyan Female Academy, Tuscaloosa, was already in existence when official incorporation took place. So with other institutions incorporated this year.

Spring Hill College, Mobile County. This institution was to confer degrees and to have a president, a professor of divinity and of mental and moral philosophy, another of chemistry and natural philosophy, one of mathematics, and one of ancient and of modern languages. It was permitted to confer degrees.

1838-39.

Franklin Academy, Suggsville, Clarke County, might hold not over 80 acres of land, free of taxation.

The charter of Mobile College indicates an effort looking toward general supervision by some central authority (as the University of the State of New York). The charter was issued and the right to grant degrees was allowed, but the institution must first—

sufficiently satisfy the president of the University and the president and board of trustees of the University of Alabama that such a collegiate course is pursued in the college of Mobile, in the arts and sciences, as will justify the conferring of such degrees.

Sixteen academies were chartered this year.

1839-40.

The capital or capital stock of the academies was gradually increasing in amount, and exemption from taxation was now the rule rather than the exception.

Clayton Male and Female Academy, Barbour County, might "confer such honors on graduation as to them may seem expedient."

Evergreen Male and Female Academy, Conecuh County, no spirits to be sold within 1 mile. This provision from this time became the rule.

Twenty-three institutions of the grade of academy chartered; 2 in Russell, 2 in Barbour, 2 in Macon, 2 in Benton (now Calhoun).

1840-41.

Centenary Institute of the Alabama Conference of the Methodist Episcopal Church, Dallas County. Allowed a capital of \$60,000 "over and above its library and apparatus;" authorized in 1844-45 "to confer degrees and grant diplomas."

1841 (SPECIAL SESSION.)

Howard College, Madison, Perry County; \$200,000; allowed to grant "degrees in the arts and sciences;" evolved from an institution organized out of a manual labor school idea.

1843-44.

Nine acts passed relating to the academies of the State; none out of the ordinary nor of special significance.

1844-45.

Centenary Institute was authorized to "confer degrees and grant diplomas."

Dayton Literary Association, under the name of the Dayton Female Seminary, was authorized to confer degrees.

The Alabama Medical University, located at Wetumpka and by amendment anywhere in the State, was authorized to confer M. D. after "two full courses of lectures."

Twelve acts passed relating to academies.

1845-46.

This year nine acts were passed incorporating academies and giving some of them authority to confer degrees. The administration of the sixteenth section was a matter of increasing significance, as seen from the laws.

1847-48.

Nineteen academies chartered; others had their charters amended. Some of the acts of incorporation are now very detailed and exact in their wording and yet add little to the subject. This year a general act against selling or giving away liquor to students of the university or to pupils of any academy or school was passed.

1849-50.

From this time the sympathies of the legislature begin to broaden. It is the age of public improvement, of corporations and railroads, and legislators now have less time for consideration of the wants of local institutions.

La Grange College, charter and plans enlarged.

Medical College of the State of Alabama was chartered and located at Montgomery.

1851-52.

The day of the college was now dawning in Alabama. The university, either expressed or implied, was also drawing nigh.

The Central Masonic Institute of the State of Alabama emerged from its old chrysalis as the Masonic University of the State of Alabama—the second to have the name of university and one of three to acquire at this session the name if not the substance of a university.

The North Alabama College, located at Huntsville, under the Synod of West Tennessee, was chartered, with \$100,000 capital. It was to have a professorship of agriculture, one of civil engineering, and one of the "mechanic or fine arts," as well as departments of law, medicine, and theology—a university in the making.

McGehee College, under the auspices of the Methodist Protestant Church of Alabama, Mississippi, Florida, South Carolina, Georgia, and other States, already had \$30,000 subscribed and with a capital of \$100,000 was to start as a full-fledged university with power to "confer all the degrees of literary and scientific distinction."

Besides the above, there were chartered 4 other degree-conferring colleges and 18 institutes, seminaries, and academies.

1853-54.

The Southern Military Academy, Chambers County, was allowed to raise by lottery, although this custom had fallen into abeyance 20 years before, the sum of \$25,000, "to increase the staff of instruction" in the academy; to "enlarge the apparatus; reduce the tuition and to aid generally."

Thirteen academies were incorporated.

1855-56.

There was this year evidence of friction between the governor and the legislature, for we find seven acts incorporating institutions vetoed and then passed over the gubernatorial veto. This list of vetoed acts included: The Medical College at Mobile; Florence Synodical Female College; Chunenugge Female College, Macon; Southern University, at Greensborough; Florence Wesleyan University and the East Alabama Male College, at Auburn.

In 1857-58, 19 institutions were chartered; in 1859-60 the number was again 19, but there was apparent a change in legislative perspective and feeling. The State was awakening to the significance of the new industrial era. Many acts related to the chartering of railroad, turnpike, and navigation companies; many others to bank and insurance companies, and the rampant war spirit was everywhere perceptible through the incorporation of military organizations and the permission to schools to add military instruction to their courses. The State, for its part, furnished arms and equipment.

II. SCHOOLS SUPPORTED IN PART OUT OF PUBLIC FUNDS.

Although the usual custom in Alabama during the ante bellum period was to allow each institution to work out its own educational salvation, exceptions to the rule were numerous and important. The lottery provision in so many of the early charters may be considered a sort of subsidy from the public, and we have seen how, as early as 1816, Green Academy and St. Stephens Academy each received a gift of \$500 from the Territorial Legislature of Mississippi, apparently without any equivalent or any limitation on the way it might be expended. The second Territorial Legislature of Alabama, that which met in the fall of 1818, after allowing the two banks in the Territory to increase their capital stock, required all profits over 10 per cent to go to the two academies mentioned above.

There were also early in the nineteenth century mission schools established among the Choctaws and Chickasaws of Mississippi that had indirectly an influence on the whites in Alabama and received Government assistance. These schools were under the direction of the missionaries of the American Board of Commissioners for Foreign Missions and were established in 1812 and 1819. They were industrial schools in the modern sense. The boys were taught to plow and to hoe; the girls to spin and weave, sew and knit, make butter and cheese, and keep house. So successful were they that in 1824 the American Board of Commissioners for Foreign Missions was reported as having 10 schools with 39 teachers (employees) and 208 pupils among the Choctaws. These schools cost

\$26,109, of which the Federal Government paid \$2,350 tuition. Among the Chickasaws there were reported two schools with 26 teachers and 75 pupils. They cost \$3,283, of which \$900 was paid by the United States. It was reported that these Indians, unlike those of the present day in the farther West, were anxious to have more schools and that in 1825 the Choctaws had been appropriating out of their funds held by the Federal Government \$12,000 per year for nearly 20 years for education and that the Chickasaws had given at least \$30,000 for the same end.¹

By an act of 1823 Green Academy, after paying \$400 for a slave killed while working the public roads, was allowed for five years the fines and forfeitures collected in Madison County.

An act passed in 1824 provided that the county court of Baldwin should erect ferries over Tensas River, Mobile River, and Mobile Bay and let them to the highest bidder. The rents from these ferries were to be a "perpetual fund for the support of an academy and an hospital in the County of Baldwin."

In 1825-26 schoolmasters, teachers, and students were exempted from military duty by act of the assembly.

In 1826-27 a memorial to Congress in behalf of the Lafayette (Female) Academy at La Grange recites that a "handsome building" but of small dimensions, had been erected "for both sexes," that it had been in operation for 12 months with 80 or 90 students. The memorial then asks for a quarter section of land, "which quarter section is extremely sterile and is of no value" except as a site, and for other quarter sections up to 15.

The Valley Creek Academy, Dallas County, incorporated in 1828-29, was to have the sixteenth section lands. They were to be sold and the income devoted to the use of the academy. This act was repealed just a year later.

In 1830 a joint memorial of the legislature to Congress recites that "common schools are not places at which females can receive more than the first rudiments of education," and for that reason asks two sections of land in each county for female academies.

By act of 1832-33 the Blountville Academy was to have "a fair proportion of the net annual proceeds" of the sixteenth section fund. In the same way the trustees of Pendleton Academy at Coffeeville, Clarke County, were to control and administer their sixteenth section.

An act of 1835-36 authorizes the trustees of literary institutions to deposit their funds in the State bank of Alabama for not less than five years, guarantees the principal, and promises 6 per cent. This was the beginning of trouble for such institutions.

¹ See Publications Miss. Hist. Society, vol. 8, p. 560 et seq.

Clayton Male and Female Academy, in Barbour County, chartered in 1839-40 with a \$20,000 exemption from taxation and with authority to "confer such honors on graduates as to them may seem expedient," was to have the sixteenth section lands of its township.

In 1843-44 the military academy at Eufaula, a private institution, was furnished by the State with arms, and this custom became progressively more and more common.

In 1845-46 we find an act which directs the township commissioners to distribute funds *pro rata*, whether the children attend in that district or elsewhere, and to pay for those who go outside the district to school.

But as time moved on toward the turning point of half a century, it became more and more evident that the center of interest was gradually changing from the old private academy to the new public school. It was fate that the former should decrease, while the latter should increase.

Chapter III.

ADMINISTRATION OF THE SIXTEENTH SECTIONS, 1819-1914.

The citizen of Alabama had had the sixteenth section lands as a basis for public school support presented for his consideration from the earliest times. It was recognized in the ordinance under which the Mississippi Territory was organized; it was in the enabling act of March 2, 1819, which organized the Alabama Territory, and in the State constitution of 1819. "Schools and the means of education shall forever be encouraged," that instrument said, and it further directed that measures be taken to preserve from waste "such lands as are or hereafter may be granted by the United States for the use of schools within each township." It follows that when the Alabamian came to administer the sixteenth section lands for the benefit of his local schools he was on ground already familiar, at least in theory.

The earliest acts dealing with the sixteenth sections sought to make them a source of income for the schools, and it seems proper to review briefly the acts passed during the generation preceding the adoption of the State-wide public school law on February 15, 1854. In this way clearer comprehension can be had of what was attempted, although the laws themselves are disjointed, disconnected, and without logical relations.

Passing over, as immaterial, all the acts dealing with the seminary lands, since these belonged to the university, the legislature of the newly created State, on December 17, 1819, among its very first acts, passed one providing for leasing the school lands "for the purpose of improving the same." In 1820 the limit of leases was extended, and there begins a series of special acts modifying the original law in favor of particular claimants that in time worked havoc with the school lands. On January 1, 1823, a more elaborate act regarding the leasing of lands and the organization of schools was passed. Under the new law the county court was to appoint three school commissioners who were to survey the school lands, plat and lease them at auction for 10 years. Improvements might in part take the place of the annual rental. Another act of the same year allowed the people interested to fix within certain limits the length of their leases.

In 1825 is to be found the first incorporation of a school township, the purpose evidently being to give its trustees greater liberty of action. In this case they were authorized to lease their lands for 99 years to the highest bidder, the upset price being \$17 per acre, reduced in 1827 to \$12. The proceeds were to be invested in United States Bank or State bank stock, the interest only being used for the support of schools. Other acts of incorporation provided for sale or lease, under varying conditions of price and time.

The fortunes of the Alabama public school lands are inseparably bound up with those of the State bank. Under the original charter of the bank of the State of Alabama (1823) funds arising from the sale of university lands were invested as a part of its capital stock. By act of January 15, 1828, it was provided that the school commissioners should submit to the voters of the township the question of the sale of their school lands. The notes received in payment bore 6 per cent interest and were to be deposited in the State bank. The principal as collected might be invested in bank stock paying 6 per cent interest and guaranteed by the State.

In the thirties there was developed a tendency, encouraged by special acts, to withdraw this principal from the central bank and redeposit it in the branch bank, in order that local borrowers from the townships where these funds originated might be favored. This legislation in favor of local borrowers hampered the bank administration and was doubtless an additional cause of loss to the fund.¹

An act of November, 1837, provides for either lease or sale. The proceeds, deposited in the State bank or its branches, were to be regarded as the "capital stock of the said township," and were not to be diminished, the interest alone being used for schools.

It would appear that the terms authorized by this act were popular, for much land was sold. But trouble soon began, for at the very next session private acts were passed extending for certain individuals the time of payment. In 1839-40 the bank was given authority to extend all notes for four years, and in 1843-44 by joint resolution they were again extended for a year. In 1842-43 a general act had provided for the cancellation of sixteenth section sales when it was thought that "by reason of the insolvency of the purchasers * * * or from other cause," the sale could not "be made productive." As a result the legislature was swamped in 1843-44 and 1844-45 with private acts providing for cancellation of sales. These requests came principally from Russell, Talladega, Tallapoosa, Wilcox, Washington, Barbour, Dallas, Sumter, Greene, Marengo, Cherokee, Lawrence, and Chambers Counties, a majority being in

¹ The chapter on the history of banking in Alabama, printed in Knox's History of Banking in the United States, and written it is believed by James H. Flitts, of Tuscaloosa, states that under the act of 1828 something like \$1,300,000 of sixteenth section funds were invested in the State bank, but it is believed that this is an overestimate, as will be seen later.

the black belt which represented the highest degree of industrial development the State had then attained.

In the meantime the State had entered on a new era of prosperity, everybody was speculating and borrowing, and the State bank was making so much money that on January 9, 1836, direct State taxation was abolished and on the State bank was placed the burden of "defraying all the necessary expenses of the government" of the State up to \$100,000. The school fund came in for its share of this prosperity, and the law of January 31, 1839, ordered the bank to pay to the schools \$150,000 annually; the law of February 3, 1840, increased this to \$200,000. These laws concern mainly the administration and use of the sums earned by the sixteenth section funds, and are therefore considered in detail in chapter 5. But it is proper to add here that while the share of the Surplus Revenue of 1836 coming to Alabama and amounting to \$669,086.78 had been made a part of the school fund and deposited in the State bank as a part of its capital stock, the sum of \$200,000 demanded under the law of February 3, 1840, as interest by the State for all of its school funds, was much more than a fair rate of interest on both the sixteenth section and Surplus Revenue funds would allow, and the difference between the actual interest and the sum required must be regarded as a privilege tax placed on the bank and its branches for the right to do business. It was entirely in accord with the spirit of the times which looked to the State bank for the expenses of government. From 1836 to 1842 State taxation was abolished, and the necessary funds for the conduct of public business came out of the profits of the State bank and its branches. The bank's success as a financial institution made possible the acts of 1839 and 1840. But this prosperity did not last. It was found necessary by February 13, 1843, to repeal the act of January 9, 1836, and revive taxation for State purposes; and, since the bank could no longer meet its obligations either to the State or to the school fund, the \$200,000 contribution required by the law of February 3, 1840, was also repealed (act of Jan. 21, 1843). It would appear that practically the whole income of the public school fund was cut off by this failure of the bank. What that income was during the next five years is uncertain, but it is certain that it was unimportant. We shall see how the State later provided funds by recognizing the now worthless State bank certificates as a valid claim against itself, thus creating a paper fund.

¹ Du Bose, Alabama History, p. 116; Knox's Banking says 10 years, 1826-1836. "We are satisfied that the profits arising from this fund [the 2 per cent and 3 per cent funds] must have been considerable, for the pregnant reason that the legislature by act of 9th January, 1836, abolished direct taxation for the support of the State Government, and the second section of said act imposes the heavy burthen upon the banks of 'defraying all the necessary expenses of the government of this State.' It is evident that the banks must have been in a sound and prosperous condition, or this unwise legislation of abolishing all taxes would not have been adopted and carried out for eight years before the taxes were reassessed."—Report of Joint Select Committee on the Two and Three Per Cent Funds, p. 7, Montgomery, 1860. See the act of Jan. 9, 1836, in Session Laws, 1835-36, p. 42. County taxes continued.

During the decade of the forties the State took steps to secure the equivalent of sixteenth section lands for those counties which lay within the Chickasaw cession in Alabama. It was mindful also that all sixteenth sections were not of equal value, and as early as 1828 it sent a memorial to Congress on this subject. In 1848 the legislature asked Congress to grant for educational purposes all the unsold lands in the State; another joint resolution of the same session, after declaring that the sixteenth sections had "utterly failed to accomplish the noble object" for which they were intended, asks that the lands granted by act of September 4, 1841, be applied to the valueless sixteenth sections.

The legislature failed to receive for educational purposes all of the unsold lands for which they asked, but their memorials eventuated in various Federal acts under which the State was allowed to locate lands, some of them in other States and in the Territories (i. e., Louisiana, Arkansas, Nebraska), in place of the Chickasaw cession lands that had been sold, and to apply "for the use of schools" in those townships where the sixteenth sections "are comparatively valueless" the 100,000 acres which had been granted by act of September 4, 1841, for internal improvements.¹

In the meantime the State bank had run its brilliant, but unfortunate course. After meeting the expenses of the State government for some six years out of its profits, it failed, with a debt of \$14,000,000 in outstanding bills in circulation, which cost the State in interest \$16,840,000 before final liquidation. By act of February 4, 1846, the bank was placed in the hands of Francis S. Lyon and others as commissioners and trustees for final adjustment. This law gave the schools and the university a prior claim by providing that the commissioners "retain in their hands a sufficient amount of the assets * * * to pay off the amounts that may be due the several townships * * * and the interest on the university fund."

But this was not a final settlement. The matter was up again in the session of 1847-48. A senate committee was instructed to consider "what further legislation is necessary" for the safety and security of the fund, "the amount and condition of that portion of the proceeds of the sold sixteenth sections which has not yet been collected, and what reasons are proper for its collection and safe management."

The committee report is dated February 1, 1848. The committee had examined such of the records as were available and found that on December 1, 1847, \$953,835.38 had been collected from school lands sold, and that the interest then due on these sums was \$73,030.19. They asked the bank further, "What disposition has been

¹ See United States Statutes for Sept. 14, 1841; Feb. 26, 1845, and Mar. 3, 1847; and Alabama laws of Jan. 27, 1846; Mar. 4, 1848; Jan. 5 and Feb. 13, 1850, together with memorials and laws for sessions of 1848-49.

made of the money paid into the bank, and what is its condition now?" The branch bank at Decatur had "loaned it out indiscriminately with other funds, and the amount now forms a part of the good, bad, and doubtful debts due the State." This was substantially the case at the Tuscaloosa branch bank. The branch at Montgomery stated that the amount paid in "stands to the credit of the several townships and is a charge against the general assets of the bank." This seems to have been the case also at Mobile. The branch bank at Huntsville reported that the sums paid in stood "to the credit of the different sixteenth sections, called principal or capital, no part of which has been drawn out of bank, and upon which the bank pays interest quarterly."

Thus it appears that only at Huntsville was the sixteenth section fund likely to recover anything from the bank; here alone did it represent actual cash.

The committee found further that the banks held school land notes to the extent of \$453,346.73, of which \$208,290.84 was in suit. The committee could not discover how much money had been collected by attorneys, marshals, and other officers and agents of the bank, by sheriffs, coroners, or clerks, and never as yet paid to the banks. They estimated that not less than \$15,000 had been collected and retained in the hands of school commissioners.

The policy of the State was now to wind up the banks and dispense with their services as agents. Two parties then appeared in the committee. The minority thought the State should withdraw as much as possible from the administration of the funds by turning over "to the management of suitable persons in each county * * * the uncollected sixteenth section notes and enough of the notes and available assets of the banks and branches to equal the amounts which have been collected."

The majority of the committee took just the opposite view. In the meantime Hon. Benjamin F. Porter introduced into the house of representatives a bill—

for the preservation of the sixteenth section grants, and to establish, permanently, in the State of Alabama, a common school fund so as to fully secure the intellectual improvement and moral welfare of the youth of the State.¹

Judge Porter's bill failed to become a law, although vigorously pressed. He made an elaborate speech in its favor, which is quoted here because it opposes the arguments of the decentralizing party, whose views had already almost caused the dissipation of the school funds of the State, and outlines other plans which were later sub-

¹ See report of the committee on sixteenth sections, Montgomery, 1848, p. 7.

² Copy in Curry Collection in Alabama State Department of Archives and History, Montgomery, n. t. p., n. p., n. d., O., pp. 15. Placed by Owen in his Bibliography as of 1847-48.

stantially enacted into law. He showed by citations from Alabama court decisions that Congress granted the sixteenth sections—

to the people of the State, with whom it was then in contract, for the people of the townships, that for them a fund might be raised to exist in incessant continuance for school purposes.

He proved also from the law writers that the legislature could not give up its trust:

The act by which the State for the present throws off her obligation to apply and secure this fund herself will prove the occasion of an awful responsibility in coming times.

The law authorities all prove, he continued—

that whether we take the object of the trust or grant, or its letter, the legislature has very extensive authority over the fund in applying it to effecting the purpose.

The opposition said that Judge Porter's bill limited "the perpetuation of schools in each township."

He answered:

Not so; the bill secures these forever, and equalizes the fund by adjusting the surplus income and throwing it upon the township having no income. To this arrangement the whole people of the State are parties.

The speaker then branches off into an instructive review of the educational situation in Alabama:

Under the existing system * * * the surplus incomes of these wealthy townships are usually expended in magnificent palaces, which but shame the cause of education. * * * Under this partial system there must be much extravagance, much inequality. Instances could be given. * * * In one, no less than \$1,600 is paid for two teachers annually; in another, \$3,000.

He then cites particular counties, with their sixteenth section income, the number of children (under 20), schools and pupils enrolled:

School statistics.

Counties.	Sixteenth section income.	Children.	Schools.	Pupils.
Benton.....	\$514	7,054	38	1,078
Blount.....	214	3,410	8	154
Greene.....	7,252	4,300	173
Sumter.....	8,767	8,912	16	382
Clarke.....	25 cts.	2,765

He stated further that, out of a white population of 335,185, there were 22,592, or nearly 7 per cent, above 20 years of age who could neither read nor write.

He then reviewed with some detail the proposals of his own bill, some of which will be met again in a more successful one.

He proposed the appointment of commissioners to choose an agent who was to be practically a State superintendent. The education provided for the boys was to be—

essentially beneficial. It looks to the ordinary duties of manhood, socially and individually; the mechanic arts, agriculture, architecture, engineering * * * I intend no partial, fanciful system; but a gradual, well-developed method of instruction, both for body and soul.

The girls were to be trained on "a more general and efficient plan of education." The bill proposed further the redemption of the sixteenth section fund by means of taxation. Says Judge Porter:

You have banked on this fund and have liquidated your banks. It is therefore your duty to redeem it. The plan gives the State the use of the principal and binds her to the prompt and perpetual payment of the income, and its application to the gradual establishment of schools in every township in the State. The income will be about \$100,000 yearly. Schools are secured in every rich township, and the surplus is applied to the support of schools in the poorer sections. In consideration of this equalization, 10 per cent of every revenue collected is carried to the fund. When it is considered that the fund is now lost; that it must be redeemed by taxation, upon the poor as well as the rich; upon those who have large incomes, as well as those having none from their sixteenth sections; no plan can be more equitable or just.

But Judge Porter's bill failed to pass and the views of the majority of the senate committee were finally embodied in the law of March 6, 1848, for the adjustment of the affairs of the State bank and its branches required the rewriting of the State law dealing with the sixteenth sections. The new law (March 6, 1848) provided that all funds from sixteenth section lands be vested in the State "as trustee for the several townships" (who were the owners) and be paid into the State treasury. The public comptroller was to report on the funds that were due each township. The governor was to issue to the townships a certificate of the amounts due each, with additional certificates when other amounts were received. The county tax collector was required to deposit with the county treasurer an annual sum equal to the interest at 6 per cent on the certificate then held, on which the school commissioners were to draw. Funds derived from land sales were no longer to be invested in "State stock or securities."

A law of 1851-52 secured for the funds also such sums as had been collected by bank officials from purchases of sixteenth section lands, but not turned in. For these sums, as for the other moneys derived from land sales, the comptroller was required to issue certificates of State stock to the proper township.

It would appear from these laws: (1) That the school fund in theory lost nothing by the failure of the State bank, while in reality it lost everything; (2) that each county was forced to raise by general taxation its share of the sums which it might receive back again under the

fictitious name of interest if it happened to own sixteenth section lands; (3) that by this legerdemain the State shifted from itself to the taxpayers the burden of providing the annual interest on a paper fund, the principal of which it had invested and lost; and (4) that the same policy was kept up when funds were received from new land sales, the cash receipts being used and interest-bearing certificates taking their place. The superintendents and auditors inveighed against this plan, but without effect. It is the scheme in use to-day.

The seemingly most important school question during these years was to find a way by which the income of these sixteenth section funds, belonging to the separate individual townships, might be so equalized as to serve the State as a whole rather than isolated communities. The law of January 31, 1839, did not attempt this equalization; the law of February 3, 1840, made such attempt and so did later laws. The law of February 10, 1852, even sought to convert the sixteenth section funds from local to general State funds. It provided for a general election to be held in August, 1853, to decide "whether the sixteenth section fund belonging to the several townships in this State shall be consolidated or not." But it was provided also that no subsequent legislature should be authorized by this act "to consolidate or put into a common fund the amount that may belong to any township that shall vote against consolidation."

In this connection the comptroller made a report to the assembly of 1853 in which he gave a detailed statement of the condition of the sixteenth section lands by counties and townships. A senate report (Montgomery, 1853, p. 36) in summarizing the "Report of the Comptroller of Public Accounts showing the sixteenth sections sold in the several counties in the State, and the amount for which each sold," pointed out that there were 1,572 townships, and, assuming that each had a full sixteenth section, there were 1,006,080 acres of school lands. Of these lands there had been sold up to that time by 873 townships 558,720 acres, for \$1,575,598. Of this sum, \$1,183,302 had been paid—

to the State bank and branches and to the treasurer of the State at different times, and the larger portion thereof has been funded, and certificates of stock have been delivered to the respective townships for their quota of the cash so paid in.

There was then on hand in notes \$392,296 belonging to the townships.

Six hundred and ninety-nine townships had not reported the sale of land "and have neither a cash capital nor notes on hand," leaving 447,460 acres of land which were supposed to be worth about one-third of the lands already sold. The committee was of the opinion, however, that some of these townships "have made sale of their

lands and have neglected to make a return of the notes or the money for which the same was sold."

This report to the senate was signed by J. P. Frazier, who makes another report to the senate on the vote in August, 1853, on the question of consolidating the sixteenth section funds. It was found that 852 had voted for consolidation, 264 against it, and 456 did not vote. Of the townships voting, it was found that 199 had \$123,541 worth of school lands, or an average of \$617.90. From this it was assumed that the 852 owned \$526,280 worth. The committee then continues:

The act, under the provision of which these elections were held, provides that nothing therein contained shall authorize a consolidation of the funds of any township voting against it. It seems to the committee that a consolidation of the funds of the 852 townships voting for consolidation could effect but little good, even if such a measure was in itself right and proper,

for the average interest due to the township would be only about \$49. The committee then proceeded to argue that, under the act of Congress, consolidation could not be legally accomplished, and nothing was done.¹

In January, 1850, the indebtedness of the State to the school fund was placed by a legislative committee at \$995,220.97 and the interest given as \$59,713.26, or 6 per cent.² In 1851 the treasurer reported the "interest on the common school fund" as \$103,640.43 (which included the interest on the surplus revenue of \$669,086.78 at 8 per cent). In that year it was said "only six States of the Union have at this day a larger school fund than Alabama possesses." The principal of this sixteenth section school fund, as it was in the forties had been lost with the failure of the State bank, but since the certificates representing the sums of school money thus invested in the bank stock were guaranteed by the State, they became a permanent charge on the whole State, the principal being a paper fund only.

There was also the greatest difficulty in collecting solvent outstanding notes. Of those then belonging to the public school fund the comptroller said in 1851:

The law gives no facilities for the collection of these notes, and the comptroller is unwilling to incur the responsibility of sending them to attorneys in every county in the State for collection. * * * In many cases the proceeds of sales of whole sections are absorbed in expenses, and in some they fall short of paying the expense. * * * It is respectfully suggested that the comptroller be authorized by law to bring suit on all sixteenth section notes. * * * This class of debtors has been greatly favored, and it would really seem that notes that have been running from 10 to 15 years, as many of them have, should now be paid as they fall due.

¹ See the committee reports, Montgomery, 1853.

² In 1848 the income of the sixteenth section fund was estimated at \$60,000. This evidently included also the Surplus Revenue fund.

As has been shown already, the assembly had given many extensions on these notes or allowed the parties after they had exploited the lands to throw them up altogether.

In 1854 the management of the school fund was transferred from the State comptroller to the new State superintendent. There were then still more than \$100,000 in claims under control of the banks, and \$300,000 in notes due the fund was in the hands of the superintendent. Repeated extensions of these notes was said to be still the rule, and many of them for one reason or another, or for no reason, were never collected.¹ And, although there were more or less steady additions to this fund, coming from lands sold and notes paid, the actual cash was covered into the State treasury and went for miscellaneous expenses. If it was then the purpose of the State to create a permanent State educational school fund based on cash or its representatives, the neglect and mismanagement which that fund encountered is noteworthy. Says Supt. Duval, in his report for 1858:

The "Educational Fund" is apparently composed of sums credited to the various funds above enumerated.² In reality these funds have no existence; they are tangible neither to feeling nor to sight; they are legal fictions, having names and "local habitations" only on the books of the different State officers where such accounts are kept. Long since they disappeared from the treasury vaults and went glimmering into the dismal abyses of "State debt." Every dollar of the "Educational Fund," except the payments which are now being made upon the sales of school lands, is raised directly by taxation, and is by no means the result of prudent investment by sagacious financiers.

It appears from the reports of the State bank officials and of the auditor that practically all of the sixteenth-section fund accumulated prior to 1851, together with the whole of the Surplus Revenue of 1836, had been lost;³ that these sums, speaking generally, represent about one-half of the present total of the fund; that the sums collected since 1851 on account of sixteenth-section lands and valueless sixteenth sections have been used for miscellaneous expenses; and that they have perhaps for the most part brought a fair return to the State.

The policy of using the principal for miscellaneous needs, instead of building up with it a true school fund based on interest-bearing securities, did not go without criticism. The sharpest criticism and clearest reasoning to be found on the subject is in the report of

¹ As late as 1858 the superintendent was demanding from the banks "all books, documents, or notes, or other evidence of debt relating to the sixteenth section fund," as provided in the act of February 6, 1858. The legislature had also placed on the superintendent the duty of organizing the school for the deaf and dumb. And while duties were increasing, the available help in his office was so limited that the tendency was for him to become a mere head clerk in his own office, and as his letter books show, attending to the petty details of land sales, payment of notes, and the giving of titles, instead of being able to study the question of education in its broader and wider relations to the State as a whole.

² The fund created by the law of February 15, 1854, and called the "Educational Fund," included the (1) sixteenth section fund, (2) the valueless sixteenth section fund, and (3) the United States Surplus Revenue fund of 1836.

³ The Surplus Revenue of 1836 was a State, not a township, fund.

R. M. Reynolds, auditor, for 1869. After quoting the law of March, 1827, which provides for the sale of the school lands, he summarizes the sums received as follows:

Received prior to December 1, 1860:	
Sixteenth-section fund	\$1,400,343.83
Valueless sixteenth-section fund	97,091.21
University fund	300,000.00
Total	1,896,435.04
Received Dec. 1, 1860, to Dec. 1, 1867	310,794.12
	2,207,229.16
Received since Dec. 1, 1867	209.75
Aggregate	2,207,438.91

Auditor Reynolds then proceeds:

The inquiry is very properly made, "What has the State, as trustee, done with this money?" Has it been invested in some productive fund?

No vestige of it can be found in this office of any value whatever, whether, in bonds, stocks, bills receivable, buildings, or other property; and the only answer which is found of late record is that "it is held in trust by the State for school purposes" * * *

To the proposition that it is "held in trust by the State," I would say that this can not be the fact, as it is impossible for the State "to hold in trust" what does not exist. This fund is not *in esse* and can not be held in trust by any trustee. It is lost or misapplied, and this compels the further statement above referred to, that "it is assumed" or "held in perpetuity by the State." By what right does the State assume it in perpetuity; certainly not by statute, which provides that it shall be "invested in some productive fund."

If this assumption "in perpetuity" by the State has any significance, it must mean that the money has been lost or misapplied, and the State has been driven to the necessity of either accepting the amount as a debt or repudiating the trust reposed in her. She very properly admits the application of the fund, and says by statute, "I will assume it as a debt and pay interest upon it till the debt is discharged."

Can this fund be, by right or sound policy, assumed in perpetuity? I answer by saying that the State should assume no such right, although she may have, by a technicality of law, the privilege of so doing, for, in my judgment, so long as this state of affairs continues, she does virtually repudiate the trust reposed in her, by compelling the people of the State, who are, by law, the beneficiaries of this fund, to pay as a tax or debt that which they should receive as a bonus or gift for themselves and their children for school purposes forever.

A little reflection will satisfy the most superficial thinker that this fund has been misapplied or lost by the bad management of the trustees. It has been so used that the very object for which it was donated to the people of the State and of the several townships has been entirely frustrated and defeated. What was intended as a bonus has become a burden. What was to have been an annual gift has become a debt—to be paid by direct taxation.

If the theory that this trust fund should be "assumed in perpetuity" be correct, and that the "principal shall never be paid," as is claimed in grave State papers upon the subject, then, indeed, it becomes a source of profound thankfulness that the United States Government devoted so small a sum as \$2,107,438.91 [sic] for educational purposes, as provision can be made by law for the payment of 8 per cent upon that amount by a direct annual tax of \$168,595.11 upon the people of the State. If, instead of this

¹ Auditor's figures are \$2,107,438.91.

amount, the United States Government had given us the munificent sum of \$50,000,000 for educational purposes the people of the State, under the theory and practice of "assumption of this fund in perpetuity;" would now be taxed for school purposes alone the full sum of \$4,000,000 annually. The greater the beneficence of the General Government, the more dire the calamity to the people, and the more terrible their taxation.

We should then present the anomaly, rarely if ever witnessed in history, of a people driven to the verge of bankruptcy by becoming the recipients of most princely donations, given by a beneficent government. It is, to me, a matter of astonishment that such theory should be deemed correct by any one conversant with the laws which govern the management of trust funds, and define their relation to *cestui que trusts*. I fully concur in the following statement of Mr. Joel Riggs, the comptroller of the State treasury in 1851: "Perhaps of all trust funds none has been so greatly mismanaged as the school fund of Alabama."

Until the money due this fund is placed where it will not require a direct levy of tax for annual interest upon the people, who are the beneficiaries thereof, it can not be called in any just sense a "school fund" but it is as clearly a debt as any other portion of her obligations. * * *

Believing that the State is solemnly bound to discharge the trust imposed in her, in relation to this fund, as before stated, I most earnestly recommend that, by action of the general assembly, such laws shall be passed as will, in their execution, restore this fund to the condition indicated by statute.

In his report for 1870 the auditor illustrated the method of procedure in re the sixteenth section lands:

You will pardon me, however, for referring to one transaction in the matter of the sixteenth section fund which occurred during the last year, as it affords all the elements of a demonstration as to the bad policy of absorbing United States trust funds given for the benefit of schools. The lands situated in Nebraska belonging to townships 5 and 6, range 1, 2, and 3, east, in Alabama, were by provision of law sold for the benefit of the children of those townships. The United States provides that the money accruing from the sale of such land should be "invested in some productive fund, the proceeds of which shall be forever applied for the use and support of schools within the several townships, * * * for which they were originally reserved and set apart, and for no other purpose whatsoever." See act approved March 2, 1827. These lands were sold for nearly \$20,000 and the proceeds of the sale under the provisions of laws as now in force were placed in the treasury by certificate from this office, when the State became liable for the money, and interest thereon, and unless the policy is changed by repeal of the laws now in force the people of the State will be taxed to the amount of nearly \$1,600 annual interest.

By this one act the debt of the State was increased nearly \$20,000. Had this amount been invested in United States securities or outstanding State bonds the people would not have been compelled to pay larger tax on account of interest upon the educational fund. The taxpayers of the State, outside of those townships, had no interest in the proceeds of the sale of said lands, and it would have been fortunate for all the taxpayers if the money had never been placed in the State treasury.¹

Mr. Reynolds recommended retrenchment in educational matters in his reports for 1870, 1871, and 1872, as follows:

- (1) Relief from payment of interest on trust funds hereafter collected by requiring them to be funded in United States or other bonds.
- (2) Relief from perpetual payment of interest on the trust funds and bonded debt of the State by the creation of a sinking fund.

¹ Report 1870, pp. 4-5.

The reasoning of the auditor was perhaps sound, but he failed to recognize that the funds lost in the failure of the State bank had been previously taken over by the State and administered as a part of the capital of the State bank under a State guarantee. The State had borrowed these sums from the township and gone into a business which failed. All sense of justice would demand that the State make good the loss, even at the expense of the poorer townships. As to the sums received from year to year, if they were spent in good faith, they did not go into the pockets of individuals; they were not frittered away, but secured for the State a proper return and so became a just debt. For the time, at least, they reduced taxation, and if spent in State undertakings of a permanent character, like roads, buildings, or schools, presumably produced an income, tangible or intangible, which justified their use. And, finally, since the main source of income of a State is taxation on the property of its citizens, a sinking fund could be created only by increasing taxes or by devoting to this purpose other funds the direction of whose earning power must be changed.

The assembly saw the difficulty which Mr. Reynolds did not appreciate, and chose as the less of two evils to continue for 12 years longer the method then in vogue. By act of March 1, 1881,¹ the assembly provided that the State treasurer should invest all money received by him on account of compromising and settling old claims, "together with all other money hereafter paid in on account of the sixteenth section lands in the 6 per cent or other bonds of this State." In this way the beginnings of a real school fund were laid. This fund appears from time to time for the next 10 years in the reports of the auditor and treasurer. In 1883-84 there was \$34,100 ready for investment, and in 1885 it was reported that 79 State bonds of \$500 each, bearing interest at 6 per cent, had been bought by the school authorities on account of this fund. The arrangement did not give satisfaction, however, and under a law passed February 28, 1889, these bonds were sold, the money received was covered into the treasury, the idea of building up a perpetual fund abandoned, and a return was made to the earlier custom of issuing certificates to the townships to which the funds belonged and counting the money received as a part of the general resources of the State. Alabama has not believed in building up a school fund for posterity. It has reasoned that as a matter of natural development the citizens of 1870 would be less prepared to educate their children than would those of 1910; therefore the greater progress would be made by using all funds as they became available.

¹ Laws of 1881, p. 25.

So unsatisfactory did the general land situation become by 1899¹ that an act was passed authorizing the governor to employ an—

agent for the purpose of examining into the sale and disposition heretofore made of school or other lands belonging to the State, with a view of recovering to the State lands which have illegally passed out of the possession and of settling or straightening out titles now in dispute.

By act of April, 1911, section 895 of the Code was amended so as to extend and broaden the powers of this State land agent. Besides the investigations already undertaken, he was authorized to grant rights of way, easements, etc.

The present agent is Hon. W. J. Martin; with the State superintendent and the State board of compromise he is working along the lines of the original act—

to recover for the State those sixteenth section lands which, according to the records in the land office, still belong to the State as school lands, although occupied and claimed in many instances by others.

Says the State superintendent, in his reports for 1911-12 and 1912-13:

It is not improbable that many thousands of acres * * * during the past 50 years have been lost to the State through a policy pursued in such matters less vigorously than the interests in hand made necessary. * * * An aroused public interest is now manifest on this subject, more pronounced, perhaps, and offering a brighter prospect for a clearing of the situation than at any time in the past.²

With this purpose in view, suit was brought to recover title to some 250,000 acres of school lands on the ground that the lands "still belonged to the State, if the defendant had not got a title by adverse possession." It was also agreed that the defendant had such title if the statutes of Alabama limiting suits like this to 20 years were valid. The Alabama trial court ruled that the statutes were valid. The State supreme court declared that the agreed statement of facts raised the single question whether adverse possession of sixteenth section school lands under the code of 1896, section 2794, and its predecessors, "was operative to invest title in an adverse holder of such lands under color of title" and affirmed the decision of the lower court.³ The case was then appealed to the supreme court of the United States and came up as the State of Alabama, plaintiff in error, v. Schmidt.

It was argued by representatives for the State that a State statute of limitations, whereby lands granted by the United States to a specific use are diverted from the use into private ownership, is in conflict with the act of Congress making the grant, and void.

The lawyers for the defendant in error argued that "adverse possession against any party in which title is so vested that such party may

¹ Law of Feb. 23, 1899.

² Superintendent's report, 1911-12, pp. 42-43. Same statements in report for 1912-13, pp. 75-76.

³ Reported in 180 Alabama Reports, 374.

grant an indefeasible estate in fee simple ripens into a fee simple title by the operation of the statute of limitations."

In its opinion handed down on January 26, 1914,¹ the supreme court of the United States affirmed the decision of the State supreme court:

The above-mentioned act of Congress, under which Alabama became a State, provided that section 16 in every township "shall be granted to the inhabitants of such township for the use of schools." Of course the State must admit, as it expressly agreed, that these words vested the legal title in it, since it relies upon them for recovering in the present case. Any other interpretation hardly would be reasonable * * * The argument for the plaintiff in error relies mainly upon Northern Pacific Ry. Co. v. Townsend (190 U. S., 267). * * * But it does not apply to a gift to a State for a public purpose of which that State is the sole guardian and minister. * * * It was held that the State of Michigan could sell its school lands without the consent of Congress, Cooper v. Roberts (18 How., 173). * * * qualified permission to sell was given to Alabama by a much later act of March 2, 1827. * * * The gift to the State is absolute, although, no doubt, as said in Cooper v. Roberts, * * * "there is a sacred obligation imposed on its public faith." But that obligation is honorary * * * and even in honor would not be broken by a sale and substitution of a fund, as in that case; a course, we believe, that has not been uncommon among the States. * * * The result of Cooper v. Roberts and of what we have said is that the State had authority to subject this land in its hands to the ordinary incidents of other titles in the State and that the judgment must be affirmed.

The annual receipts from this source are now small—usually not over a few thousand dollars—and come mainly from the School Indemnity Lands.² It would seem to make little difference whether the State uses this principal for running expenses and pays the interest on it by a tax collected directly or invests it in bonds and collects running expenses through taxes. It seems to be merely a matter of the point of view. In either case the taxes must be paid, and the school authorities have been consistent in their efforts to make up to the poorer counties out of the general fund what comes to the richer ones out of their sixteenth section funds. The law for the distribution of public funds in effect to-day is essentially the same as that evolved by Gen. Perry in 1854. The present law provides that:

In making the apportionment of school money to the several districts, the superintendent of education shall first set apart to each township or other school district the amount due from the State thereto as interest on its sixteenth section fund or other trust fund held by the State, and all townships or school districts having an income from such source or from the lease or sale of sixteenth section lands shall not receive anything out of the balance of the educational fund to be apportioned until all other townships or school districts shall have received from the general fund such amount as will give them an equal per capita apportionment with the townships or districts having such income.³

¹ Reported in 232 United States Reports, 168.

² These are lands "which have been heretofore or may hereafter be certified to the State for the use and benefit of the several townships or districts in which was a deficiency in the amount of land originally certified to the State for their benefit." See school laws of 1911, sec. 1782. Income from the indemnity lands is first mentioned by the auditor in 1899. For 1912-13 the additions to the fund were \$26,571.22.

³ Law of 1911, sec. 1764, p. 43.

The total result, then, of the retention of the fiction of a paper fund derived from the sixteenth section lands, the payment of interest on this fund out of taxes, and the method of distribution required by the law, by and large, is a straight tax for schools distributed on the basis of school population, with a few townships as yet getting something more than the average per capita appropriation, but none getting less.

As the fund available for education from taxation increases, the per capita apportionment will grow, and this slight difference between the township with the larger sixteenth-section fund and the average township will tend to disappear. When this has been accomplished the whole paper fund theory may be abandoned as so much worthless lumber. Its abandonment before that date would be an ill reward to those townships which by careful administration or otherwise have been able to turn over actual cash for the use of the State.

It will be of interest to note where the best school lands lay and the amount of principal (all paper) owned by each of the counties on November 1, 1851, and October 1, 1912. At the latter date the school indemnity lands are included in the total.

Principal of the Sixteenth-Section School Fund.

Counties.	Nov. 1, 1851.	Oct. 1, 1912.	Counties.	Nov. 1, 1851.	Oct. 1, 1912.
Autauga.....	\$35,989.07	\$30,038.75	Henry.....	\$4,419.02	\$17,126.93
Baldwin.....		54,825.00	Houston.....		10,471.86
Barbour.....	15,225.30	33,849.23	Jackson.....	5,388.96	65,362.83
Benton (now Calhoun).....	21,640.71	32,544.76	Jefferson.....	12,299.58	48,223.69
Bibb.....	11,916.79	18,202.90	Lamar.....		9,086.62
Blount.....	2,901.41	10,384.95	Lauderdale.....	13,143.26	23,859.47
Bulloch.....		35,063.39	Lawrence.....	51,236.39	63,440.61
Butler.....	18,304.09	21,738.94	Lee.....		50,094.10
Chambers.....	44,238.07	30,935.85	Limestone.....	45,361.31	51,274.11
Cherokee.....	7,113.29	22,062.07	Lowndes.....	41,024.95	58,741.05
Chilton.....		17,825.57	Macon.....	34,003.35	30,346.85
Choctaw.....	2,258.19	35,069.75	Madison.....	69,103.02	121,942.16
Clarke.....	7,632.42	36,916.68	Marion.....	21,006.49	80,562.35
Clay.....		13,428.57	Marshall.....	2,501.08	10,401.68
Cleburne.....		6,991.09	Mobile.....	2,278.71	19,561.12
Coffee.....	251.48	10,140.23	Monroe.....		3,819.99
Colbert.....		6,114.35	Montgomery.....	3,748.37	34,468.02
Conecuh.....	12,221.63	20,889.39	Morgan.....	59,915.21	78,491.29
Cook.....	11,465.10	12,390.98	Perry.....	24,086.07	32,979.58
Covington.....	115.10	19,353.03	Pike.....	46,727.39	82,406.83
Crenshaw.....		10,928.87	Pickens.....	41,204.69	59,859.31
Cullman.....		3,503.76	Polk.....	7,390.35	14,286.91
Dale.....	3,481.72	5,791.27	Randolph.....	2,750.61	4,897.70
Dallas.....	81,395.09	112,273.19	Russell.....	33,917.53	49,553.00
De Kalb.....	3,806.57	14,986.18	St. Clair.....	1,224.67	6,629.89
Elmore.....		28,289.57	Shelby.....	11,351.79	25,401.54
Escambia.....		8,737.28	Sumter.....	66,126.90	120,921.47
Etowah.....		15,862.98	Talladega.....	11,943.89	24,201.17
Fayette.....	7,928.31	8,951.28	Tallahassee.....	9,963.46	18,108.37
Franklin.....	23,734.31	20,752.26	Tuscaloosa.....	39,388.17	43,263.16
Geneva.....		11,885.45	Walker.....	2,011.34	9,476.10
Greene.....		64,286.21	Washington.....	771.40	39,914.62
Hancock (now Win- ston).....	67,161.15		Wilcox.....	30,509.18	56,692.16
Hale.....		4,287.50			
		63,027.81	Total.....	1,075,807.64	2,191,200.35

The principal of the sixteenth section fund on October 1, 1914, amounted to \$2,098,557; the school indemnity fund amounted to \$158,065; total, \$2,256,622.

Chapter IV.

THE RISE OF PUBLIC SCHOOLS IN MOBILE, 1826-1865.

The course of educational development in Alabama is from the local to the general, from the city to the State, and for this reason the history of the Mobile schools is put first, since they furnished an example and a standard for the State.

The germ of the Mobile system is to be found in the act of January 10, 1826, by which there was created a board of "school commissioners" for the county of Mobile, in which the city of Mobile is situated. These commissioners were given full power—

to establish and regulate schools, and to devise, put in force and execute such plans and devices for the increase of knowledge, educating youth and promoting the cause of learning in said county, as to them may appear expedient.

This was the first school act passed by State authority that saw in education public duty rather than private enterprise. It was the first to attempt the realization of public duty by providing certain definite, fixed, and more or less reliable sources of income. These were:

(1) All lands, grants, and immunities already conferred or that might be conferred by the State or the United States upon the inhabitants of the county, or any organized part of it, for the purposes of education.

(2) The fines, penalties, and forfeitures arising under the act "concerning the revenue of Mobile County," passed December 25, 1824, and including a 2 per cent tax on auction sales of real estate, slaves, live stock, etc., and a license tax on shows, theaters, and similar amusements.

(3) A tax fee of \$2 on suits in the circuit and county courts.

(4) Twenty-five per cent of the "ordinary county tax."

The act of incorporation also allowed the school commissioners to select the equivalent of a sixteenth section of the public land, while supplementary acts of 1827 and 1829 provided for a closer collection and more careful accounting for these various funds, and granted permission to raise \$25,000 by lottery "in aid of the fund for the support of schools in said county." An act of December 19, 1836, increased the amount to be thus raised to \$50,000 and devoted it to the completion of what became known as Barton Academy. This act made minor changes in the matter of revenue and increased the

total county tax by providing that the school tax should be derived from a separate levy equal to "one-quarter of the county tax." It required also that public schools be established and maintained throughout Mobile County beyond the limits of the city of Mobile. In the meantime the square on which Barton Academy was later erected was secured (1830) and much of the money for building was raised by Henry Hitchcock. Silas Dinsmore was another supporter. The academy building was named for Willoughby Barton, who drew the original bill passed on January 10, 1826, creating the board of school commissioners for Mobile County.¹

For a quarter of a century from the time of the first act there were numerous supplementary laws changing the details of administration. An act in 1840 ordered the erection of suitable buildings in each ward as soon as the "school fund on hand may be sufficient"; another, of 1843, revised the personnel of the school board, made them a close corporation with the power of choosing their successors, ordered the payment of the debts of the old board out of the school funds and declared "the plain intent and meaning" of the act to be that the commissioners should "expend their funds in providing competent and suitable teachers."

Under these favorable auspices the public school system of Mobile City and County, independent of the rest of the State, fairly well provided with funds and sufficient unto itself, was launched. It was to be expected from this recital of its opportunities and resources that the system would have sprung full-grown into the educational arena. Unlike most of the institutions of the day, the system was, in reality as well as in name, a child of the city, and it would seem that its commissioners had nothing to do but organize schools that would, in the main at least, look toward modern ideas. The commissioners seemed to have had it in their power to become the protagonists of public school education in the Southern States, but they did not know their day; they failed to take the rising tide that might have led to educational fortune. Instead of leading, for the quarter of a century between 1826 and 1851 the school commissioners did practically nothing toward organizing and opening schools of their own, but distributed the public funds equitably among the different parochial schools.² The funds thus distributed were, however, too small to pay any considerable part of the expense of these private schools, and for that reason the school commissioners neither had nor sought to have any control over the teachers or schools, and they did

¹ Hamilton, *Mobile of the Five Flags*, p. 254.

² This situation may be illustrated by the law of Feb. 4, 1846, which provided that the Methodist in Mobile might say when he paid his school tax whether his tax should go to the school of that denomination, and, if so, to say also under what conditions children of other denominations might be admitted to the Methodist school without charge for tuition.

little more than act as agents for the collection of public funds to be applied to the use of private schools.

In 1851-52 the amount thus distributed amounted to \$5,550, divided as follows: Methodist parish school, \$1,200; Bethel schools, \$1,300; Catholic schools, \$1,200; Trinity schools, \$500; various schools in the county, \$1,350. These sums may perhaps be taken as about the average amount distributed from year to year.

This state of affairs became unsatisfactory to all. The Barton Academy building was not used by the school board, but was rented for private schools and other purposes. It was supposed to be worth \$40,000, but its income was not over \$1,000 per year, and it was proposed in 1851 to sell the building, reinvest the proceeds to better advantage, and so increase the sum available for distribution to parochial schools. An act passed February 9, 1852, after providing that applicants for teachers' positions should furnish a "certificate of competency," gave permission for the sale of the academy building, if the people so desired. At once two parties sprang up; one insisted on the sale and maintenance of affairs as they then were. The other demanded that the Barton Academy building should be used for public schools, as had been the original intention, and that public schools should be maintained in reality and not in theory only.

In the Mobile Daily Advertiser for July, 1852, Gen. Walter Smith argued that the Barton Academy was not then and never could be useful for the conduct of the public schools which were intended to give "to all the children of the community, without distinction, a thorough common-school education (and no more)." For this purpose "several plain, substantial schoolhouses in different parts of the city would better serve than Barton Academy," for high schools, he argued, can not and never should be regarded as a part of the public school system; that this building might be sold for \$30,000, which would produce an annual income of \$2,400, to go immediately into school work.

Gen. Smith's argument was met through the columns of the Advertiser by K. B. Sewall, who showed a much clearer and more advanced conception of the scope of the public school system. In other States, he said, the system was threefold: (1) Primary schools; (2) grammar schools; (3) high schools; that these three parts made up the public school system. The Barton Academy property had cost at least \$100,000 and was now free from debt, and its sale, even with the idea of erecting other buildings, was unwise.

It was also insinuated that the act permitting the sale had been engineered through the legislature after it was known that the people were against it. The proposition to sell had created, so the Advertiser said editorially the day before the election, "a storm of indignation such as has been rarely witnessed in this community."

The Advertiser said further:

The plan of selling the Barton property having been once entertained, despite all the difficulties in the way, was prosecuted by some of our citizens with a zest and held to with a pertinacity that, had it been wisely directed to perfecting and putting in operation a judicious system of schools, would, we must think, have resulted much more beneficially to the cause of education in our city and county.

The election was held August 2, 1852, and the "no sale" tickets won by a vote of 2,225 to 244. A new board of commissioners was chosen on the "no sale" ticket, with whom were joined four members of the old board. They set to work to alter and repair Barton Academy and adapt it to the needs of the new system. A committee was appointed to consider and report on the best plan for organizing the schools, and their report was accepted on September 16, 1852. The resources of the board for the previous year were about \$6,000, including rent for Barton Academy. This sum was now reduced by \$1,000, and out of the remainder some old appropriations had to be met. But notwithstanding these discouragements, the school was opened November 1, 1852. On the opening day there were 400 pupils; on February 1, 1853, the attendance stood: High school, 109; grammar school, 209; primary, 536; total, 854. For a time tuition fees were collected "in all the schools"—the amount not specified. The system was again passed on by the county electors in 1853, and approved by a vote of 1,597 to 869.

In the summer of 1853, Mr. Willis G. Clark, chairman of the commissioners, visited the schools of other cities, studied their systems, and made a report. In 1854 the system was carefully examined, modified, and improved in the light of experience. The commissioners had served without pay, the work had increased, and it was now desired to extend the system beyond the city limits. A city superintendent was therefore appointed, and the city and county were divided into school districts. The receipts and expenditures for the years 1852-53 and 1853-54 were as follows:

Receipts:

Licenses, auction duties, and taxes.....	\$17,658.21
Tuition.....	10,889.81
Donations, Samaritan Society.....	300.00
Total.....	<u>28,848.02</u>

Disbursements:

For country schools.....	2,158.61
Balance appropriation old board for parochial schools.....	1,050.00
City branch schools.....	642.51
Teachers.....	21,802.51
Repairs, painting, salaries of officers, and incidentals.....	6,775.05
Total.....	<u>32,428.68</u>

It appears, therefore, that the average expenditures per year were \$14,424.01 and the disbursements \$16,209.34. The deficit for the two years was met on the personal credit of members of the board.

The detailed report showed that the income from tuition was greater than that from taxes and that the former was therefore necessary for the stability and development of the schools. The rates charged, moreover, were lower than those charged at private schools and—

as permits to attend the schools without charge were freely given to all pupils whose parents were unable to pay tuition for them, the means of acquiring a good education was brought, for the first time in Mobile, or Alabama, within reach of all classes in the community.

It would appear from this extract from the history of the Mobile public schools, written by a member of the original board, that an efficient school system, without any tuition charges, was at that time an impossibility; that the schools then organized were far superior to any that had hitherto existed in Alabama; that free tuition was granted as a favor to the poor; that other patrons were required to pay for tuition, and that therefore the schools were not public schools in our sense. But it is evident that the persons interested in this system were making an honest and conscientious attempt to supply the children of Mobile County with a school system which had public support as its ultimate goal, and it is also stated that they attained so high a character that they were patronized even by the rich in preference to the best private schools in the city.

The third session showed an enrollment of 1,012 pupils. Laws passed in 1854 enlarged the powers of the commissioners, increased their resources, and forbade that any part of their funds should be used for the support of sectarian schools. In 1855 the enemies of the system gathered their forces for a final struggle, were again defeated, and in October of that year an institute for the instruction of teachers was organized. The act of February 15, 1856, greatly promoted the development of the system, by providing that certain licenses should go to the schools and by granting an annual tax "not exceeding one-twentieth of 1 per cent" upon the real and personal property of the county. This act was passed by an almost unanimous vote.

The compliment had been paid the Mobile schools of exempting them from the conditions of the general State law of 1854. This local autonomy gave them an independence of action and power of taxation not enjoyed elsewhere in the State, and so has opened to them the path of progressive educational development as yet denied by constitutional limitations to other sections of the State.

The expenses for the school year ending July 31, 1856, were \$21,899.23. The tuition fees collected were \$14,712.80, and the total income was some \$4,000 less than the expenditures. A school census

taken in the fall of that year showed 3,620 school children within the city limits and 2,300 beyond, making 5,920 in the county.

Under the action of the law of February 15, 1856, the income of the schools increased. The income and expenditures for the next three years may be tabulated as follows:

Income and expenditures of the Mobile schools.

Year ending--	Income.	Expenditures.
July 31, 1857.....	\$37,068.25	\$38,185.30
July 31, 1858.....	44,035.03	45,232.14
July 31, 1859.....	46,681.51	46,937.35

These figures indicate a steady, healthy growth, with an ever-decreasing margin of the excess of expenditures over income.

The reports on attendance are not so favorable. In October, 1858, there was reported 4,314 city and 2,195 country children. The enrollment in the city schools on March 31, 1859, was 1,533, or 35.5 per cent; the average daily attendance was 1,240, or 28.8 per cent.

In 1859 the school commissioners took a step backward by deciding to abolish the office of school superintendent. This caused the opposition again to rally against the schools, but they failed, and the schools were strengthened by the trials through which they passed.

Until the war was in actual progress, the schools were very prosperous; as income increased, tuition charges were reduced and the free list extended, so that, had no interruption occurred in this course of development, Mobile would have evolved from schools partly supported by tuition fees and partly free to a system that would have been supported entirely by taxation and wholly free, and thus the stigma of pauper schools would have disappeared automatically.

The schools were kept in operation during the days of the war, although with diminished attendance. They were closed in 1865, on the occupation of the city by the Federal forces under Gen. Granger. They were reorganized and reopened in the fall of that year, and a broader field of usefulness was developing for them when reconstruction came. During the throes of reconstruction, the school commissioners suffered imprisonment rather than obey an illegal order, and in 1869 had their special privilege of a separate system abolished, being absorbed into the State organization. In 1875 the status of the earlier period was restored and has since been maintained, under the protecting ægis of the constitution itself.

Chapter V.

THE EXPERIMENTAL PERIOD IN THE ORGANIZATION OF A STATE SYSTEM, 1819-1854.

Turning from the city to the State, from local to general educational efforts, it is seen that the period prior to 1854 was distinctly empirical. There was in it little besides a few legal provisions that probably never lived beyond the statute books; and the few efforts made for schools were mainly tentative, for the people were learning school keeping in the school of experience.

The first law to consider the actual organization of schools was the act of December 17, 1819, which provided that the county agents be empowered to contract with "a teacher or teachers and for a school house or houses when and wheresoever they may think proper." The agents were made school trustees and given powers of superintendence and "the proceeds of each section" were to be applied "to the purposes of education alone." There is no record that this law produced any particular effect.

The law of January 1, 1823, was more detailed and specific. It provided that the people were to elect three district school trustees who were to employ teachers "at an annual salary or at a stated price for each scholar," build schoolhouses, "purchase books and stationery for the use of the school," and "*designate the pupils who shall be admitted to the school without tuition fees.*" The teachers were to be "duly examined" by the school commissioners. The local officers were to report to the county clerks and these to the general assembly, and were to include in their report the number of pupils "educated gratis."

This act furnishes a key to the educational mind of the day as it appeared in Alabama: School lands were leased or sold; schools were free in the old sense, not in our present sense; all might attend, but all were not equal; the poor were received at the expense of the district; others paid for their tuition, and so the school was neither public nor private, but a cross between the two, and the State's bounty went only to the poor.

The law of 1837 provided that district school trustees be elected. They were to manage the schools and report their proceedings to the county clerk, including the condition of the lands and funds, progress

of schools, teachers, etc. The county clerks in their turn were to report to the governor.

Up to this time presumably no money had been actually expended for schools. Certainly there was no workable law, and no statistics of such expenditures are to be had. The first law looking to this phase of the subject is the act of January 31, 1839. This act undertook to make the public-school system participate in the general prosperity of the State and to shape the lines of financial administration. The law directed that the State bank and its branches should provide annually out of their "net profits" the sum of \$150,000 "for the purpose of establishing and aiding in the establishment of schools." It directed further that on demand from the township trustees the bank should pay to the township as much, up to a limit of \$200 and including whatever sum might have been earned by its own sixteenth-section funds, as the people had subscribed in the previous year. All of this money was to be used in paying for the tuition afforded in the previous year. If there were two or more schools in the same district, the money was to be divided between them "in proportion to the number of regular students at each school," but no citizen was to be entitled "to an amount exceeding the amount by him actually subscribed;" if there were indigent persons who wished to send their children to the school, but were too poor to subscribe, they were reported by the commissioners and listed as subscribing \$10 each. The total so subscribed was not to exceed \$100. A part of the State fund equaling these poor subscriptions was to be used exclusively "for the education of the indigent scholars of the township."

By act of February 3, 1840, the amount to be furnished by the State bank was increased from \$150,000 to \$200,000, and the rate of payment was fixed at \$12 per pupil. The total contributed to each township was not to exceed \$400, and this was to include all interest earned by the sixteenth-section lands. An amount equal to one-third of that asked from the State bank was to be collected by private subscriptions and to the commissioners was given the power "to say what scholars shall be educated free from charge."

The laws of 1839 and 1840 evidently assumed that the schools were to be organized on local initiative, that certain sums were to be subscribed and collected and the schools actually taught in advance of any State aid; that the upper classes were to take the lead in these matters and pay tuition for their children. This is also evident from the amount appropriated, for at \$12 per head \$200,000 could educate only about 17,000 pupils, and since in 1840 there were 335,185 white persons in the State, the total school population was not far from 90,000. State activities looked only to the education of the poor.

This situation was greatly modified by the subsequent fortunes of the State bank. As has been shown in chapter 3, by 1842 the bank could no longer meet its obligations, and the requirements of February 3, 1840, were repealed by the act of January 21, 1843.

In the meantime, what about the actual administration of the schools? Among other troubles it was apparently very difficult at this time to differentiate between public and private (which were generally denominational) schools. The question was discussed time and again whether parents might send their children to schools outside the district and still draw their pro rata of school funds. This was decided affirmatively. The repeal and subsequent reaffirmation of the law indicates the interest felt in the matter and would seem to show that private and denominational schools in this way came to receive a part of the public bounty—a view sustained and supported by the act of 1848 which provides that the proper proportion of the public funds might be paid to "any other schools."¹ It would seem, therefore, that at this time the major part of the public State funds, as in Mobile, probably went to private and denominational schools and that little supervision was or could be exercised.

The census of 1840 reports school statistics for Alabama as follows: Two colleges, with 152 pupils; 114 academies, with 5,018 pupils; and 639 primary schools, with 16,243, making a total of 21,413 pupils, of whom 3,213 were "at public charge."

Four years later comes a statement on the same subject from State sources which are perhaps more accurate. The "Tabular Statement of Census of Alabama taken in the year 1844" (Tuscaloosa, 1844), page 5, reports:

Number of colleges and high schools.....	7
Students in colleges and high schools.....	626
Academies.....	131
Pupils in academies.....	5,266
Common schools.....	858
Pupils in common schools.....	21,982
Total at all schools.....	27,874

Source material for the educational status of this period is all too small. Educational effort was being made, but the leaders were themselves inexperienced. They were learning by experience; this process was both costly and slow, and little record seems to have been made of their efforts. Of the flush times represented by the full years of 1839 to 1843, when the schools were receiving some \$200,000 out of the income of the banks, only the meager records already quoted seem to exist. The State documents for the period

¹ See also the law of Feb. 3, 1846, which orders the commissioners of a certain school district (Demopolis) "to distribute the annual interest * * * among the several scholars residing therein, whether the said scholars attend the school or schools established by the legal officers of said township, or any other school."

prior to 1854 which have been available give us little light on the subject, and for definite statistics we must depend on the Federal censuses of 1840 and 1850, incomplete as they are. But it is evident that even then the spirit of education was moving on the face of the waters of ignorance. Public leaders, vaguely conscious of their needs, were groping, blindly, it may be, but nevertheless with hope for better things. This is evident from the message of Gov. Reuben Chapman to the legislature, November 13, 1849, in which he discusses the common schools in general, and agricultural education in particular:

The agricultural interest in this State is believed to exceed in value, and in the number of persons connected with it, all the other industrial pursuits; and while the other interests, so much less important, have been more or less fostered, agriculture has been suffered to languish, until much of our fertile soil has become impoverished and unproductive, from an unskillful and injudicious system of cultivation, and many of our citizens have removed, and others are moving, from this State, in search of new lands to subject to the same ruinous system.

That the lands so worn out can be restored to their original fertility, and the system of cultivation be so improved as to maintain that fertility and increase their capacity for production, the experience of other States leaves no room to doubt. If agriculture is the groundwork of all industrial prosperity, and the strength of a State depends upon the number, as well as the character, of its population, we are all interested in adopting such an improved system in the cultivation of our lands as may increase immeasurably the wealth of our State, and take away from the most useful class of our population all motive for emigration. Nine-tenths of our young men are destined to become tillers of the soil, yet we are without a school in the State where scientific agriculture is taught, when by the establishment of an agricultural school we might raise up among us a class of scientific farmers. Civil engineering and architecture are professions by means of which scientific information is made practical for the benefit of those who have knowledge of the science upon which either is based, and by the practice of which their professors make a respectable living. So scientific agriculture might be made a profession with us, the professors of which, by visiting farms, analyzing their soil, examining their local position, superficial character, etc., might be able to place within the reach of the least enlightened of our agricultural population all the benefits of experimental science, and, in so doing, at the same time, advance their own pecuniary interest.

The best mode that occurs to me for the accomplishment of an object so highly important would be that the legislature should request the board of trustees of the university to establish in that institution a professorship of agriculture, and that connected with it there should be a farm for experiments. The duty of such professor might be to superintend the cultivation of the farm, with the view to determine the best mode of raising the staple and other agricultural products of the State, of protecting them from the attacks of destructive insects, testing the comparative value of the different varieties of seed, and the various modes of resuscitating the worn out lands; to deliver public lectures at stated times, and to publish an agricultural paper, in which might be reported lectures delivered, and the character and result of all experiments made. The benefits that would arise from the establishment of such a department in our university are such, it appears to me, as would authorize the State to make the appropriations necessary to defray the expenses.

The subject of common schools deserves all the consideration and encouragement it is in the power of the general assembly to bestow. The whole theory of our form of Government is based upon the capacity of the people. Without a general diffusion of intelligence among them, the machinery of a Government thus constituted can not be

expected to move on successfully. The highest and most important of all the duties of a free Government is to advance the cause of education, and guard against that decline of liberty which results from neglecting the minds of the people.

Unfortunately for our State, her financial condition will not allow her to do more than to make a faithful application of the fund granted by Congress for that important object. By an act of the last session, State stock for so much of this fund as had been received from the sixteenth sections sold was required to be issued to the townships respectively entitled to it. This has been done, and the interest stipulated upon it has been paid in the mode provided.

It is to be regretted that this fund, which consists in the sixteenth section in each township, has been clogged with such conditions in the grant that the noble end designed can not be accomplished—that is, to provide for the education of that portion of our population who have not other means. The sixteenth sections that are at all valuable are generally in those townships where the white inhabitants are less numerous, and are generally in circumstances not requiring such aid, while the poor sections are generally found in townships where the limited circumstances of the citizens deny their children the opportunities of education from their own means.

If the whole sixteenth section fund could, without a violation of good faith, be brought within the power of the general assembly, I would recommend its exclusive application to the education of those who are without other means.¹

Gov. Chapman was succeeded in office by Henry W. Collier. In his message to the legislature, December 20, 1849, he discussed the common-school system somewhat in detail and outlined a plan of action:

Our plan of common-school education, if indeed we have one, is eminently defective, if for no other reason, because it wants a head to direct its operations, to prescribe the course of instruction, to receive at least once a year reports of the condition of the township schools—the number of scholars, male and female; the amount paid to teachers from the income of the sixteenth-section fund; the contribution of patrons, etc. Such a modification of our system with other corresponding changes, would infuse into the cause of education generally new life, and in particular elevate primary schools. The standard of education in these is generally far below the wants of the pupils, and it is a patriotic duty resting upon us with great force to endeavor to raise it higher. * * *

No one should be employed as a teacher whose moral character is not unexceptionable, who does not combine amiability with a due degree of sternness, and shall not be found competent upon a satisfactory examination to teach orthography, reading, penmanship, arithmetic, English grammar, modern geography, and the history of the United States. It would be very desirable if his knowledge extended further, so as to give some general instruction to the male scholars upon agriculture and the mechanic arts, and thus fit them for the practical duties of life. * * *

There should also be a director of common schools for each county, and three trustees for each township. The latter should provide for the erection and repair of school-houses when necessary; should endeavor to collect a township library by voluntary contributions, until it shall be deemed expedient to appropriate a fund for the purchase of books; should examine, or cause to be examined, applicants to teach, stipulate their compensation, make settlements with them, etc.

It is not desirable to multiply offices too much, and I therefore suggest that the judges of the county courts in their respective counties should be county directors; they should receive reports from the trustees of the townships. * * *

A superintendent should be a man of energy, benevolence, education, amiable disposition, and strong common sense, wholly untrammelled by other duties. His powers

¹ Message of Gov. Chapman, Montgomery, 1849, pp. 22-25.

should all be enlisted in the business; he should be required to devote a certain portion of his time in endeavoring to awaken an interest in popular education."

That the fund may be productive of the most good to those who really need it, I recommend that it be explicitly provided that only those who are pupils of the teachers employed by the township trustees should receive any portion of it. In some of the townships the income of the fund has been distributed among all the schools within them according to the number of the scholars, often making the benefit too inconsiderable to aid the dependent.¹

But Gov. Collier was ahead of the representatives of the people. The committee of the legislature to whom this message was referred answered in glowing platitudes and expatiated on the necessity of common schools and then regretted that the "heavy public expenditure" could not permit any State contribution "to the enterprise."

As a substitute for a general State system, the committee thought that "a few splendid educational prizes" in the shape of free courses at the university would be quite adequate "to educate a sufficient number of our young men for the useful and honorable profession of teachers to supply the wants of the State." There was the same situation in the assembly of 1851-52. A committee of the house on education, Charles P. Robinson, chairman, made a report in which the whole educational situation was reviewed. The burden of this report was the sixteenth-section funds. This is what was understood by public education, and for that reason the State had failed to respond—

to the demands of the people. Instead of encouraging education by the application of the means which the people have ever been ready to yield (i. e., taxation), legislatures have seemed to consider all education as connected in some way with the sixteenth-section fund.

The committee then presented a tabular statement in which they show that 89 townships received \$32,736.21 from their sixteenth-section funds; 629 others received \$31,912.25, and the remaining 794 townships seem to have received nothing. This unequal state of affairs led the committee to say:

A grant founded in the noble policy of providing a secure and permanent source of education to all who would avail themselves of it has issued in the raising by *general taxation*, annually, the sum of \$64,548.46 [sic]. This sum is applied, in great part, to those counties least in need of this assistance, and what is still more important, in the wealthier portions of such counties. Nor does the evil stop here. It is to be feared, from this inefficient system of the present school laws, that the money is not always applied to the support of free schools in the townships, open and accessible to all the children thereof.

The committee thought that out of the "130,000 children" in the State between 5 and 15 "only between 35,000 and 40,000" were at school during the year. They did not offer a bill for a system of public schools, but brought in one to authorize the governor to appoint a State superintendent at \$3,000 per year. It was to be

¹ Message of Gov. Collier, Dec. 20, 1849, Montgomery, 1849, pp. 33, 34, 35.

his duty to visit the counties, make public addresses, and arouse interest in education. He was to make a census of school children between 5 and 16 and ascertain the number of schools and academies. He was to be a missionary, a voice crying in the wilderness, a guide, philosopher, and friend, and prior to October 1, 1853, was to report to the governor the draft of a bill for a public school system.

The logic of the committee was irrefutable; the superintendent was badly needed, but the bill did not become a law, for the time had not come when the citizens of Alabama could look squarely in the face the problem of taxation for public schools.

It will be noted that through all the discussion there was the idea that the public funds should be devoted exclusively to the education of the poor. The dominant note does not seem to be that of contemptuous concession to those who could not help themselves—the pauper school idea—nor yet the modern idea that the State educates for its own protection and in order to give to each the opportunity for fullest development, but a position between the two. There was a certain consciousness present with the slaveholding element that for the laboring classes the education received in the public schools was the best, and should for that reason be devoted to them in its entirety, not as a dole, nor yet as a right, but as a charity from the more fortunate to those who were less so.

When we consider the amount of income available from these funds; when we remember the deep-rooted hostility to taxation that characterized these people, and their extreme jealousy of anything that looked like centralization of power; when we recall that practically all men in Alabama who thought were able to educate their own children out of their private means, we can better understand the feeling which would devote the public funds to "the education of those who are without other means." The slaveholder was willing to surrender his proportion of these public funds, not in the sense that he patronized and looked down with contempt on his poorer neighbor, but because, by refusing to share in this fund, by bearing his own educational burdens, he could help the general cause, help the State bear this burden, which the individual most benefited by it was unable to do, and at the same time limit the activity of the State.

All parties were now beginning to look toward the same goal. In his message to the assembly in November, 1851, Gov. Collier had again emphasized his position on education:

Primary school instruction can not be dignified as a system until it has a head to direct and supervise its operations. A superintendent * * * should be appointed by legislative authority. He should traverse the State, address the people, visit and examine schools, and inquire into the qualifications of teachers, as often as a proper attention to his other duties would permit.

Gov. Collier again failed to get what he had recommended, but with 1851-52 the period of legislative empiricism ends. With 1853-54 came new leaders, a new law, and a new awakening. Hitherto the first had been absent, the laws had been ineffective, and the time for the awakening had not yet arrived.

In the meantime what was the actual status of public education in the State and what were the legal requirements in the case?

Under the code of 1852 the duties of the school trustees required them to take the census of children 8 to 21 years of age; to divide the townships into school districts;

to establish in each school district, for at least three months in each year, a school for instruction in the common English branches—reading, writing, arithmetic, spelling, grammar, and geography; and to locate schools, provide schoolhouses, employ teachers, etc.

The total white population of the State in 1850 was 426,514, and we may assume that this represented a school population of over 100,000. The census of 1850 shows:

(1) Five colleges, with 55 teachers and 567 students. These institutions report \$5,900 income from endowment, \$395 from public funds, and \$35,050 from other sources, making \$41,255 in all.

(2) The academies and other schools were 166 in number, with 380 teachers and 8,290 pupils. They reported an income of \$164,165, of which \$4,949 came from public funds.

(3) There were reported 1,152 public schools, with 1,195 teachers, showing that they were nearly all one-teacher schools, with 28,380 pupils. They had a total income of \$335,602, of which \$800 came from taxation, \$56,367 from public funds, and \$2,916 from endowment.

From these figures, apparently compiled from the reports made by the schools themselves, it is seen that there were then 37,237 pupils of all grades in the schools of the State, but when the statistics were gathered by families, it was found that 62,778 pupils had been "attending school during the year." It will probably be safe to assume that the census by schools represented a daily average attendance and the one by families the total enrollment. It will be noted also that the census does not report the length of school term, nor consider the efficiency of teachers. It is probably not far from the truth to assume that while the census figures may be essentially correct there were no real public schools; that the schools which passed under that name were private institutions supplemented by public funds, and that their work when weighed in the balance of specific accomplishment, was not of great importance.

This judgment is based on testimony no less authoritative than that of the State superintendent himself.

Gen. William F. Perry became the first superintendent of public instruction, in 1854. In 1897-98 he published his reminiscences of the condition of the public schools at the time he took charge.¹

He says, in part:

Nothing entitled to the name of a system of education had ever existed. There was a fund amounting at that time to about \$1,000,000, belonging * * * not to the State, but to the individual townships. This fund, so far from being an aid, was really an obstacle in the way of the establishment of a general system of schools. Its uselessness for such a purpose was due to the great inequality of its distribution. There were many hundreds of townships whose school lands were totally valueless; and probably more than half the remainder possessed funds so small as to be practically valueless. There were whole counties whose township funds consolidated would hardly have supported a single decent school. It should be remembered, too, that these sections of the State contained a white population at once the densest and the most needy.

The townships having the largest school endowment were found chiefly in the Tennessee Valley and in the central portion of the State, known as the Black Belt. While it is true that the funds of most of them were legitimately and wisely used, it is also true that they belonged to those who were in least need of aid, and it is equally true that many of the most richly endowed townships were covered with cotton plantations and negro quarters and had no schools at all.

But what had the great mass of the people done for themselves? Left without guidance, encouragement, or any material help from without, what means had they employed, and what facilities had they created for the education of their children?

The answers * * * are as various as are the conditions which prevailed in different localities. In the towns and villages were generally found school buildings more or less commodious, but rudely and uncomfortably furnished, and defaced by abuse and neglect. The teachers looked to the patronage alone for support * * *

It is painful to recall * * * the wretched provision made for the education of the young in those large areas of the State where the land is unproductive and the people were poor. Hundreds of townships were entirely without a school; and there were whole blocks of counties that could boast of scarcely a single pleasantly located, comfortable schoolhouse. Many that I saw in my travels through the State begged description. But for the rude benches visible through the cracks, and the broken slates and tattered spelling books scattered around them, any one would have been at a loss to determine for what purpose connected with civilized life they were designed.

It may reasonably be supposed that the character of the instruction received by the children in such places was on a par with their material surroundings. Where there were no township funds, there were no trustees. Any one could get the use of the wretched, makeshift of a house who could secure from parents a sufficient number of pupils, pledged under written articles of agreement * * * It goes without saying that only teachers of a very low grade of qualifications could be obtained. A majority of them, at that time, were men, and in most cases, men who had resorted to teaching because they had proved unfit for anything else.

But Gen. Perry was able to mention at least one pleasing exception to the above picture of general gloom. It is that of a Lancastrian school in perfect working order.

¹Transactions Alabama Historical Society, vol. 2.

He says:

In rare cases enterprising teachers succeeded in arousing a strong local interest and in building up what might be termed country academies, in which the classics and sciences were taught, and aspiring young men received their preparation for college.

To illustrate the power of personal magnetism and the extent to which even the humblest people can be stirred by the desire for improvement, I can not forbear mentioning a school that I visited, when a youth, among the hills of DeKalb County. A stranger came to the neighborhood and began teaching in a rude schoolhouse. Interest was awakened, and the house was soon filled. Interest grew into enthusiasm, and to accommodate the increasing members, rough sheds, covered with boards, were constructed around the house, and to them were added bush arbors, until the place resembled an old-fashioned religious camp-ground. There were in attendance, I suppose, not less than 150 pupils of all ages, from 6 to 30. The principal occupied the house; each shed was presided over by an assistant; while the arbors were filled with classes in spelling, reading, geography, and simple numbers, which were presided over by their own members, each in his turn assuming the duty of leadership, and going over the entire lesson before surrendering the place to a successor. The utmost ceremony was observed in every change, and each leader, on taking his place, was saluted with profound obeisance by the class. The whole machinery seemed to move with the utmost precision; and no evidence was anywhere visible of idleness, misbehavior, or disorder.

Chapter VI.

THE ORGANIZATION OF THE STATE PUBLIC SCHOOL SYSTEM, 1854-1856.

With the beginning of the sixth decade of the century the public conscience of Alabama—and by this is meant the conscience of a few high-minded leaders among the slave-holding class—was being quickened into a broader conception of duty to the humbler citizenship in a common democracy. These leaders could well afford to educate their own children at private institutions; the poorer citizens could not, and all help for them must come through the State. Therefore, with an unselfishness for which these aristocratic slaveholders have received scant credit, they set to work to organize a system which would educate the children of all freemen. Their misfortune was that, having no experience to guide, they sought information only through empiricism, and they made mistakes which dearly cost them and the people whom they sought to serve. They were hampered by lack of means and scarcity of population, and it is not just to hold up these men, or their system of slavery, as the cause of the failure of schools. In North Carolina the common-school idea had been worked out with a high degree of success before the Civil War. Other States were facing the same problem, each in its own way, and had not the war intervened there is every reason to believe they would have attained, before many years more, a satisfactory solution.

In 1853 the State had a public school fund of more than a million dollars; it had reorganized its sixteenth section fund, had gotten it free from its entangling alliance with the old State bank, and had tried out various plans of its own and found them failures. The ground was fallow, and there was the contagious example of successful schools in Mobile. To the State senate of 1853-54 there came from Lauderdale Robert M. Patton, later governor; and to the house Alexander Beaufort Meek, from Mobile, and Jabez Lamar Monroe Curry, from Talladega. These were the men who made possible the school law of 1853-54. The drafting of the school bill was referred to Judge Meek, chairman of the house committee on education. With his draft went a report in which is reviewed the general educational situation in Alabama.

After discussing the value of education in the abstract and paying the usual meed of praise to progressive New England, Judge Meek

boldly puts forward the establishment of a system of common schools in Alabama not on the ground of favor or charity, but because it represented "not only the highest interest, but the clear right and imperative duty" of the State; there was even in his mind a glimmer of the modern doctrine of self protection: "The property of a State is dependent for protection and safety upon such a system, and should therefore pay for its establishment and maintenance." The doctrine of "protection and safety" is certainly nearer to modern ideas than it is to the older doctrine of charity and paupers.

The difficulty before the committee was how to equalize the very unequal distribution of the sixteenth section fund. Says Judge Meek for the committee:

The inequalities in the distribution of the sixteenth section bounty may be forcibly illustrated by a few facts. The total number of townships in this State is 1,572. Of these, 873 have sold their sixteenth sections, leaving 699 which have not made a sale, from their sections being below the minimum value. Those that were sold embraced 558,720 acres, and brought \$1,575,598. The residue of the sections, if sold, it is estimated, would swell this amount to about \$2,000,000—the munificent donation of the General Government for schools in this State.

From reports heretofore made it appears that the value of the sixteenth sections in the 13 counties of Autauga, Chambers, Dallas, Greene, Limestone, Lowndes, Madison, Montgomery, Perry, Pickens, Sumter, and Tuscaloosa is at least one-third more than half the value of all the other sixteenth sections in the State, while the white population of those counties is but little more than one-fourth of that of the whole State. Dallas County, with a white population of about 7,000, has an annual fund of near \$5,000, while Mobile, with near 18,000 white inhabitants, has no fund. Coosa, with a white population of near 11,000, does not get annually \$600, and Pike, with near 13,000, gets less than \$450. The whole county of Covington receives but \$6.90, while one township in Perry gets \$1,200 annually, and another but 67 cents.

These funds, which Judge Meek happily characterized as "mis-applied bounties," belonged, as we have seen, to the individual townships and could not, under the law, be pooled in a common State fund.

He says.

The limitations of this beneficent grant have defeated the very object for which it was intended—the advancement of education—and have been the chief cause of the obstacles which have existed to the establishment of a public school system in this State, for there have been sufficient indications in the past that the people would not favor any system of public schools which did not embrace the sixteenth section fund within purview of its arrangements, and give to the munificent appropriations some equitable and efficient application.

Your committee * * * have accordingly prepared, with great care and labor, a system of free public schools, in which this is made the fundamental and pervading provision. They have proceeded on the principle that every child in our State, of suitable age, is entitled to a sufficient sum to give him the elementary branches of knowledge, free of cost, and that when any child does not receive such sum from the sixteenth section fund, it should be afforded to him by the State, * * * the object being to establish in every township, where the number of children demands it, at least one free public school, for primary instruction. * * * To meet this want

will require reasonably liberal appropriations. * * * Surely \$2 a scholar is the lowest minimum which could be regarded as adequate for that purpose. * * * There can be no doubt that the people of this State would more gladly accede to such a disposition of the funds in the treasury than to any other. They exhibit in the clamorous demands which have been sent up every year for the establishment of common schools and in the utterance of all the organs of thought and sentiment in our State. It is not from any one class that this appeal comes—from no favored few—but from the great body of the people * * * whose voice should be heard and obeyed. * * * There can be no doubt that it is the unquestionable right, the highest interest, and the most imperative duty of the State to educate her children.

The bill introduced by Judge Meek, which became a law on February 15, 1854, created in the first place an "Educational fund," consisting of—

(1) The annual interest at 8 per cent of that part of the surplus revenue deposited by the United States with Alabama under the congressional act of June 23, 1836.

(2) The annual interest at 8 per cent on the proceeds of sales of certain lands granted by the United States for the use of schools in the valueless sixteenth sections, under act of August 11, 1848.¹

(3) The annual interest at 6 per cent on the funds which have or may accrue from sales of sixteenth section lands.

(4) \$100,000 from the State treasury.

(5) All money arising from escheats.

(6) An annual tax of \$100 for each \$100,000 of capital stock of every bank, insurance or exchange company, or in that proportion.

(7) An annual tax of \$100 levied on every railroad after it had declared dividends.

(8) An annual tax of \$100 on every agency of any foreign bank, insurance or exchange company.

In his first report the State superintendent wrote of these various sources of revenue as follows (pp. 3-4):

The two funds placed under his control, under the general title of "Educational Fund," were created at different times, were subject to different laws, and sustained different relations. One was the property of the State, consolidated and unchanging in amount;² the other belonged to the townships in their individual capacity, distributed among them in all possible amounts, ranging from a few cents per annum to many hundreds of dollars, and was constantly accumulating. A small portion of the latter was still under the management of the banks, another and much the larger was in the treasury; a third, in the form of sixteenth-section notes, was found in the office of the comptroller of public accounts, and scattered over the State in the hands of trustees, withheld under special laws, or in defiance of law.

To unite these funds thus situated, and bring them under one general system of accounts which would do full justice to all, and more than justice to none, cost an amount of thought and labor which he had not been prepared to expect, and which few, perhaps, now can realize.

¹ This referred to the transfer of certain lands granted for internal improvements by act of Sept. 4, 1841, to "the use of schools in such townships of said States as in which the sixteenth or school sections are comparatively valueless."—S. at L., ix, 261.

² The Surplus Revenue Fund of 1836.

The administrative officers provided were:

- (1) A State superintendent of education.
- (2) Three commissioners of free public schools in each county.
- (3) Three trustees in each township.

The superintendent was to be elected by the assembly for two years and was paid \$2,000 per annum, and his duties—those usually pertaining to this position—were defined. The commissioners included the county judge of probate and were elected by the people. They had a general supervision of schools in the county and were to control all school moneys. They might provide houses, apparatus, books, libraries, or other conveniences, and served without pay. The trustees were elected by the people, could establish schools, and employ teachers who were in every case to be first "examined and licensed."

The State superintendent was made the authority in control and management of Federal funds, and all funds were to pass through the State treasury. School age was fixed at 5 to 18, and the superintendent was instructed to seek to equalize, by means of the Educational Fund, "the irregularities of distribution produced by the sixteenth-section fund," which was also made a part of the Educational Fund.

The commissioners had authority to consolidate weak townships and the trustees were required to have the pupils divided—graded as we say—

into at least four classes, the first of which shall be known and designated as the primary class. This class shall embrace instructions in reading, writing, and simple arithmetic, and such instruction shall always be given to all pupils requiring it, free of any cost or charge * * *. The other classes * * * shall be made successively free of any cost for instruction, according to such gradations, whenever the fund coming to the township or united townships for school purposes, from any source, will justify it.

In cases where public funds were not sufficient to make all classes free, "moderate tuition fees" were to be charged in order to give the teacher "a fair compensation for his services."

Each county was "authorized" to raise annually by special tax upon real and personal property an amount not exceeding 10 cents on the \$100 valuation, "for the support of common schools therein and for providing suitable houses and purchasing libraries and apparatus for such schools." These moneys were to be paid into the county treasury, were apportioned therefrom, and at least 50 per cent of this local fund had to go for the payment of teachers. All money from "the State school fund" had to be used for teachers only and all teachers were to be "duly examined, approved, and employed by competent and lawful authority."

This school act—a remarkable one, when we consider the time and the State in which it was enacted—provided as follows:

(1) An educational fund was established by recognizing existing sources of income and creating new ones. It authorized, but did not command, a local tax and the public schools thus established were to be supported from the income of the State school funds and from local taxation. There was no direct State taxation for schools, although the State contribution of \$100,000 of necessity came from taxes. In this way, local self help was encouraged by the recognition and financial aid of the State, which also sought to equalize from its own funds the inequalities between rich and poor communities.

(2) The primary work was made absolutely free from tuition charges.

(3) The grading of classes and the examination and certification of teachers were provided for.

The weakness of the law was the lack of efficient supervision. The superintendent did not have sufficient power to compel reports. The county commissioners were in part public officials already, and neither they nor the township trustees were required to show any particular fitness for their work, nor were they paid for their services. It was a public school system without proper local supervision, and without the necessary centralization. Yet it did not escape criticism, protests against it being recorded in both houses. That of the senate, signed by six members, was long and bitter. It characterizes the law as "unjust and totally inadequate." The objectors charged that the law set aside \$83,333 "to be applied beyond the limits of the townships to which it belongs." This fund was characterized as a "sacred trust" while the house objectors styled it a "vested right." The "extraordinary power" given to the superintendent was assailed, the "generous confidence" granted was "liable to abuse" and gave "too large a range of discretion." The entire sum—

is left in the discretion of one man, with the only qualification that his rule of distribution shall equalize sixteenth sections, of which it leaves him the sole and exclusive judge * * * The bill, repudiating as it partially does, the sixteenth section funds as due and belonging to the inhabitants of the townships, does not give these townships the poor privilege of having the law to prescribe the rule of decision, but by the will of one man and in the way the temptations of self interest and the allurements of ambition may prompt him.

Both protests were probably justified in objecting to appropriations on any other basis than that of actual attendance. The senate protestants also objected—

because \$2,000 are appropriated to pay the superintendent and \$3,000 more to the circulation of essays, periodicals, and to enlighten the people and not to educate the children as the bill proposes—thereby wasting enough money to educate annually 1,000 of the indigent children of the State.

Of the unheard-of and radical proposals of the bill the house objectors said: "Such provisions are not adapted to our latitude, and need only to be named to be seen to be objectionable." Nor did the senate objectors fail to make their appeal to religious bigotry.

The powers conferred on the superintendent are extraordinary. He can govern every free school in the State absolutely, prescribe the course of study, the books, say which are sectarian or what not, and exclude or admit them at will. The cunning freethinker or sectarian would want no better opportunity than this to impress his own opinions upon the entire State through the rising generation.

This Alabama State law of 1854, product of the brain of Alexander Beaufort Meek, lawyer and judge, editor and legislator, poet and soldier, shows a grasp of educational problems, a comprehension of school difficulties and school needs and a modernity of methods and aims that are truly astonishing.

The assembly chose as its first State superintendent, William F. Perry, an experienced and enlightened teacher who had long been connected with private schools in the State and who later became a brigadier general in the Confederate army. He was urged for this place by Gen. J. Tipton Bradford, Hon. J. L. M. Curry, and Chief Justice W. P. Chilton, the opposing candidate being Rev. Dr. Andrew A. Lipscomb, a teacher and scholar then living in Montgomery and later chancellor of the University of Georgia.

General Perry has told his experiences in organizing the schools in his Reminiscences, already quoted. He says:

After setting my office in order, I opened correspondence with the judges of probate, asking them to order elections of trustees in the townships and to instruct them, when elected, to ascertain and report the number of youths of school age in their respective townships. * * * I was ignorant enough to expect that the work could be accomplished in the course of two or three months at furthest.

Quite a number of the judges of probate paid no attention to my requests. Many found it difficult to reach the townships. Circulars could not be addressed to townships which had no organization and no legal representatives. Notices in the county papers often failed, while in many counties no paper was published. And then, there was the inertia of ignorance, the difficulty of getting masses of uninformed people out of the ruts in which they had been moving for generations.

To the people of more than one-third of the State, the township as a corporation, or as a body politic of any kind, was unknown. The very boundaries had faded from their minds and memories with the disappearance of the marks made on the forest-trees by the surveyors who had located them. To reach these large masses of people, induce concerted action, was a task the difficulty of which no one had anticipated and which was accomplished at last by dint of hammering. * * * No difficulty occurred in the counties whose townships had maintained their school organization.

It was late in the fall before the complete returns were received and the apportionment was begun. In the absence of any specific direction of law, the distribution was made by giving to the townships that had nothing and adding to those that had little until the appropriation was exhausted, leaving those whose school revenue exceeded the average thus produced simply to retain what they had.

I felt that it would have a dwarfing effect upon the system and upon the minds of the people to fall into the habit of employing teachers for only such time as the public

money would last, and was anxious at the beginning to give such direction to the State appropriation that it would stimulate rather than suppress the spirit of self help in the people. The trustees were therefore advised to authorize teachers whom they approved to raise their own schools by subscription, the patrons being responsible to the teacher for the tuition, at specified rates, of the pupils subscribed, and the trustees engaging to use the money under their control, as far as it would go, in discharging the liability of the patron.

This * * * had several advantages: First, it would avoid all danger of complaint that the trustees had imposed upon the people a teacher who was not acceptable; second, it put all of the patrons upon a method of procedure with which they were already familiar; third, it showed them that the State had not proposed to relieve them of all expense and responsibility in the education of their children, but to guide and assist them in the performance of a duty which they could never abdicate.

The first of January, 1855, was fixed as the beginning of the school year; and the rude machinery began to move. * * *

The year 1855 was spent in visiting the counties of the State and in conducting an extremely heavy correspondence. Questions of all shapes and sizes, growing out of every thinkable complication of conditions, came in a continuous stream. At first, some of them were very embarrassing. After a time, however, I became so saturated with the system, in its entirety and in its details, that my mind reached conclusions with ease and confidence. * * *

In my tour through the State, I found the schools generally in operation and the people pleased and hopeful, especially in those counties which were most benefited by the system; and returned to my office feeling fully assured that the public educational system of Alabama, though still crude and imperfect, had come to stay.

The test of actual use showed the weakness of the law of 1854. Gen. Perry continues:

The county administration was imposed upon the judges of probate, who were required to perform their duties without compensation. The township officers consisted of a board of three trustees. They were charged with duties which called for more than ordinary administrative power. They were to raise means for the erection of schoolhouses when such were needed; to divide the townships into such districts as the situation demanded; to select and employ teachers and supervise the schools; to make settlements and submit annual reports. * * *

The weakest feature of the system was the county administration. The judges of probate, not without good reason, regarded the imposition of new and onerous duties upon them without compensation, as a great hardship; and while many of them were faithful and efficient, they could not give the amount of attention that was absolutely essential to the prompt and efficient inauguration of a united system.

The adoption of the township as a school corporation, although under the circumstances a necessity, involved great inconveniences. It complicated the duties of the trustees, who were generally plain, unlettered men, and led to neighborhood jealousies and dissensions in reference to the location of schools.

The first annual report of Gen. Perry, that for 1854-5, tells more accurately perhaps, but certainly less vividly, substantially the same story and is quoted here because it represents contemporaneous documentary evidence.

This report shows that the people had not yet learned the importance of making returns. Only 8 counties—Chambers, Benton, Randolph, Shelby, Pickens, Barbour, Limestone, and Lauderdale—made fairly complete reports. These reported 312 schools and

9,658 pupils. It was said that "several hundred" schools had been established since June 30, 1855, and it was "positively known that a large number in existence before that time were not reported." The total number of pupils 5-18 years of age was given as 145,588, and the sum available for distribution to each was \$1.33½.

Says the superintendent:

Each township having no sixteenth section fund accordingly received an amount produced by multiplying that ratio into the number of children reported by it. Those having from their sixteenth section fund less than that average received such sum, as added to the interest of their fund, would be equal to such average, and those already having more, simply retained what they had. The number of townships belonging to the latter class is not precisely known, since some that have sixteenth section funds failed to report.

There was constant trouble over the payment of salaries and in forwarding the necessary funds for this purpose from the superintendent's office. Three months after funds were due and payable 15 counties had not drawn them because the commissioners were unwilling to incur "the responsibility and personal risk of ordering remittances by mail, and they have no other means of obtaining it."

There was also a contention among various schools, each of which demanded its pro rata of the public funds "instead of employing a single teacher at a fixed salary." In these cases the school trustees—established such a number of schools as the people needed, binding themselves to make an equitable distribution of the money under their control among them, according to the attendance upon each and the length of time each was taught, leaving the patrons responsible to the teachers for the remainder of the tuition, at rates previously agreed upon.

As a result of his visits to the schools the superintendent was constrained to say:

The melancholy reflection still, however, obtrudes itself that three-fourths of the youth of the State have hitherto either gone without instruction entirely, or have been crowded into miserable apologies for schoolhouses, without comfortable seats, without desks or blackboards, often without the necessary textbooks, and still oftener without competent teachers.

but he believed that the law was not in advance of public sentiment—that the people of the State, by an overwhelming majority, are favorable to the principle of public education, and are prepared to sustain the legislature in all judicious measures for giving additional efficiency to the system.

He urged various changes in the law and declared that the ultimate establishment of State normal schools for the professional training of teachers can not but be regarded by the enlightened friends of popular education as a consummation most devoutly to be wished.

The scope of the course of study laid down for the public schools at this time by the superintendent included:

Orthography, reading, penmanship, mental and written arithmetic, geography, history of the United States and outlines of universal history, English grammar and

exercises in English composition, natural philosophy and astronomy, bookkeeping, physiology and hygiene, and the Constitution of the United States.

It will not be understood as the object, in recommending a course of study, to lay down a number of branches to be pursued in an inflexible order, and in a specified time. That systematic arrangement aimed at in most colleges, by which a regular gradation of classes and a fixed order of studies pursued in a given length of time are maintained, can not be expected and it is believed need not be desired, in the common school.

Such branches have been selected as are considered essential parts of a good common-school education—such as every American youth should pursue in order to be fitted for the active duties and the high responsibilities of life.

In some townships the amount of the public fund may justify the employment of teachers competent to give instruction in a more thorough and extensive course than that recommended; while in others the schools will be made up almost entirely of pupils in the primary class.

Elaborate treatises on natural science can not ordinarily be used; and hence, such have not been prescribed. The works on this subject in the catalogue of textbooks are simple and popular in their style, and have been selected with reference to their adaptedness to the great majority of those into whose hands they will be placed. * * *

No apology is deemed necessary for recommending physiology and hygiene as a branch of common school education. It is rather a matter of astonishment that it has hitherto received so little attention.¹

The pupils are classified according to studies, as follows:

Class I.—Orthography, reading, writing, mental arithmetic, written arithmetic, through the fundamental rules.

Class II.—The above continued, defining, first lessons in geography, and history. Exercises in definition, in some form, should be kept up throughout the whole course. The pupil should never be without his dictionary at his side, and the faithfulness with which it has been consulted should be tested by the teacher at each recitation.

This remark is particularly applicable to the study of history which, properly pursued, not only strengthens the memory and stores it with facts and principles, but also makes daily additions of new terms to his stock of words and imparts facility and precision in their use.

Class III.—Any of the above, with English grammar, composition, history, and simple exercises in bookkeeping.

Class IV.—Such of the above as may not have been completed, the natural sciences, bookkeeping, physiology, and the constitution.

Spelling, reading, and declamation throughout the course.

A fifth class has been introduced into the form of trustees' reports. It was designed to include any of the higher English branches that may be pursued in the public schools by pupils under 18 years of age.

In the above classification an endeavor has been made to conform as near as possible to that natural order in which the human faculties are developed in childhood.²

The textbooks used included:

Denman's Primer; Webster's Spelling Book and Sequel; Webster's Dictionary; Gallaudet's Illustrative Definer; McGuffey's series of Readers, revised and stereotyped edition (particular attention is invited to the exercises in articulation); Tower's Gradual Lessons in Oral and Written Arithmetic (this work may precede Colburn's Mental Arithmetic and Davies's Arithmetic); Monteith's Youth's Manual of Geog-

¹ Forms for the use of officers of free public schools, etc., Montgomery, 1854, pp. 14-15. ² Ibid., pp. 16-17.

raphy; Smith's Quarto Geography; Tower's Elements of Grammar; Tower's English Grammar; Hurd's Grammatical Corrector; Thomp's First Book of Etymology; Guernsey's Primary History, or Parley's First Book of History; Willard's Abridged History of the United States; Parley's Universal History, or Willard's, which is far preferable when the pupil is more advanced and has the time to devote to it; Quackenbos' First Lessons in English Composition; Frost's Easy Exercises in Composition is also an excellent work for beginners; Comstock's Primary Lessons in Natural Philosophy; Comstock's Philosophy, the revised editions of 1853-54, greatly improved (a small book of questions and illustrations accompanies it); Smith's Illustrated Astronomy (Olmsted's School Astronomy is preferable for more advanced pupils), Mayhew's Practical System of Bookkeeping, with Key; Cutter's First Book of Anatomy, Physiology and Hygiene; Hart's Exposition of the Constitution of the United States; Comstock's System of Elocution; Vodge's Mensuration, after arithmetic has been thoroughly mastered, will be found an excellent work for those who have not time or opportunity to study the theoretical demonstration of mathematical principles.

The work on English grammar in the catalogue has been selected after some hesitation. The novelty of the manner in which the subject is presented may render it objectionable to many. It will be found, however, to contain no radical innovation, its chief peculiarity consisting in its arrangement and in the prominence given to analysis and construction. It is recommended to the examination of teachers. Those who, after such examination, may still prefer to conform to established usage will find Wells' Elementary and School Grammar excellent works.¹

The books recommended for teachers were:

The School and the School-Master, by Dr. Potter and G. B. Emerson, Theory and Practice of Teaching, by D. P. Page; The Teacher, by J. Abbott; Slate and Black-board Exercises, by W. A. Alcott; Popular Education, by Ira Mayhew; American Education, by Mansfield. Barnard's School Architecture is an excellent work for those who may be engaged in the erection or furnishing of schoolhouses.²

In his message to the legislature in November, 1855, Gov. Winston refers to the school law of 1854 and says:

The results of the school bill of the last session have not been so favorable as was hoped for by its friends. In some parts of the State it has worked well; in others it has not been well received and has not been productive of good. It was not to have been expected, however, that a system perfectly harmonious could have been adopted at once.

As a result of various criticisms, the law of February 15, 1854, was revised, and on February 14, 1856, another act, one "to render more efficient the system of free public schools in the State of Alabama" was passed. The new law was based on the experience gained during these two years. It increased the interest on the sixteenth section funds from 6 per cent to 8 per cent, changed the lump sum given by the State so that the total amount of money available for each child should be \$1.50, and broadened slightly the sources from which the school income was derived. The State superintendent was required to make an annual report to the governor, and in place of the county commissioners there was to be elected a county superintendent of education, whose compensation was to be fixed by the county court.

¹ Forms for the use of officers of free public schools, etc., Montgomery, 1854, pp. 19-20. ² Ibid., p. 21.

He was to have general superintendence of the county free schools and visit them at least once a year; he was "to note the course and method of instruction and branches taught" and give "instruction in the art of teaching and the management of schools;" to see that no "sectarian religious views be taught;" make "proper distribution" of all school funds, "paying over promptly, whenever called upon;" make an annual report to the State superintendent on the number of children, the condition of the sixteenth section lands, if not sold, and on the schools of all sorts in his county; suggest improvements; examine "all persons who propose to teach;" "organize and hold annually" county conventions of teachers and provide beforehand for the delivery of lectures "upon topics connected with schools and education;" he was to seek out "indigent and meritorious" young men, entitled to be beneficiaries of the University of Alabama and encourage them "to become students thereof;" handle all county money for education and report on the same.

The duties of the local trustees, the control of the school funds by the State superintendent, the power of local taxation, and the distribution of funds thus raised remained substantially the same as in the law of 1854. The payment of school moneys was simplified, for under the new law the State superintendent was to notify the local authorities of the amount due the particular county and the tax collector for the county was to pay the sum over to the county superintendent. The school age was made 6 to 21, instead of 5 to 18, the length of the school term was fixed at six months in the law of 1854, and in both laws the independence of Mobile County of the State system, except to the extent of drawing its pro rata and reporting, was reaffirmed.

Chapter VII.

THE WORK OF THE PUBLIC SCHOOLS, 1856-1865.

Gen. Perry, first chosen State superintendent by the assembly in 1854, was reelected February 14, 1856, and resigned September 1, 1858, after serving more than four and one-half years. He was succeeded by Hon. Gabriel B. Duval, who resigned in 1864.

From Supt. Perry's reports we learn that the "Educational fund," created by the law of 1854; produced for the calendar year 1855 an income of \$237,515.39, derived as follows:

Interest on sixteenth-section fund.....	\$74,687.60
Interest on valueless sixteenth-section fund.....	7,767.30
Interest on Surplus Revenue fund.....	53,526.94
State appropriation.....	100,000.00
Special taxes on corporations, etc.....	1,300.00
Escheats.....	233.55
Total.....	237,515.39

The number of children of school age, 5 to 18, was reported as 145,588. In 1856, the school population, owing perhaps to a more careful enumeration, as well as to an extension from 6 to 21, was reported as 171,093, with an enrollment of 89,160 pupils, including Mobile. This number represented about 52.1 per cent of the total school population. There were 2,281 schools and the average attendance was 38,265, or 22.4 per cent. The school term averaged six months, being extended to nine months in Mobile, to eight and three-fourths months in Russell, to eight in Chambers, Lowndes, Macon, and Montgomery.¹

The impression that the schools were already doing good work is clearly shown by a comparison printed in the Alabama Educational Journal of the school enrollment in 23 given counties in 1850 and 1856. According to the census, these counties in 1850 had in school 27,023 pupils; in 1856 this number had risen to 51,635.

The funds distributed by the State in 1856 were derived as follows:

Interest on sixteenth sections and accumulated interest.....	\$90,023.49
Interest on valueless sixteenth sections.....	7,767.30
Interest on Surplus Revenue, 1836.....	53,526.94
State appropriation.....	100,000.00
Licenses, special taxes, etc.....	16,371.68
Total.....	267,689.41

¹ Alabama Educational Journal, Oct., 1857.

This sum furnished a per capita of \$1.37 $\frac{1}{2}$ and paid 57 per cent of the entire tuition in the public schools, the total expenditures as estimated by the trustees being \$474,370.52.¹

The State superintendent, in his report, called attention to the failure to appropriate \$1.50 per child as required by law, because of the lack of funds, urged that a "fixed ratio of distribution be established," and asserted that the present amount was "certainly not sufficient to sustain a well-developed and efficient system." Because of the State debt, however, his demands for the schools were modest. In a letter to Rev. J. H. Baker, dated July 3, 1857, he said:

I do not think it would be safe at present to attempt the increase of the school fund beyond such an amount as will produce \$1.50 or \$1.60 per child. That much can be appropriated and still leave enough to meet the State bonds as they fall due. * * *

I would also dread to see an attempt made now to establish normal schools at much expense to the State. Public opinion does not seem ripe for the movement, and a failure would not only prevent effort hereafter in that direction, but will react injuriously upon our system. My hope has been that the county associations of teachers gradually protracted into institutes may be made to supply the place of normal schools at present and by degrees prepare the public mind for an advance movement by demonstrating the utility of special preparation on the part of teachers.²

Gen. Perry notes that many county superintendents appointed under the act of 1856 found their counties in a state of educational chaos and that most of the year was spent in the work of organization, an "unprecedented impulse" being thus given to education. He believed that the cardinal points toward which special effort should then be directed were:

1. The construction and furnishing of schoolhouses.
2. The qualification of teachers.
3. The enlightenment of public opinion.

Of the character and value of schoolhouses as they then were, we are left in no doubt by a writer in the first number of the Alabama Educational Journal, January, 1857. The article was published by Gen. Perry and may therefore be assumed to be with his tacit authority and sanction. This writer says:

The increase of wealth and energy has given us comfortable and some elegant private residences. Large and beautiful churches have been erected. Public spirit has also extended to the erection of commodious jails and courthouses. * * * A large number of the schoolhouses of our State have come under our observation and of this number, we truthfully say that at least nineteen-twentieths are in an unfinished condition—without chimneys or stoves, either unceiled or unplastered, badly ventilated or entirely without windows, miserably furnished with benches and desks, with no place for water buckets or dinner buckets, and in every respect the most uninviting houses in the entire vicinity. The outside appearances are, if anything, worse—the house unpainted, the grounds unimproved, no shade trees or shrubbery, no pleasant playyards.

¹ See Perry's report for 1856, in Alabama Educational Journal, May and June, 1857.

² Official letter book, 1856-1860, MS.

Another writer said that many of the schoolhouses were old, decaying log cabins, and were devoted to schools because fit for no other use. He estimated that only about one-eighth of the school population could then be furnished with decent school buildings. Gen. Perry himself said in 1857 that notwithstanding great improvement since 1854—

one-third of the structures in which the pupils of our public schools are congregated are destitute alike of every attractive feature and every element of comfort.

Another anonymous writer contributed a series of articles on the "School law of Alabama" to Gen. Perry's Alabama Educational Journal,¹ which had all of the merits of frankness, and which showed that there was at least one person in the State who knew how to think for himself and to express himself in vigorous English for the general enlightenment of the people on this new educational system. He complains of the indifference of the public to educational work. Writing of the superintendent's report, he says, with a piquancy and flavor that is strongly modern:

We do not believe that five editors in the State have read it, and we doubt if 10 lawyers, doctors, or ministers have seen a copy of it. The apathy that hangs over our educational interests is perfectly surprising. While every paper in the State would contain, as an item of general interest, the conversion of a Hottentot or Kangaroo to Christianity, or would follow with doggish pertinacity the footsteps of a filibuster to his final doom, not one in ten, judging from their silence concerning it, recognizes the existence of such a document as the Annual Report of the Superintendent of Education, or of such an interest as it discusses.

This writer then pays his respects to the school law itself. The constitution of the State declares that "schools and the means of education shall forever be encouraged," he says, but it would seem to be that the present law might be combated on constitutional grounds, for nothing appears more plain than that by its influence schools and the means of education are to be forever discouraged.

He says further:

The school law of Alabama is very nearly allied to that of New York in one respect, while it is essentially different in another. On paper it will bear the most rigid inspection; indeed, it challenges the admiration of the most critical scholar. We are certain it was written by a man of unquestionable literary taste, but it was written without the slightest reference to its adaption to the State of Alabama. It provides for trustees, county and State superintendents, while the fund about which it talks and on which it was founded would scarcely pay said officers with 8 per cent interest. On paper, it compares well with the New York law. In its practical effects, it compares with the law of no State with which we are acquainted.

The principal duty of the county superintendent seems to be to push up the various townships to an election of their trustees, by threatening to withhold the \$1.25 per child if this provision of the law is not complied with. The business of the trustee when elected is to receive this little stipend and pay it over to the teacher. Year after year

¹ Beginning with December, 1858.

is this little round of duty performed, and year after year no more good is accomplished than would be by making a bonfire of the money at the center of each township. * * *

The county of Mobile has long since relieved itself of the sluggish movements of the State, and has perfected a system of its own. * * * The children of this county have nothing of which to complain. Pupils in the primary and intermediate departments are educated free of charge. In the grammar and high schools tuition is \$2.50 and \$4 per month, respectively. Into some of these schools every child in the county is entitled to admission. In this respect Mobile has no rival in the State with which she need fear a comparison. * * * A tax of half a cent on a dollar of the property of the State would give every child within its limits an opportunity to secure an education fitting it for the duties of life.

In his fourth article, this writer says that "many persons are found ready to controvert the principle [of education] itself." He presents, also, some real difficulties. "The chasm between the wealthy and poorer classes is here far more impassable than in the North. * * * Where there is no community there can be no school."

He suggests that the amount of money needed for the schools be raised by taxation; that it be expended in building suitable school-houses for every 25 pupils, and that competent teachers be paid the equivalent of \$1,000 per year; that a uniform course of study and uniform textbooks be adopted.

Fortunately, we have official letters in which Gen. Perry expresses himself on some of the questions discussed by the anonymous writer, and where he gives us what we may characterize as an official view of the matter. As to the general interpretation of the school law, he writes C. O. Shepherd, at Huntsville, on January 7, 1858:¹

In pronouncing upon the school law as a whole, it must be borne in mind that it was not framed for such localities as Huntsville, but was designed to take effect over 50,000 square miles of territory, in most of which the teachers employed were deplorably ignorant, and their schools, *ex necessitate rei*, of the humblest grade.

The task assumed by the State was not only to furnish such pecuniary aid to the people as it might be able, but to set to work such agencies as might tend to improve the quality of the instruction which our youth were receiving. It was, therefore, a matter of primary concern, to elevate the standard of qualifications among the common-school teachers of the State, and by degrees to get rid of those who proved hopelessly incompetent. One of the means employed for this purpose was the supervision and inspection of the schools by men selected for the purpose. * * * The law, however, does not give them the right to prescribe textbooks or to control the internal management of the schools. * * * As a further means of improving the character of the common-school instruction, it is the policy of the law to maintain a well-defined line of distinction between public schools and those which are not. It has expressly provided that no school shall participate in the school [fund] set apart for educational purposes "unless such school shall be instructed by a teacher or teachers duly examined, approved, and employed by competent and lawful authority as hereinbefore provided."

The main object of this was to prevent worthless teachers from getting up little schools in pine-pole pens throughout the country and having the public fund frittered away upon them.

A year later his successor points out the particular classes for whom the public schools were primarily organized and the necessity

¹ Official letter book, 1858-1860, MS.

of reaching them. In a letter to J. B. Speake, February 4, 1859, he says:¹

The greatest difficulty in its [the school's] way now is the ignorance of the law or a disregard for its provisions manifested by the trustees. No child of the educational age can be excluded from a public school whether the school be taught by a lady or not. If such a proceeding were allowed, it might and most probably would result in the admission only of such pupils as were able to pay a tuition fee in addition to the amount arising from the educational fund and would exclude the children of the poor who are unable to pay and for whose benefit principally the fund was established. Such a construction would bring the law into merited disfavor and defeat its object, which is to extend upon equal terms to all the children of our State the inestimable blessing of liberal instruction.

These discussions, these strictures, had their influence in awakening the people to a keener realization of the importance of schools. There were signs of growing recognition. The income from public funds was: 1855, \$237,515.39; 1856, \$267,689.41; 1857, \$281,824.41; 1858, \$271,378.97.

These figures indicate that the system was growing in importance and general usefulness, but it had not yet passed the age when it was free from attack. In the assembly of 1857-58 the attack was made by no less an authority than Gov. John A. Winston himself, who in his message for that year suggested that—

the expense of a county superintendent might be avoided by constituting the probate judge and the county commissioner in the several counties as a body to act in place of that officer. The appropriation should be applied more on the principle of equity amongst the scholars throughout the State. Severe scrutiny should be exercised in regard to the use of unsound textbooks; * * * unfortunately, as yet, our school books and teachers are imported. * * * By a prohibition of all books inculcating improper sentiments to be taught in the South, we may soon insure the possession of textbooks the work of our citizens.

Surely Gov. Winston had not read the recent history of his own State, since what was substantially this identical scheme had been abandoned only two years before.

There were also other lines of attack on the county superintendent, and for other reasons. On January 21, 1858, the minority of the senate committee on education filed a protest in which they denounced the county superintendent and declared that:

No officer with such arbitrary power should be placed over a free people to dictate to them or their school trustees in the matter of educating their own children.

They urged that, if this county superintendent should remove or refuse to license "such teachers as the trustees should select," his office should be abolished.

In reply to all of these attacks Gen. Perry points out the necessity for the position and the impossibility of getting the work done by the judges of probate as the law of 1854 attempted. He shows also

¹ Official letter book, 1858-1860, MS.

that quite as much money would be misspent for lack of supervision as this office would cost, and that this had been the actual experience in Louisiana. He then adds:

It is the deliberate conviction of one who has watched the progress of this movement with sleepless vigilance and solicitude, and who will not now, it is hoped, be suspected of having any personal ends to accomplish by the assertion that the system could not have survived until the present time under an administration provided for it by the law of 1854.

Perhaps the weight of the superintendent's report for 1857 was directed to the defense of the county superintendents, for that office, created by the act of 1856, became at once "a favorite point of assault by those who were unfriendly to any State system," and in that connection the hoary argument of economy had met heavy drafts at the hands of the conservatives. But another phase of the law was not far behind in the severity of the criticisms which it received. This was the apportionment of the school funds.

The senate protest of January 21, 1858, demanded first of all that the method of apportioning the school funds should be changed. They demanded that the interest on the sixteenth section certificates be increased from 6 per cent to 8 per cent,¹ and, although these certificates represented no real value, they insisted that this interest, raised by a general tax on all the counties, should be paid first of all out of the public taxes, and that after this was paid the remaining sum available for educational purposes should be distributed to all the counties "according to the number of children within the educational age within each county in the State." To justify this method of distribution, they claimed from court decisions that the sixteenth section funds were a perpetuity granted to them by the Federal Congress of which they could not be divested by law and that the State law, as it then stood, substantially making the counties without sixteenth section funds equal with those that had such funds, was unconstitutional in that it granted certain counties "exclusive privileges."

It is the old story of the rich county disliking to aid the educational work of the poor county. In their protest a table is given where it is shown that while 15 of the poorer counties paid \$51,983.92 in taxes and received \$7,598.51 from sixteenth-section funds, they also received in 1856, for education in addition to the above, \$61,281.47 from the State. On the other hand, while 15 of the wealthier counties paid the same year \$394,762.74 in taxes and received \$52,177.27 from sixteenth-section funds, they were allowed from the general State

¹ Note this demand. Art 1, sec. 3, of the act of Feb. 14, 1856, provides: "The annual interest at 8 per cent on the fund which has accrued or may hereafter accrue from the sale of the sixteenth sections of the several townships of this State," yet it is evident that the sixteenth-section fund, during the following years, drew only 6 per cent.

tax only \$45,112.18 in addition for schools.¹ But it may be answered that, according to the census of 1850, these 15 wealthier counties had 61,111 children from 5 to 20 years of age, and hence, assuming this as substantially the school population in 1856,² they received \$1.59 for each child. The 15 poorer counties in 1850 had 46,153 children from 5 to 20 years of age, and so received, on the same basis, only \$1.49 per child.

Supt. Perry devotes a large part of his report for 1857 to an answer of this protest. The apportionment of school funds as then provided by law was an effort to equalize the amount distributed so as to extend the benefit as nearly as might be to the State as a whole. The "violent attack at the last session of the legislature" on this principle was made in the interest of the wealthier counties, and made notwithstanding the fact that the income of the sixteenth-section fund was derived from State taxation and not from invested funds; the sixteenth-section fund itself, as it then existed, "originated with a great wrong to more than two-thirds of the people of the State." The superintendent then shows that the conditions under which the sixteenth sections and other school lands were granted the State were such as to render this so-called "magnificent donation" of public lands—

in reality a purchase, a purchase for which a valuable consideration was paid, and paid, too, by the whole people of the whole State. The direction which the benefits of this purchase took, under the terms of the compact, constitutes the wrong alluded to. It was a wrong because a departure from that rigid impartiality which should characterize all the acts of government, even in dispensing gratuitous favors. It was a wrong, because it secured to a few of the least needy, advantages gained by the sacrifices of all. It was a wrong, too, to which the State was a party, and for which it is in a large degree responsible, because, as one of the contracting powers, it could easily have had it otherwise, as is abundantly shown in the admissions into the Union of recent States * * *.

From obvious causes, it happens that, with perhaps one prominent exception, the heaviest taxpaying counties have the largest sixteenth-section funds. This fact is seized upon to sustain the views which are here combated; and the counties which may be regarded as extremes in point of wealth have been arranged in parallel columns, with the amounts received for school purposes and paid as taxes by each annexed * * *. The only legitimate conclusion to be drawn from it is that the various amounts which different localities contribute to the support of the government ought to regulate in some way the relative benefits which government dispenses in return.

The fight against the method of equalization adopted by the legislature of 1854 was waged for years, but unsuccessfully. That law itself was a compromise and was hardly less agreeable to the conservatives than to the radicals. The anonymous critic of the school law even asserts that "so long as the sixteenth section remained

¹ See protest in Senate Journal, 1858-59, pp. 235-243.

² Census of 1850 gives total number of children, 5-20, as 176,650; school census of 1856 gives total number, 6-21, as 171,093.

³ Alabama Educ. Jour., 1858.

the property of the district it would be impossible to equalize to all the townships the money to be devoted to public education; he argued that conditions were such that equality could never be attained until these sixteenth-section funds were consolidated with the other funds and asks:

Can not our good parent, Congress, be induced to take back its unfortunate gift and rebestow it in such a manner as not to cripple every effort made to advance the interests it was designed to promote?

In his report for 1857 the superintendent pointed out another weakness of the system, that under which the county school money was paid out by the county tax collector. He said:

A majority of those officers do not make their collections in time to cash promptly the orders issued upon them from this office in favor of the county superintendents.

The result was that in some cases no school officer could tell how much a particular school district would receive or when that amount would be paid. The teachers were the ones who, in the last analysis, bore the brunt of this burden of uncertainty. Their salaries were nearly always in arrears, and they had only the poor choice of discounting their vouchers or waiting for months for the salaries due. And worse still, if the school funds were insufficient to pay the salaries earned, or if, through the carelessness and neglect of local trustees, funds were withheld altogether, as the law directed, the trustees went free and the teachers had no redress. The whole system was crying out for an equalization of tax burdens as well as of advantages, for a definite knowledge of the sums to be distributed per capita of school population, for greater promptness in payment, and for better informed and more earnest county and district officers.

The question of the improvement of teachers had been taken up by Gen. Perry and urged on county superintendents, local trustees, and on teachers themselves. The Alabama Educational Association was organized in 1856, and had several successful meetings. Local or county associations were beginning to make their influence felt and to give "cheering assurance of much future good." Their proceedings and addresses were published, created some discussion, and opened the way for the consideration of teachers' institutes, normal schools, public libraries, etc. Growing interest was indicated and promoted also by the publication of the Alabama Educational Journal, begun at Montgomery by Gen. Perry January 1, 1857. It led a precarious existence to the end of 1859, being once suspended and once changed in form. It died before the pressure of war was upon it, but not before it had been of service in broadening the horizon of the men who were fighting against the powers of darkness. Questions of sectional politics were not entirely absent in these educational considerations. We find them cropping out on the subject of text-

books, and it was perhaps with Gov. Winston's attitude on the matter in mind that Gen. Perry writes Hon. B. F. Porter, September, 29, 1857:

I believe that a good opportunity now exists for some one to make largely by the publication of a series of works of that description. They must be, however, fully equal, if not superior, to any extant. They must be afforded, too, on as favorable terms as any now on the market. Sectional prejudices are not strong enough to secure for a work gotten up here favor or patronage over northern ones superior in quality or cheaper in price. *Ceteris paribus*, it will have greatly the advantage, the complaints of some southern authors to the contrary notwithstanding. I * * * do hope that some plan may be devised for supplying Alabama and the South with indigenous works that shall meet the wants of our schools.¹

Hon. Gabriel B. Duval became the second State superintendent on September 1, 1858. He completed and published the report for the year ending November 30, 1858, dated October, 1859, and we have no others till the days of reconstruction. In 1858 the school population was reported at 180,160, with an enrollment of 98,274, or 54.5 per cent, and an average attendance of 42,274, or 23.4 per cent, in 2,597 schools. The total expenditure for 1858 was given at \$564,210.46, which would indicate that \$292,831.49 was received by tuition and from other private sources.

Mr. Duval continued the work of organization begun by his predecessor. Besides phases already noticed, he points out that under the new State system private academies were decreasing in numbers and in attendance, and marks these things as indications of a change of sentiment in the State more favorable to the public system.

He says:

Indifference has not been felt toward education itself, but to governmental aid in procuring it. The happy condition of our social relations, and the general diffusion of wealth, has rendered it comparatively unnecessary; wherever it was needed, private generosity generally anticipated public aid.

He says further:

This indifference has had another cause in an objection, rising almost to repugnance, to what was improperly supposed to be State interference with personal duties and rights, a fear of the absorption of the individual in the body politic, and of his subjection to the State.

¹ Official Letter Book, 1858-1860, MS. As early as January, 1844, the Southern Educational Journal advertises a series of Alabama readers prepared by Charles W. Sanders: "The attention of teachers and parents is invited to the following series of readers. Complaints have long been heard of the reading books of the North, made by people whose political institutions differ from ours, and thrown upon the children of the South, for their indiscriminating minds to peruse. The books forming this series have been carefully revised and freed from all objectionable pieces." The list of other school books offered in the same connection and apparently used in the schools of the State, public and private, include:

The Child's Reader and the Rhetorical Speaker, by T. D. P. Stone; Rhetorical Reader, by Ebenezer Porter; Webster's Spelling Book and Dictionary; Olney's Geography; Watts's Improvement of the Mind; Bullions' English Grammar; Comstock's Natural Philosophy, Chemistry, Mineralogy, Physiology; Olmsted's Natural Philosophy; Worcester's Dictionary; Abercrombie's Moral Feelings; Combe on Health; Goodrich's Ecclesiastical History; Lincoln's Botany; Burrett's Geography of the Heavens; Alexander's Evidences; Willard's Histories; Hedge's Logic; Newman's Rhetoric and Political Economy; Kames's Criticism; Davies's mathematical books; Anthon's series of Latin and Greek books; Andrews' Latin books; Bullions' Greek Grammar; Levisac's French Grammar, etc.

This process of reasoning applied not only to Alabama, but to the whole South and explains to a great extent the slow growth of the public systems of education in that section.

It is evident that educational progress was being made in Alabama under the administration of Mr. Duval, but in the legislature of 1858-59 old foes with new faces again attacked the system. They now sought to abolish the office of State superintendent and give his duties to the comptroller; to abolish the county superintendents also and give their duties to the county treasurer—all in the name of economy. Gov. Winston was now nearing the term of his office, but in two years he had seen a great light. He now argues that the duties of the comptroller were already heavy; that school matters would require for him an additional clerk; so little would be saved. In the same way, if the county superintendents were replaced by county treasurers they would demand more pay and so "little or nothing could be saved in that way." He then adds:

It occurs to me, that those who contemplate making this change have not maturely considered the subject. The education of the children of the State is one of the most sacred duties of parents and the Government. The constitution declares "that schools and the means of education shall forever be encouraged in this State." * * * Any policy calculated to cripple or retard its progress should be avoided.¹

Such material as we have for the period 1858-1860 shows that there was a slow but steady growth; counties were better organized; schools were established and it would appear that the public funds were expended in the way least likely to emphasize the pauper school idea. The trustees went on the assumption that public funds should supplement private endeavor, and so successful was the scheme that we find, in 1858, an average school term of 6.125 months, while in some townships, as in Pickens County, the sixteenth section funds were sufficient to keep the schools open all the year.

No figures from the office of Supt. Duval are available after those of 1858, but their place may be supplied in part by those of the Federal Census for 1860:

Number of schools.....	1,903
Number of teachers.....	2,038
Number of pupils.....	61,751
Amount derived from—	
Taxation.....	\$63,845
Public funds.....	199,318
Other sources.....	226,311
Total income.....	489,474

¹ See his message of Nov. 14, 1859, pp. 9-10 (copy in Curry Collection, not in H. and S. Jour. of 1858-59). These are substantially the identical words used by Gov. A. B. Moore in his message to the same legislature on Dec. 16, 1859. In S. and H. Jour. of that date.

There was reported in the same census 206 "academies and other schools," with 400 teachers and 10,778 pupils. These schools received—

From endowment.....	\$37,800
From "public funds".....	23,547
From other sources.....	160,287
Total income.....	221,634

The same census reports a total school attendance for the year ending June 1, 1860, of 98,204, including 114 free colored, and that \$6,256 was collected in the State for schools.

Measuring the general intelligence by the circulation of the newspaper press it will be found that according to the census of 1860 it consisted of 9 daily, 1 biweekly, 6 triweekly, 77 weekly, and 3 monthly journals, with a total annual circulation of 7,175,444 copies. The white population of the State in 1860 was 526,431, which would indicate an average of 13.6 copies per white inhabitant, but since the number of outside papers coming into the State was no doubt much larger than those which went out, the true number of copies per inhabitant was considerably larger.

Supt. Duval's report for 1858 was the last printed till after the close of the Civil War, and the source material for the period is scanty enough, for those days of excitement told heavily on the quiet routine of educational work. Supt. Duval signed the official correspondence for April 9, 1861; then there is a break till May 20, when his chief clerk, W. C. Allen, signs as acting superintendent. Mr. Duval had gone to the front as captain of a company of volunteers. But even the clang of arms did not entirely hush the hum of educational activity. In August Mr. Allen said that Gov. Moore would recommend the withdrawal (in the future) of the State educational appropriation till the end of the war, but that there would be no other change for that year unless he should be able to declare a per capita school dividend of \$1.35 or \$1.40 instead of the \$1.30 declared "for the last two or three years." In 1861-62 the dividend was \$1.20 per capita; in 1862-63 it was \$1.10. In 1860 and 1861 the auditor's report shows that the total school expenditures were \$567,740, or \$283,870 per year; in 1862 it was \$231,774; 1863, \$268,731; 1864, \$233,978; 1865, \$112,783.

These sums do not include \$17,700 spent in 1860-61 and \$10,718.75 spent in 1861-62 on the military training of "State cadets." These expenditures were incurred under the act of February 21, 1860, which provided "for the military education of two young men from each county." They were to attend the Military School at Glenville, in Barbour County, or that at La Grange, in Franklin County, to both of which the State had furnished arms. They were to receive for their support \$250 a year, and for their part agreed to return to their own county "and there teach and drill the militia" for the same length of time as they had received State support in school.

There was in Alabama, of course, as everywhere, trouble over the falling value of Confederate notes, and much correspondence with local officers on the subject. Capt. Duval was again in his office March 14, 1864, but sterner military duties called him elsewhere, and W. C. Allen served as superintendent for the remainder of that year, being succeeded in office January 1, 1865, by John B. Taylor.

The correspondence of the superintendent during the war period is small in amount, broken and fragmentary in character, but sufficient to show that the schools did not lose their general organization. As has been shown from official sources, funds were distributed each year, reports were called for and schools were still being taught throughout the State as late as March, 1865.

Fortunately for the student of the educational history of Alabama, the official letter book of the superintendent for the whole of the war period (June 1, 1860, to April 25, 1865) has been preserved and has been made available for this study by the courtesy of Thomas M. Owen, LL. D., director of the Alabama State department of archives and history. It seems well to close this chapter with the transcription of four letters written in March, 1865, by Supt. Taylor that tell far more dramatically than mere narrative the difficulties and trials of the last days:

MARCH 1st, 1865.

To His Excellency,

GOV. THOMAS H. WATTS:

The revised school law of the State requires of the State superintendent of education annually on the 1st of March, a report to the governor, embracing—

- First, A brief history of his labors.
- Second, An abstract of the reports received by him from the county superintendents, exhibiting the condition of the public schools.
- Third, Estimates and accounts of expenditures of school moneys.
- Fourth, Plans for the improvement of the school funds and the better organization of the public schools.
- Fifth, All such other matters relating to his office and to the public schools as he shall deem fit to communicate, etc.

At the time of my election to the office of State superintendent, my predecessor, Hon. W. C. Allen, had nearly completed the calculations for the distribution of the funds for 1864, and deeming it unwise and impolitic to take possession of the office until that was completed and the quarter expired, I did not file my bond and enter upon the duties until the 1st day of January, 1865. Consequently, the history of my labors would be very brief and unsatisfactory. Under this head I have nothing to report except an official visit to the County of Coosa, where I had the pleasure of meeting in county convention the superintendents and several of the teachers and trustees of that county, and to initiate an undertaking which I hope will result in furnishing our public schools with abridged textbooks to supply a want now severely felt by parents and teachers.

The reports of the condition of the public schools for the year 1864 have been received from only 15 counties, leaving 37 counties unreported. Many causes have occurred to prevent their reception. Many teachers have been called into the military service and made no reports to the county superintendents; others have neglected their duties; in some instances I am informed of changes in the office of county superintendent during the month of January, and in others, I am assured that the reports

have been mailed and failed to reach this office. All the county superintendents, not within the enemy's lines, have been informed by letter of this default, and duplicate or original reports may be expected. Without the missing reports it is impossible to approximate the conditions of the public schools within the State.

And as plans for the improvement of the school funds and the better organization of the public schools are expected to be submitted in the report of the State superintendent and must be based upon the reports received from the county superintendents, and as this report is intended to furnish information to superintendents and trustees and the authorities of other States of the actual working of our State system of education, and as under the circumstances named it must necessarily be imperfect and unsatisfactory, I therefore submit this as a partial report and respectfully ask your Excellency's permission to complete the same at some future period before the session of the general assembly, when with more reliable and fuller data, more satisfactory information can be given and the suggestions contemplated by the law can be made upon a reliable basis.

I would beg leave further to state to your Excellency that the reports made by my predecessors bear date of the month of October, ever since the passage of the act of 1856.

Very respectfully, your obdt. servt.

JNO. B. TAYLOR.

MARCH 11TH, 1865.

W. H. HUSTON, Esq.,
Co. Sup't, Dallas Co., Selma, Ala.

DEAR SIR: I am much gratified to learn from your letter of the 8th inst. that the absorbing and engrossing interest of the times and the perilous condition of the country have not retarded the educational interests of the populous and wealthy county which you represent, and that parents evince an "enthusiastic interest in the education of their children." Of a truth "Carpe diem" should be the motto of our people at this time, for "we know not what a day may bring forth," nor how soon present advantages may pass away before the invasion of a ruthless foe, or how even their sons may be called away from the pursuits of learning to the more immediate and pressing necessity of defense.

I trust that the wisdom of Congress may adopt some plan whereby disabled soldiers and officers, unfit for duty in the field, may be retired, and thus competent instructors from among the educated take their places as instructors of the rising generation. An accomplished officer, formerly a teacher, and now himself maimed and unable to resume his command, informed me that there are many such now spending their time in idleness or assigned to duties for which they are incompetent. He also stated that he had mentioned the matter to Members of Congress and that he hoped they would take such action as would lead to beneficial results. Let us then wait in hope.

I am pleased with your plan for procuring schoolbooks and trust you will meet with eminent success. It should certainly be adopted in every county when practicable, and has been acted upon to some extent by the booksellers of this city.

Prof. B. T. Smith, of Central Institute, is now engaged upon an abridged arithmetic for the use of public schools and has completed the work as far as division. When that is completed I shall request him to publish, if a publisher can be obtained, leaving the remainder for a future edition. This part will answer for primary classes and will supply a present want. If encouraged in this undertaking, the professor will enter upon abridgments of other schoolbooks. * * *

You will oblige me by giving me notice of the time and place of holding your county convention. It is my desire to visit as many as the limited time at my command will permit.

Very respectfully, yours,

JNO. B. TAYLOR,
State Supt.

MARCH 14TH, 1865.

To His Excellency, THOMAS H. WATTS,

Governor of Alabama.

GOVERNOR: I have the honor to call your attention to the inclosed copy of a letter from Col. Jefferson Falkner requesting the discharge of Harman R. Gay, corporal in Company K, 46th Ala. Vol. Regiment, in consequence of his election as county superintendent of education for Randolph County.

Mr. Gay was duly elected in May, 1864, and gave bond, which is on file in this office, as required by law. I understand your excellency to recognize to the fullest extent the right of the citizens of the State in the election of their officers, and yet if the officer of their choice is detained in the military service, the exercise of that right is of no avail and of no practical utility.

The authorities of the Confederate Government do not pretend even to claim military service from State officers not enrolled at the time of election and their exemption from such service is provided for by law.

The reason for this exemption, founded in the principle of State sovereignty, and the unqualified and unrestricted right of the people to the choice of their officers, applies, to my mind, with equal force in those cases where parties are, at the time of election, held in the military service of the common government.

But if doubt exists upon that point, comity and courtesy as between the Confederate and State Governments would require that the expressed will of the people should be respected and that they should be allowed the services of the officer of their choice in any capacity in which they may elect; and this without regard to the rank of the office or distinction of station. That this has been the view of the Legislature of Alabama is apparent from the fact that there is no provision of law whereby an office may be declared vacant by reason of the incumbent being in the military service of the State or of the Confederate States, though it may be for several other reasons.

The office of superintendent of education for the several counties in this State can not be discharged by deputy; and while the payments of the school fund to the trustees may be made by a clerk, the receipts of money from tax collectors and the State treasury, examination of teachers, granting of licenses, annual visitation of schools, and decision of questions arising under the school laws must be done and made by the superintendent in person, and can not be delegated by him to others; nor does the law make any provision for the discharge of those duties by another while the incumbent is in military service.

I would, therefore, respectfully request that your excellency would refer this case to the Hon. Secretary of War and ask the discharge of Corp. Gay from the military service, that he may enter upon the duties of his office. To judge by the returns now being made to this office and the information received from various parts of the State, the children of our gallant soldiers are not to any large extent enjoying the benefits of the provisions made by the State for their education by reason of irregularities, such as is seen in the present case, and which can only be corrected by a vigorous application of means at command, and the evil of an ignorant generation succeeding this arrested. A prudent government will seek its defense and safeguard in the hearts of an intelligent people.

I am, very respectfully, your obdt. svrt.,

JNO. B. TAYLOR,
State Supt.

MARCH 22ND, 1865.

To His Excellency THOMAS H. WATTS,

Governor of Alabama.

GOVERNOR: I have the honor to inclose a communication from Hon. James F. Bailey, judge of probate of Perry County, requesting my attention to condition of the public schools in that county in consequence of the detention in the Confederate

States military service of M. M. Cooke, county superintendent of Perry County, and asking that steps be taken to procure his discharge.

Mr. Cooke is 1st sergt., Co. G, 4th Ala. Vol. Regt., and was elected county superintendent in May, 1864, and gave bond and duly qualified for the performance of his office, but though, as I am informed, two applications have been made for his discharge, he is still retained in service to the detriment of the educational interests of his county.

On the 14th instant I had the honor to address your excellency a similar application in respect to Corp. Harmen R. Gay, Co. K, 46th Ala. Regt., elected and qualified as county superintendent of Randolph County, and herewith I forward a copy of your excellency's indorsement upon that letter, satisfied that your views, being fully matured, have undergone no change, and that the same principle therein asserted by your excellency fully applies to the present case.

I am also informed in the case of Mr. Cooke that he has been wounded in the leg and in consequence of that wound is partially, if not wholly, unfit for field service.

The educational interests of Perry County are suffering from the absence of the superintendent, and if the condition of that and Randolph County should become general throughout the State, our educational system must be abandoned and the children of our soldiers grow up in ignorance.

I respectfully request that your excellency will use your official influence with the Hon. Secretary of War to procure the discharge of Sergt. Cooke, that he may enter upon the duties of his office.

Very respectfully, your obdt. servt.

JNO. B. TAYLOR,
State Supt. of Education.

The remainder of this war history and the fortunes of the public educational records themselves may be gathered from the Hon. John B. Ryan, State superintendent in 1866-67, in his report dated April 1, 1866:

There has been no annual report made from this office since October, 1859,¹ yet our system of public schools was kept up till the appointment of the provisional governor in July, 1865, although amidst embarrassments incident to a state of fierce warfare. The records, books, papers, etc., of this office were carted about the country in boxes, to keep them from the hands of spoilers, during the most of the time after 1863. Their preservation is chiefly if not alone due to the vigilance, zeal, and activity of my worthy predecessor, the Hon. J. B. Taylor, to whom the friends of education in Alabama should ever feel grateful.²

¹ This was Duval's report for 1858.

² Report for 1866 quoted in Owen's Bibliography of Alabama.

Chapter VIII.

RECONSTRUCTION IN THE PUBLIC SCHOOLS, 1865-1876.

I. THE INTERMEDIATE PERIOD, 1865-1868.

The war came to an end in May, 1865. The reconstruction government in Alabama was inaugurated July 13, 1865. This intermediate period of three years—a period not of the old nor yet of the new—is largely barren of educational results, although demanding some consideration from the historian of education. A convention sitting in Montgomery adopted on September 12, 1865, a new constitution. This convention was made up of Confederates and other native sons, and their work was not submitted to the people. There is no mention of education in this constitution, nor are there complete printed reports from the State superintendents for the period. Information on the subject comes mainly from later superintendents. As has been seen, John B. Taylor became superintendent on January 1, 1865, and served in that capacity until about April 1, 1866. He was succeeded by John B. Ryan, who served till November 30, 1867. Then came M. A. Chisholm with service from December 1, 1867, to July 23, 1868, when reconstruction began.

Of the period represented by the school years 1865-66, 1866-67, and 1867-68 (June 30), Dr. Cloud, in his first annual report dated November 10, 1869, says:

I found that the previous government under the administration of Gov. Patton failed to pay the public-school money apportioned for the school year 1866 to quite a number of the counties of this State. It also failed to pay the public-school money apportioned for the school year of 1867 to a much larger number of the counties. Some of the county superintendents received the public-school moneys thus apportioned for the years 1866 and 1867, either in part or in whole, as our books show; but others received none whatever notwithstanding public schools were taught. There seems to be no satisfactory reason to be had from any source explaining why it was that some of the counties received their apportionment of these public-school funds, while others did not obtain any portion thereof.

The superintendent * * * takes the position that the apportionment of the public-school fund for the years 1866 and 1867 was appropriately made under existing laws of the State, and that the State is bound in all good faith to her citizens to make good this apportionment of the public-school fund to the counties that have up to this time failed to receive it or so much thereof as may be necessary to pay the school service rendered in such counties for the school years of 1866 and 1869.

So much for Dr. Cloud's review. Now, what were the original appropriations for these years, how much of these sums were used by Gov. Patton "to meet other pressing debts of the State," how much did the reconstructionists appropriate to cover these deficiencies, how did they order this money to be used, and what actually became of it?

The total apportionment for 1866 was \$413,389.07, of which \$362,223.60 was drawn and \$51,625.09 undrawn. In 1867 the figures were \$290,250.12 apportioned, \$133,195.83 drawn, and \$157,054.29 undrawn. The sum apportioned for schools December 1, 1867, to July 1, 1868, was \$45,411.46. On November 10, 1869, there was still unpaid out of these three appropriations \$254,090.84. On October 10, 1868, the reconstruction legislature provided \$45,411.46 to meet—

the claims of teachers arising between December 1, 1867, and June 30, 1868, * * * which it was doubtless believed at the time the bill was introduced would cover all just and legal claims embraced within the period.¹

February 23, 1870, it passed another act—

appropriating the sum of \$208,679.38 to cover the several amounts due and unpaid to those counties whose school moneys had been used by Gov. Patton to meet other pressing debts of the State.

The act provided that this money should be disbursed "in accordance with the law under which the said amounts were apportioned at the time of apportionment," and then adds that the provisions of this act should "be so construed as to include all teachers who have taught a free public school and have claims against the State without distinction on account of race or color."²

Supt. Cloud had already decided officially (June 26, 1869) that under the law negroes were entitled to their share of the sixteenth-section fund,³ and the purpose of this particular act to admit the teachers of negro schools to a participation in the fund about to be distributed is manifest. Says Supt. Joseph Hodgson (Conservative), in his report dated January 28, 1871:

This sum of \$208,679.38 * * * was apportioned among the counties by the late superintendent (Dr. Cloud) according to the amounts certified to be due. * * * In what manner this money has been disbursed by the county superintendents the present State superintendent is not fully informed. * * * It will be observed that the act making the appropriation fixes a proviso to it, a proviso which is doubtful, because the fund was justly due to those teachers alone who were employed under the then-existing school laws. The proviso read thus: "That the provisions of the foregoing act shall be so construed as to include all teachers who have taught a free public school and have claims against the State, without distinction on account of race or color." The purpose of this proviso must be transparent. There were no colored teachers of State schools before July, 1868, and no colored

¹ See acts of Oct. 10, 1868, Laws of 1868, p. 255; and act of Feb. 23, 1870, Laws of 1869-70, p. 168.

² See acts of 1869-70, p. 169.

³ See official letter book under that date.

pupils except such as were recognized by the military commander between January and July, 1868; yet, as will presently be seen, an opportunity has been given for the misappropriation of this entire fund.

In discussing the payment of these past-due claims, including those for teaching December 1, 1867, to July 1, 1868, Supt. Hodgson says further:

The superintendent can only say that under his predecessor the above-mentioned sum of \$45,411.46 was distributed to the several county superintendents without reference to the amount of unpaid claims held in any given county, but in proportion to an enumeration of white and colored children made in 1869. It is with reluctance that he has been driven to the conclusion that the acquisition and distribution of this sum of \$45,411.46 and the larger sum appropriated for the years 1866 and 1867 [\$208,679.38] is the result of a deliberate scheme to divert the public-school funds of the years 1866, 1867, and 1868 from their legitimate use and for the benefit of private schools which were established and conducted for private gain or for the promotion of political and sectarian ends.

Supt. Hodgson bases this conclusion on a certain enactment of the State board of education, the intention of which—

was evidently to give a color of authority to the newly appointed county superintendents for the disbursement of public money to private schools of a certain character. Under cover of this act large sums of money which had been turned over by township trustees to the new county superintendents, as also the several appropriations referred to, were squandered upon teachers of private schools who were in no wise connected with the public-school system, and who had already received pay from their patrons for their services.

Specific instances are given by the superintendent: The county superintendent of Montgomery County paid himself \$1,692.60 for teaching a private school, and his account was allowed; and there was paid to a colored institution in Mobile at one time the sum of \$5,327 and at another \$5,425, although it was under the support and control of a missionary society and its teachers had already been paid by that society. Up to the date of this report there had been paid out of this \$45,411.46 only \$9,019.02 of legitimate claims.

Supt. Hodgson failed to secure any further information on the subject, and adds:

It is probable that the great bulk of that fund has not been and will not be applied to the object for which the general assembly appropriated it. Such is one of the evil results of having two legislatures over this department. The disbursing legislature runs counter to the spirit of the appropriating legislature, and the State superintendent remains powerless to provide a remedy for transparent abuses.

The protest of the superintendent was in vain, for so far as available sources show there was no further investigation of these arrears nor of the way they were expended. According to his report on November 15, 1871, of these special appropriations \$114,782.88 was still to be accounted for.

* This refers to the new board of education, considered later.

II. THE OLD RÉGIME AND THE NEW, 1868-1872.

The constitution of 1868 was adopted by a convention which sat in Montgomery November 5 to December 6, 1867. This is the reconstruction constitution; it was submitted to the people and ratified February 4, 1868. Like that of 1819, it makes formal recognition of education as a part of the duties of the State, but it is sharply differentiated from the earlier document and from all of its own day, except one, by the creation of a new and distinct governing authority in education. It placed the common school and the public educational institutions, including the university, under the management of a new board, styled the State board of education, of which the superintendent of public instruction was declared president, the governor an ex officio member, and to which were added two elected members from each congressional district. It was given authority—

to exercise full legislative powers in reference to the public educational institutions of the State, and its acts, when approved by the governor, or when reenacted by two-thirds of the board in case of his disapproval, shall have the force and effect of law, unless repealed by the general assembly.

The constitution said further:

It shall be the duty of the board to establish throughout the State, in each township or other school district which it may have created, one or more schools, at which all the children of the State between the ages of 5 and 21 years may attend free.

It recognized the old educational fund of ante bellum days, declared it to be a "perpetual fund," and in addition to these sources donated to education "one-fifth of the aggregate annual income of the State." The assembly might give power to the local authorities to levy a poll tax, and "a specific annual tax" was to be levied—

upon all railroad, navigation, banking, and insurance corporations, and upon all insurance and foreign bank and foreign exchange agencies, and upon the profits of foreign bank bills issued in this State by any corporation, partnership, or persons—

to be devoted exclusively to the maintenance of public schools.

The new régime began July 13, 1868, with the meeting of the general assembly, the ratification of the fourteenth amendment, and the inauguration of W. H. Smith as the first reconstruction governor. One of Gov. Smith's first acts was to appoint Dr. N. B. Cloud, who had been more or less in public life under the old régime, as superintendent of public instruction (served till November 23, 1870). On the same day the new State board of education met for its preliminary organization.

The new school system itself did not differ greatly from the ante bellum one, except that the new constitution declared the schools to be entirely free. It was top-heavy, however, with the number and character of its administrative officers, who either from design or

otherwise were to absorb a large share of the public funds before they reached the schools. The stream could rise no higher than its source, and Dr. Fleming characterizes the school officers appointed by Dr. Cloud as "a forlorn lot." One signed for his salary with an X mark; another was of bad morals and incompetent; another was a preacher who had been expelled for misappropriating charity funds.¹

One of the earliest acts of the new reconstruction legislature was to transfer to the board of education control of unexpended school funds in the hands of school officers and to authorize an investigation of these funds by the new county superintendents who were then being appointed by the State superintendent. It also chartered lotteries, on condition that they pay an annual tax to the school fund. The Mutual Aid Association, whose object was "to distribute books, paintings, works of art, scientific instruments," etc., was to pay \$2,000 annually; the Mobile Charitable Association was to pay \$1,000. The office of commissioner of lotteries was established and his duty was to levy and collect 1 per cent "on the gross amount of sales or the gross income of the business of all lotteries now authorized or that may hereafter be authorized by law in this State."

Other laws were passed to make more thorough the transfer of the school machinery to the new authorities, and it was ordered that the public schools should be opened by October 1, 1868, "as far as practicable." Eleven normal schools were established, the expenses of which were to be paid out of the general school funds, and a law was passed "to secure cooperation with the Bureau of Refugees, Freedmen, and Abandoned Lands." This law provided that the State superintendent should act on the "general understanding" that (1) the bureau was to furnish school buildings; (2) the missionary associations were to select and transport competent teachers to the scene of their labors; (3) the State was to examine and pay these teachers; and (4) the superintendent was to secure the transfer to the State of schoolhouses controlled by the bureau.

Another act, general in character, defined the rights and duties of the State superintendent, the county superintendent, and the local teachers. These did not differ in essential detail from those in earlier laws. But it should be noted that the races were to be kept entirely distinct, "unless it be by the unanimous consent of the parents and guardians of such children."

For its part the board of education began with an abundance of legislation, but it is difficult to say how many of these laws got into school practice. Some were in advance on the old order, e. g., requiring reports on school moneys; furnishing schoolhouses and defining more exactly the duties of school officers; providing for certain city systems; fixing the grade of teachers, and providing for

¹ See Fleming: *Civil War and Reconstruction in Alabama*, (1906), p. 676.

teachers' examinations and for normal schools; defining the scholastic year; and defining and establishing grades in the schools. These grades were fixed at four, and the subjects to be taught were outlined.

With these rules and regulations the new school system went into operation with Dr. Cloud as State superintendent, and the reconstruction State board of education endowed with the power of legislation. The real difficulties of the schools during this period fell into one of two general categories. In the first place, it was difficult to secure local officers to administer the law; for the Conservatives naturally stood in a hands-off attitude. The second difficulty was no less serious. The constitution provided that the school should be absolutely free, and, while the available funds were not sufficient to secure this, no tuition might be charged. As a result of this dilemma, the schools established were neither sufficient in number to serve the State nor long enough in term to serve the children. Or, as Supt. Hodgson put it in 1871:

The result of this rule was that a large number of schools were opened, but they were generally schools which accomplished nothing. There were too many pupils for the teachers, and too many teachers for the fund. The sum total of schools and pupils made a large show upon paper, but the school was generally closed before the pupil had time to learn the alphabet.

It does not appear that there was much serious opposition to the schools. It is true that Dr. Cloud complains loudly of "idle politicians" and "disappointed newspaper editors" and prints letters from five county superintendents "detailing the character and extent of trouble and opposition they had in the appointment of trustees," but this was mere politics, directed more at the men in authority than at the system, and Dr. Cloud said that after his opponents had had "their minds disabused" of "blind prejudice" they became "friends and warm supporters of the system" and hailed it as "a great national benefaction." What opposition there was grew largely out of the old ante bellum idea of hostility to "free" or "pauper" schools. The leaders of this wing were not friendly to an education that was given away, and this hostility was intensified by the requirement of the new constitution that the schools should be entirely free and no longer supplemented by private contributions and subscriptions as had always been the case in Alabama up to 1868. This requirement, indeed, acted as a two-edged sword. By forbidding these supplementary contributions it increased the number of those opposed to public education, and at the same time made the system less able to furnish free instruction. When the Conservatives came back into power in 1870, the old idea of supplementing public funds with private subscriptions was revived.

As for the education of the negroes, there was little opposition to that as such. The old slaveholders believed it to be necessary for

the good of society. The Democratic party favored it; Gen. Clanton, the chairman of their executive committee, made speeches supporting it; Gen. John B. Gordon, Hon. J. L. M. Curry, Col. Jefferson Falkner and Ex-Gov. A. B. Moore were all its advocates. The Montgomery Advertiser and other papers even urged that destitute whites and disabled soldiers be employed as teachers. Confederate soldiers and Confederate widows taught negro schools, and the old school board of Mobile was organizing negro education in that city before the system of reconstruction was born.¹

The story of the struggle in the city of Mobile between the old régime and the new is interesting and highly dramatic.

In Mobile, it will be recalled, throughout the whole period after 1826 a separate school organization had been maintained, free from all State trammels. Progress had been made there beyond all other sections of the Commonwealth, and the efforts of the reconstructionists to bring this independent system under State control precipitated a struggle that lasted as long as reconstruction itself. The Mobile schools had survived the greater part of the war; they had closed only with the Federal occupation in April, 1865, and had opened again in the fall of that year, but on a more restricted scale and with moderate charges for tuition to supplement decreased public funds. The receipts for the year 1865-66 were \$35,017.16, of which about \$22,000 was from tuition charges.² The expenses for the same time were \$44,191.86. For the year 1866-67 tuition fees were reduced one-half, and a movement for the education of colored children started as early as May, 1867. Mr. Clark, for the school committee, then reported that he had been in communication with the local superintendent of the Freedmen's Bureau who expressed gratification at this manifestation of local initiative on the part of the old conservative element, and that \$12,000 had been provided by the bureau for a schoolhouse for colored pupils. The local board also sought to work in harmony with the American Missionary Association. For the year ending July 31, 1868, their total receipts, including tuition fees and money borrowed, was \$64,835.29, and their total disbursements \$62,180.86.

From this account, abbreviated from the History of Education in Alabama by Willis G. Clark, a writer who for this part of the story is an original authority, we must conclude that the Mobile schools were slowly recovering from the effects of the war; that their local finances were improving; and that they were again headed in the direction of a public school system which should be entirely free. We note further that under liberal and progressive leadership these

¹ See Fleming: Civil War and Reconstruction in Alabama, pp. 623-631.

² An act of Feb. 9, 1866, allowed Mobile to levy on each \$100 of property valuation a 5-cent tax for suitable houses, libraries, and apparatus.

school commissioners, though Conservatives, had voluntarily taken up the subject of educating the negro, and were making progress. It was into this scheme of harmonious development that the reconstructionists broke.

The reconstruction government had gone into effect July 13, 1868, and by an act of August 11 the new State board of education declared vacant all offices of county superintendents, township trustees, and school commissioners. Dr. Cloud, the State superintendent, then proceeded to the task of filling these offices with men of his own selection, and on August 18 appointed George L. Putnam county superintendent of Mobile. The old Mobile board of school commissioners had been appointed originally under military authority. They now proceeded to act on the assumption that the acts of the legislature and of the State board of education were illegal, as far as they were concerned. Putnam appeared before them, demanding recognition as county superintendent, but "not having filed a satisfactory bond, as required by law, the board did not inquire further into his authority or the legality of his appointment."

The war was now on between the Mobile school commissioners, made up of both Republicans and Conservatives, on the one hand, and the board of education, the State superintendent, and the Mobile county superintendent on the other. Compromises were proposed and rejected. Then recourse was had to the courts, and a mandamus was secured ordering the school commissioners to surrender the books and property in their possession. This they refused to do, and they were held in prison for 48 hours where they were "the recipients of innumerable courtesies and attentions from the officers of the jail and the citizens of Mobile generally." The supreme court decided in their favor; they were released, and the school year of 1868-69 conducted under their direction showed a white school enrollment of 2,417 and a negro enrollment of 919. In the first round they had had all the advantage. But the State officers were plucky and had other weapons in reserve. On June 30, 1869, the State superintendent formally suspended the Mobile school commissioners, and on August 18, 1869, his action was approved by the board of education. They had still one other weapon. Under the law as it had existed substantially since 1826, Mobile had its own school organization, collected its own taxes, and was expressly excepted from being amenable to the State authorities except to the extent of drawing its quota of State funds and making reports. But the constitution of 1868 had given to the State board of education "full legislative powers" in reference to the public educational institutions of the State, and on November 19, 1869, an act was passed by the board repealing the law which gave special immunities and powers to the school commissioners of Mobile. By this bold stroke the board disarmed its rivals

and at once made itself master of the educational situation in the State. After the passage of this act the State authorities refused to pay over to the Mobile school commissioners the proportion of the school moneys due them from the State. The State superintendent, though he had vacillated and sought to heal the breach by appointing a county superintendent agreeable to the board of school commissioners, now recognized Putnam as county superintendent and paid him considerable sums out of State funds.¹ As a last resort the old school commissioners sued out an injunction against Putnam and sought to prevent him from collecting the money on these State warrants. The case came up before the supreme court in June, 1870. In a long and elaborate opinion, in which the whole history of the Mobile school system is reviewed at great length and the more recent educational legislation of the State reviewed and examined, the contentions of the attorneys for the school commissioners were rejected *in toto* and the injunction dissolved. After the announcement of this opinion, the school commissioners, disheartened and broken, defeated at every point, surrendered the school property to Putnam. Viewed from this distance and in the cold light of history, it would appear that whether the law was good or bad was immaterial; it was the law and was clearly on the side of Putnam; for, if words mean anything, the old board of school commissioners was clearly removed from office by the act of August 11, 1868, and all of their subsequent actions were illegal. On the other hand, it is just as clear that, had the reconstruction authorities kept hands off in Mobile, the progress of education would have been immensely advanced. The new system was forced on the people and maintained over them, but it was not welcome, and progress was slow. Putnam remained at the head of the schools till the spring of 1871. Indeed, it would seem that he did not release his claims to be county superintendent till November 24, 1874, for on that date we find John M. McKleroy, State superintendent, invoking against him the very weapon he had used against the old board, for he was then, with the consent of the board of education, formally removed from office as superintendent on the ground that he had not filed his bond "as required by law" and that the "public welfare" did not demand that "any change should be made in the county superintendency."

¹ The matter was thrashed out by the judiciary committee of the assembly of 1870 who reported that through the "illegal conduct" of Cloud and Putnam the latter had obtained on January 29, 1869, between \$5,000 and \$6,000, and "by far the greater portion thereof was unlawfully applied, if not the whole amount thereof was illegally used," in paying certain teachers and employees of the "Blue College" in Mobile which was then conducted by the American Missionary Association; that in July, 1869, Putnam secured a warrant for over \$9,000 which he was restrained by injunction from collecting; that he received \$2,000 or more for lawyer's fees; that he received \$3,800, "a part, if not all of which, was illegally used or applied." They found also that unreasonably high salaries had been allowed. They recommended the abandonment of special school legislation as soon as possible; the passage of a law forbidding any person from holding more than one office in the entire school system; the adoption of a uniform compensation for all county superintendents and a general reduction in the pay of all officials, for these were partaking "too much of the quality of a sponge to the amount of funds raised for school purposes."—See Report of Judiciary Committee, 1870.

This action had been made possible by a partial defeat of the Republican Party in 1870, when the Conservatives again secured control of the State superintendency (Nov. 23, 1870). They then began a reorganization of the State board of education and at once passed a law (November, 1870) giving Mobile the right of electing its own superintendent and school commissioners. In this way, says Mr. Clark, the old--

order was gradually restored and the schools were placed once more in good working condition. There was still a board of commissioners, but they had little power under the law and, practically, were simply advisers of the superintendent. The board, however, was made up of some of the best citizens of Mobile County.

With the constitution of 1875 Mobile again attained the degree of autonomy which she had enjoyed in ante bellum days, since by that instrument she was again declared independent of the State system except as to drawing her quota of State funds and making reports. These privileges were formally recognized in the general reorganization act of February 8, 1877.¹

After this digression into the history of education in Mobile, which clearly illustrates the difficulties the system was forced to encounter because of politics, it is possible to turn again to the State system and consider its sources of income.

These were, besides the income on the old perpetual (paper) fund, including also certain fines, licenses, donations, and taxes from corporations:

1. A poll tax on all males 21 to 45 years of age. (Constitution.)
2. A special county tax of 10 cents on \$100. (Revised Code, sec. 992.)
3. An annual donation from the State of \$100,000 under section 957 of the Revised Code.
4. One-fifth of "the aggregate annual revenue of the State." (Constitution.)

But as already seen, these sums were not enough to establish successfully a State system of free schools; nor were funds from all of these sources immediately available. For the school year October 1, 1868, to September 30, 1869, the funds were divided as follows:

Balance due and appropriated as per act of Oct. 10, 1868.....	\$200,000.00
Interest on sixteenth section fund, at 8 per cent.....	136,812.59
Interest on valueless sixteenth section fund, at 8 per cent.....	7,967.30
Interest on surplus revenue fund, at 8 per cent.....	53,626.94
Amount received from retail licenses.....	26,514.85
Appropriations as per the code, section 957.....	100,000.00
Total.....	524,621.68

¹ See Cloud's account of this contest in the appendix to the Report of Supt. Pub. Instruction for 1869; also in Journal Board of Education, July and August sessions, 1869. The side of the school commissioners may be seen in Clark's History of Education in Alabama, Washington, 1889, based on The Board of School Commissioners and the Public School System of the City and County of Mobile, 1869. See also 44 Ala. Sup. Ct. Reports, case of Mobile School Commissioners v. Putnam et al., and the Report of the Judiciary Committee (1870).

As was to be expected, the weakness of the system and the inexperience of its administrators were soon manifest. The legislature had levied no tax on property and no poll tax for school purposes, but depended on the earnings of the perpetual (paper) fund and on the \$100,000 straight appropriation from the State; the superintendent's office was slow and did not publish its county apportionments for the school year 1868-69 till June, 1869. In the meantime the county school officers had opened schools and employed teachers in utter ignorance of what was coming to them from the State. The inevitable followed. Says Supt. Cloud, in reviewing the work of the year:

There are many most excellent and worthy teachers, both gentlemen and ladies, in almost every county of the State who have failed to receive full pay for their services in the free public schools—some for one month, some for two months, and some for even more—from the fact that when the delayed apportionment went out to the county superintendents it was found that the amount of teachers' salaries for services already rendered was greater than the apportionment to the township in which such schools were taught. Then the practice was with the county superintendents to scale down the accounts of these teachers, pro rata, to fit the apportionment.

The total expenditures for the year were more than \$502,156.19, which sum had been disbursed up to the time Dr. Cloud made his report. He was negligent in his statistics; his successor furnishes figures for him. Mr. Hodgson, in his special report in 1871, gives the number of schools in 1869, as by estimate, 3,225, and the pupils enrolled as 160,000. The amount expended for county administration and supervision was \$75,173.92, which was chargeable against county funds. The superintendent reports 2,902 teachers and nine normal schools with 300 prospective teachers who were being trained at an annual cost of \$12,000. These normal schools seem to have been really normal classes in connection with other institutions. Tuition fees were paid by the State in return for a promise to teach for two years in the public schools. It is evident that they did not appeal to the Conservatives:

It is not known by the superintendent [Hodgson] what progress has been made by these pupils, what interest they exhibit in learning, what assurance the department had as to their capacity, intellectually or morally, or whether any of them were prepared, during the year 1869, or the year 1870, to assume the duties of teacher, or whether any of them actually entered upon such duties. The subsequent abandonment of the schools, it is fair to presume, has resulted in a loss to this department of \$12,000 for the year 1869 and \$25,000 for the year 1870.¹ It was an unwise policy to have established such a number of normal schools at the outset.

Another accomplishment of the reconstructionists—one in which they again came into antagonism with the old decentralized, independent system of the earlier days when every community was a

¹ The exact cost was \$16,582.10.

law unto itself—was in the adoption of a State system of textbooks. The books adopted included Parker and Watson's Readers, Davies's Arithmetics, Monteith's Geographies, Clark's Grammars, Monteith's and Willard's Histories, and others.

Dr. Fleming, in his *Civil War and Reconstruction in Alabama*, says (p. 623) that this adoption was the work of Dr. Cloud and that the texts were "objectionable to the majority of the whites." Dr. Fleming adds further:

This was especially the case with the history books, which the whites complained were insulting in their accounts of southern leaders and southern questions. Cloud was not the man to allow the southern view of controversial questions to be taught in schools under his control. About 1869 he secured a donation of several thousand copies of history books which gave the northern views of American history, and these he distributed among the teachers and the schools. But most of the literature that the whites considered objectionable did not come from Cloud's department, but from the bureau and aid society teachers, and was used in the schools for blacks. There were several series of "Freedmen's Readers" and "Freedmen's Histories" prepared for use in negro schools. But the fact remains that for 10 or 15 years northern histories were taught in white schools and had a decided influence on the readers. It resulted in the combination often seen in the life southern writer of northern views of history with southern prejudices.

For the work of the school year 1870, which in reality covers the period from October 1, 1869, to January 1, 1871, we must look not to Dr. Cloud, who was in authority till November 23, 1870, but to his successor, Col. Hodgson. The white schools were reported as 1,355 in number and the colored as 490, making only 1,845, as against an estimated total of 3,225 for 1869. The white children numbered 229,139; the negro children, 157,918; total, 387,057. This gave an apportionment of \$1.15, as against \$1.20 per child for 1869. There was apportioned \$464,496, but at the end of the year \$99,825.27 was still undrawn, although "teachers have been clamorous for their pay for months." Why this decay in school interests and sharp decline in the number of schools and in payment of teachers? It is impossible to assign a more satisfactory reason than that given by Hodgson, who says it was due to the "numbers of incompetent men" who were appointed "as county superintendents in 1868" and were "either ignorant, dilatory, or unmindful of their plain duties." He points out also that when he came into office \$145,783.49 of the regular appropriations for schools for 1868-69 and 1869-70 were still to be accounted for.

The assembly which met in November, 1870, being conservative in politics, appointed a commission "to examine into and report upon the affairs in the offices of the superintendent of public instruction, auditor, and State treasurer." They had no criticisms on the last two officers, but of the superintendent of public instruction they report that there was "want of any organized system of keeping

the books" and that the books then used "had not been posted during the whole scholastic year." They found erasures in the accounts of one county and that in two others certificates had been allowed without sufficient proof that schools had been taught. Dr. Cloud was charged with paying out money "without due regard to the interest of the State," but the committee was impartial enough to say he had done this with the consent of the attorney general.

It appears that the new governor went beyond this mild criticism, for he refers to the report as showing—

not only an unsatisfactory, but a most shameful and reprehensible state of things. The facts set forth by the commissioners are surely a stern condemnation of the management of our educational system during the past year.¹

With the election of 1870, the accession to the superintendency of a Conservative, and the subsequent reorganization of the board of education, the reconstruction period in education practically comes to an end, although another reconstruction superintendent was in office in 1872-1874, and the machinery of administration was not changed till the adoption of the new constitution in 1875. What success did Conservatives have with the reconstruction machinery? A review of the next few years will give answer.

The first Conservative superintendent was Col. Joseph Hodgson, who succeeded to the office November 23, 1870, and served till September 30, 1872.

The law of November, 1870, restored a degree of self-government to the school organization by providing that in March, 1871, the counties should elect a county superintendent of education and two directors and that in April there should be elected in each township three trustees. This was a return toward the old order and was of service, since it made available the best men in the State.

Serious efforts were made to inaugurate economy in administrative expenses—possibly sometimes at the cost of efficiency; so that when compared with 1870 the cost of county superintendents was found to have been reduced from \$57,776 to \$34,259, and their expenses from \$21,202 to \$4,752. Thus in the matter of school disbursements the saving was \$39,969.86. And when we consider the total administrative cost, we find it reduced from \$86,123.82 in 1870 to \$44,588.21 in 1871, or a saving of \$41,535.61.²

Reforms were also urged in the manner of accounting, because it was found that \$260,556.37 drawn from the treasury since July, 1868, was still unaccounted for by vouchers and that \$211,217.79 in school warrants was unpaid.

¹ Senate Journal, 1870, pp. 24-29.

² See Hodgson's report for 1871. Against this must be set the fact, however, that the school year 1870 extended from Oct. 1, 1869, to Jan. 1, 1871; the year 1871 from Jan. 1, 1871, to Oct. 1, 1871.

In reviewing the school fund¹ due and available, Col. Hodgson showed that a total of \$124,738.04 for the years 1868-69, 1869-70, and 1870-71 had not yet been certified to the local officers by the auditor; that \$211,217.79 in school warrants was unpaid September 30, 1871; and that the school funds for 1871-72 called for \$604,978.50, making a total of \$940,934.33 then due from the treasury to the schools, an amount so large that "at the present rate of taxation the entire revenue of the State will probably not reach this sum." The superintendent adds that, as a result of these demands--

at an early day in our scholastic year the treasury ceased cashing warrants in favor of county superintendents, and those officers were forced to raise money as best they could upon the State warrants, or to leave a portion of the claims of teachers unpaid.

As a relief for the teachers the superintendent suggested short-term bonds.

These strictures brought on a sharp clash between the State superintendent and the State auditor over the financial situation, as the former charged that the latter had been negligent in making up his estimate of educational expenses for the coming year. The latter, in his report for 1871, also discussed the situation and had his own explanation. According to the auditor, in 1871, the main trouble in administering the new law lay in the provision which allowed county superintendents to draw out of the State treasury in advance at the beginning of each quarter or at the beginning of the year all the money due the county.¹ It was used perhaps in the county by the superintendent or was kept in reserve until the end of the quarter, when it was paid out to teachers for services during the quarter. In this way it was liable to misuse and, if not misused, lay idle for the quarter, and so put the treasury to straits. Under the law the county superintendent might draw his whole year's apportionment in advance. Of this custom the auditor says:

Sound policy would dictate that no moneys be drawn from the State treasury until earned in the various townships, and when drawn by county superintendents, it should be for direct transmission to the teachers by whom it was earned. No county superintendent should be allowed to retain thousands of dollars, belonging to the State for the use of schools, for a term of months, especially when the treasury became embarrassed by such action.

The apportionment for 1871 was \$547,773.07, which produced a rate of \$1.33½ per capita of the school population. This year there were enrolled 141,312 pupils, with an average attendance of 107,666, more than doubling that of 1870. There were 3,321 schools, including 253 classed as high schools; there were 3,470 teachers; the average pay was \$42.60 per month, practically the same as in 1870; and the length of term was 66.5 days, an increase of 17.5 days over 1870. The two years, when compared, showed an increase of 17.25

¹ This clause was repealed in January, 1871.

per cent in available funds; 106 per cent in average attendance; and 35.71 per cent in length of school term. These facts clearly prove that the change in administration was highly beneficial to the schools, that funds were more carefully and more economically administered, and that the people were taking a heartier and more general interest in the schools.

But while there was progress and interest, economy and enthusiasm, there were still lions in the way. Perhaps no clearer conception of the situation and of its difficulties as a whole can be had than may be gathered from extracts from county reports:

The public generally are interested in the schools * * * 50 per cent better than last year. The people are very well pleased.—Baker County.

We have made the public fund auxiliary only, and the patrons are required to pay the teacher the principal part of his salary. This we have been obliged to do in order to keep the schools in operation long enough to derive some benefits from them.—Blount County.

Many of the children have to help their parents make crops, but are at school every spare day.—Lawrence County.

The schedule of studies has been changed in a great measure for colored pupils. I found pupils in the colored schools studying geography and grammar who could not write at all.—Mobile County.

The people are not satisfied with the present system; they wish it as it was before the war. There is too much reporting and trouble about it, as it is.—Shelby County.

The attendance at schools is good in those neighborhoods that want and will have schools, regardless of the public fund, but in other neighborhoods they attend so long as the public fund lasts, and sometimes stop before the fund gives out, for fear they will have something to pay.—St. Clair County.

Many people will not consent to pay anything to continue a school after the public fund is exhausted, and the consequence is the neighborhood is without a school, there being too few willing to pay to make up a school. * * * The colored teachers are poorly qualified. * * * Their patrons will not buy books and do not feel the importance of sending their children regularly to school. * * * In some townships the schools have been discontinued during the working season, and taken up again when crops are laid by, for those negroes who seem to appreciate education are working negroes and require their children to work also.—Talladega County.

These extracts clearly show that the schools were still bound down by political toils; teaching, which under Republican rule was considered highly discreditable, under Democratic administration became highly meritorious. We see also that many were still turning with longing eyes to the old decentralized type of school, but the extract from Lawrence perhaps gives the true key to the situation—the children were “at school every spare day”—education was as yet either an ornament or a luxury; it was not yet a necessity.

The superintendent points out another weakness of the State system as then administered, and shows that Alabama as a State was then—

attempting to do more for public instruction than her means will justify and more in proportion to her population and resources than any of the older and more populous States of the North.

This was clearly because the State did all. The superintendent sought to correct the abuse by a more stringent collection of poll tax and suggested a "resort, if the people vote to do so, to local taxation by vote of taxpayers in each school district, as is done in other States." He urged that the pay of county school officers be shifted from State to county funds and that "each county shall provide for its public schools a sum equal to one-fourth or one-half of the State appropriation." It is evident that the superintendent dimly realized that one of the defects of the public-school system in Alabama was that the local units depended on the State for nearly or quite everything. Local initiative was entirely wanting, and the schools languished because they had not yet learned the lesson of self help—a situation which "forward-looking men" in Alabama have not even yet been able to remove.

So far had the doctrine of centralization taken root in the Democratic State of Alabama in 1871 that even the few local taxes levied under the permissive law had to pass through the hopper of State machinery before they could be used by the county levying them. They were collected and forwarded to the State treasury, then at considerable expense and trouble they were returned to the county where they originated. With the poll tax it was worse still, for this was not only sent to the State treasury, but was then prorated—an encouragement to both ambitious and indifferent counties to do less and less. Against these conditions both auditor and superintendent protested, and urged the repeal of laws so destructive to local initiative.

Another trouble which confronted the schools was the imperfection of the law; salaries were at the caprice of trustees, and when earned could not be promptly paid, even if the cash was in the treasury. Under the law as originally passed by the board of education the county superintendent might draw the whole of his apportionment during the first quarter, but this worked hardship with the treasury. This was complained against and was repealed by the assembly in January, 1871.¹ Then it was provided that the apportionment should be drawn only quarterly, and the following situation resulted: A teacher began his school, say, in January and finished in March; he could then draw only one-quarter of his salary, but for the remainder "must wait until the second, third, and fourth quarter roll around before he can be paid in full."² Against this situation the superintendent entered a vigorous protest, and it was remedied by act of December 14, 1871.

The State superintendent could, however, report progress. There was organized a State teachers' association; there were satisfactory teachers' institutes; the establishment of normal schools was recommended, and eight were provided for, four for each race; private

¹ See report, 1871, p. 16.

² Report, 1871, p. 22.

assistance was again coming to the aid of the schools, and in this way the term was being lengthened; the schools were beginning to make an impression on the people; the improved laws and "the election of county superintendents of capacity and energy" were having the desired effects.

Because of a change in the school year the official year 1871 embraced only the nine months between January 1 and October 1. The year 1871-72 extended from October 1, 1871, to September 30, 1872, and at its end Col. Hodgson retired. We have seen that the first year of his work was devoted mainly to straightening out the financial tangles into which the school funds had fallen, from lack of care on the part of officers and of cash in the treasury. With the opening of his second year there was improvement, yet there remained two or three depressing elements in school life of which the superintendent speaks:

From unofficial reports of county superintendents I am informed that large amounts of warrants remain in their hands unpaid. It has been impossible, therefore, for county superintendents to balance their accounts with this office. * * * Much complaint is made by teachers of public schools that the treasurer is not able to pay their claims promptly. * * * I would urge upon the general assembly * * * to order a sale of sufficient State bonds to liquidate every cent of the indebtedness to her public schools. I would urge that the proceeds from the sale of these bonds be kept apart in the treasury from all other moneys and be held inviolably for educational purposes. I would urge, furthermore, that when the State shall have paid up all school dues to the end of the present fiscal year the school revenue for every year thereafter shall be kept separate and distinct from all other funds, and, as the constitution commands, "shall be inviolably appropriated to educational purposes and no other purposes whatever." This section of the constitution has never yet been put into effect by law. * * * The abolition of the board of education and the return of all legislative power respecting education to the hands of the general assembly would remove many difficulties which now embarrass the department, and would, in my opinion, meet the cordial approval of the intelligent people of the State. I am informed that but one State in the Union has ever had such an educational board as is provided for by our constitution.

As far as figures and numbers go, however, there was no reason for dissatisfaction with the year 1871-72. The school income was \$607,060.97; the apportionment \$553,067.65, or \$1.36 per school capita, as against \$1.33 in 1871, with \$12,000 for normal schools. The school population was 403,735; the total enrollment 103,615, and the average attendance 81,157, with 22 counties not heard from, as against 141,312 and 107,666, respectively, for 1871. The salary of white teachers in 42 counties and in the city of Mobile was \$38, and the length of term 72 days. For colored teachers in the same territory it was \$40 and 71 days.

During these years educational legislation was left practically in the hands of the board of education by the legislature. The board was not slow to exercise its legislative functions; besides much

routine legislation looking to the relief of individuals, there were acts fixing the salary of teachers, the limit being \$60 per month, and requiring the township trustees to see that the school funds were so supplemented as to bring the term to five months; four normal schools for white teachers, with \$4,500 available funds, and four for colored teachers, with \$4,750, were provided. A normal school for white female teachers and a "central normal school" at the university were also provided, but the first and third of these acts were repealed by the legislature in February, 1872.

III. SCHOOL LEGISLATION IN 1872, 1873, AND 1875.

The successor of Col. Hodgson was Col. Joseph H. Speed (1872-1874). The political pendulum had again favored the Republicans, and Col. Speed sought to make party capital by using the arguments of his Democratic opponents. He urged "that reform, retrenchment, economy" be "severely and rigidly enforced." He reviewed the educational experiences of the past:

Every dollar of the public-school fund and the university fund given the State by the General Government has either been squandered or lost. Let us satisfy our tax-burdened people that every cent of their money shall be honestly, judiciously, and economically expended, and that all disbursing school officers shall be held to the severest account. * * * It has been represented * * * that many county superintendents of education are in default. * * * Those who have been unfaithful and dishonest (if such there be) in applying and using the money raised for the education of the *poor children* of our State should not go unpunished.

It was imperatively necessary, first of all, that the system get back to a business basis, and soon after Col. Speed's accession to office the board of education entered upon legislative activities which were far-reaching in their effect. These acts included the introduction of certain textbooks into the system, but teachers were at liberty to refuse to use any books which had not been adopted by the board; county superintendents were required to have an office at the county seat; city systems separate and distinct from other parts of the county school system were inaugurated for Selma, Opelika, Eufaula, and Birmingham; and a normal school for white male teachers was established at Florence.

The most important of these acts, however, grew out of the desperate financial straits to which the schools had now been reduced. There had been more schools and more teaching than the State could pay for, and to prevent a bad situation from becoming still worse the board passed an act on December 14, 1872, which ordered that after January 1, 1873, school officers—

shall cause to be closed all the free public schools in their respective townships and counties, and shall employ no teacher in any public school in this State until said trustees shall be informed by the superintendent of public instruction that funds have been provided for the prompt payment of teachers.

This act was the most important part of the school legislation for the year. It was drastic and yet necessary to bring the schools back to a cash basis, for at the end of the year on September 30, 1872, there was due the school fund and still unpaid the sum of \$317,575.35, and this amount was steadily increasing. This situation had been brought about by two causes. The custom had arisen in the days just after the war of borrowing the school funds to meet what seemed to be more pressing needs, and this misapplication of funds had not yet ceased. In the second place, there had arisen under the stress of public poverty the custom of issuing State warrants or certificates in anticipation of taxes. These warrants were made receivable for taxes and as such circulated as a sort of bastard currency and at more or less discount. In 1871-72 warrants amounting to nearly as much as a year's taxes were issued. They came back to the treasury the next year in payment of taxes, and the school administration faced the dilemma of either new warrants or bankruptcy. It was to meet this situation that the law of December 14, 1872, was passed, and as a result there were practically no public schools in Alabama January 1 to October 1, 1873, except such as were supported by local funds. The schools were thus the first to feel the effects of these financial troubles, and the principal work of the superintendent during that summer was to explain to his correspondents, to school officers and others, why there could be no public schools.

The assembly, in order to stop the misapplication of school funds and to reestablish the schools, passed an act April 19, 1873, of far-reaching significance for the schools. This act required the county tax collector to pay the poll tax to the county treasurer, instead of the State treasurer. It required further that by December 10 of each year the State superintendent should announce the apportionment due each county, exclusive of poll tax and special tax, if any, and that 90 per cent of this sum should be paid by the county tax collector directly to the county treasurer. In this way the greater part of the school money was held in the county. The remaining 10 per cent was held in the State treasury for the benefit of the counties.¹

Four days later (April 23), as if having ceased to hope for help at home, the assembly appointed a joint committee to memorialize Congress in behalf of the public schools. They were to ask for 3,000,000 acres of the public land still lying idle in the State and to pledge the faith of the State for the safe administration of the fund, the principal to be inviolate, the income only to be used. Nothing seems to have come out of this memorial.

It is evident that the radical changes inaugurated by the laws of December 14, 1872, and April 19, 1873, would upset entirely the

¹Laws of 1872-73, p. 6.

school interests for the year 1872-73. There was set aside this year for school purposes the sum of \$524,452.40, and there was issued in warrants during the first quarter \$68,313.93, but--

even for the limited extent to which schools have been taught during the last year, the treasury has not been in such condition as to enable teachers to draw the small amounts of money due them. The best that could be done was to have treasury warrants drawn in such way as would be most advantageous to these worthy claimants.

The office of education issued certificates upon which school warrants were drawn by the auditor. These were made payable to the county superintendent, who indorsed them and paid them out to such teachers as would receive them. Their acceptance was not legally compulsory, but was economically so, for it was this or nothing, and since the warrants could not be paid by the State, the teachers were forced to discount them at usurious rates. The effect of this upon the morale of the teachers can be easily seen.

To increase the value of the warrants the superintendent suggested that they be made to bear interest. In his official correspondence he emphatically denies that he had been a party to the custom of passing over the claims of teachers in favor of other creditors and in his published report says of the teachers:

There is no class of State creditors more meritorious than the teachers of public schools; no claims against the State can be urged with stronger force than theirs. Indeed, there are many patent reasons why their dues should be entitled to precedence in payment, so long as the State is compelled to discriminate even temporarily between her creditors. The large amount due the schools, as above shown, has accumulated because the exigencies of the State have been such as to compel the use of the money to meet other demands.

In another part of his report (1873), he says:

The financial depression experienced by all branches of the State Government for the last year has been especially embarrassing to the public school system. * * * To those at a distance * * * it is proper to observe that the difficulties are in no respect attributable to any act, either of commission or omission, on the part of the officials intrusted with the duty of administering the affairs of the State Government for the period mentioned.

It is clearly evident, moreover, that the board of education felt matters had now come to a standstill. They evidently doubted the sufficiency of the act of April 19, 1873, and in a memorial dated November 25, 1873, put the matter squarely before the assembly. They say:

The want of money has crippled the educational department and led to the suspension of the free public schools throughout the State. This unfortunate condition has not resulted from unwise legislation on the part of the board of education, nor from incompetency or unfaithfulness in our school officials, but is chiefly due to the fact that no act has been passed to enforce section 10, article 11, of the constitution of the State of Alabama, which provides that certain revenue and other school funds therein named "shall be inviolably appropriated to educational purposes and to no other purpose whatever."

Since the organization of the present school system in 1868 this provision of the constitution has been disregarded by each successive legislature. Your honorable bodies have been the first to carry it partially into effect. [By law of Apr. 19, 1873.]

Each year an increasing percentage of the school fund has been diverted from its legitimate use to the defraying of the general expenses of the State, which compelled the board of education to close the schools for the want of money to pay teachers and officers.

The contention of the board was shown by the following figures given by them of sums apportioned, sums actually paid out for the schools, sums due but not paid to the schools at the end of the year, and the total sums still due.¹

Appropriations and expenditures for public schools, 1869-1874.

Years	Appropriation for year	Received for school purposes	Balance due schools at end of year	Total amount due
1869-70	\$500,407.18	\$396,872.09	\$103,535.09	\$187,872.49
1870-71	581,389.29	330,180.97	251,208.32	281,515.50
1871-72	604,978.50	196,303.29	408,675.21	417,165.40
1872-73	522,810.00	68,313.93	454,496.07	786,165.40
1873-74	474,346.52			1,200,511.92

Given Nov. 23, 1873.

The board felt under the necessity of defending itself for closing the schools by act of December 14, 1872. There was choice only between closing the schools and issuing more school warrants. The issue of more warrants would have depreciated still further the value of those already issued and seriously embarrassed the State.

They continued:

Your memorialists would impress upon your honorable bodies that the State is more than two years in arrears to this school fund. The board of education is powerless to remedy the condition of the school finances. * * * Your memorialists would repeat that the present condition of the educational department is not the result of unwise legislation * * * nor of unfaithfulness or inefficiency of school officials, nor of the expensiveness of the administration of the school laws. There has not been a dollar, of which they are aware, lost by the default of any school officer since January 1, 1871. * * * This is as economical an administration of the educational department as can be found in any State. It seems hardly practicable to reduce expenses any further. No system probably can be devised which will pay teachers more than 94 per cent of the fund. The present school system will do this, and would have done it at any time during the past four years had the legislature provided for the prompt payment of the school money. It is for your honorable bodies to determine what relief you can afford.

For its part the legislature of 1873-74, to whom this memorial was addressed, seems to have done nothing beyond making a special appropriation of \$170,688.85, "which is the amount of interest accruing on the sixteenth section funds," for as Col. Speed was continually pointing out to his correspondents during the summer of 1873, the

¹ It will be noted that the treasurer's reports for these years show "larger amounts than here given disbursed for educational purposes; but the excess was used in paying indebtedness for previous years."

suspension of the schools did not affect the income of the permanent school fund: "It is not suspended, but goes on accumulating without any reference to any interruption in the State's finances." It does not appear, however, that this appropriation was paid. State bonds could no longer be sold, and the sole dependence was on taxes. The act of December 17, 1873, forbidding tax collectors and all others engaged in collecting revenue from trading in any way in State warrants, State certificates, or other State securities is a sufficient indication of one difficulty which the school system had to face.

Col. Speed's statistics for 1873-74 are exceedingly scanty. In his report of November 10, 1873, he estimated that the poll tax to be retained in the counties amounted to \$80,486.11, while the 90 per cent certified to the counties under the law of April 19, 1873, amounted to \$352,673.92, making a total of \$433,160.53 which the counties might count on as cash, since it was a first lien on the taxes of each county; but, as this was the first year of the law, its practical working proved—

very unsatisfactory and embarrassing. It proved hard to make the county superintendents understand how the 90 per cent was drawn and still more difficult to have them conform to the conditions which the new system imposed.

In some counties the 90 per cent certified was more than was collectable, and the superintendent still felt it necessary to urge that—

some plan may be matured and adopted by which our public school system will realize the benefits of the money that has become due to it by the regular laws of the State. * * * An experience of two years * * * has shown me more and more forcibly the almost absolute necessity of some fixed, known, and available dependence for the support of schools and teachers. Our schools need more energy * * *. Yet there is no more difficult task * * * than to break up the humdrum, listless, lifeless performance of school duties, which inevitably attends upon long delayed, incomplete, or uncertain payment of the teachers

According to Col. Speed's report of September 30, 1874, the total available funds for the year 1873-74, exclusive of poll and special taxes, were \$405,080.42; the total expenditure, \$404,301.14. We have no way of explaining the difference between the figures given in this report and those of the earlier one. There were reported 233,333 white and 172,506 negro school children. There are no statistics of enrollment, attendance, schools, or teachers. It looks as if Fleming's sweeping charge (p. 633) was literally true:

Practically all of the negro schools and many of the white ones were forced to close and the teachers, when paid at all by the State, were paid in depreciated State obligations.

This administration did not close without an official investigation "into the irregularities alleged." The committee made its report December 15, 1873, and showed up certain blameworthy shortcomings. The gist of its conclusion was that there was in the depart-

ment "such a want of system in its general management as must necessarily keep it involved in inextricable confusion."¹

Since with Col. Speed's administration reconstruction in the schools comes to an end, we may quote here the words of Leroy F. Box, later State superintendent, as to why the reconstruction system was "unpopular and therefore unsatisfactory." He says:

Among these [causes] may be mentioned unwise legislation But it is probably true that the chief cause of the unpopularity of the system through all these years may be found in the fact that upon its reorganization after the war, our people were led to expect too much from it. Men whose interests were not identified with the people of Alabama held out to our people the alluring but false hope that Alabama had at her command and disposed a magnificent school fund—a fund sufficient not only to maintain the schools annually throughout the entire year, but to build and equip schoolhouses and even to furnish lights and fuel for use in the schools. Significant was the construction placed by these men upon the provisions of the State constitution of 1868 relating to the public school system, that it was held to be unlawful for parents or guardians of children attending the public schools to supplement the township funds. And our people, stricken down as they were listened for a time to the song of the siren.

With the awakening came a revolution of feeling that home rule could not immediately dissipate.

Hon. John M. McKevey, who succeeded Col. Speed in 1874 and served till 1876, shows a clear understanding and a sure grasp of his subject. Had he remained at the head of the schools, he might have developed into an educational statesman. During his administration the constitution of 1868 was superseded by that adopted in 1875, which more clearly represented the thoughts and feelings, the hopes and aspirations, of the people then in power in the State.

It is evident that for the year 1874-75 there was marked improvement. Says the superintendent:

In all the counties, and in nearly every school district in the State, one or more schools have been in operation, and there are but few districts where schools for each race have not existed It is believed that every person in the State, within the school age, has had the opportunity and privilege of attending the free public schools during the last scholastic year.

The enrollment for the year was 145,797 out of 406,270 children between 5 and 21, and while the enrollment was only 36 per cent of the school population we must recall that this was nearly 40,000 more than in any previous year. The school term for whites reached 90 days, at a cost of \$3.09 for the term per pupil; for the negroes the term was 83 days, at a cost of \$3.79 per pupil.

Says the superintendent:

It will be readily observed that the tuition of these pupils in private schools would have been about seven times more than it has been under our free school system It is also the fact that our schools have been kept in operation during the past year much longer than during any previous year since the constitution of 1868 has been in force.

¹ See Senate Journal, Nov. sess., 1873, pp. 245-252.

These improvements were attributed to (1) the adequate school fund for the year; (2) the availability of the fund when needed; (3) the wise laws for regulating the schools and disbursing the fund made by the board of education; (4) the efficiency of a majority of the county superintendents.

The school fund for 1874-75 was \$565,042.94, including \$73,555.30 of poll tax levied, collected, and retained in the counties. There was disbursed in all during the year \$562,437.50, including the poll tax mentioned above and the \$10,000 appropriated to normal schools.

In writing of the school fund as "adequate," the superintendent emphasizes the fact that it was adequate only

to accomplish the great good which the reports show, has been wrought by means of the schools. And it is proper to state that this result even has not been attained with the money appropriated by the State alone, for it will appear further on that the patrons of the schools have, in many instances, supplemented the public funds. * * * There are in the State 1,696 school districts. * * * In each of these districts there must be at least one school for each race, and in many of them more than one school for each race is required to accommodate all the children. * * * The whole fund of last year was only \$1.39 per capita of the school population, and only \$3.87 per capita of those enrolled in the schools. * * * The fund for the past year has been almost the same as the average appropriations for the preceding years since 1868, and if more has been accomplished with it than heretofore, it is due to the last three causes mentioned above. The principal of these is that money has been available when needed. I doubt not that the chief embarrassments of former administrations have been owing to the fact that when the schools were taught, and the money became due to the teachers, it could not be had. Previous to the enactment of the law of April 19, 1873, by the general assembly, "To keep in each county in this State a proportionate share of the public school money," all the revenues of the State were paid into the State treasury by the collectors, and the money appropriated by the constitution and laws for educational purposes was not set apart and devoted to such purposes, but was used indiscriminately for any and all State expenditures. The consequence was that in almost every instance the money was not in the treasury when wanted, and poorly paid teachers had to accept warrants on the treasury, or nothing, for their services. They were then compelled to sell these warrants to speculators at ruinous discounts to procure the ordinary necessities of life. Is it surprising that under such circumstances the school system should have been derided, and the administration of it should have been regarded with disfavor? No wonder that the people were ready to believe that a school system which seemingly absorbed so much of the State revenue and from which so little benefit was derived was worthless. No wonder that they began to contemplate seriously the propriety of an entire abolition of the system. * * * The passage of the act of April 19, 1873, was the beginning of a most salutary change to the school system. * * * thus the [school] fund was exempted from the habitual misapplication.¹

The law of April 19, 1873, was revised and amended by act of March 19, 1875, so that all poll and special taxes remained in the county where levied and collected; the State superintendent made the apportionment on October 10, instead of December 10, and the 90 per cent was now paid to the county superintendent, who became custodian

¹ Report, 1874-75, pp. 6-11.

of the county school fund, instead of the county treasurer. The remainder of the fund due the county was apportioned January 1, and was set aside by the State treasurer for the use of the county schools only.

Moving forward the dates of apportionment seemed to help the county tax collector in making payment and the county superintendent in apportioning funds to the districts. It helped forward also decentralization; the whole of the poll and special tax and 90 per cent of the general apportionment now became a purely county fund and so was "exempted from the habitual misapplication," by either State or county treasurer, for it sometimes happened when the latter was custodian of the school funds "that the warrants of the county superintendents to teachers were not promptly paid on presentation as they should have been."

This new arrangement went back to the law of 1856, which had been in force till after the organization of the schools in 1868. As a further amendment of the law the superintendent strongly urged that the whole sum apportioned to the county be certified and not 90 per cent, for—

the whole amount of the school fund is known before the apportionment is made, and the exact amount which each county will be entitled to is known as soon as the apportionment is made.

The superintendent wrote encouragingly of the influence and effects of the laws of the board—

regulating the schools and the disbursement of the funds.¹ The principal improvements are those which restrain trustees from making contracts for or opening schools until after they have received notice of the amount to which their township, and each race therein, will be entitled for the year, prohibiting the establishment of more than one school for each \$100 apportioned to the particular race in the township, unless the fund is supplemented by the patrons so as to provide at least \$100 for each school; compelling all schools to which as much as \$100 is appropriated to be kept in operation for at least 20 weeks.

Schools which had less than \$100 were to last 12 weeks, and teachers were to be paid monthly under penalty.

The superintendent says:

This provision has caused many patrons who desired to have schools in their immediate neighborhoods to supplement the public fund, and thus to multiply the schools. In fact in almost every county in the State, the fund for white schools has been, to some extent, supplemented by the patrons. * * * This compulsory term of five months has also prevented the public schools from being degraded into mere summer schools, taught in the vacation season of private schools, and with a view principally to absorb the public fund, and avoid the competition with those schools. * * *. Even now, in some of our cities the graded public schools are considered the best therein; and those cities where such schools have been in operation for some years, I am satisfied, could not be induced to abolish them, even if they should be compelled to sustain them solely by municipal taxation.

¹ See board of education law of Dec. 10, 1874.

But Supt. McKleroy was not without his troubles, and the line of attack was the same as in earlier days—the county superintendency. The reason was also the hoary one which had done service in ante bellum days—economy in administration. This reason has done service in States other than Alabama; and the arguments used, to meet the attack are the same as those of other days, abundantly reinforced by citations from the experience and arguments of earlier superintendents, from the days of Perry to those of Speed. Against the investment of money in the public schools themselves there was no outcry, but the idea seems to have been that the system should have been self-executing, and that little or nothing should have been expended for the administration of the law. Even the poor salary of the clerk in the office of the State superintendent and that of the superintendent himself were seemingly begrudged, while all sorts of schemes were proposed by which the work of the county superintendents might be performed without cost to the State. It is strange that people who were accustomed to pay for superintendence in business affairs were so slow to place education on as high a plane. One argument against county superintendents was that they were incompetent. To this the superintendent replied:

A prime difficulty in securing competent county superintendents in all the counties arises from the fact that the compensation of these offices, as now fixed by law, is so small. It is not enough to enable them to devote their whole time and attention to the office, and they must therefore, from necessity, pursue other vocations as well.

The average salary of county superintendents in 1874-75 was only \$436.96 and the total amount expended during the year for this work was \$30,587.28. Individual salaries had ranged in 1870 from \$2,000 per year in Dallas, Mobile, and Montgomery, down to \$437.50 in Covington. In 1871, after the Conservatives came into power, these salaries were revised downward and varied from \$1,674.21 in Mobile to \$300 in Baldwin and seven other counties. In 1874-75 the highest superintendent's salary was \$2,810.75, in Mobile; the lowest, \$300.

There were three normal schools in successful operation for the year, one for white teachers and two for colored. They were each well attended and were doing good work.

The apportioned fund for the year was \$549,814.09; the school population was 406,270; the enrollment, 145,797; the average length of the term was 86 days; the number of teachers, 3,961; the average pay per month was \$27.20 and the average cost per pupil per month was 83 cents.

It would appear then that during the year 1874-75 the schools were fast getting on their feet again; they were finding themselves in a financial sense, and this was helping them rapidly forward.

In January and March, 1875, the general assembly had felt it necessary to provide against embezzlement of school funds and to

require, under severe penalty, that tax collectors pay to the county superintendent "the identical money, currency, or obligation received by them for taxes from the taxpayers." The purpose of these acts was plainly to prevent thrifty and unscrupulous collectors from paying over to the school funds bad money in place of the good money received by them. Under this law it was no longer possible for collectors to speculate to the disadvantage of the teacher.

Another law passed March 8, 1875, was not so favorable. This revised the code and cut the rate of interest on the sixteenth section funds from 8 per cent to 4 per cent, while that on the surplus revenue was not mentioned. The result was that, while the school had received more than \$200,000 from these three sources in 1874-75, they would receive in 1875-76 only \$73,663.35.¹ It was explained that since the State under the constitution was already giving one-fifth of her income to the schools, the old rate of interest made it undertake more than it could well perform. This was blow number one.

Blow number two was still more severe. The new constitution was adopted on December 6, 1875, two months after the beginning of the school year, and after the regular fall-apportionment had been made to the counties. This new constitution abandoned the one-fifth requirement for the schools, and, under the interpretation of the attorney general and against the protest of the State superintendent, this was declared retroactive for the year 1875-76.

In this way the act of March 8 and the new constitution gave a heavy setback to the schools. In 1874-75 their income had been \$565,042.94. In 1875-76 it was only \$351,496.64, made up as follows:

From sixteenth section funds, at 4 per cent.....	\$69,779.70
From valueless sixteenth section funds, at 4 per cent.....	3,883.65
From surplus revenue funds, at 4 per cent.....	26,763.47
From special appropriation under the new constitution.....	150,000.00
From poll tax.....	96,414.39
From miscellanies, balance, etc.....	4,655.43
Total.....	351,496.64

Of this sum there was apportioned to the schools \$337,276.33; \$8,000 went to the normal schools, while \$6,150, including the expenses of the superintendent's office, went for miscellanies.

The reports for the year were very imperfect; only 51 counties were heard from. In these 51 counties there were 3,088 schools in 1875-76, as against 3,211 for the previous year; there were 104,414 children enrolled, as against 118,252; and the length of the school term was 80 days as against 86 days. Further than this, there was

¹ See report 1874-75, p. 41. The law of Mar. 8, 1875, provides no interest on the Surplus Revenue fund of 1836, but this was restored by the constitution of the same year.

long delay in securing the \$150,000 direct appropriation provided under the new constitution, and some of the schools were not started till the spring; but notwithstanding all of these disadvantages the gratifying fact developed that—

the result of the last year's operations, as compared with those of the previous year, are not proportionate to the diminution of the fund * * * the system during the past year has been even more useful and beneficial to the State than could reasonably have been anticipated in view of the decreased school fund and the late period in the year before it became available and the schools could be opened.

To the delay in opening the schools was charged the falling off in enrollment, but this in turn—

at least prevented the origination and accumulation of claims against the school fund which in former years so disaffected and discouraged teachers and made the system unpopular generally.

The superintendent urged a closer collection of poll tax and that each school district be required to levy and collect "a special tax, within proper maximum and minimum limits, for the maintenance of its own schools." The matter of the county superintendents was still an open one. The term of office of all was terminated by law on the first Monday in August, 1876; then the salaries were reduced and the term of office extended to January 1, 1877.

The injurious effects of these enactments are already perceptible. Hardly any teachers' institutes or conventions have been organized or held during the year, and the county superintendents, by reason of their inadequate compensation and uncertain tenure of office, have almost invariably suspended visitation of the schools. Several * * * have resigned, and others have only been induced to hold on to await the action of the general assembly on the subject.

A fairly accurate picture of the schools in 1874-75 may be secured from the reports of the county superintendents. From these it is evident that they were gaining in popularity and were strengthening their hold on popular favor, but it was still thought that too much of the public money was going for superintendence and administration—a feeling which came near being disastrous in 1876. School-houses were still very inferior; most of them were private property, with little or no furniture. The public was either unwilling or unable to build houses, and instead borrowed the use of churches, discarded log houses, or school buildings erected by private enterprise. In some sections attendance was still poor, due to indifference rather than hostility, and among the negroes to frequent changes of residence. The county schools were numerous, and frequently had fewer pupils than they could accommodate, because of local jealousies and the desire of every man to have a school at his own door. The same spirit prompted trustees to start rural schools within walking distance of each other and to use each a few months rather than consolidate and run one for double the time. The principle of

social solidarity had not developed; each community was sufficient in itself and generally a law unto itself; few were willing to increase the length of term by a levy of taxes or by voluntary subscriptions.

But notwithstanding all these adverse conditions the schools were gaining in strength and influence. The people of Alabama had never been opposed to the system per se. In ante bellum days they may have been indifferent, but this feeling was melting before the rays of knowledge. They opposed those who took over the system in 1868, but when they again secured control of the State government they did not overthrow the work of the former régime; they did, however, change the direction of its energies; they extended its scope, welcomed it as an ally, and sent their best citizens even into the negro schools, which a few years earlier would have meant social ostracism.¹ They were still troubled with the debts created in earlier years, by a depreciated State currency, and by a lack of cash. Teachers still had to discount their warrants, in some cases as much as 50 per cent, but the finances of the State rapidly improved under the administration of the Conservatives, and not only did they increase enrollment, attendance, length of school term, and number of teachers, but in 1875 they had established one normal school for whites with an income of \$5,000 and two for negroes with the same income.

A just estimate of the work of the people of the State for the years between November, 1870, and December, 1875, compels the fair-minded critic to say that while the amount devoted to education was small, it was perhaps as much as the people could be expected to give. It should be remembered also that progress in education can never come from the fiat of a man at the top, but must be an evolution that carries the people with it.

The schools of Alabama were never out of the hands of natives as completely as were those of some other Southern States. The constitution of 1868 introduced some foreign elements and ideas, but every change tended back toward the ante bellum norm, and it seems correct to say that the Alabama system of public education has grown out of the actual experiences of the people of the State.

The administration of Supt. McKleroy may be characterized as a period of intense shock; had not the schools been in the hands of some of the best people, they would hardly have stood the strain. As it was, the superintendent was able to hold the schools steady. No progress could be expected in the face of such loss of income as the schools suffered in 1875, but there was much less loss of prestige than might have been expected, and as a result, after the force of the financial loss was spent, after the political problems of reconstruction were

¹ Superintendent's report, 1874-75, p. 105.

settled, after the schools had been again able to find themselves, they were ready to enter upon an untrammelled course of development.

Supt. McKleroy, in his final report, dated November 9, 1876, summarizing the situation for the two years of his administration, says:

In that period great advancement and improvement has been made. The principle of the power and propriety of a State to maintain a system of free public education has been affirmed in unmistakable terms by the people of this State, and they have implanted it in the constitution made by themselves, and in the same instrument they have made liberal provisions for its support, thus guaranteeing its permanency and usefulness.

And this statement, with many confessions of weakness, with many caveats and supplementary pleadings, may briefly characterize the educational history of this State during the period that tried men's souls as by fire.

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Chapter IX.

REORGANIZATION AND ADVANCE, 1876-1898.

I. CONSTITUTION OF 1875.

The new constitution of Alabama, formed by convention September 6 to October 2, 1875, ratified by popular vote November 16, going into operation December 6, 1875, represents the reaction from reconstruction. It was the culmination of an eight-year struggle for self-government which had absorbed the greater part of the life and public energies of the State. If little was accomplished during this period in the way of educational progress it was because all energies were absorbed in the greater question of political autonomy. What was education to men struggling for political existence? What was education without liberty?

The question of the autonomy of the South had been settled by 1875, and the constitution of that year may therefore be taken to represent the ideas of the native population on education. The careful student will recognize at once the close relationship of the educational provisions to the constitution of 1875, and the laws based on it, to those in force prior to 1861. The constitution of 1868 and the reconstructionists did little for education in Alabama. There is no ground for the claim that reconstruction or the Freedman's Bureau founded (or even substantially advanced) the cause of public education in that State.¹

Article 12 of the constitution of 1875 deals with education. The marked change from the constitution of 1868 was the disappearance of the State board of education. That anomalous board had long been doomed. It now disappeared.

In other respects there was little radical change. The new constitution provided that the assembly "shall establish, organize, and maintain a system of public schools" with an age limit of 7 to 21 years; coeducation of the races, although no longer possible, was formally guarded against by the requirement of separate schools for "the children of citizens of African descent"; the old fiction of the perpetual fund was still maintained, and interest on the sixteenth section and surplus revenue funds was ordered paid. Nothing

¹ See DuBois, in *Atlantic Monthly*, March, 1901.

is said of the valueless sixteenth section fund, but by interpretation this was counted as a part of the sixteenth section fund. The assembly was to provide for an annual poll tax of \$1.50, which was to be used for "public schools in the counties in which it is levied and collected"¹; the assembly was to provide annually, "by taxation or otherwise," not less than \$100,000 for public schools, and this sum was to be increased "as the conditions of the treasury and the resources of the State will admit."

The wasting of public money was guarded against by a provision that not more than 4 per cent of "all moneys raised" or "appropriated for the support of public schools" should be expended otherwise than for the payment of teachers. A State superintendent was to be elected by the people; no public money could go for sectarian schools; the university and the A. and M. College were put each under its own board of trustees, who were appointed by the governor. The independence of the Mobile County system of schools was recognized, and there was added a clause which was to be the entering wedge for the broader system which has not yet materialized in the State—

and all special incomes and powers of taxation as now authorized by law for the benefit of public schools in said county [of Mobile] shall remain undisturbed until otherwise provided by the general assembly.

The income under the Constitution, when arranged by its sources, was as follows:

From the State:

1. Lands from United States, income only to be used.
2. Gifts from individuals or State and escheats, the principal might be used.
3. Surplus revenue, sixteenth section and valueless sixteenth section funds (paper funds), income to be used; rate of interest fixed by the assembly.
4. \$100,000 or more appropriated by the assembly.

From the county:

1. Poll tax of \$1.50 per poll.

There was no other suggestion of local tax, nor was it possible to levy such tax,² save in Mobile County, which became for that reason, the cynosure of all progressive eyes. Not until the constitution of 1901 was it possible for the counties to levy directly a 10-cent tax (1 mill) for the benefit of schools, and then only by a three-fifths vote.

Yet, it would be an error to assume that the educational provisions of the new constitution were everywhere regarded as indicative of progress. Says James Somerville, superintendent of Pickens County:

The most of our people regret the necessity that the legislature * * * felt of diminishing the interest on the sixteenth section fund one-half. They also regret the

¹ The reports of the auditor show that for year after year the poll tax was poorly collected. The errors and insolvencies were often 50 per cent of the total amount received; in some cases they were actually more than the whole.

² Attention is called to the act of 1899 levying a general tax of 10 cents for schools, considered in Chapter X.

necessity that the late convention * * * felt of adopting the articles on education; * * * whatever may have been the necessity of this retrograde movement in the course of public education, it is deeply to be regretted by all. To educate the people should be among the highest aims of a free State that desires to continue free

II. THE SCHOOL CODES OF 1877 AND 1879.

Such were the provisions of the constitution of 1875, which went into effect after the beginning of the school year 1875-76. We have already discussed the effects of the interpretation of this constitution on the school income for that year. By the beginning of the year 1876-77 the schools had somewhat readjusted themselves.

Then came the general school law of February 8, 1877, which went into effect October 1, 1877. This law, in general, was not unlike earlier educational acts: the rate of interest on the sixteenth section and valueless sixteenth-section funds was fixed at 6 per cent and on the-surplus revenue at 4 per cent; other annual rents, incomes, profits, sales, and escheats went to the general fund. The contribution by the State was fixed at \$130,000.

The officers of the system were a State superintendent, county superintendents, and three trustees in each township or school district. The State superintendent was elected for two years. He was an advisory officer with little opportunity for supervision. His duties included the apportionment of school funds "to the respective townships or school districts." In the matter of sixteenth-section funds, the principle of distribution first inaugurated by Gen. Perry in 1854 was again made part of the law.

The superintendent of education shall first set apart to each township or other school district the amount due from the State to each district as interest on its sixteenth-section fund or other trust fund held by the State, and all townships or school districts which have an income from trust funds in the hands of the State, or from lease or sale of their sixteenth-section lands, shall not receive anything out of the balance of the educational fund to be apportioned until all other townships or school districts having no trust fund, shall have received from the general fund such sum as will give them an equal per capita apportionment with the townships or districts having such trusts and income.

It will be seen that by this arrangement the sixteenth-section funds were substituted by a per capita distribution; the district which had sold its lands to advantage did not receive much more, and the district which had wasted its lands did not receive much less. The capital from which this sixteenth-section income was derived was paper only.

The county superintendent was appointed by the State superintendent. His duties were mainly financial and not supervisory in character. He was the treasurer of the county school funds, paid all teachers, made settlements with the tax collectors, made reports to

the State superintendent, and kept an office at the county seat one day in each month. His pay was \$75 per year and 1 per cent of his disbursements; this might be forfeited by failure to make reports.

The three local trustees were a law unto themselves; they sold or leased school lands, established schools, hired teachers, visited schools, took the school census, from the reports of the teachers certified "how much is due each scholar for actual attendance," and then drew their warrant on the county superintendent "in favor of each teacher * * * for amount due him on his annual report." As pay for their high-class, exacting, and important duties, they were relieved from road and jury duty.

It was provided that the whole of the amount apportioned to the county by the State superintendent should be certified by the auditor on October 10 and paid by the county tax collector to the county superintendent. If the amount of school money thus certified was more than could be collected in the county, the remainder was paid out of the State treasury. It was also provided that funds raised by local taxation should be expended in the district where raised, and, finally, this law did not apply to cities and towns "which are provided for by local school laws." All expenses other than those for teachers could not exceed 4 per cent of the whole; the poll tax and the whole of the county apportionment was collected and spent in the county of its origin. The actual money was handled only by the county superintendent. The teachers were paid on the basis of attendance. The minimum attendance was rigidly fixed by law at 10 pupils, and the length of term at 3 months, or 60 days.

The tendency to create special school districts which developed during these years will be discussed later. The law of 1877 was superseded by a new codification enacted February 7, 1879. In most respects it is similar to the law of 1877, except that the school revenue is made to include income from unsold lands and license taxes. The county superintendent is still a financial or disbursing officer, and his pay is increased from 1 per cent to 2 per cent; the board of township or school district trustees is decreased from 3 persons to 1. His duties are essentially the same, but under the new law he was not to contract—

to pay a teacher more per month than one-third of the amount of the district fund set apart for the school to be taught by such teacher, nor shall he contract for a school of less than three scholastic months, nor less than 10 pupils.

Nothing was said in the new law about attendance as a basis of pay, but reports were more rigidly insisted on under penalty of loss of salary which otherwise would be paid quarterly. A new feature in the law was the county educational board, consisting of the county superintendent and two teachers of the county. They were a county examining and licensing board and were required to organize and

maintain at least three teachers institutes during the year. The teachers were required to attend at least one, and the board contributed its services. Public examinations were to be held in the school every year, and there were the elements of a graded system. The law provided further that all poll and local taxes should be expended in the school district by the race which paid them.

This is the last general revision of the school laws of Alabama until 1895, and with this review an examination may be made of what was accomplished during the first years of the restored native administration. Since the adoption of the constitution of 1875 and the readjustment which immediately followed, the history of the Alabama schools has been uneventful. Yet it presents an interesting story of a struggle against poverty that prevented and conservatism that delayed the progress most ardently longed for and worked for by leaders whose duty it was to guide a people toiling upward through the night toward the light of universal education.

The successor of John M. McKleroy was Leroy F. Box, a lawyer of attainments, who later rose to a seat on the State circuit court bench. His administration covers the four years 1876-1880. He published three annual reports, no report being issued for 1876-77, although the statistics for that year are included in the report for the next.

The feature of most importance during these years was, perhaps, the general school laws enacted in 1877 and 1879. It required some time and effort for the schools to readjust themselves to the changes then inaugurated, but with this exception there was no violent interruption during the period.

The superintendent took particular pride in emphasizing the lowness of cost in the schools. This was only 57 cents per pupil per month, or \$2.45 per term of 84½ days in 1877-78. He emphasized this "cheapness of instruction and economy of supervision" as commendable features of the school system. He pointed out that in these respects Alabama surpassed all the other Southern States, and by the same token he might have said that here Alabama led the Union. His argument proved too much.

There is in this period, beyond a doubt, a tendency to increase the general efficiency of the system. The number of teachers increased, as did the total enrollment and average attendance. After 1877-78 there was a marked movement to reduce the number of schools and increase the number of pupils, although the length of the general school term was around four months, and there was only the natural increase in the revenue, based mostly on the closer collection of poll taxes. Some efforts were also made to realize on the old sixteenth-section land notes which were still in existence, some of them going back to 1837. By compromising some few thousand dollars were realized, and a very favorable sign was that in 1879-80 public funds

were being supplemented by private contributions to the extent of \$60,145.

It would appear that the greatest difficulty in the way of public school progress was too much content. Says the superintendent at the close of his term of office:

Our present school system is, in the main, a good one and will compare favorably with the systems of other States. It is reasonably adapted to the wants of the people, so far as it is practicable to adapt it to the present small appropriation for schools. Yet the system can be improved.

But unfortunately no Southern State with which comparisons are here indicated had more than the tentative beginnings of a system, and such comparisons served only to lull the ambitious into a false contentment.

III. PROGRESS IN THE EIGHTIES.

Judge Box was succeeded in 1880 by Hon. Henry Clay Armstrong, who served as State superintendent from 1880 to 1884. Perhaps the most important act concerning the schools in 1880-81 was the one giving the county superintendents full power to compromise the old sixteenth-section land notes. In this respect fair success was attained and a total of \$41,529.72 was turned into the permanent fund. The custom had been in earlier years to use this income for general expenses; the law of March 1, 1881, required it to be invested in Alabama 6 per cent bonds, but not till 1882-83 was the law obeyed. In that year also the State contribution to the school fund was increased from \$130,000 to \$230,000 per annum, and the effect of this increase soon made itself apparent.

The superintendent advised against sudden or radical changes in the school law, and none were enacted. He urged constantly the over-increasing and more pressing need of money. At the end of the period the State was spending some 40 per cent of its total income for public schools; but the constitution forbade that more than 4 per cent of the total school fund should be used for any purpose other than teachers; and therefore school sites, schoolhouses, and school furniture suffered, and the county superintendents were miserably underpaid. The superintendent recommended a special tax of 5 mills, although evidently unconstitutional, to be devoted in part to material equipment, and asked that the pay of county superintendents be increased to \$100 and 4 per cent of their disbursements, instead of \$100 and 2 per cent. There was also a marked tendency toward centralization, for both superintendent and governor recommended that the county law of April 19, 1873, be repealed and that all funds be again gathered into and distributed from the State treasury. Certainly the main reason which caused the enactment of the law—the fear of misapplication of these funds—no longer existed. Two new normal schools for white teachers were established—those at

Jacksonville and Livingston—and the rating on teachers' certificates was made more close and accurate. The cost of the schools per pupil was only about 60 cents per month; the school term still hovered around four months; and the total yearly salary of teachers was less than \$100, although this small stipend was somewhat augmented by private contributions and subscriptions among the whites and to a very small extent among the negroes.

The extra contribution of \$100,000 first made by the State in 1883-84 was felt that year in an increase of 15,000 in enrollment and of 7,000 in average attendance, with nearly 400 new schools and the same number of teachers, but since the length of term went up only three days and the salary of teachers only \$2 per month, we may assume that the extra \$100,000 went mainly for schools and teachers for those who had been without them. This will account for the increased attendance and shows that the former superintendent was right when he said, "Our greatest need is more money." But the assembly was slow to rise to a real appreciation of this need.

Mr. Armstrong was succeeded as superintendent in 1884 by Hon. Solomon Palmer, who was the only one of the post bellum superintendents to break through the four-year rule of service. He served for six years, and during his term of office the schools enjoyed a fair degree of progress, the matters of prominent importance being money and teacher training.

The system "is now regarded as essential to the prosperity of the State," said Mr. Palmer when he took office. This was true, and yet it was true only in the sense that there was no longer hostility to the schools. But the schools still encountered indifference on the part of the ruling classes, who believed that a great system could be developed with totally inadequate resources and an indifference on the part of the lower classes, who neglected to make use of the advantages offered. What impression on the mass of ignorant and indifferent illiterates could schools make that ran for three months in the year, with only 55 per cent of the children enrolled, with an average attendance of 33 per cent, with \$20 to \$22 as the average pay of the teachers per month, and with only 50 to 60 cents available per school child per month? It was, indeed, a disheartening prospect, and brave were the men who were willing to bear the burden of the public school system.

The main trouble was well known, and yet the educational authorities hesitated to speak freely. There was, however, at least one teacher in the State who analyzed the situation, and whether inspired or not, was bold enough to state the symptoms and prescribe the remedy.

J. N. Slaughter, of Rockford, Ala., speaking before the Alabama Educational Association in 1885, protested against selecting "State and county superintendents from among lawyers and politicians," and writing in the Alabama Teachers' Journal, for January, 1886, said:

There have been absolutely free schools in the reach of the people in Alabama for 31 years with only short intervals, and yet illiteracy is on the increase among the whites at the rate of 2.5 times faster than the population. The free school is at their doors, and yet they do not enter. Place a schoolhouse at the door of each of those 30,000 of illiterate householders, with free tuition and option to send, and but a small per cent of increase would be enrolled, and few of these would learn to read. . . . There is a remedy. Change the constitutional age from the present limit to 5 to 15 years. *Make attendance from 7 to 9 and from 13 to 15 years compulsory for four months in the year.* Establish regular normal institutes in each county and make attendance at these institutes compulsory.

It may be objected that Mr. Slaughter's history was not accurate, nor his statistics exact. Such objections may be granted, yet the statistics of enrollment and attendance show that he was not wide of the mark. As for his remedy -- the time for that was not yet.

The first, greatest, and most insistent demand of Maj. Palmer and his supporters was for more money. During the six years of his administration the State appropriation for schools rose from \$230,000 in 1884-85 to \$350,000 in 1889-90; the poll tax, by reason of greater care in collecting, increased from \$138,000 to \$150,000. The total increase was from about \$571,000 to about \$850,000, but on the other hand, school population increased from 420,413 to 522,691; so the per capita increase was only from \$1.22 to \$1.63. The authorities even did not appreciate the situation, for while the superintendent was pleading eloquently for a larger share of the surplus piling up in the treasury, the treasurer was recommending that the general tax rate should be reduced by 10 per cent.

The State was then expending about one-third of its income on schools, but this sum was clearly insufficient, and there seemed little hope of substantial increase. The amount from the State depended on the will of the assembly as well as the condition of the treasury; the income from the perpetual fund was fixed by law; the income from poll tax was greatly reduced by poor collections, especially among the negroes; and what might have been the fruitful source of local taxation was so hedged about by constitutional limitations as to be of little value.

The Alabama Educational Association was already discussing and advocating local taxation and the authorities were still seeking to equalize to all of the counties the sums derived by the richer ones from sixteenth section funds. The interest now paid on these funds was 4 per cent, and the difference between counties which had large funds and those which had small funds was as usual equalized out of State taxes.

It will be recalled that the city of Mobile had been organized as a special or separate school district as early as 1826; that under the constitution of 1875 it was placed in a class by itself and all of its "special incomes and powers of taxation" recognized and affirmed until changed by the assembly; that this power of local taxation for schools given to Mobile by the constitution of 1875 was apparently given to no other. But other local systems were from time to time also provided by law for Montgomery, Selma, Huntsville, Eufaula, Birmingham, Opelika, Dadeville, Oxmoor, and Marion. These acts produced little more than convenience in administration. They established school districts with boundaries coterminous with those of the municipalities. Their school income was their pro rata share of county funds, increased perhaps by appropriations from general municipal funds. In only one case was authority given to levy a tax. The act creating the school district of Oxmoor (passed Feb. 9, 1877) provides:

The trustees, and their successors in office, shall have the power to levy a tax on all property, both real and personal, within the bounds of such school district not to exceed half of 1 per cent for school purposes; and for the first and second years, half of 1 per cent for building purposes.¹

There was little of this special school legislation in 1879 and 1881. In 1883 various acts of the kind were passed, some with, some without, the power of local taxation. Among the former were acts incorporating the Peabody district in Russell County, and Decatur district, each of which was empowered to levy a 5-mill tax, and in addition Decatur might "for the first and second years" levy "one-half of 1 per cent for building purposes." In 1885 Blountsville, Prattville, and Cullman were authorized to levy 5 mills, reduced in 1887 in case of Cullman to 2.5 mills, and Tuscaloosa 2.5 mills; in 1887 Opelika and Uniontown were permitted to levy 5 mills; Troy and Tuscaloosa, 2.5 mills; Birmingham, 1.5 mills.

The unconstitutionality of these acts is so manifest that it would seem they were intended to force an issue in the courts. Such an issue soon came. The authorities of Cullman levied the tax. There was objection, and the case reached the supreme court as *Shultes v. Eberly*, and was decided against the power to tax. The question at issue, as considered by the judges, was "whether, under the State constitution, it is competent for the legislature to delegate to the trustees the power to tax." The court then proceeds to limit the question at issue by saying:

We have thus limited the question, as we do not wish what may be said to be understood as applicable to school districts created within the corporate limits of a municipal corporation, where the power to tax resides in the municipal authorities, and is not in excess of the constitutional limitation.

¹ See School Laws, 1878, p. 46; reenacted in 1887, Laws of 1886-87, p. 1081.

The court declared that municipal corporations, including counties, are the only corporations under the constitution to whom the assembly may delegate its powers to tax; as this separate school district was in no sense a municipal corporation the act was unconstitutional.¹

By the same token it would appear that the cities might levy school taxes, and that the acts passed in 1887 and earlier for incorporated towns were constitutional. Nevertheless the attempt to avail themselves of this interpretation met with disaster. Under a law passed February 18, 1895, the city of Birmingham attempted to collect a special tax for schools. It was already collecting a municipal tax of 50 cents on the hundred, which was the constitutional limit, and for this reason the law provided that the school tax should be levied "on the same lists with other State taxes," and it was provided further—

that whenever the tax levied by the State shall exceed 55 cents on every \$100 of taxable property, then the tax hereby levied shall be diminished to that rate which, added to the rate levied by the State, shall not exceed 75 cents on every \$100 worth of taxable property, the limit fixed by the constitution [for State taxation].²

Stripped of verbiage this act simply meant that the city of Birmingham, having already levied the 50 cents per hundred allowed for municipal taxation and desiring to raise more money for schools, undertook to shift this extra tax from the city to the State lists.

Says the supreme court decision:

It was supposed * * * that this constitutional inhibition might be legally avoided by providing that the State should levy and collect the tax and pay the same over to the treasurer of the board of education.

Some taxes were paid under this act, but an appeal was made to the courts, and the case came up as *State of Alabama v. Southern Railway* (115 Ala., 250), with the result that the contentions of the State were defeated. In the first place the act was declared unconstitutional because it contained legislation on more than one subject which was not "clearly expressed in its title," and so violated section 2, Article IV of the constitution.

In effect the court declared it a municipal tax, and therefore violating Article X, section 7, of the constitution. If this act were allowed to stand—

it would effectually emasculate this constitutional prohibition. It would sanction the levy of a tax by the State for the purpose of public education in the city, which the city itself is prohibited by the constitution from levying and collecting, and which, if sanctioned as to one city might be extended to every other locality in the State, in overthrow of this fundamental law. It would allow a thing to be done indirectly which is forbidden to be directly done.

¹ 82 Ala. Reports, 242.

² Session law 1894-95, pp. 738-740.

In commenting on this decision Dr. J. H. Phillips, superintendent of schools in Birmingham, says, in a recent letter:

Several of these cities attempted to collect the local tax. The city of Birmingham did collect several thousand dollars. This fund was paid under protest, pending a decision in the courts, which of course was adverse, following the principle enunciated in the Cullman case. No local taxes for schools were successfully collected under the constitution of 1875.

And yet it does not appear that the courts ever passed on the direct question, either under the constitution of 1875 or of 1901, whether a city might not collect taxes directly for schools if it kept within the constitutional limit of 50 cents on the hundred allowed for municipal taxation. The cities have at any rate found it easier to get their money for schools under their general powers to tax.

From this time the separate school districts, including those to which the right to tax was granted in the special acts, obtained indirectly what they could not obtain directly. Under the constitution the counties might levy 50 cents per hundred for county purposes; in the same way municipal corporations might levy 50 cents per hundred for town purposes, but in the eyes of the constitution the separate school district had no standing; therefore the cities taxed themselves as municipalities, and as such assigned a part of the proceeds of these taxes to themselves as school districts. Unfortunately, however, miscellaneous demands were so heavy that little was sometimes left for the schools. Their reports to the State superintendent generally show a part of their school funds as coming from "appropriations by the district" or "appropriations by the city," seldom from direct taxation for schools. In this way, by this legal fiction, the cities and towns have been enabled to develop their schools, and they have thus made possible a school development in the cities altogether creditable. In 1887-88 the funds thus raised for schools in the districts were more than \$174,000; in 1889-90 they were estimated at more than \$300,000. With 1886-87 Maj. Palmer separated the reports of city and special school districts from those for country schools. The former could now begin to stand alone; the latter still needed support. This will explain the apparent shortening of the school term in 1886-87 to 70.5 days, as compared with the 87.25 days of 1885-86. The later year included only the country schools; the earlier year covered all schools and showed that the city schools had attained a school term (in 1887-88) of 180 days for both white and negro schools in Birmingham; 170 in Montgomery, Selma, and Huntsville; 160 in Tuscaloosa; 181 for whites and 204 for negroes in Eufaula; 200 for both in Decatur; 180 and 160 in Troy; 170 and 140 in Opelika; 120 in Brownville; 190 in Cullman; 178 and 163 in Prattville; 180 and 145 in Uniontown. The trouble was that these special districts served only a small part of the population. In 1888-89 only 17 such special

districts, not including Mobile, reported to the State superintendent. Of these 17 districts, 12 reported a school population of 14,261 white and 15,055 negro children; the enrollment was 5,444 and 3,718, respectively; the average attendance about 3,929 and 2,281, respectively. These figures are themselves sufficiently luminous. In none of these places does the school term seem to have been less than 160 days; in one it went to 200, and yet the enrollment on school population was only 31 per cent and the average attendance was only 20 per cent. It is evident that these schools needed something besides money.

During this period educational consciousness began to manifest itself in the better organization of teachers into associations, State and local, white and colored. These bodies held annual meetings, and, though poorly attended and treated with indifference by some of the higher educational institutions, preserved the even tenor of their way, discussed the problems of their profession, and emphasized and strengthened the demand of the State superintendent for more money. Teachers' institutes and reading circles were inaugurated while the professional and technical sides of the teachers' work were being examined and studied in the State normal schools, of which two more were organized for whites. At the end of Maj. Palmer's administration there were normal schools for the training of white teachers at Florence, Livingston, Troy, Jacksonville; and for colored teachers at Huntsville, Tuskegee, and Montgomery. These received their support mainly from the State, except Tuskegee (which even then was drawing on the philanthropy of the North), and to each the Peabody fund made appreciated and appreciable contributions, amounting in 1889-90 to \$3,800 for the seven schools. The normal institutes, of which two were held in 1889-90, were supported by the Peabody fund and were intended to arouse the people to the need of better teachers and better schools. They were intended for that class of teachers who could not attend normal schools and they offered courses extending from two to five years. The congressional institutes, organized, as the name implies, in the congressional districts, were intended to meet the needs of still another class of teachers, and the teachers' reading circles were to encourage home reading. The elementary character of this work is indicated by the books recommended for study: Barnes's General History, Page's Theory and Practice of Teaching, Watts on the Improvement of the Mind, Hawthorne's Literature. It was necessary to lay, first, a cultural basis, on which something of a professional superstructure might be reared. The professional spirit was hindered, no doubt, by the failure to grade salaries as well as certificates.

There was also the beginning of an educational press. In 1882 and 1883 the Alabama Progress, published in Montgomery, had

advocated education, prohibition, and kindred subjects. Then came the Alabama Teachers' Journal in 1886, published first in Huntsville, later in Montgomery. As its name implies, it was distinctly educational and served as an organ for the teachers of the State.

During this period, also, the graded-school idea began to make progress, especially in the separate or special school districts, which were now leading the State, both in the quantity and quality of their work.

Grading pupils brought up the question of textbooks, which was a serious one. The superintendent discussed a State or county system to prevent the numerous changes and multitudinous variations that afflicted teachers and drained the purses of parents, but the conservatism of the State and the spirit of local independence prevented rapid progress. There was some discussion, also, of a flexible course of study for the "ungraded country schools."

Other needs of the schools were better schoolhouses—for under the law no public money could be devoted to the erection or repair of buildings, or for furniture—longer terms, and better teachers. The system as a whole needed toning up; but to do this required money. This could be secured only by taxation, and to tax required an amendment to the constitution. To secure this required a long, slow process of education penetrating every section of the State, illuminating every corner, and enlightening every voter. With reconstruction before their eyes, the constitution makers of 1875 had been careful to hedge severely about the taxing power. Now that reconstruction was passed and the State restored to its normal self, they found these limitations a stumbling block on progress, which might be removed only when all advocates of education should work in harmony.

Private schools were still of considerable importance in the State; private contributions and subscriptions served to lengthen perceptibly the public term; and on these sources the public had to depend entirely for the erection and maintenance of schoolhouses, except in the separate school districts and cities, where this want was met by appropriations from municipal funds or by the issue of school bonds. The State superintendent advocated a general 3-mill tax and a 5-mill tax in the special districts. The cry was for more money, and with this it was thought all other good things would come to the schools. The question was no longer whether there should be public schools, but whether they should be in accord with the demand of the times. The report of the superintendent showed that the demand for improvement was based on a real necessity, since comparison of school accomplishments in Alabama with those of other Southern States showed up to the serious disadvantage of the former.

There was during the period no very material change in the school law, other than that regulating the school funds. By an act which went into effect October 1, 1887, these were again gathered into the State treasury, from which they were paid out to the teachers quarterly through the county superintendent. They had, under the law of April 19, 1873, been left in the counties to avoid their misapplication by the State authorities. They were now brought back to the State treasury to secure a greater centralization and a better accounting. The law covered all funds devoted to school uses.

Taken as a whole, this administration may be characterized as one of slow but steady progress upward. The class consciousness of teachers was awakening; there was more unity and harmony in their work; their influence was widening; and the cities were beginning to show, by extending and liberalizing their courses, the direct bearing of education on life. The causes of friction were being eliminated, and all parties were working toward an extension of the constitutional privilege of local taxation—the one thing most needed before there could be steady progress.

IV. THE HUNDLEY AMENDMENT AND AFTER.

Maj. Palmer was succeeded December 1, 1890, by Maj. John G. Harris, who served as State superintendent for four years, and issued three reports, two annual and one biennial. The educational event of the administration was the fight for what was known as the Hundley constitutional amendment. This was proposed by a joint resolution of the two houses of the assembly at the session of 1892-93 and provided that the assembly might—

confer upon the trustees of the school districts in this State the power to levy within their districts a special tax of not more than one-fourth of 1 per cent [2.5 mills], to be applied exclusively to maintaining the public schools in the districts in which said tax is levied.

It provided further that each race might receive back the proportion of taxes paid by it, but this provision was not compulsory. It was provided that this amendment should be voted on at the general election for representatives on August 6, 1894, and the activities of the department were shaped toward securing this result. In 1893 Supt. Harris organized an educational campaign, published a letter to the people of the State and showed that the weakness of the school system might be easily corrected by legislation; with "more money, longer school period, more trained teachers, and better school-houses," the schools would "soon be in the forefront of progress." The United States Commissioner of Education commended his zeal, applauded his efforts, and lent the weight of Federal influence. But all of this was rather in the interest of general education than of the

amendment in particular. In fact, judging from what little expression is found in official or unofficial school organs, the school men were only lukewarm in its favor. A correspondent in the Educational Exchange declared that it was not so much money that was needed as local supervision, and he insisted that \$75,000 taken out of the school fund and devoted to county supervision would produce better results than the whole was then doing; another said that, while \$600,000 was the annual State expenditure, hardly more than \$200,000 was well used. The main force urging the amendment was the county superintendents. They organized themselves into a "Campaign board of education" for the summer of 1894, and held many public meetings, made many addresses, and strove to awaken the people to the opportunity. The State teachers' association said the proposed amendment was "a measure of great importance to all the people of the State and to the cause of public education in particular." They pointed out the fact that in all the States which had an adequate school fund the bulk of it was secured through local taxation, and after citing the right of local taxation in cities and towns under the constitution because they were municipal corporations, denied that there was a "valid reason why corporations should enjoy the privilege of local taxation because they are cities or towns and the same right be denied to rural districts because they are not corporations."

The Hon. J. L. M. Curry, agent of the Peabody fund, addressed an eloquent letter to the candidates for governor on the Democratic and Populist tickets, the burden of which was local taxation, the issue being in his opinion "more paramount than are the issues, Federal and State, which divide parties, local and national." He points out that the school term in Alabama was 73 days, and that 41 per cent of the population was illiterate in 1890, and adds:

This beggarly array does not fill up the dark outlines. These short schools are in many cases inefficient and inadequate, and the graduates of high schools even are three years behind the German graduates in the amount of knowledge acquired and in mental development. This inferiority is largely attributable to the shorter terms of school years, to the want of professional teachers, and to the small enrollment * * *. Rotation in office, narrow partisanship, inefficiency are the direct fruits of making school offices not places of trust, but spoils of political victory * * *. The State superintendent should remain in office long enough to be thoroughly familiar with the duties of his exalted position, and should be an expert capable of advising executive and legislature, and school officers and teachers, and in full intelligent sympathy with the educational problems * * *. Perhaps the argument most likely to reach the general public is the close relation between public free schools and the increased productive powers of labor and enterprise * * *. Education creates new wealth, develops new and untold treasures, increases the growth of intellect, gives directive power and the power of self-help * * *. The schools in Alabama are handicapped by a clause in the constitution limiting local taxation to an extremely low figure. If by general agreement among the friends of education

the removal of this restriction could be separated from party politics, and local taxation could be brought to the support of schools, there would soon be an era of educational and material prosperity.¹

By common consent the school amendment was not made an issue in this hotly contested campaign, for most of the leaders on both sides, including Col. William C. Oates, the Democratic, and Capt. Reuben F. Kolb, the Populist candidate, were generally favorable to its passage. Possible hostility for the fear that the propertyless might avail themselves of the opportunity to levy educational taxes on the rich was disarmed in advance by the requirement of a local vote for the enactment of the law; the fear that negroes might get too much was met by the provision that each race might, if it was so desired, receive what it paid. The amendment at best was merely permissive.

In perfect fairness, it can only be said that the support of the school authorities was little more than perfunctory. Certainly their grief over defeat was not profound. But the amendment had strong friends. Hon. Solomon Palmer was one, and Dr. James K. Powers was another. The latter was chairman of the "Campaign board of education"; he sought to organize the teachers; he spoke and wrote in its advocacy, even calling the school children to his aid by writing argumentative declamations for their use; he declared that schools would be at a standstill without it and became so enthusiastic that he said never before had "so much interest" been shown in an educational measure; he even prophesied its success at the polls. Another enthusiast appealed to metaphor and characterized the amendment as a "lion of learning."

But the chief support of the measure came from the editors rather than the teachers. They alone appear to have grasped its significance. One Birmingham editor said it was "the biggest thing since the war, in Alabama."

The Birmingham Age-Herald was frank in its review of the general school situation:

All this talk about Alabama's splendid public-school system is rot. Outside of a few of the larger towns, she has the very poorest school system and spends less money than any State in the Union. She is at the bottom of the list of 44 States. Her only hope to pull up is in the school amendment. (Aug. 1.)

In an ironical review it suggested that abolition of the schools was the easiest way to cut down expenses in Birmingham, and remarked, "Our people are asleep on the great question of education" (Aug. 4). On the day before election it said:

Rising above all partisan considerations in this campaign, fixed in the pure air of patriotism, love of our homes and our children, is the proposed school amendment."

¹ Letter in Report of Commissioner of Education, 1894-95, p. 1277.

And again:

Of all the 44 States in the Union, Alabama is the only one that doesn't have local taxation. (Aug. 5.)

"Cast a ballot for the Hundley amendment and have posterity to bless your memory," said the Greenville Advocate.

Other supporters of the measure were the Huntsville Argus, the Heflin New Era, the Cherokee Sentinel (Populist), and the Gadsden Tribune.

But the amendment met with an overwhelming defeat. The constitution required that an amendment to it should receive a majority of the whole vote cast. In Jefferson County 9,156 votes were cast for Oates and Kolb, and 3,519 for the amendment; no one there thought it worth while to vote against the measure. In Mobile County there were 4,049 votes for Oates and Kolb, 877 for and 834 against the amendment. In Bullock County the vote for the amendment was 1,917 out of 2,619, this being possibly the largest majority in its favor in any county in the State.

Hon. Oscar H. Hundley, the author of the amendment, was beaten but not cast down. He had worked for six years to get this bill through the assembly; he would try again.

The Age-Herald was chagrined and spoke plainly.

In the fight just closed the cowardly politicians held back and dodged. Even the friends of education were—some of them—browbeaten into silence lest speech might lose a vote. (Aug. 11.)

The Educational Exchange admitted that there had been neither marked hostility nor enthusiastic support:

There was no virulent opposition—there was no organized-antagonism. * * * The sporadic attacks upon it were not of sufficient force to provoke an aggressive policy in its behalf. The measure died of indifference; died in the camp of its friends, the most cruel and ignominious fate that could have befallen it.

Beyond this preliminary fight to secure a more liberal clause in the constitution in the matter of local taxation for schools, there was little of moment in the period. The printed reports were brief and imperfect; the statistics were less in amount than usual, more incomplete, and practically worthless.

There were, however, some elements of progress:

1. The growing usefulness of the local and congressional institutes, which were increasing in numbers and in attendance. It was proposed to make the attendance of teachers on these institutes compulsory.
2. The law of 1890-91 made some changes in the administrative features, among them being a return to three trustees for the township in place of the one township superintendent. These trustees now apportioned the funds of the township to each school as they

deemed "fit and equitable," and this was interpreted as more favorable to the whites than the older law had been.

3. Another law of the session of 1890-91 placed on the market some 30,000 acres of "school indemnity lands," which had come to the State from the Federal Government "on account of swamp and overflowed lands, other public lands in Alabama sold or otherwise disposed of by the Federal Government" and acquired as a result of the State act of February 28, 1887.

4. In 1892-93 an act was passed establishing an Industrial School for White Girls. This was the culmination of various earlier efforts but represented a beginning only, \$5,000 being appropriated for the organization of the school.

The negro schools in general and the normal schools, white and colored, were reported as making good progress, and there was more promptness in paying the teachers. The lack of uniform textbooks gave trouble as did the question of the third-grade certificates. How to find the amount to be apportioned from the poll tax was also a problem. This was solved by making the poll tax of one year the basis for the next year's apportionment.

This administration was hampered by an unusually serious industrial and agricultural depression, by an exceedingly bitter factional political fight, with more or less hidden fear of possible advantages to the negro, and most of all by indifference.

Maj. Harris was succeeded by Hon. John O. Turner, of St. Clair County, who served for four years from 1894 to 1898.

His early work included the codification of the school laws as amended and modified by recent assemblies. In its general character the new code did not differ from the old, but there was growing during this decade a recognition of the increasing ramifications of the public-school system. This system no longer included merely teaching of the three R's, nor confined itself to the primary and grammar grades, as had been the idea a generation before.

The grades of teacher's certificates were three: For the third grade applicants were to be examined on orthography, reading, penmanship, practical arithmetic through fractions, primary geography, and the elementary principles of physiology and hygiene; for the second grade, on all the foregoing and on practical arithmetic, history of the United States, English grammar, intermediate geography, and elementary algebra; the first grade required, in addition, higher algebra, natural philosophy, geometry, and the theory and practice of teaching.

To meet these growing requirements the normal schools had been recognized for some years as necessary. Beginning in 1873 they had increased in numbers and steadily developed in their scope and field of operations.

This code shows also that the direct bearing of education on life was more fully realized. In 1885 the assembly tried the experiment of establishing branch agricultural experiment stations with the location of a school at Uniontown, Perry County; in 1889 and 1893 others were established at Abbeville and Athens, and by 1895 six others, making nine in all, had been established in the various congressional districts; from merely agricultural experiment stations they were now being evolved into agricultural schools and were put under the control of actual farmers who were to purchase land and provide buildings. Their funds, however, were as yet very limited in amount, varying from \$2,500 to \$3,000. To correspond with this provision for boys furnished by the agricultural schools was the Industrial School for White Girls, first organized under the law of 1892-93 and located at Montevallo. Up to this time in Alabama as in other southern States the higher education of white girls had been without official recognition. White boys had been provided for in the Polytechnic School, at Auburn; negro boys and girls had been provided for some years with normal and industrial or vocational training at both Tuskegee and Huntsville.

The most marked tendency of the period in legislation was the creation of separate school districts, with special powers. Between 1876 and 1884-85 twenty-one acts of this character had been passed, some giving the power to tax to the separate district, some withholding this power; at the session of 1886-87 thirteen separate school districts were established; in 1888-89, twenty-five; in 1890-91 and 1892-93, twenty-three each; in 1894-95, twenty-five; in 1896-97 the number rose to nearly seventy; in 1898-99 it was about fifty.

The question of money was uppermost in the formation of these districts, but the supreme court decisions, in case of *Schultes v. Eberly*, decided in 1887, and *Alabama v. Southern Railway*, decided in 1896, stood as lions in the path of local taxation. In the act forming the Montgomery separate school district, passed February 27, 1887, it was met by providing that the city council might "appropriate" not exceeding 10 per cent of the gross revenue for the support of schools. The act of 1885 allowing Tuscaloosa to levy 25 cents is brought forward in the school code as if still in full force; the same amount might be levied in the Troy district; and 20 cents in the city of Gadsden. In fact the legislature was becoming increasingly more and more appreciative of the importance of the educational system and the financial needs of its administrators.

In 1894-95 it began to allow towns like Brewton to issue bonds for schools and schoolhouses; Montgomery and Opelika followed in 1898-99, and it even went to the extreme of permitting the county of St. Clair to levy a special tax of 10 cents for education (act of Feb. 18, 1895), so far as known the first of the kind in the State. St. Clair was

followed by Walker in 1896-97, also with a 10-cent tax, by Lamar and Fayette in 1898-99, with a 15-cent tax; by Chilton with a tax between a minimum of 5 and a maximum of 25 cents, and by Baldwin, which could levy enough local school tax to bring the whole county tax up to the constitutional limit of 50 cents per hundred, while another law of the same year allowed Madison County to set aside \$150 for county normal schools.

The act providing for the schools of Anniston, passed in 1891, seems nearly a model. The school board was required to make a report to the city council—

showing the amount of money required for the support and maintenance of the public schools of the city for the next ensuing scholastic year, and for the erection, rental, or repair of the necessary school buildings, together with a statement of the probable amount of money that will be received from the school fund or from any other source.

The city officers were then required to make an appropriation "to supply whatever additional amount may be necessary." They were not required to appropriate for schools more than 20 per cent of the gross revenue of the city, but might in their discretion appropriate larger sums, or make special appropriations for the erection, repairs, or rental of schoolhouses.

This seems by far the most liberal of all these local laws, which while they did not always provide for local taxation, at any rate gave greater freedom and flexibility of movement, more liberty and independency, and whetted the appetite for better things.

As far as the routine of this administration goes, there is little to distinguish it from others. The superintendent deplored the slowness of subordinates in making their reports, which in turn prevented him from making his own report on time. He enumerated with some detail the principal grievances which were then delaying the progress of schools: sickness in his own family; depression in business and stringency in money matters; delay in the payment of teachers; partisan politics; the grafting of new phases of education on the old system and the consequent lack of harmony between parts and need of readjustment; trouble in securing patents for school lands; uncertainty over the school census; and lack of funds for institute work.

Some of these troubles were important, some were not; some were removable by industry and organization; some were merely symptoms of an acute state of affairs, while others were chronic. All might be bettered by a skillful administration of the resources at command. The superintendent recommended, as a partial solution: That the census be taken in July instead of August; that some uniform way of selecting school officers be fixed and that they be paid; that the grades of teachers be reduced to two, and that their examinations be uniform and be prepared by the superintendent; that school money be allowed for the erection of schoolhouses; that the per capita apportionment

be increased from the then rate of about 75 cents to \$1.50, and that in order to provide the necessary money a constitutional amendment be passed allowing local taxation to districts, townships, and counties; that the local district trustees be reduced from three to one and that he be paid; that money for institutes be provided independent of the Peabody fund; that women be made eligible for school offices, and that all sixteenth section land matters be transferred to a special officer.

In the superintendent's report for 1897-98 the same troubles and the same recommendations appear, and to the troubles of the superintendent were now added smallpox and yellow fever. He was further crippled in his work by a shortsighted policy which employed him as a State superintendent of schools and then through "a too rigid economy" reduced him practically to the position of a mere clerk in his own department.

During this administration there was progress; the enrollment was larger and the cities were surely forging ahead. The superintendent claimed that the reports on education in the State were based entirely on the work of the public schools and that this accounted for the low rank assigned.

The State, however, was as yet indifferent, for, while the schools had been pleading for more money for 20 years, the rate of taxation had been lowered from 7.5 mills to 6 mills, and in 1890 to 4 mills. True, the school appropriation had been increased from \$130,000 in 1877-78 to \$350,000 in 1889-90, but all of this sum over and above \$100,000 was within the control of the legislature, and the feeling for economy which followed the reduction of the tax rate to 4 mills and a proper desire to avoid debt even produced a proposition to reduce the school appropriation to the constitutional limit; but, be it said to the credit of the State, such a proposition to halt the wheels of progress met little support, for the State was now almost ready to do openly and frankly those things of educational import which she had hitherto dared do only by indirection—lay State and local taxes for schools as such

Chapter X.

THE AWAKENING, 1898-1914.

I. THE BEGINNING OF A NEW ERA.

With the last years of the closing century the public schools of Alabama began to come into their own. At last they began to feel the pulse beat of modern life and to realize the wider outlook which characterized the times. The new superintendent, Hon. John W. Abercrombie, was an educator by profession and was able to analyze the situation, diagnose the trouble, and suggest the remedy. One of his earliest recommendations was that the law should require the superintendent to be an educator. Hitherto the superintendents had been public men, lawyers, teachers, patriots, but not educators. With the administration of Mr. Abercrombie begins the modern era of public education in Alabama, and his first report, which covers the biennium of 1898-99 and 1899-1900, shows a marked advance.

The assembly of 1898-99 made important financial progress, for it added \$100,000 to the direct appropriation, increased the total amount available as interest on the sixteenth section and other land funds, and on the initiative of the State superintendent levied a State tax of 1 mill, equivalent to 10 cents on the hundred, for the exclusive use of schools. This tax was legal, for the constitution of 1875 fixed the total amount of permissible tax at three-fourths of 1 per cent, or 75 cents on the hundred, with no limitations on how it should be applied. The increased legislative appropriation was first apportioned in 1899-1900, when it raised the per capita distribution from 73 cents to \$1.05. The next year, 1900-1901, the new State tax became available and raised the per capita distribution from \$1.05 to nearly \$1.50.

The school funds now amounted to more than a million dollars; but this was all that could be expected from the State as a State, "because the maximum limit of taxation authorized by the constitution has been reached." Then follows a plea by the superintendent for local taxation:

Then, if our funds are not sufficiently large, what shall we do? Shall we fold our arms and wait until Alabama doubles in wealth? If so, is it not likely to also double in population? * * * What we should do—what other States have done—what we must do, if we would properly qualify our people for citizenship, is to give to counties, townships, districts, and municipalities the power of taxa-

tion for educational purposes. If the people of any county, township, district, city, or town desire to levy a tax upon their property to build a schoolhouse, or to supplement the State fund, for the purpose of educating their children, they should have the * * * power to do it. * * * The right of local self-government is a principle for which the southern people, and especially the people of Alabama, have always contended; * * * yet, in the matter of providing for the education of our boys and girls, it is a right which the fundamental law of the State denies to us. * * * There should be no limit, constitutional or statutory, general or local, to the power of the people who own property to tax themselves for the purpose of fitting the children of the State for intelligent and patriotic citizenship.

During this administration the work of creating special or separate districts by law continued, but not at the same rate. Since these districts were not municipalities, they could levy no tax; but the social advantage which came from this rearrangement of territory in accord with the topography of the country more than justified the break up of the old township system with its straight lines and multitudinous transfers of children for the purpose of individual convenience.

The town systems were being extended and strengthened, and the cities, like Bessemer and Birmingham, began to issue bonds for school buildings.

In 1899 a general law was passed which sought to correct the many evils that had grown up around the old system of separate county examination of teachers. Under the new law, while the examinations were still held in the county, they were prepared and the papers read by a State board of examiners, through whom came all certificates to teach. By the requirement of examination fees the system was made more than self-sustaining. The requirements of the several grades were not essentially different from those in the law of 1895. Alabama history and composition were added to the second grade and the school laws to the first. Under this law the third-grade certificate was good for two years and could be renewed once; the second-grade for four years with one renewal. The result was a succession of untrained teachers who got a little experience in the school room and then retired to give place to others untried as well as untrained; but still the new law was better than the old, for it tended to encourage improvement.

The question of textbooks had long been a serious one. When individual choice had run to a length that was no longer bearable, county uniformity was tried and found to work well in 17 counties. The same idea was then applied to the State as a whole, and in 1901 there was created a "textbook commission" "to procure for use in the public free schools in this State a uniform series of textbooks."

The congressional district agriculture schools as first organized had been a partial failure, for they tended to develop into the orthodox literary academies.

These schools are not in all respects what the general assembly creating them evidently intended they should be, viz, high schools in which the agricultural features would predominate. Most of them have been made high schools in which the literary feature predominates.

Latin and Greek, French and German, music and art, history and philosophy, had usurped the place intended for practical subjects. Some schools even undertook collegiate work. But this unforeseen development showed that there was as yet a gap in the State system between the primary grades and the college which had not been supplied and for which there was evidently a growing demand. These agricultural schools were entirely under local control; therefore they took such direction as their patrons desired. They became also the objects of factional strife, town jealousies, political and personal prejudices. The law governing them was so amended in 1903 that one composite board controlled them all and so delocalized their administration. In 1901 the minimum length of school term was fixed at five months, during which time "the free public schools of the State shall be kept open absolutely free of tuition fee." This meant that if the public funds were not enough to provide a free school for that length of time a supplement sufficient for that purpose had to be made up by the patrons or there would be no school in the district.¹ It would appear also that this was the first time since reconstruction days that all the schools were absolutely free to all the children for a fixed period of time. Hitherto in many counties it was the custom, says the superintendent—

for teachers to charge a tuition fee and credit each patron with his pro rata of the public funds. Many people who are unwilling or unable to pay the fee kept their children at home. It is true that those who will claim the privilege may send their children free for as long a time as the public funds will run the schools. Rather than enter their children as the children of parents who are unable or unwilling to pay the fees assessed, many persons let them remain out of school and grow up in ignorance. This system is evidently against the policy of the law.

County supervision was still weak from the lack of education and experience in the superintendents and the smallness of their remuneration, but was making progress in intelligent comprehension and grasp, as their reports show. Another defect in the law was that it made no provision for building schoolhouses. This was still a purely private and voluntary matter which fell upon a few public-spirited men or else—

some old log church or other dilapidated building is frequently used. Often it is a building without desks, tables, windows, blackboards, maps, charts, stoves, and with backless benches. Children are expected to take pleasure in attending school under these uncomfortable and unattractive conditions.

¹ If the five months' term was found "absolutely impracticable," it might be made four months. (See the law of Mar. 5, 1901.) As later laws require that the school term shall be uniform in the county, the minimum requirement has been abandoned of necessity.

The superintendent continues:

I have urged the grading of schools, but as the law does not require it, I have been unable to enforce it. The common schools should be classified as first, second, and third grade, according as they are taught by first, second, or third grade teachers * * * In the school conducted by a third-grade teacher, only third-grade branches should be taught. In the school conducted by a second-grade teacher only second and third grade branches should be taught. In the school conducted by a first-grade teacher, all the common-school branches should be permitted to be taught. Under existing laws * * * a third-grade teacher may teach a second or first grade school, and either may essay to teach college and university branches, which they frequently do.

It was urged that salaries be based on the grade of teacher's certificate held. Compulsory education was discussed, for only about half the children of school age were enrolled, and of these 25 to 50 per cent did not attend regularly.

The recommendations of the superintendent in his report for 1898-1900, based on the situation as it then was, included:

That the power of taxation be given to counties, townships, districts, cities, and towns.

That the poll tax be assessed and collected by school officials and that the laws governing this be made more rigid.

That after the funds were apportioned to the counties, on the basis of school population, they should be disbursed on that of average daily attendance.

That qualified county superintendents be provided by law, that their pay and length of service be increased, and that they be required to devote all of their time to school work.

That the State board of examiners conduct all teachers' examinations and that a minimum general average and a minimum branch grade be provided.

That means and methods be provided for building and furnishing permanent and suitable schoolhouses.

That schools be classified according to the grade of the teachers; that it be made illegal to teach branches higher than those upon which examinations had been passed; and that salaries be regulated by the grade of the certificate held.

That absolutely free schools for five months be required; that this requirement regulate the number of schools in the township; that supplementary funds given by patrons be used to lengthen the free term.

That when the schools have been made free and available to all a compulsory law for children from 7 to 14 years be enacted and that the question of uniform school books be considered by the assembly.

That since the district agricultural schools had largely failed, having developed into "high schools in which the literary feature predominates," they should all be placed under a single board of control, thus eliminating local influences.

That a central board "be created for the purpose of ascertaining and publishing what schools are prepared to do the work upon which degrees can safely be granted, and that no school be given the power to confer degrees unless it measures up to the standard fixed."

That an unconditional appropriation be made for summer normal schools and that the counties be authorized to make annual appropriations to the same.

Some of these recommendations bore fruit immediately. Through the prompt action of the assembly, they became laws before the

expiration of Mr. Abercrombie's term of office and have been discussed as such, but up to the stature of others the State has not yet grown.

In concluding his survey for the two years, the superintendent says:

In order to keep abreast with the educational thought and progress of the country, I have attended many educational gatherings—county, State, southern, and National. * * * During the past two years a great interest in the cause of public education has been aroused among the people. Within that time difficulties have been overcome, hope has taken the place of discouragement, indifference among the people has vanished. The amount of funds available for common-school purposes has been increased more than 50 per cent; the qualifications of teachers have been raised; incompetent teachers have been eliminated; county supervision has been improved; township trustees have been more attentive; schoolhouses have been made better; a demand for a qualified county superintendency has been created; the school enrollment has been largely increased; teachers' institutes have been held more regularly; and a spirit of educational progressiveness has been aroused among the people. The outlook is most encouraging.

Again he says:

Teachers have been paid promptly. The efficiency of the teaching force has been advanced beyond estimate. The school term has been lengthened almost 50 per cent. The daily attendance has been greatly increased. Educational interest among the people has received a wonderful impetus. School officials have been more prompt in the performance of their duties. A general public school revival has been conducted.

There was "less discord and more interest." The awakening had come.

But it should not be assumed that this change in educational sentiment was altogether the work of two years, or of a single man. More accurately, it was the result of the work of many laborers extending over many years. The State was now recovering from the long-lasting effects of war; having recovered from war and again attained to a degree of financial independence, it began to answer the call from within to a newer and broader life. The quickening effects of this broader outlook; increased financial resources; a realization of the real educational position of the State, despite the flattering glosses of politicians; increasing self-consciousness and enhanced self-reliance, together with a forward-looking superintendent were the things that made for this educational renaissance. Let it be understood also that these things came in spite of constitutional limitations, as will be shown in the next section.

Mr. Abercrombie resigned the office of State superintendent July 1, 1902, to become president of the University of Alabama. His unexpired term was filled out by Harry Cunningham Gunnels, who published the report for 1901-2. He continued the work as outlined by his predecessor, and renewed most of the recommendations of the earlier report.

II. THE CONSTITUTION OF 1901.

The State of Alabama adopted a new constitution in 1901, and it went into effect November 28 of that year. It is marked for what it did in the matter of educational legislation and for what it did not do.

The limitation on the total amount of tax that might be levied by the State was fixed at 65 cents on the hundred, as compared with 75 cents in the constitution of 1875. The earlier instrument left the assembly to divide this as it pleased; the later one says 30 cents on the hundred shall be levied for public schools (par. 260). The new constitution thus put into the organic law, accentuated and emphasized, a principle which lay at the bottom of the annual lump-sum appropriation made by the assembly since 1875 in accord with the constitution of that year, and which in 1899 had crystalized into a general State tax of 10 cents on the hundred for public schools. It here recognized and formally granted a demand for more liberty in the matter of taxation which, by implication and exercise, adhered in the old. It took from debatable ground and made constitutional a tax which, while already exercised by the State, was at best of questionable legality under court interpretations of the constitution of 1875. By making imperative the 30 cents per hundred tax for the use of public schools it changed a lump-sum appropriation that had to be struggled for at every recurring session into a perpetual gift, which grew automatically with the increasing wealth of the State. The last year under the lump-sum arrangement, together with the 10-cent tax (1903-4), produced \$831,210; the first under the constitutional provision (1904-5) of 30 cents produced \$880,545. This first increase in dollars was insignificant, but the moral effects of the law, by the removal of uncertainty, by the security arising out of a constitutional provision, and the certainty of future growth, were very great. In 1912-13 the 30-cent tax had increased to \$1,565,472. In 1913-14 it was \$1,734,302.

The new constitution granted to the counties power to levy a total county tax of 50 cents on the hundred; of this amount it was now formally provided that 10 cents on the hundred could be levied for school purposes. This school levy might increase the total tax levy from \$1.15, the new constitutional limit, to \$1.25, the old limit, but could be levied only when three-fifths of the qualified voters favored the increase. (Par. 269.)

By implication this right had adhered in the old constitution. At any rate some of the counties acted on the supposition. In 1895 the assembly had passed an act allowing St. Clair County to levy 10 cents per hundred for schools. This was followed in 1898-99 by Walker (10 cents), by Fayette and Lamar (15 cents each), and in 1900-1901 by Baldwin, which was to have a graduated county school

tax beginning with 5 cents on the hundred and increasing to 20 cents.

It was understood that these counties had the right to levy this tax under the constitution, for the new tax kept within the constitutional limit, but it was also thought that without legislative permission they could not appropriate the money thus raised to the schools, hence these special acts. The new constitution made this clearly marked tendency in the more progressive counties apply to the whole State. It thus recognized the trend of the times. It yielded to an imperative demand from the people.

In the matter of cities, towns, villages, and other municipal corporations the total tax limit was fixed by the new constitution, as by the old, at 50 cents on the hundred, and excluded, under the interpretation of the supreme court, a tax for schools as a part of the general power to tax. To Montgomery was now given the power to levy a special tax of 75 cents for the interest and principal of the public debt, for public schools and public conveniences; Decatur might levy 50 cents for "public schools, public school buildings, and public improvements"; while New Decatur and Cullman might levy a similar tax "for educational purposes." (Par. 216.)

Another phase of the new constitution which made for democracy and decentralization, but not for the continuity of school development, was the clause which declared the State superintendent to be ineligible as his own successor. (Par. 116.)

To summarize: The State tax of 30 cents was made obligatory; the county tax of 10 cents was optional; the municipalities might tax (i. e., appropriate) for schools under their general, not under special, power, while four named municipalities were given special powers to exceed the constitutional limits. None of these powers, except those to the four cities, were new. They were all embraced, by implication at least, in the old constitution of 1875, and were exercised as a part of the general taxing powers of municipalities. They had been acted on as implied powers, and as such had not come up for consideration by the courts. Public-school education in Alabama owes something to the constitution of 1901, but the framers of that instrument were the followers, not the creators, of public opinion. They wrote into the new constitution principles which had been worked out under another name, proved out in practice, and for which there was imperative demand. They did not touch the phase of the school question which was of vital importance, which is of paramount importance to-day and toward which all Alabama education tends—the question of direct taxation for schools in towns and municipalities and in the local units. For this failure there were reasons. So far did the constitution makers fail in this vital principle that the ink on the new document was hardly dry before the State

superintendent began agitation for an amendment. He says in his report, dated September 30, 1902:

An amendment to the constitution should be submitted allowing school districts to levy a local tax for school purposes whenever the people of the district desire it. The schools of Alabama can never rank with the schools of other States until provision is made for local taxation.

III. CONTEMPORANEOUS CONDITIONS AND PROGRESS.

The constitution of 1901 changed the sessions of the legislature from biennial to quadrennial and provided that no State superintendent should be eligible to succeed himself in that office. Mr. Gunnels was succeeded by Isaac William Hill, who had been long engaged in educational work.

There was during his administration but a single session of the legislature. It passed, however, important school legislation, including the creation of the State textbook commission and the reorganization of the administrative boards of the agricultural schools. These laws have been discussed already as a part of the previous administration.

A general law was passed (1903) allowing municipalities to levy, provided they kept within the constitutional limitation of 50 cents on the hundred, a special tax of one-fourth of 1 per cent for the purchase, maintenance, and improvement of school property and "the maintenance of public schools."¹

Another act, passed by this legislature on October 1, 1903, provided the machinery in accord with which the counties were permitted under the new constitution to levy the special 10-cent tax for public schools. By address and the aid of a banquet at which all the leading men were present Jefferson County, in which Birmingham is located, was induced to lead the movement in voting the tax. Walker, Talladega, Union, and Tuscaloosa followed Jefferson, and within the next three years 32 others adopted the tax and the proposal was defeated in 4. The total number voting the tax prior to September 30, 1906, was 37; in most of these the law was a success; such opposition as had developed soon disappeared, and the superintendent makes the remarkable statement that "the people seem actually to have fallen in love with voting taxes on themselves for school purposes."

But the most important, the most wide-reaching, and revolutionizing in its influence of all the acts of 1903 was that for "redistricting the public schools of the State and for the management and control of the same."

We have seen that, beginning about 1876, the custom of creating separate or special school districts had been a growing one. Under

¹ Laws of 1903, pp. 396-399.

the constitution these districts could not levy a tax, but the topographical arrangement of the new district was a great improvement over the rectangles of township lines in the matter of convenience, and, through the trustees who directed them, these separate school districts made for local school government. This principle of school organization, as we have seen, grew to considerable proportions in the early nineties, and by the law of September 30, 1903, was practically extended to the whole State. Briefly, this law provided that "township lines for school purposes * * * are hereby abolished."

County redistricting boards were created and instructed to lay out their counties anew "into public school districts according to centers of population and natural barriers"; every child was to be, if possible, within $2\frac{1}{2}$ miles of a schoolhouse, and no district was to contain less than 15 school children. For each of these new districts there was to be elected a local board of three trustees, who were to take the school census, care for school property, employ schoolteachers, visit and report on schools, and have general management and control. Chairmen of these local boards were to elect four county trustees who, with the county superintendent, were to make up the county board of education, in whose hands the county school system was placed. It was enacted further, as a sort of reward for diligence in well-doing, that when any district had provided a graded school system for all children of school age for not less than eight months in the year they might elect five district trustees instead of three and "assume entire control of the public schools therein," only reporting to the county authorities. The county superintendents were made fiscal and disbursing officers and were paid 4 per cent of their disbursements up to \$1,800 per year. The act was not to apply to "any county heretofore districted by law and which has a special levy from the county for the support of the public schools or to school districts heretofore established by law." Each incorporated city and town was also made a separate school district, and so the whole State was thus reorganized on the basis of population and natural barriers, a result which should have been reached long before.

The county now became the basis of administration, instead of the township, and each school in the county was to be kept open as nearly the same length of time as might be. Under the old township law grievances had arisen, especially in the black belt. Among these was the pernicious practice of paying to parents their pro rata of the public school fund should they for any reason feel disposed to keep their children out of the school. This custom had its roots deep in those laws of ante bellum days which had to do with the distribution of the sixteenth section funds and now produced social injustice when administered by unscrupulous county officers, if allowed to

pass the scrutiny of the State officials in Montgomery. Says the State superintendent:

Under the old law there was no one who had direct control over the common schools of the counties, and "sharp practices" sprang up which were perverse of the spirit of public education. To illustrate: One township in a county not only ran its public schools eight months with a first-class teacher, but also defrayed a considerable portion of the expenses of boys and girls off at college, while another township in the same county did not secure sufficient funds to run its schools four months. The new law not only equalizes the school term, but also enables school officials to detect attempts, should they be made, to pay the expenses of boys and girls in college out of school funds.

Under the county system law there was much less inducement to pay funds to parents than there had been under the old township law. Under the old law a term of four months would meet the minimum legal requirements; under the new all schools in the county must be of the same length. Payments to parents reduced the school term of the whole county, and as the unit of administration was enlarged the number of men who would resent such injustice was increased.

With this brief summary of the new school legislation of the State goes a review of educational progress for the period.

There began to appear during this period a well-defined effort, steady and long continued, conscious and emphatic, to develop a professional consciousness. This was manifest in the increased interest in and the growing resources available for the normal schools. The University of Alabama began a summer school. Reading circles, county teachers' associations, and other agencies were making for increased professional training, although the county institutes had not as yet been so systematized as to be of much service. While this progress was making on the professional side, the higher schools were making good on their special lines. The Girls' Industrial School, at Montevallo, while still hampered by lack of funds and accommodations, was using to advantage what it had; and the agricultural schools, after being separated from the six lower grades, were now to a large extent delocalized and were turning to the agricultural and other practical work for which they had been intended. To these schools there was now added at the Alabama Polytechnic Institute a summer school for farmers. The first session was for 10 days only, but the attendance reached 400.

The new law regulating the examination and certification of teachers worked successfully. It encouraged the upper grades, and the State was soon unable to meet the demand for first and second grade teachers. It was estimated that the standard had been raised already 50 per cent since the passage of the law. Another change for the better was the payment of teachers monthly instead of quarterly, but "the average Alabama schoolhouse" was still "not

only a disgrace to the community in which it stands but a disgrace to the State," and under the law not a cent of public money could be used for school buildings or for incidental expenses, but was all apportioned on the basis of school population. The day of the schoolhouse did not come till the organization of the Women's Association for the Betterment of Schoolhouses. A revision of the school census made under the act of 1903 showed the rolls padded to the extent of 28,218 pupils. The old school census showed 707,269, which was reduced by the newer and more careful enumeration to 679,051.

Under the new constitution the school funds increased in direct proportion to the taxable wealth of the State. But this constitution had at the same time dealt a temporary blow to the poll-tax fund. This fund was apportioned to the race which paid it, but the negro, being no longer allowed to vote, declined to pay the poll tax, and this tax dropped from \$156,033 in 1900-1901 to \$89,810 in 1904-5. A better system of collection, however, raised it to \$179,095 in 1911-12.

The recommendations made in Supt. Hill's second report show that the schools were advancing. He urged that the public school be graded so that the whole of the school work might be correlated and articulated from the primary through the higher schools to the university; that at least one high school in each county be established; that a supplementary State appropriation of \$300,000 be made for schools and \$50,000 for school buildings; that an amendment to the constitution permitting a school-district tax be submitted by the legislature, because the available funds were still insufficient for a 5 months' school taught by even a third-grade teacher, without private contributions to supplement the public funds.

The reports of the county superintendents reveal more business and educational qualifications than had been the case in earlier years. The type of the men engaged in education was rising all along the line. There was progress in quality as well as quantity. Professional consciousness was developing.

The effects of the county tax, which usually increased the length of the term a month, began to be visible; some of the towns (as Girard, in Russell County) were allowed to vote on bonds for schoolhouses; Dothan furnished books as well as tuition and made the whole absolutely free; while some of the counties, as Henry, still had to assess an entrance fee on each child to make the funds hold out; Escambia levied the State tax of 30 cents for schools, then a county tax of 20 cents,¹ and was ready to levy the additional tax of 10 cents

¹ This 20-cent tax was permissible because the total county levy without it did not exceed 30 cents on the hundred.

permitted by the constitution. Surely this county at least was finding itself.

Mr. Hill was succeeded in 1906 by Hon. Harry C. Gunnels, who completed his term of service in 1910, and gave place to Hon. Henry Jones Willingham. He became president of the State Normal School at Florence in 1913; his term was completed by Hon. William F. Feagin, who in December, 1914, entered upon a new term of four years.

In recent years the character of public education in Alabama has been changing radically. It is no longer a mere matter of teaching the three R's, but a wider and broader idea of education has been evolved and has given character both to State legislation and to the State superintendent's reports. The work of the department has become more systematized; the successive administrations are better articulated one with another; personal equations count for less; and the superintendent no longer dominates the system in accord with his own ideas, as was entirely possible in the earlier days when the machinery of the department was less in amount and less complex in character. He is no longer the system, but the head of a system to which he seeks to give direction; the individual is less; organized society as expressed in public opinion and public organization is more, and is now reaching out into related and soon to be correlated fields of educational activity.

This personal domination of the superintendent which characterized the administrations of the past was nowhere more evident than in the annual reports, and nowhere else does this individuality retain its hold with such tenacity. It would seem that here at least no effort has ever been made to standardize the reports in such a way as to make out of the whole series a single connected whole. Their use causes the student constant difficulties, for hardly are any two alike. Each superintendent's reports are dominated by the personal equation. They vary in form and content, in fullness and accuracy. They sometimes give two or more sets of figures for the same thing and agree neither with themselves nor from year to year. The many blanks left in the tables are presumably beyond the power of the superintendent to remedy, but certainly not so the long columns which are untotaled. The various items are not treated uniformly, and one which may be fully reported for two or three years is then dropped altogether; hence it becomes next to impossible to trace any particular line of school development with that minuteness of detail sometimes necessary, and any statistics based on these reports can not at best be anything more than approximate. In 1906-1908 the superintendent's report is made up entirely of the statistics and narrative reports from the counties. There is no attempt to interpret these local reports or to give an idea of any connected educational

development during the period. This characteristic dominated also the reports for 1909 and 1910, but the next superintendent did not print the county reports as a series of local disconnected systems, made up of isolated, independent, and more or less uncorrelated fragments, but undertook in his report to interpret the tendency of the times, to present the evolution of public school education as a whole, and to point out its rapidly changing and broadening character.

Nowhere is this evolution in the character of education more visible than in school legislation, which more than ever begins to concern itself with higher, technical, and industrial education. Witness the educational acts of 1907 and 1911, which have little to do with the schools in the narrower sense, except as to the usual routine appropriations. They deal with broader issues: To aid and extend the field of technical education; to provide for industrial schools for boys and girls; to sell university and other school lands; to establish more normal schools; to appropriate for the deaf and blind; to provide funds for medical education; to define and provide for delinquent children; to widen the usefulness of agricultural, girls' industrial, boys' trade and industrial schools; to provide for the higher colleges and the university; to form farm-life clubs and encourage farm demonstration work; to establish high schools, Negro reformatories, etc.

During these years the superintendents' reports discuss, besides the various phases of education in the narrower sense, like enrollment, attendance, schoolhouses, local taxation, compulsory attendance, graded schools, teachers' certificates, etc., such cognate and kindred subjects as: The supervising of rural schools; school-improvement associations and their activities; rural lyceums and libraries; county high schools and inspectors of the same; agricultural schools, normal schools, county superintendents, etc.

As in the past, so now, enrollment and attendance are matters which call for serious consideration. True, as will be seen by reference to the statistical appendix, the enrollment and attendance are both growing in absolute numbers, but the relative increase is small, and there are still a few county superintendents who are content to quote platitudes about trusting "that the people of Alabama will never so far forget their duty to their children as to require penal statutes to force them to comply with parental duties," but others of their number realize the situation and see the remedy as clearly as the State authorities. Says E. R. Harris, county superintendent of Lamar, in 1908:

Education in Alabama is too partial as to the number reached—too little adapted to the various needs of our population. If we would restore respect for authority, obedience to law, prevent frauds, political corruption, oppression of the poor, and save the State we must have universal education. To secure universal education, regular attendance * * * must be required by the State.

Two years later E. C. Glover, superintendent of Henry, wrote:

I also favor free textbooks for the public schools of Alabama. I believe that the State ought to furnish the books along with the money to pay the teachers. Then when we have free schools, when the schools are free in truth as well as in name, compulsory education would not penalize poverty, and many who now oppose such a law would give it their hearty support.

Says the State superintendent in 1910-11:

Perhaps we have no right to expect a larger proportion of our young people to attend school when this question is determined absolutely and only by the will of the parents and children themselves.

If we take the reports of the superintendent for the last three years and interpret them in the light of this remark, we shall find that the enrollment in 1910-11 was 73 per cent of the school population; in 1911-12 it was 72 per cent; and in 1912-13 it was 74.7 per cent. For the same years the average attendance was 63 per cent, 61 per cent, and 60 per cent, respectively, of the enrollment. Now, if we translate these percentages of enrollment and attendance into dollars, we shall find them equal to 63/100 of 73/100, 61/100 of 72/100, and 60/100 of 74.7/100, or 46 per cent, 44 per cent, and 45 per cent. All of which means, assuming the present force of teachers able to handle the total school population if in actual attendance, that the State received 46 cents for each dollar spent in 1910-11, 44 cents in 1911-12, and 45 cents in 1912-13.

This measurement is of average attendance in dollars. Now consider it in length of school term. The actual term in 1910-11 was 127 days, in 1911-12 it was 132 days, and in 1912-13 it was 133 days. But since the per cent of the total school population in regular attendance was only 46 per cent, 44 per cent, and 45 per cent, respectively, the true length of term was 57.4 days in 1910-11; 58.08 days in 1911-12; and 59.85 days in 1912-13.

These figures are based on the total enrollment and attendance for these years. It includes cities and high schools, but excludes private and denominational schools, and is confined to the whites, for they are the more favored and represent the high-water mark of both intelligence and capacity. If negroes were admitted into the calculation the figures would be still less favorable.

The inevitable conclusion, therefore, follows that, at the present rate of enrollment and attendance, the State of Alabama may continue to pour money as water into these depths of inefficiency and never get back more than 45 cents on the dollar. If the State wishes to recover from this condition of educational bankruptcy, she must not only increase the length of term, but increase the per cent of the equally important factors of enrollment and average attendance.

The above is a consideration of efficiency as measured in attendance and length of term only. If we subtract also the efficiency lost to

instruction in the school by the interruption of classes we may find that the standard of efficiency actually attained under this system of perfect freedom is perhaps only one-third, possibly only one-fourth, of what might be attained under the intelligent administration of a compulsory law.

No wonder the superintendent declares:

The conclusion seems irresistible that Alabama without much more delay will be compelled to enact a reasonable compulsory attendance law, and thus follow in the footsteps of all but a half dozen of the States of the American Union Public sentiment in this State appears to be growing strongly in favor of a law requiring compulsory attendance Such a law will be popular and greatly beneficial.

In his report for 1912-13 he enters into an estimate of the additional expense that would be entailed by compulsory education:

The overwhelming majority of our public schools, especially in the rural districts, are crowded for only a few weeks in the middle of each winter session. A teaching force which is sufficient to care for this crowded condition during less than half the session is employed in almost all cases for the entire session, and, therefore, if those who now enroll in school were required to attend regularly, the additional cost of maintenance, so far as they are concerned, would be practically nothing. The only additional cost in the maintenance of sufficient school facilities to care for all the children who ought to be required to attend would apply only to those children who are not now enrolled and who have not been in the habit of attending any school whatever An investigation of the subject fails to disclose any State or any civilized country which has repealed a compulsory education law It is modified from time to time, usually extended in its scope and in its requirements.

The legislature of 1911 passed three laws which serve to unify the general administration of the schools. One of these defined and extended the duties of the county superintendent. He was required to keep an office at the county seat, to visit all the schools in his county, to examine into the condition of school funds, and to make monthly and annual reports. He was to be paid 4 per cent on disbursements, and if employed on full time might be paid a fixed salary of not less than \$1,000. This law went into effect October 1, 1913. Another law provides that the county board of education "select annually some suitable person in the county to act as treasurer." This choice has usually fallen on some local banker who has been willing to perform the duties of the office in exchange for the advantage of the deposit of county school funds. He pays the teachers monthly.

Another law (Apr. 18, 1911) defined the qualifications necessary for teachers' certificates:

For third-grade certificates applicants were to be examined on orthography, reading, penmanship, grammar, practical arithmetic, United States history, geography, the elementary principles of physiology and hygiene and agriculture, theory and practice of teaching.

For second-grade certificates, in addition to the above, additional requirements in arithmetic, history of Alabama, English grammar and literature, intermediate geography, United States history, and civics and class management.

For the first grade, in addition to the above, algebra, geometry, physics, elementary psychology, the school laws of Alabama, and advanced English.

For life certificates, the history of education.

The result of the law governing examination of teachers, granting certificates, and grading salaries according to the certificates held has been a gradual rise in the capacity and training of the teachers and a tendency to gradually eliminate the lower grades, but the salaries are still discouragingly low, and the cheapest man is still almost the universal favorite. In 1912-13 male white teachers received on an average \$429; women received \$346. Among the negroes men received \$191 and women \$153. This indicated a general increase all along the line, except in the case of negro women, who fell back \$2 per month. Said the superintendent in 1911-12: "Alabama receives to-day more than \$40 a month for her convicts, or approximately \$500 gross income from each convict hired. This is considerably more than is paid for the services of the average public school teacher in Alabama." Then he naively adds: "This statement of fact is not made as a suggestion that teachers should leave off teaching and become convicts," but it does present for the consideration of patriotic citizens the further fact that the State as an owner esteems more highly the labor of its negro convicts than as an employer it does the services of its white teachers.

The superintendent's report for 1913-14, moreover, shows a further widening of the difference between the pay of city and rural teachers. White city men teachers received an average of \$1,032 and women teachers an average of \$533 as against \$337 and \$293 for rural men and women teachers, respectively. For negroes the figures were \$355 and \$262 as against \$132 and \$123. The salaries of rural teachers have decreased while those of city teachers have increased. The superintendent adds:

It is only fair to conclude that the best teachers of both races will gravitate toward the cities and towns more strongly than ever unless our present salaries are increased, and any thought of decided improvement along the lines indicated above will make it clear that we shall never have the funds until our constitution is so amended as to make it possible for us to provide them by local taxation.

Along with the questions of better teachers and better salaries for teachers is bound up another on which these of necessity rest. The question of resources is still the burning one in the State. School funds are still insufficient to meet legitimate school needs. Up to October 1, 1912, the 10-cent county tax allowed by the constitution

of 1901 had been voted in 44 of the 67 counties for such length of time as suited the people. In a few counties the tax was proposed and defeated. In one or two it was tried and then abandoned, the result being manifest injury to the schools; in another it was changed from schools to roads. But even when in operation this tax does not supply sufficient funds, and both towns and counties have from time to time gotten around its limitations. In 1901 Escambia had been required by law to levy for the year 1901 and for "each year thereafter" a special school tax of not less than 2 mills of the total county tax which was to be "used for the support and maintenance of the public schools."¹ It will be noted that this act antedated the constitution of 1901 and exceeded the limits provided by that instrument. Again, it is found that Baldwin levied in 1909 a 3-mill tax for schools and thereby won the distinction of being the only county in the State at that time whose local funds exceeded the general fund from the State and the poll tax combined.²

In the case of Mobile, which has since attained the same rank, a loss of some \$37,000 in annual revenue was sustained about 1909 as a result of the cutting out of liquor license fees when State prohibition went into effect. It was necessary, therefore, to retrench the activities of the schools, increase fees and levy a 2-mill tax to get more school money. In 1912-13 this was reported as \$124,250, the largest in any county, except Jefferson, which that year received \$189,450 from a similar source. In 1909 Girard, Seale and Hurtsboro resorted to a bond sale to raise money for building schoolhouses; in 1910 Jackson County and Thomasville, Clarke County, did the same, but all of these makeshifts could not produce as much money as was needed for the schools. In 1908 public income was supplemented from private sources, by fees or contributions, to the extent of \$299,481; in 1909 it was \$286,000; in 1910, \$255,000; in 1911-12, \$310,084; in 1912-13, \$354,702; and in 1913-14, \$429,605. Hand in hand with the subjects of compulsory attendance, efficient supervision, and general development goes their complement, the question of local taxation. These four are the paramount issues in the educational world of Alabama to-day. Being more concrete and tangible, local taxation has received more attention than compulsory attendance, has been more considered by the people and is undoubtedly making progress. From the statements just made its necessity is perfectly apparent.

Says the superintendent:

To depend on subscription or tuition fees is folly, and every observant man knows it. If the money could be obtained in that way it would be wholly unfair, because * * * a few individuals in each community would have the supplement to pay,

¹ See Laws, 1900-1901, p. 1416.

² See report, 1909, p. 11. Up to Oct. 1, 1914, the county tax had been voted "by more than 45 Alabama counties."

and they would in few instances represent those who were most able to pay it. If public education is a public duty * * * the only fair and equitable means of raising a supplemental fund * * * is through some method of taxation * * *. Each county is now allowed * * * to levy * * * 10 cents on the hundred dollars of property * * *. Forty-four counties have already taken advantage of this provision * * *. If our people are capable of self-government, they ought to have the privilege of saying on election day whether they are willing to levy a tax of more than 1 mill in any given county in support of the education of their own children, and when the county has levied a reasonable school tax on the property of the whole county for the maintenance of all the schools in the county, then the qualified electors in any school district, whether town, city, or rural, ought to have the additional privilege of saying by their vote whether they will levy on the property of that district a reasonable additional tax as a further supplement to their own school or schools. If, however, our people are not capable of self-government, and if they are so anxious to pay taxes that they would vote upon themselves an unreasonable rate of taxation, then, of course, our present constitution, which denies them the privilege of passing on such a question, ought not to be changed.¹

The number of separate schools increased in 1911-12 over the previous year by 1 per cent. There was substantially a similar increase for 1912-13. The superintendent declares that there are already too many, and while consolidation and transportation have been but little discussed in the State, he recommends the combining of one-teacher schools and reports that in some sections the teaching of high-school subjects has been consolidated so as to leave the grade teachers free for grade work. If this plan continues to work out successfully, it will be the beginning of centralization on a larger scale.

In 1914 there was inaugurated an educational survey of three counties which were regarded as typical of the whole. The counties chosen were Morgan in the north, Macon in the east central black belt, and Covington in the south. The survey was conducted by Messrs. Baker and Sibley, inspectors of rural schools, and was published by the department in its Bulletin No. 43.

It was thought that a survey of the white schools of Macon, where the negroes outnumber the whites at the rate of 6 to 1, would give "a fair idea of conditions generally prevailing in the white schools in the black belt," and a preliminary study of the counties showed that "the negro schools in Morgan and Covington Counties were representative of the general conditions of negro schools throughout the State."²

The survey reported on the general questions of population, literacy, farming, economic conditions, and public health. In educational matters it discussed at length general administration, teachers, buildings, grounds, material equipment, values of school property, and vitalizing agencies. It covered the field with much thoroughness, emphasized growing strength in some directions, and pointed

¹ Report 1911-12, pp. 9-10. See similar remarks in the report for 1912-13, pp. 10-14.

out continued weakness in others. It declared that there is a tendency toward building up an efficient county administration as a basis for good schools, but that back of all these efforts lies the necessity for more money. There can at present be no local taxation; private, supplementary contributions are small and uncertain; and salaries are pitifully low. The average for the three counties is \$353—

or an average of \$27.75 per month distributed throughout the year. As the teacher must live in the summer if she is to be ready for work in winter, the pay should be thought of as a year's income. These figures include all public school positions in the counties except the county superintendents. If these had been included the figures would have been \$29.07 per month instead. Of course no chauffeur, deputy sheriff, or railway fireman would work at such wages. Many day laborers get more.

Then, to drive this lesson home, the survey prints the pictures of an automobile and a schoolhouse side by side. It gives the initial cost of the automobile and the average cost of the schoolhouse, the annual maintenance of each, and concludes that—

If one man in a rural community owns a very moderately priced automobile, he has invested in it more than the entire community has invested in its school plant. It is also possible that he spends more upon the upkeep of the automobile than the community spends upon the upkeep of the school, even including the teacher's salary.

The latest annual report of the State superintendent, that for 1913-14, continues agitation along the lines of earlier reports and of the county survey considered above. The superintendent urges in particular that more effort be made to promote community organization. This is to come through the common school, the institution nearest the soil, which should be made the apostle of intelligence, of industry, and of thrift for the regeneration of rural life. With a country life commission to serve as a clearing house of information and ideas and to promote the development of community organization "we may justly hope to weld the people of any district * * * into one coherent whole for its own uplift with the country schoolhouse as the base of operation."

In the matter of constructive legislation the superintendent urges what has been urged before: Local taxation, a State board of education, consolidation, and compulsory attendance.¹

The last word on the educational situation is that of Gov. O'Neal, who, in his message to the legislature in January, 1915, points out the shortcomings of the present system. The most serious of these he considers the apportionment of school funds to the counties on the basis of the whole school population, which the experience of the State has shown to be "manifestly unjust and inequitable." He also shows how this apportionment works out in practice in favor of white teachers in the black belt counties as against those in the

¹ Rept. Dept. Educ., 1913-14, William F. Feagin, superintendent.

white counties. He quotes the statistics of 10 counties in each group and then adds:

It will thus be seen that there was apportioned to these 10 counties mentioned in the black belt for the fiscal year 1913 from the 3-mill tax and the poll tax the sum of \$410,709.55, used for the education of 12,868 children attending the schools in those counties; whereas there was apportioned the same year to 10 white counties the sum of \$233,428.10 for the education of 28,440 children attending the schools in those counties. These figures show that the State paid for the education of each child that attended school in the black belt counties mentioned during the fiscal year 1913 * * * the sum of \$31.917 per capita; whereas it only paid in the white counties mentioned the sum of \$8.207 per capita.

He then comments on the situation as follows:

All students on the subject agree that an equal per capita distribution of funds as now required by our State constitution is not an equitable distribution, is not based on sound principle and can not afford the relief which should be given, and is unsatisfactory and unjust. It does not accomplish the equalization of burdens and advantages, and its abandonment in the interest of justice is the first and most important step on educational reform. * * * The present method of apportionment gives the money of the State to communities for the education of children who do not attend and who do not expect to attend the public schools. * * * Under the present system we put an active and continual premium on nonattendance and encourage the school-teachers of the country by consideration of their own personal interests to discourage attendance. * * * The real unit of cost in our public schools is not the number of children who may or may not attend, but the cost of the teacher.

The governor declares further that the educational interests of the State demand "a more efficient system of county supervision and administration." He urges the repeal of the constitutional provision which forbids more than 4 per cent of the school funds being expended for anything other than teachers; he urges consolidation of schools, health supervision, and the creation of a State board of education with full administrative powers; he urges that the normal schools at Daphne and Moundville be changed to county high schools, and that the appropriations and equipment of the four normal schools remaining be increased; that the standard of teaching be raised; that better schoolhouses be erected and that they be used as social centers; that a course of study be prepared for country schools; that education be vocationalized and that a proper survey of the educational field be made by intelligent educators.¹

¹ Governor's message to the Legislature of Alabama, Jan. 12, 1915, pp. 51-78.

Chapter XI.

MISCELLANEOUS AND SUPPLEMENTARY AGENCIES.

I. NORMAL SCHOOLS AND OTHER NORMAL AGENCIES.

Normal training for teachers dates from the early days of the system. Gen. Perry discussed its importance and necessity in ante bellum days, but there was no formal organization of normal schools till the reconstruction period. So far as known, the first act in Alabama making special provision for the education of teachers was that passed by the State board of education on August 11, 1868, that there be established—

in each of the cities of Mobile, Montgomery, Huntsville, and Selma, and in each of the towns of Talladega, Eufaula, Athens, Tuscumbia, Marion, and Evergreen (and Portersville, omitted from law by mistake), one or more classes of advanced pupils (each of which shall consist of not less than 15 pupils) who may desire to become fitted for the occupation of teachers, to which class instruction shall be given in the most approved methods of teaching, and opportunities of practice afforded in the instruction of pupils of less advanced grades in the common schools. Pupils may be admitted into any of the normal classes on the recommendation of any teacher of a common school * * * only upon a promise in writing that the pupil will teach in the schools of Alabama, when properly qualified so to do, for at least two years.

No limitation was put on the expenses that might be incurred by these classes. There was the simple provision that they be certified by the county superintendent and paid by the State treasurer. In 1869 Dr. Cloud reported that nine normal classes, with 300 pupils, had been taught in six different places during the previous year. We have no direct testimony as to the success of these schools, except that given by Supt. Hodgson in January, 1871, and quoted already. His estimate is decidedly unfavorable, but we must make allowance for the rancor of political bitterness. Mr. Hodgson adds to his criticism: "The subsequent abandonment of the schools, it is fair to presume, has resulted in a loss to this department of \$12,000 for the year 1869 and \$25,000 for the year 1870." These amounts were, to be exact, \$5,371.85 and \$16,582.10.

In his special report of January 28, 1871, Supt. Hodgson says:

At the last session of the board the old schools were abolished, and a bill was passed establishing 13 normal schools, 7 for the training of white teachers and 6 for the training of colored teachers. This was three times as many as the State of New York possessed for 25 years, and more than twice as many as she possesses to-day. Your Excellency has seen proper to withhold your signature from that bill.

But what was evidently only a variation of the original idea appears in the legislation looking toward teacher-training in separate institutions enacted by the State board of education on December 20, 1871, for on that day four distinct acts were passed. The first

provided for four normal schools, one each at Montgomery, Huntsville, Marion, and Sparta, for the training of colored teachers of both sexes. To meet the expenses of these schools, \$4,750 was appropriated. There was the usual requisite that pupils teach two years in the public schools of the State in return for tuition. A second act provided for four normal schools for white teachers, one each at Talladega, Tuscumbia, Scottsboro, and Midway; and for their support \$4,500 was provided. A third act provided for a normal school for white women teachers (location not fixed) and set aside \$5,000 for its use. Another act established a Central Normal School for the education of white teachers in connection with the State university, and provided \$5,000 for its use.

These acts were not all put into operation. In December, 1872, another act is found appropriating \$3,250 for the three colored normal schools at Marion, Huntsville, and Sparta, and it is probable that the legislation then passed in regard to the State normal school at Florence goes back to that of the previous year, although there is nothing to connect it directly with the earlier act to provide for white women teachers, and the supplementary act dealing with the Florence Wesleyan University provides for the education of white male teachers. A fund of \$5,000 was provided for the use of the school. A year later (Dec. 5, 1873) this act was so amended as to admit both men and women to the school. At the same time another act provided for the establishment of a normal school and university for negroes in connection with the Lincoln School, at Marion, and appropriated \$2,000 (increased by act of Dec. 15, 1874, to \$4,000) for normal purposes; a similar school for negroes was located at Huntsville, and \$1,000 provided for its maintenance. No other acts relating to normal schools seem to have been passed during the reconstruction period, and this is the beginning of teacher training in the State.

The total sum paid by the State for normal instruction in the scholastic year 1873 (Oct. 1, 1872 to Sept. 30, 1873), was \$9,750, of which \$5,000 went to the white normal school at the university and \$4,750 was divided among the colored normal schools at Montgomery, Marion, Huntsville, and Sparta. The next year, 1873-74, the total was \$8,000, of which \$5,000 went for white teachers at Florence and \$3,000 to the colored schools at Marion and Huntsville. In 1874-75 they received \$10,000. In 1875-76 the school at Florence had 65 normal pupils.

The laws relating to normal schools, passed by the State board of education, survived the end of reconstruction and were brought over into the code of 1876 and into the act of February 8, 1877. Under the provisions of that act there was established permanently in the buildings of the Florence Wesleyan University at Florence "a school for the education of white male and female teachers," and \$5,000 was

provided for the support of the faculty exclusively. In the same way the new school act again establishes in the building of the Lincoln School in Marion "a State normal school and university for colored teachers and students," for which \$4,000 was appropriated, and for the "normal school for the education of colored teachers" at Huntsville \$1,000 was appropriated. It will be quickly noticed that these laws were merely a reenactment of the legislation of the board of education passed in 1872 and 1873, and since that time the principle covering the training of prospective teachers has been fully recognized in the State.

There are now six normal schools in the State devoted to the education of white teachers and three for negroes teachers. To the funds of all of these institutions the State is the principal contributor, but important gifts have been received from the Peabody and Slater funds and in the case of Tuskegee from many different sources. Indeed, by far the greater part of the funds of that institution have come from the outside. In 1913-14 the total contribution to the cause of normal schools by the State was \$114,500. Of this sum Florence, Jacksonville, Livingston, and Troy received \$20,000 each; Daphne and Moundville, \$5,000 each; \$16,000 went to Montgomery; \$4,000 to Normal; and \$4,500 to Tuskegee. Each is required to report regularly to the State superintendent.

Besides the normal schools established and supported by the State whose statistics are given later, there have been other schools organized from time to time which have made their own proper contribution to the cause. Most important of the outside agencies contributing to this end was the Peabody education fund, through which for a number of years pupils were sent regularly from Alabama to the Peabody Normal College in Nashville, Tenn., for a thorough course of pedagogical training. In 1882 the Peabody fund established 16 Peabody scholarships in the normal school at Florence, for which they paid \$2,000. In 1885-86, besides the \$2,000 contributed for scholarships at Nashville and a similar amount to the school at Florence, the fund appropriated \$300 each to the normal schools at Jacksonville and Huntsville, \$400 to that at Normal and \$300 to the Peabody school district. In 1886-87 and later years both the amount and direction of this donation varied from time to time. At the time that the Peabody board was supplementing public funds by sending prospective teachers to Nashville, the State was encouraging the private organization of teachers' institutes in the counties. Says the State superintendent in his report for 1878-79:

These institutes have been organized in nearly every county in the State. They are generally well attended. In addition to the awakening of new interest among teachers, these institutes promise to be the means of uniforming and improving methods of instruction and discipline in the schools, with a general approach to uniformity in textbooks.

In 1879-80 there were 115 institutes held, but unfortunately they were massed in about half the counties, while the other half had none. In 1880-81 the number was 89; the next year there were 122; and up to this time they had been purely voluntary organizations. The superintendent now recommended that they be taken over by the State and supported out of a fund raised by taking \$100 from the school fund in each county. They were to cover a month in time and be established for each race. As a result of this agitation, a law was passed about 1884-85 which provided that teachers' institutes should be held in each county. The county superintendent was made the responsible officer and every licensed teacher was required to attend. For the year 1885-86 the Peabody fund contributed \$500 to their support and lent them the dignity of its name. Later the financial responsibility was shared by the State, and as many as eight white and five colored institute conductors were in the field in 1891, when the Peabody fund donated \$3,500 to the work. In 1892, 1893, and 1894 they were conducted by congressional districts, because the county unit had been found too small. In 1894-95 the reports show that the Peabody contributions had been transferred to the regular normal schools, and, while the State appropriation for institutes remained on the statute books, it was no longer available, being conditioned on a similar sum from the Peabody trustees. The responsibility for the institutes was thus thrown back, under the law, upon the county superintendents, and with the rise of the State normal schools they became for a time of less and less significance. In 1903-4 it was said that, while three or four institutes were held a year in each county, they were not meeting the purpose for which intended.

In 1911 a new institute law was passed. It provided \$5,000 for institutes to be held one week in each county under the direction of paid expert directors. All teachers except those holding life certificates were required to attend, and their purpose was declared to be—
to provide some professional training and instruction to that large body of the teaching force who have not had the privilege of receiving professional training in normal schools or the teacher-training department of other higher institutions.

For the use of negro institutes, located at given centers, \$1,000 was provided.

Other organizations, private in origin and character, but contributing to the upbuilding of schools, are the Alabama teachers' associations. The white teachers had been first organized in 1856 as the Alabama Educational Association. They had annual meetings and supported a school journal, but like most other things educational went down in the mad storm of war. There was a temporary revival in 1871, but the time was not ripe. In July, 1882, in Birmingham, the organization was revived under the name, Alabama Teachers' Association. Curiously enough, the colored teachers were organized that year for the first time as the Alabama State Teachers'

Association. As a result of this similarity in name, the white teachers soon went back to their original name and are now known as the Alabama Educational Association. Through this association the teachers are now thoroughly organized, they have annual meetings, their proceedings are published in large volumes, and much discussion takes place covering many phases of modern education. The association has served a useful purpose in bringing the teachers from different sections of the State together, has made better acquainted those who have to deal with different phases of the same problems, and is fostering a much closer correlation of educational forces than has hitherto been known in the history of the State. It is by no means an unimportant adjunct to the work of the normal schools.

Still another agency in the training of teachers, one which supplements the normal school, the teachers' institute, and the teachers' association, because it can be brought into use at any time and place, is the teachers' reading circle. In his report for 1882-83 the State superintendent reports the organization of the Alabama Teachers' Reading Circle, whose object was "to induce all teachers to pursue a four years' course of reading, specially selected so as to be of the greatest benefit to them." But this movement did not last long, and in 1893 agitation was renewed. At a meeting of the Alabama Educational Association held in Montgomery that year, such an organization was proposed. The next year it was stated that there was already a Teachers' Lyceum, and it was resolved that the "association endorse this lyceum movement, adopt it as our official reading circle, and urge its organization in every part of our State." But the movement seemed to have been premature, and little came of it. In 1908 its revival was proposed by C. W. Doughty; organization was effected in 1909. The books selected for the first year's reading were: Phillips's Old Tales and Modern Ideals; Kern's Among Country Schools; and Dutton's School Management. It was reported at the end of the first year that 40 counties had been organized and 2,000 copies of the above books bought. A Young Peoples' Circle was added in 1910. A small library of 28 volumes, costing \$10, was adopted for the elementary grades, while one of 13 volumes, costing \$5, was selected for the high schools. After the passage of the rural library law in 1911, a working arrangement with the new organization was effected, and the two have since developed in harmony, each strengthening the other. In 1912-13 there were 2,967 white teachers and 427 colored teachers who secured and read the three books prescribed for this course of professional reading. The increase of teachers taking this work among the whites was 10 per cent and among the colored 21 per cent. "This remarkable showing is a development of scarcely more than three years. It developed from a beginning so small three years ago as to be almost a negligible number," says the State superintendent.

In 1913-14 the white teachers who were following the reading course numbered 3,937; the negro teachers numbered 345.

Still another aid in the training of teachers may be mentioned here. The educational press had its origin in Alabama in the Southern Educational Journal and Family Magazine, edited and published by F. H. Brooks, in Mobile, in 1843 and 1844. It was short-lived, apparently, only six monthly numbers appearing, the last of them being for March, 1844. It was a magazine of general educational information and had little direct application to Alabama beyond advertising a series of Alabama readers and other books used in the primary schools of the day.

After the suspension of Brooks's Southern Educational Journal there was a blank until Gen. Perry established his Alabama Educational Journal, which was published at Montgomery from January 1, 1857, to September, 1859, making two volumes, one in quarto and one in octavo form. It was semipopular in character, and its value has been considered already in the chapter on the work of Gen. Perry and Capt. Duval. Its place was supplied by the Southern Teacher, "a journal of school and home education," which was published at Montgomery by W. S. Barton, July, 1859, April, 1861, or later. It was the desire of the editor to become a sort of connective educational organ for the South as a whole, but his ambition was stilled by war.

In April, 1871, Col. Joseph Hodgson, then State superintendent, established the Alabama Journal of Education. It was merged the same year into the Alabama Educational Magazine and this into a paper called the Advance.

Then came the Alabama Progress, established in Montgomery by George P. Keyes, and first issued March 18, 1882. It became the "official journal of education" for the department and was "suspended for a few weeks" August 25, 1883. It had been very general in character and had many features of a newspaper. Then came in May, 1885, the Alabama Teachers' Journal, published first at Huntsville, later at Montgomery. It was edited by J. A. B. Lovett and was more strictly professional in character. It completed its fourth volume with September, 1889. No other volumes were published, apparently. It is evident that Alabama was not yet productive soil for educational publications. But the times were improving. In April, 1889, J. H. Phillips and others began the Educational Exchange, in Birmingham. It was published from that city through 1891, then removed to Montgomery and continued under the direction of J. M. Dewberry. It was taken back to Birmingham in 1895 and has since then been published there. It is now issued by the Educational Exchange Co., and having completed its twenty-eighth annual volume may be counted as a fixture.

The most important data connected with the normal schools now in existence is given in the following table by five-year periods, 1872-73 to 1912-13. It shows that their influence and usefulness is increasing with the development of the State.

Statistics of Alabama normal schools, 1872-73 to 1912-13.

Schools.	Teachers.	Students.	Normal students.	Graduates.	Volumes in library.	Value of equipment.	Income, all sources.	Total expenditures.
1872-73:								
Florence ¹	4	80	10					
Huntsville ²		57					\$1,000	
Marion ³							1,250	
1877-78:								
Florence	4	147	47				5,000	\$5,000
Huntsville	2						1,199	1,103
Marion	4	129					2,850	2,850
1882-83:								
Florence		184	92					
Huntsville	4	268					2,939	2,784
Marion		211	131				8,027	7,921
Tuskegee ⁴	4	126					2,727	2,442
1887-88:								
Florence		218	178				10,061	10,325
Jacksonville ⁵	8	170			1,000		3,250	3,110
Livingston ⁶	5	126	67				2,500	2,500
Troy ⁷	4	439	80			\$17,000	4,200	4,200
Huntsville		302	145	6				
Tuskegee	24	525	425		1,800	70,000	22,328	19,328
Montgomery ⁸	3	358					3,000	3,000
1892-93:								
Florence		300					9,000	8,822
Jacksonville		135	42				4,154	4,136
Livingston	14	131	41				3,636	2,319
Troy	13	382					7,000	
Huntsville	22	906		18		35,228	26,750	26,103
Tuskegee		919	794			200,000	64,000	
Montgomery		859	272				10,000	
1897-98:								
Florence	10	314	225	41		50,000	16,122	14,587
Jacksonville	7	197	52	11		10,250	4,086	4,020
Livingston	11	187	76	24		14,000	3,491	2,388
Troy	23	578		21		22,500	10,595	9,910
Normal ⁹	34	458	163	77		47,000	31,500	11,257
Tuskegee	88	1,047		30		300,000	107,488	89,358
Montgomery	26	808	477	8		35,000	14,325	14,325
1902-3:								
Florence	9	354		52		50,000	12,925	13,252
Jacksonville	8	388		12		53,270	9,131	8,612
Livingston	23	374		8		16,000	9,134	8,148
Troy	12	340		10		38,400	11,615	12,014
Normal	7	468		148		76,047	15,785	15,104
Tuskegee	1,497			124		572,589	169,609	169,609
Montgomery	1,050			13		47,600	15,500	15,000
1907-8:								
Florence	13	352		30		62,000	26,921	20,921
Jacksonville	19	405		22		47,500	19,510	19,077
Livingston	16	275		14		52,000	19,300	20,431
Troy	13	398		24		43,750	21,655	18,851
Daphne ¹⁰	3	90		3		28,050	2,500	2,500
Normal		267		77		97,445	18,749	18,749
Tuskegee		1,574		84		956,580	260,013	252,706
Montgomery	27	1,010		22		50,500	16,457	16,457
1912-13:								
Florence	20	575	349	39	6,050	165,000	90,305	88,965
Jacksonville	18	561	320	14	2,500	56,000	29,028	29,007
Livingston	18	402	402	43	2,250	125,000	30,179	26,498
Troy	19	329	224	26	4,000	57,000	29,245	29,245
Daphne	9	200	95	9	1,000	35,000	6,292	6,172
Moundville ¹¹	7	70	29	3	100	6,500	5,478	5,161
Normal	28	343	156	37	9,000	155,000	38,681	38,632
Tuskegee	190	2,600	763	184	20,056	1,371,527	388,034	388,033
Montgomery	37	1,185	388	30	400	70,000	21,183	21,170

¹ For white men, organized in 1872; later, coeducational.
² For negroes, organized in 1871; coeducational.
³ For negroes, organized July 4, 1891, with 30 pupils.
⁴ For white men, organized 1883; later, coeducational.
⁵ For white women, organized 1893; all other normal schools are now coeducational.
⁶ For white men, organized 1897; later, coeducational.
⁷ Transferred by legislature about 1896 from Marion and reestablished as Alabama Colored People's University, at Montgomery. Act declared unconstitutional; reestablished by act of Feb. 23, 1899, as the Montgomery State Normal School for Colored Students.
⁸ Report for 1893-94; that for 1892-93 not given.
⁹ For negroes, formerly called Huntsvills.
¹⁰ Organized in 1907; coeducational.
¹¹ Organized 1907-8.
¹² See act of Apr. 14, 1911. *See* Laws, 1911, p. 417.



II. CITY SCHOOLS.

The organization and development of city schools in Alabama harks back to Mobile. As we have already seen, it was in that city that the public-school system had its birth and earliest development. There experiments began in 1826 and had a slow and unsatisfactory evolution until 1852, when the school law was revised, and there was a real renaissance of public-school interest. The schools were then reorganized, developed more civic interest, took on new life, and were approaching the modern ideal of public schools supported by all and free to all. This explains why the Mobile organization was the only city system before the war and hence far ahead of the rest of the State. It obtained such a hold on the popular favor that it stood the stress of civil war, did not suspend operations till the spring of 1865, and was soon after reorganized.

Then came reconstruction, when it lost its distinctive organization and was absorbed into the State system. The constitution of 1875 restored its ancient privileges and enacted the provision that in matters of education the new constitution should apply to it—

only so far as to authorize and require the authorities designated by law to draw the portion of the funds to which said county will be entitled for school purposes, and to make reports to the superintendent of education as may be prescribed by law.

The article on taxation prescribed further that Mobile might until 1879 levy 1 per cent on valuation and after that three-quarters of 1 per cent "to pay the expense of the city government." This was one-quarter of 1 per cent more than other cities might levy; so that there were more funds available for the school. This provision for the three-quarters of 1 per cent was brought over into the new constitution of 1901. That instrument provided also that three-quarters of 1 per cent might be levied (the general limit of municipal taxation being one-half of 1 per cent) by Decatur, New Decatur, and Cullman, to be used for public schools and public school buildings. No other cities were allowed to levy such special taxes, and as we have already seen, the help that has come to the cities in the matter of public-school tax has not come through granting the taxing power direct to the school.

There were a few acts passed in reconstruction days which looked to a practical extension of the Mobile idea of differentiating city schools from the other parts of the public-school system of the State. In 1870 acts were passed by the board of education, then the legislative as well as the executive power in school matters, which gave separate official organization to the school of Montgomery and Selma. In 1872 Opelika, Eufaula, and Birmingham were added to the list, and in 1874 Huntsville and Dadeville. These acts defined the boundaries of the districts, and by separating them from the

surrounding territory gave them opportunity for a greater individuality and independent development. From 1871-72 accounts of these schools occur with more or less regularity and fullness in the reports of the State superintendent. In the reports for 1871-72 and 1872-73 Montgomery and Selma appeared; in 1873-74 Birmingham and Eufaula were added to the list, and in 1874-75 Huntsville appeared, making five cities that received special treatment. It will be noticed that Mobile is not included in these separate reports. In fact the semi-independence of Mobile, while making greatly for the advantage of her schools, has seriously militated against the completeness of the State reports.

With the reorganization that followed the adoption of the new constitution in 1875, these special city systems were retained. Oxmoor was soon added to the list, the whole system was brought over into the new code of 1876, and Marion was added by the act of February 5, 1877. It will be noted that none of the special acts passed during the reconstruction régime contained the provision for special taxation. But this provision appears in the act creating the Oxmoor school district, the first of these acts passed under the Democratic régime. It is significant that this act, apparently the first relating to education, passed under the new constitution, should also be the first to voice the necessity for local taxation. This is now nearly 40 years since. Educational leaders, idealists, and men of action thought it necessary then. How much more is it needed now!

Under these acts the separate districts were allowed by the law creating them to have their proper share of the sixteenth-section and State funds. They were given their own separate organization and so made free in the matter of administration from the limitation of the old township system. They thus secured needed flexibility and freedom of movement, and so useful was this separate organization that the creation of separate school districts grew rapidly. In the nineties more than 50 such districts were created at a single session, and in 1903 the old township system for school purposes was entirely abolished.

The one thing which differentiated the separate districts, developed first in the towns and later extended to the country, was the greater flexibility and freedom of action. There was another reason which made for their organization in the earlier years. This was the hope of using them as a basis for local taxation. Beginning with Oxmoor in 1875 and extending to the Birmingham act of February 18, 1895, the cities, towns, and separate districts through their special organization have tried hard to secure the right of local taxation. Numerous special school charters were passed with this provision inserted, but the unincorporated places went down in the Cullman case (*Schultes v. Eberly*, 82 Alabama) and the cities and towns in the

Birmingham case (*State of Alabama v. Southern Railway*, 115 Alabama, 250). Nor was the right of local taxation for education recognized by the constitution of 1901. They have ceased to try to obtain results along those lines, having been entirely blocked by the courts. In 1903 there was passed a law which provided that municipalities might purchase school property and erect school buildings. This act carried with it the power to levy a tax of 25 cents on the hundred, provided their whole tax did not exceed the constitutional limit of 50 cents on the hundred. It does not appear that any test case involving the validity of this act has ever come before the courts.¹ It might also be pertinently asked if the same funds could not have been raised under the general municipal power to tax and thus have avoided the risk of an unfavorable decision. It is probable, however, that the main purpose of this law was to give the cities power to make appropriations for this particular purpose after the money was raised.

In general the course of the evolution of the various city systems has been the same. In most cases, certainly as far as the older towns are concerned, the public schools have grown up out of various private academies, in whose hands the subject of education was left in earlier days. As the municipality grew in strength and social consciousness, the functions of education were gradually taken over. In some instances the board of trustees of the private academy was made by law the board for the new city system. In some cases it was put under the care of a special board; in others it became the care of the mayor and aldermen, and to these boards were given the power usually exercised by boards of education.

Funds were secured in various ways. The acts creating special school districts provided that they should receive their pro rata of the sixteenth section of State school funds; there were some private contributions; there were others from the town or county, or both, and when all of these failed to produce enough to meet necessary expenses, tuition fees were charged. For this reason the city schools in particular, like the State public schools in general, have not been always free, but have attained this goal only by slow stages as the towns are themselves able to increase their appropriations.

It will be noted also that these city appropriations have come from the general city budget, not from taxes levied for schools, for this was declared unconstitutional under the organic instrument adopted in 1875, nor had the current set itself sufficiently strong toward education to place such a provision in the constitution of 1901. These schools are now reaching a crisis. They must have more money.

¹ Hon. Robert C. Brickell, attorney general of Alabama writes: "I find that the act has been carried into the Code of 1907, and is now section 1458 of said code. This section is substantially the same as the act of October 6, 1903, with the exception that the tax of one-fourth of 1 per cent may be levied, provided such municipality shall not exceed its constitutional limit of taxation."

Notwithstanding the fact that the cities have not been able to give their schools the funds needed for their proper development because of these constitutional limitations, it does not take a very detailed examination of the school reports to see that they are steadily forging ahead of the country districts. There are various reasons for this, most of which are inherent in the fundamental distinction between city and country. The city has a larger and more closely knit population. If not more homogeneous, it is more aggressively aware of its educational needs, and larger schools make possible a better school organization. Then, municipal progress is greater, because cities are generally more willing to tax themselves up to the limit and city property is both more compact and greater in amount. The constitutional limit of taxation was the same in either case (50 cents on the hundred) until the constitution of 1901 permitted the counties to levy an extra 10 cents, but notwithstanding this advantage the cities have more than held their own as reports on income and the length of the school term will indicate.

It does not seem desirable to enter into any extensive survey of the fortune of the schools of particular towns, yet a paragraph or two in this direction will not be out of place.

As already seen, the schools of Montgomery and Selma were provided for in 1870, and their reports date from 1871-72. Acts for Opelika, Eufaula, and Birmingham were passed in 1872, and their reports appear for 1873-74. Huntsville and Dadeville began in 1874, and since then the organization and development of city (or separate district) systems has been more or less regular, and has been carried on in more recent years at an increasing rate.

Under the present law the city schools are divided into four classes: Class A, those of 25,000 inhabitants or over, includes Birmingham, Mobile, and Montgomery; class B, those with between 5,000 and 25,000 inhabitants, includes ten cities; class C, those of between 1,000 and 5,000 inhabitants, has 66 cities and towns; class D, includes all incorporated places of less than 1,000 inhabitants, and numbers 164 towns and villages. So useful has this classification proved to be that school districts with an enrollment of less than 100 pupils are found on the list. Of the cities in class A, Mobile has already been discussed at length in this bulletin. Montgomery had her system reorganized in 1882, and at that time did not own a school building or have any equipment worthy of the name. Its enrollment was about 700 pupils; three years later these had increased to 1,730 pupils taught in five schools. In 1912-13 her enrollment was 4,934, and the total expenditures were \$92,124.

But like a chapter from the Arabian Nights is the story of the rise of Birmingham, the new iron and steel center of the South. The town itself does not antedate the Civil War. In 1873 it was visited

by an epidemic of cholera. Values were destroyed and the town almost depopulated. There was pinching poverty, sorrow, and despair. Out of these misfortunes came the efforts to organize a public school system in October, 1873, under the law of 1872. Col. J. T. Terry took the lead in raising the necessary money for a school building, and the land for the same was donated by Col. James R. Powell, for the Elyton Land Co. The schools were finally opened in March, 1874, and in the next nine years had eight superintendents. In 1883 they reorganized the system and appointed a new superintendent. When he, the ninth in lineal succession, took charge in 1883-84, there were 1,620 pupils of school age, with 14 schools and 16 teachers; the total enrollment was 967, and the average attendance was 510. The total expense for teachers that year was \$1,290. For the year 1912-13 the corresponding figures were: School population, 43,659; schools, 62; teachers, 609; enrollment, 25,320; average attendance, 17,883; amount paid to teachers, \$369,749; while the total expenditures were \$511,766. This immense growth for the last 30 years has been under the administrative direction of a single superintendent, John H. Phillips, who has seen the school system develop from frail and weak beginnings into its present strength. This development has not always been along lines of pleasantness. The opposition was sometimes strong and frequently aggressive, but out of it all the schools have at last emerged strong and vigorous. Based on safe and sure foundations, they are now ready for a wider field of usefulness, which will come only when the city has authority to give her schools the funds which she is anxious to levy for their use, but which she is as yet forbidden to levy by a too conservative constitution.

It has not seemed proper to trace further the educational history of particular cities, but to give instead the statistics of the educational growth of the older cities and towns by five-year periods beginning with 1872-73. From such a table we can see the gradual growth of educational facilities and so compare them with corresponding figures for the State as a whole. It is evident, first of all, that these statistics are very incomplete. But, assuming that they furnish a fairly accurate picture, is there any conclusion which may be drawn?

If we examine the statistics of school population, enrollment, and average attendance, we are struck by the small increase of attendance over 40 years ago. From this standpoint, measured in terms of average attendance only, it would appear that some of these schools are not now more efficient than in earlier days. While they have been able to do well by the children in actual attendance, their per cent of social efficiency is lowered directly as they have failed to secure the enrollment and attendance of all the children of

school age. In this respect the efficiency of the city school is but little better than that of the State as a whole, for we find that while the average attendance in Birmingham (40.8 per cent) and Montgomery (37.5 per cent) was larger in 1912-13 than the State average in 1911-12 (34.9 per cent), the attendance of Florence, Huntsville, Selma, and Tuscaloosa was less, and with this low attendance, reaching in no other city as much as the Birmingham average of 40.8 per cent, what becomes of the excellent school terms of these cities extending from 174 to 180 days? It means that the average length of the most efficient of them is really only 40.8 per cent of 176 days, or the equivalent of 71.81 days. It would, perhaps, be impossible to present a more eloquent argument for compulsory attendance.

In the matter of accommodations, most of the cities are woefully lacking, some of them having less than 50 per cent of the seating capacity that a compulsory-attendance law would require. This means that little additional progress in the city systems can be expected until a constitutional amendment permits a special school tax to provide funds for the greater accommodations and increased equipment needed to provide for the new pupils that will be brought into the schools under any compulsory-attendance law.

City school statistics, 1872-73 to 1912-13.

Cities.	School population.	School enrollment.	School attendance.	Total income.	Total expenditures.	Schools.	Term, in days.	White teachers.	Negro teachers.	Average monthly pay of teachers.	Value of school property.
1872-73:											
Birmingham.....	1,497	226	247	\$414	\$1,260	6	160	4	1	\$38.75	
Eufaula.....	1,784	252	148	653	850	7	92	4	3	35.41	
Huntsville.....	1,653	455	403	2,265	3,880	9	170	5	5	50.00	
Montgomery.....	3,327	1,120	890	3,743	9,336	18	164	9	9	62.78	
Selma.....	1,475	830	410	1,659	11,450	14	204	10	7	77.04	
1877-78:											
Birmingham.....	396	268	182	303	746	6	157	4	2	177.29	
Eufaula.....	1,015	204	160	956	775	7	86	4	3	106.25	
Huntsville.....	1,283	378	296	1,161	1,260	8	130	5	3	161.00	
Montgomery.....	3,004			2,870							
Selma.....	1,736	922	596	1,584	1,409	14	240	8	6	77.60	
1882-83:											
Birmingham.....	1,057	500	454	629	2,095	12	200	8	4	53.50	
Eufaula.....	1,104	350	240	657	800	4	140	2	2	30.00	
Huntsville.....	1,615	344	262	961	1,175	7	160	4	3	45.00	
Mobile (County).....	23,866	6,924	5,590	14,133	49,522	124	146	93	40	43.00	
Montgomery.....	3,793	1,626	1,385	2,257	3,520	24	180	14	10	62.00	
Selma.....	2,021	746	597	1,208	1,667	19	200	12	7	86.41	
1887-88:											
Birmingham.....	3,261	2,156	1,425	79,735	62,886	45	180			53.90	
Decatur.....	498	411	175	4,373	4,033	2	200			50.25	
Eufaula.....	1,219	452	200	1,199	1,199	2	192			37.50	
Huntsville.....	1,888	520	380	4,016	4,117	2	180			43.00	
Mobile (County).....	27,264			18,806	48,190					40.08	
Montgomery.....	8,670	1,543		21,862	21,385	5	170			72.72	
Selma.....	2,476	891	631	10,811	9,423	2	170			72.72	
Tuscaloosa.....	1,936	679	441	25,608	25,587	2	160			42.50	

¹ Figures for 1873-74.

² Figures for 1874-75.

³ White teachers, presumably for the year.

⁴ White teachers, per month.

City school statistics, 1872-73 to 1912-13—Continued.

Cities.	School popula- tion.	School enroll- ment.	School attend- ance.	Total income.	Total expendi- tures.	Schools.	Term, in days.	White teachers.	Negro teachers.	Average monthly pay of teachers.	Value of school property.
1893-94: ¹											
Birmingham.....	10,124	4,194	2,936	\$64,395	\$50,548	85	177				
Decatur.....											
Eufaula.....	316	250	198	5,521	5,521	2	180			\$48.00	
Huntsville.....	1,884	723	590	3,586	5,120	2	160			\$41.43	
Mobile (County).....		6,645	5,287	82,556	81,651	105	161	130	61	\$45.91	
Montgomery.....	5,198			24,314	24,314						
Selma.....	2,905	1,092		21,017	18,801	3	160			\$78.30	
Tuscaloosa.....	1,936	348	225	3,800	3,789	2	158				
1897-98:											
Birmingham.....	9,275			\$6,771							
Decatur.....	829			\$605							
Eufaula.....	1,550			\$1,132							
Huntsville.....	2,290			\$1,672							
Mobile (County).....	24,043	6,450		\$17,451		101	158	135	52	\$48.39	
Montgomery.....	5,207			\$3,801							
Selma.....	3,393			\$2,477							
Tuscaloosa.....	2,098			\$1,532							
1902-3:											
Anniston.....	5,335	859	550	\$8,060	9,590	3				\$50.00	
Birmingham.....	11,009			\$19,061							
Decatur.....	921			\$1,497							
Eufaula.....	1,793	653	470	\$2,596	7,186	3				\$45.00	
Florence.....	2,231		972	\$3,086	6,219	3				\$40.00	
Huntsville.....	2,561	801	611	\$3,855		2				\$35.00	
Mobile (County).....	20,276	7,848	6,338	\$25,720		111	158	159	59	\$50.00	
Montgomery.....	5,312	2,861	2,462	\$9,553		10				\$62.00	
Selma.....	4,318			\$5,065	38,866						
Tuscaloosa.....	2,320	715	468	\$3,654							
1906-7: ²											
Anniston.....	4,680	1,527	1,090	18,947	18,942	6				\$62.24	
Birmingham.....	13,858	7,322	5,129	105,573	106,366	13				\$75.64	
Decatur.....	1,416	645	396	6,917	6,516	2				\$56.11	
Eufaula.....	1,887	624	459	7,291	7,023	3				\$63.08	
Florence.....	2,064	902	628	6,980	6,980	4				\$47.42	
Huntsville.....	2,440	1,154	809	8,127	8,127	3				\$59.00	
Mobile (County).....	21,821	10,676	8,985	172,985	161,094	122		192	56	\$109.00	
Montgomery.....	9,820	4,650	3,380	61,329	61,294	14					
Selma.....	4,336	1,265	1,037	29,073	15,263	3					
Tuscaloosa.....	2,943	1,114	726	13,974	13,421	3					
1912-13: ³											
Anniston.....		1,615	1,189	24,383	24,191	7	177	29	7	\$125.40	\$102,000
Birmingham.....	43,659	23,320	17,833	511,766	511,766	62	170	486	123	\$153.60	1,686,037
Decatur.....		685	502	8,512	8,164	2	180	10	5	\$166.66	32,500
Eufaula.....		723	530	8,300	8,300	3	180	10	4	\$150.00	18,500
Florence.....	2,141	922	627	11,370	11,049	4	180	19	3	\$146.66	27,500
Huntsville.....	2,200	1,197	728	17,021	16,997	4	180	17	11	\$140.66	50,000
Mobile (City).....		4,039	4,088	107,969	107,969	14	174	119	33	\$157.00	424,500
Montgomery.....	9,504	4,934	3,561	93,652	92,124	14	180	73	35	\$195.22	533,275
Selma.....	3,404	1,563	1,146	37,173	31,559	5	180	24	9	\$181.89	109,000
Tuscaloosa.....	3,498	1,497	878	34,727	33,916	5	176	28	10	\$159.00	101,200

¹ Figures for 1892-93 not available.² White teachers, per month.³ From State funds only.⁴ For white schools.⁵ Figures for 1907-8 not available.⁶ For 1907-8.⁷ White male teachers only.⁸ Includes high schools.

III. NEGRO SCHOOLS.

The organization of the public schools for negroes is closely connected with the history of the corresponding white schools.

Before the Civil War there were in the South no schools, as such, for negroes, but it would be a mistake to assume that negroes received no education. They did receive an educational training which was excellent in character, extensive in amount, and suited to their condition of life. They were sometimes taught to read, write, and cipher;

but they were particularly taught to shoe a horse, to weave cloth, and make clothes for themselves, to build houses, and to work along similar lines. Their training, beyond the rudiments—and these were most often absent—was strictly industrial and of the very sort to make them most self-sustaining and independent when the end of the war brought freedom and the necessity of self-dependence. It seems perfectly safe to say that of all the property accumulated by this race since the war, the greater part is traceable directly to the industrial training which they had received in the days of slavery. It is also worthy of note that the best educational thought of to-day, not among white educators only, but among leading negro educators as well, is that this industrial education is what the negro needs for his best development. The presidents of the negro normal schools in Alabama—W. B. Paterson, William H. Council, and Booker T. Washington—have all held conspicuously to this view.

With the coming of the Federal armies into Alabama came the Federal school-teacher. He—more generally and correctly speaking, she—was filled with enthusiasm for the slave, but ignorance of the situation made many of these teachers think that the prevailing forms of education were all that was needed to accomplish the impossible and set the former slave on the seat of equality with the former master. For this reason institutions of the orthodox type, where Latin, Greek, and higher mathematics were offered to the ex-slaves in lieu of the homely training needed to make them and their children masters of the economic situation in which they found themselves, sprang up over the State under the direction of missionary societies and the Freedmen's Bureau. It would be unjust to say that these schools produced no good results, but at best the amount of good work actually accomplished is small when compared with the results that might have been obtained had they been started in the right direction.

In the meantime the natural leaders of Alabama were not blind to the situation created by the collapse of the Confederacy and the freeing of the slaves. Already there has been given a long list of leaders—natives and ex-Confederates—who, immediately after the war, advocated the education of the negro. The board of education of the city of Mobile had actually begun its work of educating the negro before reconstruction was old enough to act. In June, 1868, it had four public schools for negro children, with an attendance of 919, and a fifth school was organized during the autumn of that year.

The negro schools, first organized as private philanthropy and financed by the Freedmen's Bureau or through contributions from the North, passed into the State public school system soon after its reorganization in the summer of 1868. Under a working arrangement with those interested, the schoolhouses then in use and the

teachers then employed became a part of the new system. The whole was administered as an integral part of the public schools and experienced about the same fortunes as those of the whites. This means that, while there was great clamor raised from time to time on their behalf, they were not entirely exempt from the difficulties which confronted all the schools of reconstruction times. Since 1875 they have been on a safer and surer basis and have had a development not essentially unlike the schools for the whites. Funds are now distributed to the counties on the basis of school population; in so far as the State distribution to the counties is concerned, there is no distinction between races.

The statistics for negro schools, so far as they can be differentiated in the public school reports, are presented with the other tables at the end of this bulletin.

As we have seen, suitable and proper efforts were made during reconstruction to establish normal schools for negro teachers, and later came a series of teachers' institutes for the same purpose. Perhaps more attention was given to this phase of negro education than to any other, but there was still the tendency to evolve along the old orthodox lines. According to the State superintendent in 1876, for instance, the Normal School at Marion, successor to the Lincoln Memorial University there, was "so liberally endowed by the State and furnished with a competent faculty as to afford to the colored race opportunities for acquirement of collegiate and university education." This statement is substantiated by the subjects taught there in 1879-80: Orthography, reading, writing, arithmetic, geography, grammar, history, botany, drawing, composition, vocal music, physiology, zoology, rhetoric, algebra, geometry, physics, Latin, Greek, chemistry, and French. The next year they had added: Penmanship, physical geography, trigonometry, geology, logic, English literature, school economy, and philosophy of education.

Within the next four years, however, this school, under the direction of William B. Paterson, began to develop the industrial feature of its work, and progress was made in that direction, but it was thought desirable to keep this institution more closely to normal and higher educational lines, and on February 25, 1887, an act was passed¹ which provided for the removal of the Marion Normal to Montgomery and its reestablishment as the State Normal School and University for the Colored Race. It was conducted under these new auspices during the year 1887-88, and reached an enrollment of 358. With the second year it was organized into normal, preparatory, and industrial departments, and there was an enrollment of 500, but "no students presented themselves of sufficient attainments to profit by a college or university course of study."

¹ Laws of 1886-87, p. 198.

The law under which the school had been removed and reorganized was challenged, however, and came before the courts in the case of *Elsberry v. Seay* (83 Alabama Reports, 614). It was pronounced unconstitutional because it failed to make the school subject to the official supervision of the State superintendent. The court declared, further, that since the new institution was not in the commonly accepted sense a part of the public school system, the money "set apart and appropriated from the school fund for the education of the colored people" for its support was "an-authorized perversion of the funds from their own proper use," and therefore again unconstitutional.

As a result of this decision the school received for the year 1887-88, in addition to \$500 from the Peabody fund, only \$2,500 of the \$7,500 provided for its support by the State under the law of 1887, and during the year 1888-89 apparently received nothing at all from that source, although still conducted at Montgomery. A new law, passed February 23, 1889, again reorganized "the State Normal School and University for Colored Students, now at Marion, Perry County," as the State Normal School for Colored Students. It was again located at Montgomery, and since then has had a more or less uniform development along normal and industrial lines. It is now receiving \$16,000 per year from the State, and is more distinctly a State institution than either of the others, as practically all its funds are of local origin.

The other institution for negroes, which has its roots in the period of reconstruction and has evolved into a useful institution of the present day, is the normal school located at Huntsville, which is now known as the Huntsville State Colored Normal and Industrial School, with its post office at Normal, Ala. It began industrial work about 1884 and remained legally a simple normal school until the act of February 13, 1891, became a law. In accord with this act, the Morrill fund was divided between the white and colored citizens in the proportion of 56.6 per cent to the white Alabama Polytechnic Institute at Auburn and 43.4 per cent to the colored institution at Huntsville. William H. Council was then at the head of the latter institution and remained as such until his death. Under Mr. Council's direction the school did for the negroes of Alabama not only normal work, but also work along agricultural, mechanical, and industrial lines, and between the work at Normal and that at Tuskegee, Alabama has now a position of unrivaled leadership in negro education in the South. The detailed statistics of growth of these institutions by five-year periods will be found in the section on normal schools.

It is worthy of note also that the original act under which Tuskegee was established had only a normal school of the orthodox type in mind. The act of February 10, 1881, provided for "a normal school

for the education of colored teachers," for the use of which \$2,000 was set aside out of the funds coming to the colored children.

This school was opened July 4, 1881, with 30 pupils. The courses as then offered were strictly preparatory and normal, but the trustees had brought to the school as principal a young teacher from Hampton Institute who was destined to help change the educational direction of the race and so bring it back toward the standard of antebellum training from which it was drifting. This young teacher was Booker T. Washington. "From the first we have striven to make this a normal and industrial school," says the superintendent in his third report, and development went on regularly on these lines till 1893 (February 21), when a supplementary act was passed which broadened the scope of the institute to "the instruction of colored teachers and youth in the various common academic and collegiate branches, the best methods of teaching the same, the best method of theoretical and practical industry in their application to agriculture and the mechanical arts." This act made the Tuskegee trustees an independent, self-perpetuating body, with large administrative powers. The State contribution to their work was raised to \$3,000, and is now \$4,500.

Since that time, under the administration of Mr. Washington, the school has had a remarkable development. Its funds have been greatly increased by contributions from the Peabody and Slater funds, from the General Education Board, by money gifts from private individuals, and by public lands from the United States. At the present time the value of its plant equipment and its annual income are greater than those of any other institution in the State.

IV. RURAL SCHOOLHOUSES, RURAL SUPERVISION AND SCHOOL-IMPROVEMENT ASSOCIATIONS.

The year 1907 will be marked in the history of Alabama public school education as one of the great years, for at that time the State took two steps forward by passing (Mar. 2, 1907) a State law for giving aid to rural schoolhouses, and at the special legislative session in the summer (Aug. 7) another law which laid the foundations for county high schools.

The schoolhouse law provided that \$67,000 should be set apart annually out of the fund arising from the sale of fertilizer tags "for the purpose of aiding in the erection or the repairing of rural schoolhouses." Of this sum, \$1,000 was for the use of each county. It was provided that none of it could be used in any incorporated place. The school district must raise in advance not less than \$100, and when this had been done there was contributed out of the special fund provided by the State for the county not more than the sum raised by the district and in no case more than \$200. It was required

that these houses be erected on grounds of not less than 2 acres in extent and that they be deeded to the State.¹

The result was instantaneous; from all over the State came reports of developing interest in schoolhouses. Many new ones were erected by means of this State aid; old ones were repaired, and in many cases, patrons and school officials being unwilling to surrender title to the property, erected new houses or enlarged and improved old ones out of private means. In some counties the number built or repaired by private means was as large as that from public funds.

The statistics on this subject for the last eight years, beginning with the year before the schoolhouse law was enacted and coming down to the present time, speak most eloquently of progress.

The total number of rural communities thus aided in 1910-11 was 1,293; in 1911-12 it was 1,393, and the total number was then 6,157. One aspect of this matter, however, is not so pleasing; by an examination of the report for 1910-11, it will be seen that while most of the counties had gladly made use of their appropriations, others had used little or none of this fund. On October 1, 1911, 2 counties had more than \$4,000 each to their credit; 4 had more than \$3,000; 9 more than \$2,000, and 16 more than \$1,000. Of those counties, Mobile was prevented from acting by legal technicalities; the others "taken as a whole * * * present about the poorest showing in the way of suitable rural school buildings of any counties in Alabama." Such was the judgment of the superintendent in 1910-11. According to the report for 1911-12, the same tendency seems to have been accentuated in those counties rather than ameliorated. The counties thus "slow to take advantage of the provisions of this law" lie mainly within what is known in the State as the black belt.

With few exceptions these same counties have not levied the 1-mill county school tax. Having grown out of the habit of helping themselves in supporting their own schools, these counties are somewhat slow in spending their own money in order to receive the State's assistance in erecting better-built school buildings.

It may be that while they own the larger part of the unexpended surplus derived from the State, they are unable in some localities to raise the necessary local funds to meet the State requirements. On this point the superintendent says in 1911-12:

Very little money up to this time has been recommended by the county boards for use in either building or repairing schoolhouses for negroes. It is pleasing, however, to note an apparent disposition on the part of county boards to place this State aid in the future in a larger measure for the benefit of the negro schools. In the black-belt counties, where a large part of this fund remains unexpended, the schoolhouses are among the poorest in the State, except in the villages. The better class of negroes will not much longer be content to keep their families on these black-belt farms unless the county boards make provisions through the privileges of this law to let the State aid those negro communities for the education of their children.

¹ Law of Mar. 3, 1907, p. 174.

The report for 1912-13 shows that 326 schoolhouses received aid from the State to the amount of \$51,402. They were located in 63 counties, and only 4 counties reported no money spent for schoolhouses. "According to the reports of the several counties, however, there is yet a large number of rural schoolhouses uncomfortable, unfurnished, and wholly unsuited for use."

In 1913-14 the sum of \$74,521 was expended in 65 counties.

The growing influence of the law may be shown in a general way by the following statistics of values:

Value of public school property.

Years.	Value public schoolhouses.			Value school furniture.			Number schoolhouses uncomfortable in winter.		
	White.	Negro.	Total.	White.	Negro.	Total.	White.	Negro.	Total.
1906-7.....	\$1,631,462	\$144,240	\$1,975,702						
1907-8.....	4,003,569	303,310	4,306,879				885	741	901
1908-9.....	4,217,045	374,855	4,591,900	459,142	74,985	534,127	688	654	1,342
1909-10.....	5,198,975	432,710	5,631,685	581,705	86,515	668,220	720	781	1,501
1910-11.....	6,149,413	533,033	6,682,446	516,303	70,349	586,652	665	563	1,228
1911-12.....	6,475,771	589,548	7,065,319	547,357	59,438	606,795	481	561	1,042
1912-13.....	6,584,452	608,334	7,192,786	624,322	69,388	693,710			
1913-14.....	7,008,536	666,850	7,675,386	674,059	67,846	741,905			

* First year under new law.

Another matter which has contributed to the advancement of the public rural schools, by separating and individualizing their work, was the appointment of a rural school supervisor, an officer whose expenses are borne by the Peabody educational fund. The choice of the State superintendent for this important position fell upon N. R. Baker, who made his first report for the school year 1911-12. His time was devoted almost entirely to four phases of the problem: Grading, closer supervision, the articulation of the various grades one with another, and vitalization of school work.

He reports that some 60 per cent of the rural schools had been graded up to October 1, 1911, and he thought that by October 1, 1913, 90 per cent would have been graded, this opinion being based upon "actual observation and inquiry among teachers, and the estimates of many county superintendents," and it was said "nearly all counties are now using the uniform course of study suggested by the State department of education." When we turn to the last report of Mr. Baker, that dated November 17, 1913, we find that among other matters promising, in the opinion of the supervisor, to advance the interests of the country schools, besides grading, are improvement of the teaching force, more rural supervision, encouragement of school fairs and libraries, reading circles, consolidation, better sanitation, night lectures, and the issue of "diplomas" to schools possessing certain requirements of equipment, administration, and vitalizing agencies.

The work of Mr. Baker has been confined to supervision of white rural schools. In 1913 the general education board made provision for a State supervisor of negro schools. Mr. James L. Sibley was appointed, and entered upon his work in March, 1913. The latest report shows 1,918 rural negro schools in the State, of which 1,783 are one-room schools. "The crying need of these schools is supervision," says the supervisor, who then continues:

Nearly 50 per cent of the county superintendents reported last year that they did not visit a single negro school. * * * It is almost impossible for a superintendent to visit all of his white and colored schools. * * * What these superintendents need is competent assistants to help them in this work of supervision. * * * Every county superintendent who had a number of negro schools in his county should have a colored assistant to help in the work of supervision. * * * It would pay every county board to employ such a person, preferably a colored woman, with industrial training, to assist the county superintendent. In about 100 counties of the Southern States this past year there were employed, out of the Jeanes fund, colored teachers to act as assistants to the county superintendents, and to stress industrial work. Alabama had 16 of these working in 17 counties.

He then proposed that the counties employ, as they were allowed to do under the law in effect October 1, 1913, such supervisors out of their own funds.

Experience has shown that, on the whole, women make better supervising industrial teachers than men, owing to their ability to reach the homes of the children. It is recommended that these women be employed for 12 months during the year, devoting their time in the winter months to the schools while they are in session, and to canning clubs, corn clubs, and community work in the summer.

It was thought the negroes themselves would be able to pay \$100 to \$150 on the salary of such supervising teacher and that the county should pay from one-half to two-thirds of the whole. Few Government reports are more inspiring than this of Mr. Sibley. After discussing teachers' institutes and farm demonstration work with some detail, he concludes:

The kind of education the negro needs is that which will react on his home. In fact, that is the kind all classes need. Women should know how to make and care for a home. Men should be able to provide for one and maintain it. To do this efficiently, both men and women need moral, intellectual, and vocational training.

In September, 1914, Mr. Baker became assistant superintendent of schools in Jefferson County. He was succeeded by Prof. J. B. Hobby, and under a new arrangement all of the rural school work, both white and black, will be inspected by both supervisors. Of no less importance than the supervisory work carried on under the auspices of the Peabody fund and the General Education Board is the administration of the law of April 18, 1911, which provides that county superintendents may be employed on full time and placed on a salary instead of a percentage basis. A recent decision of the supreme court upholds the constitutionality of the law, and it became fully operative for the first time in 1913-14.¹ Thirty-

¹ See Alabama reports.

nine counties now have paid supervisors who devote their whole time to the work. The result is that many schools which were formerly visited seldom are now visited regularly. In 1912-13 there were 2,640 visits paid to white schools and 544 to negro schools; in 1913-14 the numbers were 6,528 and 1,329. An immediate result of this supervision has been a closer grading. In 1912-13 there were 3,226 graded white schools and 1,040 graded negro schools; in 1913-14 the numbers were 4,331 and 1,497. Since the total number of city and rural schools in the State is given as 6,753, we may assume that 925, or 13.7 per cent, are still ungraded. Of the teachers in these schools, 857 white and 117 negro hold life certificates; 1,515 and 29 hold first-grade certificates; 2,689 and 510, second grade; 2,256 and 1,754, third grade.

No phase of the rural school work has been of more value perhaps than that undertaken by the School Improvement Association, a voluntary organization of women first begun about 1905. This has now spread into nearly every section of the State and has enlisted the special and direct attention of parents and others in the work of the schools, as was not the case in earlier years. It raised and expended in 1913-14 the sum of \$86,928 in the physical betterment of white public schoolhouses and grounds, an increase of 27 per cent over the former year, and \$7,603 for colored schools, an increase of 78 per cent. The influence of the movement has been far wider than the mere money raised. It has awakened in many sections a sort of proprietary interest in the schools. It has gained a local support which in turn "has worked wonders in many communities in the improved appearances and in the added comfort of the schoolhouses and the grounds about them, together with equipment in desks and other necessary furnishings." It has made its influence felt in legislation and has assisted in the development of rural libraries for children, and in some sections has gone still further, in organizing rural lyceums for the older people. It promises, in fact, to be a real and safe beginning to the problem of the socialization of rural communities which, by reason of isolation, have long suffered from an excess of individualism. Not only has the School Improvement Association organized the forces for the school, but it has kept them organized for the home and the summer vacations, for out of its activities have come, in part at least, such supplemental courses in industrial and vocational training as are represented by corn clubs, tomato and canning clubs, pig and poultry clubs, health clubs, domestic-science and domestic-art clubs, and similar organizations. These have added practicability to the school work, given to its members the power which comes from doing, and developed a new source of income from the proceeds of these activities.¹

¹ See interesting reports of the work of the school improvement association in the proceedings of the Alabama Educational Association for 1908, 170-193; 1909, 231-247; 1910, 269-287; 1911, 165-172, etc.

V. RURAL SCHOOL LIBRARIES AND LIBRARY ORGANIZATIONS.

Perhaps no law which has for its object the intellectual advancement of the people has accomplished more within the time than the rural-libraries law enacted by the legislature in 1911.

The movement of which this library law is a development seems to have come out of the Alabama Library Association, organized in 1904, and of which Dr. Thomas M. Owen has been continuously president. It holds annual meetings, discusses the popular and professional side of library work, and seeks to develop all phases of the public library.

Through its influence the legislature in 1907 revised and extended the duties of the department of State archives and history and made it in all but name a State library commission. It provided that the department shall assist—

in the establishment of public and school libraries and in the improvement and strengthening of those already in existence; it shall give advice and provide assistance to libraries and library workers in library administration, methods, and economy, and it shall conduct a system of traveling libraries.

Then came the Alabama Teachers' Reading Circle, organized in 1909 for the purpose of encouraging general and professional reading among the teachers of the State. In 1910 it changed its name and widened its scope so as to admit the young people of the State to the advantages of its leadership, and the school library law of 1911, proposed by Supt. Willingham and pushed through the legislature because of his initiative was a natural and necessary evolution.

This law, passed April 13, 1911, and applicable only to communities of less than 1,000 inhabitants, provided that \$6,700 for the State—\$100 for each county—should be devoted to library purposes. It was to be appropriated by the proper county courts in sums of \$10 to each school district as should raise \$10 for a similar purpose. To these sums the county was to add \$10 more, and the whole sum of \$30 was to be devoted to "the purpose of establishing, maintaining, enlarging, or improving public libraries in rural, village, or town schools." This law was probably copied from a similar one in force in North Carolina, but it is a patent improvement on its prototype for the reason that it makes these sums available annually.

The passage of the law awakened remarkable interest in the subject throughout the State and its results were quickly manifest.

The report for 1910-11 showed 468 public school libraries for whites and 47 for negro pupils. They had 83,152 and 3,723 volumes, respectively, and were worth \$66,615 and \$2,060. In 1913-14 these

¹ Made available March 15, 1912.

figures had risen to 1,418 and 55 libraries, with 171,288 and 3,044 volumes and valued at \$107,273 and \$2,040. Says Supt. Willingham:

No legislation on the statute books is apparently doing more good in its operation for the money expended. * * * The prospects for the current year in the execution of this library law are highly promising. A large majority of country boys and girls have but little opportunity of broadening their vision through travel, while many of the homes of these youth are not plentifully supplied with valuable and attractive literature. * * * During the year closed there were 3,048 teachers studying systematically the books selected for the Teachers' Reading Circles. This was an increase of about 1,000 over the number of teachers thus following a course of self-improvement during the preceding year. Teachers who themselves read systematically include, for the most part, those who foster and encourage systematic reading on the part of their pupils.

In 1912 the superintendent published an Alabama library list of 1,600 books, carefully prepared and annotated by Dr. Thomas M. Owen, director of the department of archives and history. It was revised and extended by him and republished in 1913, and is intended to serve as a basis for the purchase of school collections and—

to anticipate the growing aspiration of the several communities which will avail themselves of the provisions of the law, as well as to afford a list for teachers, high-school libraries, small public libraries, and others.

That this progressive action on the part of the State will have good effect on the larger libraries is shown by a recent announcement that the library board of Birmingham is now (1914) entering upon a campaign to raise a fund of approximately \$50,000 to be used in the purchase of such new books as will bring the city library system up to modern standards.¹

VI. THE DISTRICT AGRICULTURAL SCHOOLS.

These schools, the beginning of whose organization dates from about 1888, seem to have been the least successful of the State's efforts. And yet the very things which caused their comparative failure pointed out in the most emphatic way the needs of the State at that time, but the legislature failed to read the lesson aright or to interpret it at all, for the time of awakening had not yet come. The purpose of the legislature in creating them was to make them centers for agricultural education. They were the forerunners of the present development of education along the lines of agriculture, industrial, and vocational training. In this respect the legislature was ahead of the people, but the latter knew well enough what they wanted. They took these agricultural institutions and developed them into high schools of the classical type. These schools had made themselves sufficiently felt to be mentioned in the superintendent's report in 1892-1894. The oldest was that for the eighth district and was—

¹ See Library Journal, December, 1913, and January, 1914.

pleasantly situated in one of the prettiest groves within the corporate limits of the classic city of Athens. * * * The college building is a handsome two-story brick, and the main building for the boarding department is a splendid two-story structure, in which the president and his family live with the boarding pupils, giving it more the appearance of a large family than of a boarding school. * * * The school has now, besides the regular college course, departments of music, art, and elocution. The military feature is used as a means of discipline.

The school at Albertville (seventh district), established in 1892-93 and opened in 1894, was similar in character. It reported four departments—primary, intermediate, preparatory, and collegiate. It, too, had provision for elocution, art, and music, but none for agriculture.

The school at Evergreen (second district), also established in 1892-93 and opened in 1894, was known as the Southwest Alabama Agricultural School and Experiment Station. The administrators in control of this school alone seem to have had an idea of the real purpose of the organization. It was located on a farm of 50 acres, and the "definite and well-defined object" which it had in view was to found a school—

where young men who expect to become farmers may be taught the fundamental principles of scientific agriculture * * * and where tests of the analyses of soils and fertilizers may be made, and where experiments may be conducted in the growth of grains, fruits, vegetables, vines, grasses, and in dairy making and stock raising. * * * This school, while denominated agricultural, is not strictly so, as all the other sciences, together with the classics, music, art, and a normal or training department, will be included in its curriculum, and its doors are open to both sexes and pupils of all grades.

These schools evidently made an honest effort to comply with the purpose of the legislature. They failed, but yet their evolution into this type is perfectly logical. The people made them serve what they felt was at that time their greatest need, irrespective of mere name. They changed them from delocalized institutions intended to serve a whole congressional district to purely local ones with a local patronage and organized them to suit their own needs, for in 1900-1901 the total patronage of the schools reached 2,243, divided as follows: College, 881; preparatory, 363; primary, 999.

This development caused dissatisfaction, and a law of 1903 sought to restore them to their original purpose by putting the whole under a single board of control, to which was added for service in connection with that particular school a number of local trustees.

Being thus delocalized they went back to their original plan and have been developing since along their original lines. Says the superintendent in 1911-12:

The course of study * * * has been made more practical in that the subject of agriculture appears to be emphasized more strongly than at any time in the history of these schools. A few of them, however, seem to be having some difficulty in impressing the fact of their usefulness upon the minds of the public, who are not

responding with that patronage which it seems these schools should draw. There is no sort of doubt that every one * * * has a most important function to perform in the teaching of practical scientific agriculture.

In response to this feeling of dissatisfaction there has been a formal effort to bring them still nearer to the original purpose for which they were organized. Says the superintendent in the 1912-13 report:

Last summer at the close of the year's work the board of control of these schools reorganized completely the course of study, with a view to making agriculture and agricultural instruction both in theory and practice the paramount consideration for every student connected with these institutions. Whatever criticism the public may have made of these district schools was based upon the theory that they were not doing the full amount of agricultural work intended by the law establishing them. The board believes that the complete reorganization of the course of study upon which these schools have entered for the year now begun will remove all basis for reasonable complaint of this kind.

The statistics of these schools may be presented as follows from the superintendent's reports. It is not till 1892-1894 that they became of sufficient importance to attract the attention of the superintendent, and the material available is at best incomplete and variable in character.

Statistics of the district agricultural schools.

Item.	1892-94	1896-97	1897-98	1898-99	1899-1900	1900-1901	1901-2	1902-3	1903-4	1904-5	1905-6	1906-7	1907-8	1908-9	1909-10	1910-11	1911-12	1912-13	1913-14
Number of schools.....	3	9	9	9	9	9	9	9	9	9	9	9	9	9	9	9	9	9	9
Number of pupils.....	616	1,926	2,111	2,268	1,858	2,243	2,131	2,311	2,355	1,405	1,811	2,665	2,469	1,214	1,271	1,402	1,443	1,477	1,449
Total income from State.....	\$4,888	\$35,072	\$43,890	\$41,194	\$28,397	\$43,898	\$39,147	\$39,799	\$38,069	\$34,745	\$40,154	\$49,600	\$50,417	\$57,061	\$58,100	\$56,365	\$52,284	\$50,268	\$57,613
Total ofbursements.....	\$4,529	\$32,202	\$38,776	\$45,068	\$23,959	\$43,064	\$39,356	\$35,773	\$42,068	\$33,264	\$39,940	\$45,993	\$47,796	\$54,858	\$57,798	\$55,331	\$45,617	\$42,362	\$51,858
Number of teachers.....	75	100	130	100	53	108	134	142	132	111	149	172	209	224	213	200	185	100	206
Number of high-school pupils.....					32		49	58	98		42	55	59	41	39	47			49
Number of preparatory pupils.....					882				882		1,202						1,062	1,101	1,062
Number of primary pupils.....					363		536	1,080	625								361	376	367
Number of college pupils.....					999		667	830	848										
Number studying agriculture.....					881		820	67		1,070									
Value of library.....					1,008		715	802	972	939	1,180	1,088	1,239	1,154	1,078	966	5,880	4,663	6,150
Value of library.....															\$4,250	\$4,425	\$4,250	\$4,250	\$5,400

1 Figures incomplete.

2 Of eight schools.

3 For one school only; no report for 1894-95.

4 Of seven schools.

VII. INDUSTRIAL EDUCATION.

Agricultural education brings us naturally to our next subject— industrial education in primary and secondary schools. The training of defectives dates back to 1852, although no successful work was done until 1858, when the Alabama Deaf and Dumb Asylum was organized. It survived the shock of war, and about 1869 a department for the blind was added. This training was of necessity largely industrial in character.

In 1872 the A. & M. College, now known as the Alabama Polytechnic Institute, was organized and offered instruction along industrial lines to such young white men as had already made some educational progress. Then, in the eighties, came the Marion, Huntsville, and Tuskegee schools, which offered to negro boys and girls such industrial training as they were prepared to follow to advantage. Then the organization of agricultural schools was intended to carry this training further down the line and give it to those white boys who were not able or not prepared to profit by college courses, so that before 1890 every class of youth in Alabama, including the defectives, had had some line of industrial training open to them except the white girls of the State. For them nothing was available except the teachers' courses in the normal schools. To call attention to this situation was to inaugurate a movement for a change.

On January 1, 1895, an act went into effect which created an Industrial School for White Girls. The act provided a board of trustees consisting of the governor, the superintendent of education, the auditor, one from each congressional district and two from the State at large. In this school girls were to be educated "in industrial and scientific branches" and might acquire there—

a thorough normal-school education, together with a knowledge of kindergarten instruction and music; also a knowledge of telegraphy, stenography, photography, and phonography, typewriting, printing, bookkeeping, in-door carpentry, electrical construction, clay modeling, architectural and mechanical drawing, sewing, dressmaking, millinery, cooking, laundry, house, sign and fresco painting, home nursing, plumbing, and such other practical industries as from time to time to them may be suggested by experience or tend to promote the general object of * * * fitting and preparing such girls for the practical industries of the age.

The sum of \$5,000 was appropriated for the first year, \$10,000 for the second; \$15,000 each for 1897 and 1898. The school was located at Montevallo, in Shelby County, and was opened October 12, 1896. The enrollment the first year was 227, divided into five courses, known as normal, business, industrial arts, domestic science, and college courses. In 1897-98 the enrollment was 368, with 38 graduates. There were then 24 teachers, and while the total appropriation to that date amounted to \$45,000, property had been accumulated worth \$46,279. In 1899-1900 the attendance was 400, and it was said that the institu-

tion had reached the limit of its capacity in the accommodation of pupils. The school term was now lengthened to eight months and a dairy farm was established. In 1906 the State superintendent said that the usefulness of the institution was being retarded by lack of buildings and equipment, but that it was placing a secondary education within the reach of many girls who would otherwise be unable to secure it and that it was "teaching useful industries by which the girls may make a living should necessity require it." While this school, like most others, has not had a career of uninterrupted development, its course has been generally upward. It has widened its vision, extended its courses, and increased its requirements, and as it has thus extended its purview it has passed further and further from the scope of the present study. Its widening ambition is voiced in the change of name in 1911 from the Girls Industrial School to the Alabama Girls' Technical Institute, the purpose now being evidently to do for the secondary and higher education of women what the Alabama Polytechnic Institute at Auburn is doing for men. This wider horizon is reflected in its statistics for 1912-13. It had 525 pupils, with 39 instructors. It enjoyed a total income of \$116,811, of which \$56,506 was principally from the endowment of funds given the institution by the Federal Government and \$36,000 was from the State. It had a library of 5,900 volumes, and its total equipment was valued at \$593,500. In 1913-14 the library contained 6,000 volumes and 2,000 pamphlets and was valued at \$6,000. The report for 1910-11 says that:

Former pupils of this school are meeting with the highest success in all the walks of life open to women. The training they receive here specially prepares them for teaching, and hundreds of them are filling positions in the public and private schools. * * * Technical courses are now being introduced in many of the public schools, and this will increase the demand for teachers trained in this school. Many former students are taking high rank in various industrial pursuits as bookkeepers, stenographers, milliners, dressmakers, nurses, florists, etc. The crowning work of the school, however, is the splendid preparations for home life.

Within the last few years other institutions, some for boys, others for girls, have come to the front and are making themselves felt in the widening educational field. One of these is the coeducational North-east Alabama Agricultural and Industrial Institute, located at Lineville, Clay County, which for the year 1912-13 reports 596 pupils, half of them in the elementary grades. It offers courses in normal training and domestic science; has property worth \$34,260, and had an income for the year of \$7,896, of which \$3,000 came from the State.

Another institution giving industrial training is the Alabama (White) Boys Industrial School, East Lake, near Birmingham. This institution is essentially reformatory in character, and grew out of a private enterprise subventioned by the State. In 1901-2 it received \$15,000 for the two years; 1903-1906 this sum was increased to \$8,000

per year; during the next quadrennium it reached \$20,000 per year, and in 1911 the sum was made elastic and fixed at \$150 per pupil. In 1912-13 it had 291 pupils and enjoyed an income of \$45,400, of which \$43,200 came from the State. Its property is valued at \$126,000. Efforts to interest the State in a similar institution for girls failed to meet with approval in 1907.¹

The Alabama School for Deaf and Blind offers classes in manual training, and in 1912-13 enjoyed an income of \$80,559, practically all of which was from the State.

It will be noted that these schools, and the district agricultural schools as well, offer their courses mainly to secondary pupils, but the tendency is more and more clearly marked to introduce the elements of agriculture and industrial work into the grades, and thus correlate more closely the work of the schools with the actual duties of life.

VIII. THE COUNTY HIGH SCHOOLS.

Up to the year 1907 the history of public high schools in Alabama had not been different from what it was in other Southern States. There were no public high schools except as attempts had been made to evolve them here and there as a part of the school system of various cities. There had been and were then successful high schools in operation in the State, but they were private or denominational. The pupil who lived in the country or in any except a few of the larger towns must secure his high-school training from private institutions. In fact, as late as 1886 the Alabama Educational Association was still discussing how far the State should aid "high schools, normal schools, and colleges." The right of the State to do this was denied by at least one speaker, who makes a bitter attack on such State aid, being evidently inspired to take this view by the private school interests, which had a practical monopoly of the country and were comparatively well organized. On the other hand, the public high school system, even in the towns and cities, was disjointed and fragmentary. There was little official connection and little correlation between the State-supported public school at the bottom and the State-supported university at the top of the educational system. Each part was independent of and received little or no help from the other.

But the University of Alabama, then under the presidency of John W. Abercrombie, saw the necessity of bridging the chasm between the primary schools and the higher institutions. How could it do this without money? President Abercrombie was fortunately able to interest the authorities of the General Education Board, who agreed to furnish the university with the necessary funds for a professorship of secondary education. When the posi-

¹ See Laws, 1907, p. 185.

tion was filled the choice fell on Mr. Joel C. Du Bose, who, in 1905, nominally as an associate professor of secondary education in the university, in reality as an advance agent for the institution, took the field in an effort to inaugurate a movement looking to a system of State high schools. Mr. Du Bose spent two years' traveling over the State, visiting many schools in many localities and preaching the doctrine of a more extended school system. This had its due effect, and the assembly on August 7, 1907,² passed a law which laid the foundation for a high school in each county.

Under the high-school law of 1907 a high-school commission, consisting of the governor, auditor, and superintendent of education, was appointed to locate one high school in each county. The counties were required to furnish 5 acres of land, on which they were to erect a building worth not less than \$5,000. The whole was to be deeded to the State. These schools were to be under the control of the county board of education; rules and regulations for the government and employment of teachers were placed in the hands of the high-school commission. The teachers in these high schools were required to have a first-grade or life certificate, and all matriculates were to pass "a satisfactory examination in the branches of free public instruction in the elementary schools." A matriculation fee of \$2.50 might be charged. For the years 1908-9 and 1909-10 the schools received from the State \$2,000 each. Beginning with July 1, 1911, this amount was increased to \$3,000.

The result of this law was that a keen rivalry sprang up among the various towns and villages for the purpose of securing these schools. Some localities were disappointed in their ambition, but they erected houses and organized high schools in spite of their failure to secure State funds. In this way also the towns were enabled to differentiate and extend their high-school departments, and the demand for State funds and for county high schools was more than the State could supply.

Statistics of county high schools.

Item.	1908-9	1909-10	1910-11	1911-12	1912-13	1913-14
Number of county high schools	22	33	28	42	50	53
Value of property	\$116,500	\$419,024	\$438,792	\$564,637	\$686,574	\$709,098
Number of teachers	49	79	106	155	182	174
Number of students	1,160	1,816	3,041	3,787	4,570	4,998
Number of boarding students	408	601	1,047	1,359	1,725	1,988
Number in average attendance	840	1,019	2,028	2,294	3,484	3,933
State appropriation	\$42,000	\$60,500	\$70,250	\$119,000	\$152,000	\$152,000
Town appropriation	\$5,820	\$5,424	\$5,693	\$4,467	\$2,604	\$4,441
County board of education appropriation	\$1,100	\$7,875	\$13,199	\$11,005	\$9,833	\$15,634
Miscellaneous sources	\$1,774	\$7,907	\$11,979	\$19,086	\$29,922	\$39,850
Total income	\$50,694	\$91,707	\$104,347	\$158,641	\$197,540	\$211,924
Total paid teachers	\$45,666	\$70,006	\$88,007	\$126,444	\$159,359	\$166,229
Total expenses		\$78,382	\$99,641	\$148,585	\$190,063	\$206,552
Total volumes in libraries			6,946	7,975	11,030	13,028
Length of term in days				180	180	180

¹ He resigned Oct. 1, 1907.

² See Revised Code of 1907.

It will be noted that there are included in the number of matriculates in some schools a number of seventh-grade pupils. This is a provision made by law to meet the needs of pupils in certain counties whose primary schools have not as yet risen to the requisite standard, and it did much to popularize these schools with the masses.

As high-school salaries go in the Southern States the pay of the principals in these county high schools has been very good. Only one county paid less than \$1,100 in 1912-13, while 23 paid \$1,500; Houston County paid \$1,575; Marengo, \$1,855; and Bibb, \$2,000. The total amount of income varies from \$3,200 in Cleburne to \$8,078 in Dale (1912-13).

With the organization of these high schools, it has been possible to bridge over the chasm which formerly existed between the public schools and the university. They maintain a full four-year high-school course, and with their development and growth the whole scheme of education will be complete. Candidates for college can now in most counties secure the necessary preparation within reasonable distance of their homes.

The patronage, when analyzed, shows that as yet, and as might be expected, about two pupils are from the home locality to every one coming from a distance. But the field of patronage is widening, and that the schools are growing in general favor is illustrated when we note that the 32 schools organized in 1909-10 then had 1,816 pupils and that the same schools had in 1912-13 3,015 pupils.

Careful courses of study¹ have been worked out for these schools which are "directed toward giving each student as far as possible a suitable training for the duties and responsibilities of good citizenship." For this reason they are made thoroughly practical and at the same time fit their graduates, of which there were 299 in 1913, "to meet fully all the college entrance requirements."

Prof. James S. Thomas, of the department of secondary education in the University of Alabama on the foundation established by the General Education Board, has been appointed State inspector for the county, town, and city high schools. There has been associated with him in this work Prof. J. R. Rutland as representative of the Alabama Polytechnic Institute. The value of their services is evident. They make weekly or monthly reports to the university and the State superintendent on the actual conditions; the course of study is made uniform, and the constant visits of the inspectors enable the State through its high-school commission to maintain a common standard as to the quality of the instruction given.

¹ Published in 1910.

Chapter XII.

LOOKING FROM THE PAST AND INTO THE FUTURE.

Just 60 years ago the State of Alabama made its first formal essay toward a State-supported and State-administered public-school system. During this period there have been many ups and downs of educational fortune, but there has been progress. What, in brief, have been the main characteristics of the educational experience of 60 years?

The public-school system of Alabama is based primarily on the grant by Congress of the sixteenth sections to the State for educational purposes. These sections were granted to the people of the respective townships, although it has been judicially decided that the title vested in the State for the benefit of these townships.

The grant did not mean that a great educational fund was established in the State, to be administered by the State as a unit, directed, controlled, and used by it under such conditions as would best promote public education as a whole. It did mean that there were potentialities present in the shape of wild lands which in time, under good management, might be developed and converted into such a fund. The Federal Government furnished the raw material out of which this educational fund was to come. The people of Alabama through their assembly were expected to furnish the machinery and the men by whom these results were to be attained. But the people of Alabama of that day were pioneers and State builders; they were neither financiers nor educationists. As a result the blunders that resulted might have been predicted in part at least.

First of all, it was necessary to sell the best of these lands and invest the proceeds so as to lay the foundations for productive income. The infant State was under the practical necessity of creating a circulating medium, and the line of investment that promised a circulating medium and an income on the fund at the same time was through the State bank, established with branches in various sections of the State. During the thirties speculation was rife all over the Union. Fortunes were quickly and easily made in Alabama as elsewhere. All available school funds seem to have gone into the State bank, and so great were its earnings that it was found possible in 1836 to abolish State taxation and to rely on the State bank to meet the expenses of government. In 1839, since prosperity was

still continuing, the assembly went still further and required the State bank to contribute \$150,000 annually to the support of a public-school system as yet unorganized. In 1840 the annual requirement was raised to \$200,000. This sum may be regarded in part as an annual and just interest on the public-school fund invested in the State bank as a part of its capital stock and in part as a participation of the school system along with other departments of the State government in the amazing, if temporary, success of one of its subordinate activities.

The situation in 1839 was therefore anomalous; by a series of fortunate investments—speculations we might almost say—the State suddenly found itself in possession of an annual income of from \$150,000 to \$200,000 for exclusive use in the promotion of an educational system which had never yet been organized and of which those in authority knew practically nothing. In this dilemma, caused by the absence of knowledge and of organization, the State seems to have been content to distribute such funds as came into its hands among such private and denominational schools as then existed in the State. The funds thus distributed seem to have been only complementary to those coming from private sources, and no controlling and directing interest was asserted by the State or recognized by the recipients. The net result seems to have been that by this use of the public funds they were practically dissipated, and so contributed little or nothing to the evolution of a public-school system. The only permanent gain was the knowledge, based on experience, that the public-school system must be organized with the State, not the individual, as the predominant partner.

To this failure in administration was now added a still more serious misfortune in the practical loss of the principal of the sixteenth section funds with the failure of the State bank.

Perhaps the most natural result of this experience of a generation was an inevitable association in the public mind of the idea of public schools and sixteenth section funds. The former seemed to depend entirely on the latter. They were supported out of its income and without such income they were not even considered. The idea of the public school was that of an institution with an independent source of support coming to the people from without, not from within. To the people of Alabama the public school was at that time not an evolution, it was an importation, supported by a fund of outside origin. It is possible that this fact will explain in part the conservatism of the people even to-day in the matter of allowing local taxes for the support of the system, and it may be that the loss of the principal of the sixteenth section fund with the failure of the State bank and the resulting necessity of raising the annual interest out of taxes instead was not an unmixed evil. It certainly tended to arouse

the people to a realization that the system was their own, whatever it was. It made the success or failure of the system now vital and personal to every man who thought. The wasting of a Federal gift might be venial, but the wasting of State taxes was mortal.

It is evident that to the middle-of-the-century aristocratic slaveholder of Alabama few things could be more foreign than the idea of public taxation for schools. He had been educated in a private, denominational, or endowed institution. He had paid for the instruction received. He was both willing and able to pay for the education of his own children, and for these reasons he was willing to let the public-school fund go for the education of those less financially able. He would subscribe to the public school for his own children and allow the public money to go to the poorer members of society, for to him the public money, even if raised by taxation on himself and his peers, savored of the outside, of Federal influence and of centralization, terms all hateful to men who were sufficient unto themselves and who lived and ruled within their own domain. By mere contrast with this point of view, to the poor man the State bounty came to savor of public charity; in his individual pride he characterized the public system as a pauper system, whose service an exaggerated and undue self-respect frequently forbade him to accept. The slaveholder probably did not, as a rule, emphasize the charity idea; he rather waived his right as a matter of generosity to the less fortunate. It was the poor man, not his wealthy neighbor, who characterized the public schools as a pauper system.

Again, the question of public schools involved the still larger question of an extension of State activities and a further centralization of power. The people of the State were strict constructionists of the theory of Federal power, and what applied to the United States Government, applied almost equally as well to the State government. Decentralization was the watchword, and the nearer this reached the individual the better. The very theory of a State-supported and State-controlled system of public education was foreign to the ideas of the rank and file of the men of that day. That this is true is made evident by a perusal of the public utterances of the leaders of the time. For years they had urged that such steps be taken by the State, but the people were exceedingly slow to advance in that direction, as their legislative proceedings will show. The reasons for this slowness are based perhaps as much on a strict interpretation of the constitution as on indifference.

The total result of the first generation of dealing with sixteenth section lands and public schools may be summed up in a single word—experience. The people had experimented in administering the sixteenth section lands, also in investing the funds derived from these lands, and had lost. They had sold their best lands, they had invested

the money in stock of the State bank, and the bank had failed. The net result was that what was intended as a productive fund for certain townships, became, in the form of a paper fund, a charge on all, the interest on which, if paid, would come in due proportion from the counties least able to bear and go in part to those most able to do without, and all this because of the initial mistake of the grant being made to the township and not to the State.

The two elements of progress that seem to have come out of the situation are the evident effort of the State to make an equitable distribution of the fund according to needs rather than the strict letter of ownership and, through the necessity of raising the income of the sixteenth section fund by taxation, a familiarization of the people with this method of securing all school funds.

The sole capital then with which the State began its public-school system was a stock of knowledge gained through a generation of hard knocks in the school of experience, something less than a million acres of land of problematical value, and a paper fund amounting to more than \$1,000,000.

From the first formal organization of the system (1854) all of the public-school funds were raised by taxation, but, coming indirectly and partly as a gift from the State, the people were slow to grasp the idea that they were themselves the ultimate source of this income.

After the school system was finally established in 1854, and its sources of income fixed by law, the question of administration reverted to the older idea of schools without supervision. The people seemed willing enough to spend for schools whatever money was available, but they were not often willing that any of this should be spent either for State or county supervision. The idea seems to have been that the public-school system when once organized was amply able to execute itself. This indicates clearly that the people had not yet been liberated from the memory of earlier days when public funds were merely supplementary to private funds and when the schools were essentially private institutions, with some additional income derived from public endowment or its equivalent. The situation was now exactly reversed. The schools were essentially public; they were supported in the main by public funds, which were, however, for many years increased in amount by fees for tuition and incidentals, and from various other sources. These additional sums in the earlier days were sometimes as much as one-half of the whole, and even in recent years have not been inconsiderable, yet the time has never been, since 1854, when there was the slightest inclination on the part of the State to loosen its hold on the schools or to return to the system of the forties. Supervision won its battle before the Civil War, and since has grown steadily in importance and influence.

During the seven years between 1854 and 1861 the schools were steadily developing and gaining a hold on the people. They were becoming better understood, their resources were increasing somewhat, and they were widening the scope of their activities. There can be no doubt that during these years the system took a lasting hold on the affections of the people of the State. This is indicated by the tenacity with which it held its own during the war and the period immediately following. It is clear that had there been no reconstruction, the schools would have continued developing along the original lines. Their field would have been soon broadened and extended so as to include the negro, and with the recuperation that would have followed with years of peace they would have soon recovered the ground lost during the time of war and outdistanced the best days of the ante bellum period.

But this was not to be. Reconstruction added to the burdens of the white population and worked a hardship upon the negroes, because it carried in its train the hostility of the whites among whom they lived and who were at heart their friends. It meant that the energy which for the next years would have been spent in developing the schools and in building up again the waste places of the State must now be spent in wresting the scepter of government from the hands of the negro and his political allies. In this life and death struggle all else was forgotten. Without autonomy, education was dead. No wonder there was little progress in those eight wretched years. The real wonder is that, when this proud people had again come into their own politically, they so easily and quickly forgot the evils that had been grafted on their system of public schools during the reconstruction period, and after revising and revivifying the new system retained all the good which it had evolved. It seems literally true that the public-school system of Alabama, organized in ante bellum days, conducted during the period of actual hostilities, and maintained so far as available funds would permit through the next three years, gained nothing by its reorganization in 1868. It was not placed in the hands of the men who were best fitted to administer it, either by previous experience, ability, or character. It was too often the prey of the ignorant and the spoilsmen. The nadir of misfortune was reached in 1873, when the schools were practically closed because extravagance, carelessness, and ignorance had already piled upon them a load which they could no longer bear. The tide now turned; and out of the slough of despond, under the leadership of a brave, broad-minded man, a new organization was to rise, an organization for which, whether good or bad, Alabamians alone are responsible and through which they are still seeking to solve the great question of universal education.

After the adoption of the constitution of 1875, and the reorganization of schools which followed it, the permanent existence of the public-school system as one of the regular activities of government was assured. This constitution provided that \$100,000 a year be devoted to the schools; what came to them beyond this sum depended on the general prosperity of the State and the will of the assembly. It is possible that the idea in mind of the constitution makers was that the system contained too many elements of usefulness to be left to the mere will of the assembly. For this reason it was given a formal lease of life by the organic law, with enough income to assure its continuance. Beyond this, expansion could come only as the system appeared to the people to be making good. In truth it must be said that almost another generation passed before it really began to make good.

There were many reasons for this comparative failure—the presence of a different race and a certain amount of inequality in the distribution of funds was one cause; indifference, ignorance, lack of funds, short terms, poor teachers, and poor results were other causes; nor is it worth while to veil the fact that the administration of the department was a matter of politics. Most of the early superintendents were made the party nominee for religious, economic, or social reasons, or as a matter of political expediency. Sometimes there was in the superintendent little of the spirit or enthusiasm of the real teacher or educational missionary who was willing to go into the corners of the State in season or out of season and preach the doctrine of educational salvation. Then, too, with a single exception, during the last 40 years the superintendent has been changed every four years or oftener. Since the adoption of the constitution of 1875 there have been in all 11 individuals who have filled or finished 12 terms of office and this rotation in office is now fixed by the constitution itself. The result is that there can not be the highest degree of continuity in development, for as soon as a superintendent begins to learn the details of his office and so to become master of the situation he must give place to another. He can have no assurance that his plans will be carried out by his successor, and knowing that no amount of success will help him succeed himself, he is under constant temptation to accept other positions before his term of service is over. This has already twice been the case since 1901, when this new constitutional provision went into force.

In earlier days the interests of the schools were not always the main consideration when party nominations were made; partisan politics rather than education sometimes dictated, and it has been by a long and laborious mental process that the people have come to a realization that their educational system is something more than a mere

department of government charged with duties that concern the present. The administration of Maj. Palmer helped to this realization. His success was in part because he had a longer term in which to carry out his plans; he had more funds than his predecessors; he also assisted the cities to realize their needs and urged them along lines of self-help. They were beginning to feel the imperative necessity for more funds; they now began seeking for the means of supplying the need. Unincorporated communities were shut out by the Cullman case—*Schultes v. Eberly*. The Birmingham decision in 1895 cut off income from another class of taxes, but this process of exclusion revealed to them that these funds might be raised on a general city levy and then appropriated in accord with specific enactment to the use of schools. About 1895 the same thing was tried with the counties. They were careful to keep within the constitutional limit of 75 cents on the \$100, but found it possible, through special legislative enactment, to appropriate a part of the funds raised under a general levy to school purposes. Through the development of this idea in the counties it was possible to secure the State-wide act of 1899, which required the counties to make a straight levy of 10 cents per hundred for schools. This levy kept within the total tax limit, but it is not at all certain that it would have passed the test of the courts. The friends of the measure were relieved from anxiety, however, by the constitution of 1901, which adopted the idea, extended it from 10 cents to 30 cents, and made it a part of the organic law. The author of the act of 1899 was John W. Abercrombie, then superintendent. It was through his efforts that it passed the assembly. The light was breaking. The men in charge of the educational department were now practical educators, and while the new constitution did not reflect their full hopes and wishes, it did show the presence of their influence. It was in reality a compromise between the progressive proeducational interests which demanded the fullest rights of local and State taxation and the old conservative and vested interests which wanted little taxation or none at all. The new 30-cent tax for education was levied by the State, collected by the counties, paid to the State, and by it again distributed to the counties. The constitution also made possible an optional county tax of 10 cents on the \$100, but the right of local taxation was still denied to both cities and local school districts; and since then these have become the centers around which the struggle for further progress has been carried on.

The limited success attained through the constitution of 1901 was by no means accidental or exotic. On the other hand, it had its root deep in the soil of other years and is a product of the faithful work of a few men and women in various walks of life—teachers,

school officers, superintendents, and others. Through their efforts such development came as was possible with the limited funds available. Their efforts, their words and actions, made possible the development of that day and paved the way for the constitutional amendment of 1901.

With the new sources of income now at command, the schools began to make a great leap forward, especially in the length of term, in the funds available per child of school age, and in school equipment. With the increase of funds has come also a widening of school activities. This includes the reorganization of the special school district system and its extension to the whole State; the reorganization of the district agricultural schools; the organization of high schools; the increased efficiency of the normal schools; the evolution of the *Montevallo* Girls' Industrial School into a high-grade technical institute for women; the extension of the work of the university and of the Alabama Polytechnic Institute. All along the line has educational endeavor been awakened and reinforced and reinvigorated. There is now almost everywhere a better and closer supervision, a keener and more general interest in the educational progress of all classes of the population. All phases of educational work, from the primary grades to the university, have been encouraged, inspired, and strengthened.

In no way can this general progress be illustrated better than by comparing the statistics of illiteracy in Alabama in 1880 with those in 1910, as follows:

Total number of illiterates 10 years of age and over.

1880.....	433,447, or 50.9 per cent.
1890.....	438,535, or 41.0 per cent.
1900.....	443,590, or 34.0 per cent.
1910.....	352,710, or 22.9 per cent.

Native white illiterates 10 years of age and over.

1880.....	111,040, or 25.0 per cent.
1890.....	106,235, or 18.4 per cent.
1900.....	103,570, or 14.8 per cent.
1910.....	84,768, or 9.9 per cent.

Foreign white illiterates 10 years of age and over.

1880.....	727, or 7.7 per cent.
1890.....	1,100, or 7.9 per cent.
1900.....	1,313, or 9.3 per cent.
1910.....	2,063, or 11.3 per cent.

Negro illiterates 10 years of age and over.

1880.....	321,680, or 80.6 per cent.
1890.....	330,700, or 69.1 per cent.
1900.....	338,707, or 57.4 per cent.
1910.....	265,628, or 40.1 per cent.

Illiterates 10 to 20 years of age, inclusive.

1880.....	166,395, or 53.5 per cent.
1890.....	144,665, or 34.8 per cent.
1900.....	133,584, or 28.0 per cent.
1910.....	86,437, or 16.4 per cent.

A study of these census figures will show that while there was a decrease, as measured by per cent of illiteracy in the 20 years between 1880 and 1900, in reality (1) the total number of illiterates increased by 10,000; (2) foreign illiterates increased by nearly 600; (3) negro illiterates increased by 17,000; (4) white native illiterates decreased by less than 8,000. This meant that while the relative amount of illiteracy was less in 1900 than in 1880, the possibility of its final eradication seemed at that time to be almost indefinitely postponed. The publication of these statistics no doubt had its influence in awakening the people of the State. They saw that their public-school system, although nearly half a century old, was not holding its own in the face of growing ignorance. They diagnosed the reason, and they had force of character to apply the proper remedy which, in the case of Alabama, meant mainly more money and equipment. The increase in the school funds shows clearly in the census returns of 1910: The total number of illiterates was reduced between 1900 and 1910 by 91,000; the native whites by 19,000; and negro illiterates by 73,000; and the per cent of illiterates between 10 and 20 years of age, as compared with 1890, was more than cut in half. But according to the State school census of 1914 the figures of to-day are not so satisfactory and give little comfort to those in authority. In discussing illiteracy and the school census of 1914, Supt. Feagin says, in his report for 1913-14:

In the aggregate there are 306,857 white children in Alabama between the ages of 10 and 20, inclusive. Of this number, 280,598 are literate and 26,259 are illiterate. This means that 1 out of every 12, although he has had the opportunity of public education for three years or even more, is still unable to read and write. There are 240,814 colored children in the State between the ages of 10 and 20, inclusive, of whom 170,567 are literate and 70,247 are illiterate. This means that 1 negro in 4, between the aforesaid ages, can not read and write. For our combined population there are 547,671 children between the ages of 10 and 20, inclusive, and of this number 451,165 are literate and 96,506 are illiterate. * * * That conditions are gradually improving no one can deny, but if our number of illiterates decreases in future census decades by the number that it decreased in the last census decade it will require just 65 years to place Alabama and the people of Alabama where they ought to be when educational opportunity is equalized and utilized.

If, however, comparison is made between the situation in 1900-1901 and in 1913-14, it will be evident that substantial progress is being made:

- The total number of teachers increased from 6,302 to 9,727.
- School property from \$934,065 to \$8,417,291.
- Special tax of 30 cents per hundred from \$245,246 to \$1,734,302.
- City and county appropriations from \$663,754 (in 1907-8) to \$3,363,859.

¹ Estimated.

The total available funds from \$1,180,283 to \$4,446,076.

Total available funds per capita of school population from \$1.67 to \$5.74.

Total expenditures from \$1,119,397 to \$4,274,458.

Length of school term for whites from 97 to 135 days; for negroes from 82.7 to 104 days.

Per cent of school population enrolled in 1900-1901 was 54.3; in 1913-14 it was 60.5.

The per cent of enrollment in average attendance was 46.9 in 1900-1901, and 61.0 in 1913-14.

The per cent of school population in average attendance was 25.4 and 37.2, respectively.

It does not seem that these phases of the school system, enrollment and attendance, are making progress equal to others. They represent one of the phases of the subject which is crying loudly for an improvement superinduced by law. It is safe to believe also that no such extensive gains are likely to be shown by the census of 1920 as are shown in 1910, for the reason that with the funds now available the public schools have about reached their zenith. Under most favorable conditions, with a given amount of money from year to year, only results of a corresponding grade can be expected. The results of the increased funds available under the constitution of 1901 are now reaching their flood tide; without more funds for expansion they will remain stationary for a time, and then will come necessarily a reaction and the beginning of the ebb. Educational leaders in the State have long grasped the situation and are now bending their energies toward securing legislative sanction for a constitutional amendment permitting local taxation. Such a provision was defeated by a small margin only in the legislature of 1911; no matter of more importance will come before the session of 1915. Defeat is unthinkable, for the people of Alabama are aroused; they are patriotic and it would mean a shock to educational development, an encouragement to illiteracy, a check on progress in general, a moving backward of the shadow on the dial of Ahaz.

With an increase of funds must go also other elements of progress to insure the best results. The most important of these is that of compulsory school attendance. Local taxation and compulsory attendance will doubtless open to the State a new era of educational prosperity. They are to-day vital necessities, and this study can perhaps be ended in no better way than by quoting the words of one of Alabama's educational leaders, who having served as State superintendent has now become president of the State Normal School at Florence. Mr. Henry J. Willingham says in the Educational Exchange for February, 1914:

School attendance is required throughout the civilized world to-day, except in Russia, Spain, and Turkey, and six of the Southern States.¹ How much longer shall we * * * in Alabama be willing to say "Here we rest"? It is gratifying to observe that public sentiment seems to be crystallizing in the demand for a law upon our statute books on the subject of compulsory attendance. God speed the day when it may come.

This only is educational salvation.

¹ Reduced to four in April, 1915.

PUBLIC SCHOOL STATISTICS, 1850-1914.

TABLE 1. — School population, teachers, property, and school year.

Years.	Totals, white and negro.			White only.		Value all school property.	Negro.			
	School population.	Teachers.	Schools.	Month-ly salary.	Days in school year.		Teachers.	Schools.	Month-ly salary.	Days in school year.
1855	1145,518									
1856	1,171,073		2,281		120					
1857	1,178,065		2,262		125					
1858			2,597		122.5					
1859										
1860		2,038	1,003							
1861-1866										
1867-69	357,181	2,902	2,824							
1869-70	387,057		1,845	\$42.58	49			490	\$42.27	49
1871	399,153	3,470	3,321	42.60	66.5			922	43.06	64.3
1871-72	403,735	2,650		38.00	72		830		40.00	71
1872-73	404,739									
1873-74	405,839									
1874-75	406,270	3,961	3,808	27.20	86		1,286	1,288		81
1875-76			4,225	4.75	80			1,027		
1876-77	369,447	4,225	4,175	22.50	81.5		1,439	1,415	22.74	77
1877-78	370,245	4,800	4,798		84.7		1,462	1,461		80
1878-79	376,649	4,675	4,671	18.70	84		1,496	1,491	24.57	79
1879-80	387,769	4,615	4,597	20.96	80	\$140,097	1,521	1,512	23.62	67
1880-81	388,003	4,698	4,572	23.06	80	285,976	1,645	1,591	23.15	76
1881-82	401,002	4,564	4,624	21.70	79	204,457	1,508	1,566	21.88	78
1882-83	403,901	4,717	4,824	23.40	80.2		1,569	1,655	22.10	79.3
1883-84	419,764	5,182	5,218	24.76	83		1,724	1,797	24.75	83
1884-85	420,413	5,392	5,391	23.76	82.4		1,827	1,744	22.78	81.1
1885-86	450,968	5,490	5,583	27.59	87.2		1,829	1,925	25.97	87.2
1886-87	452,937	5,483	5,583	21.87	70.5		1,853	1,925	21.58	71
1887-88	485,551	5,593	5,702	22.31	68.2		1,875	1,858	23.06	67.4
1888-89	485,025	5,916	6,009	21.14	69.5		1,968	2,061	21.15	69.2
1889-90	522,691	6,143	6,306	22.04	67.7		2,070	2,174	21.05	68.9
1890-91	550,522									
1891-92	550,522									
1892-93	579,887	6,608	6,687		71		2,196	2,248		67.4
1893-94	579,887						2,288	2,294		65
1894-95	590,757	7,344	7,073	24.03	72.5		2,351	2,326	18.71	65.3
1895-96	590,757	7,388	7,011	23.96	72.5		2,484	2,411	18.29	63.8
1896-97	590,757	7,519	6,989	22.97	72		2,806	2,447	17.70	61.2
1897-98	591,757	7,591	7,211	24.99	74.8		2,503	2,455	18.44	63
1898-99	633,546	7,074	6,966	25.05	68		2,301	2,320	17.66	62
1899-1900	634,061	6,063	3,742				1,857			
1900-1901	661,911	6,302	6,199	32.25	97	944,065	1,886	1,962	22.59	82.7
1901-2	675,536	6,303	5,907	32.50	105.8	1,842,083	1,852	1,832	22.38	93
1902-3	649,374	6,029	6,028	33.00	102	1,622,178	1,701	1,777	22.79	93
1903-4	659,705	5,900	5,519	35.43	105	2,101,131	1,519	1,594	24.69	89.4
1904-5	679,051	5,716	4,036	40.18	108.2	2,780,022	1,417	1,468	23.43	82
1905-6	679,051	6,165	5,715	41.60	109.7	2,925,610	1,555	1,525	24.52	87.3
1906-7	688,634	6,519	6,020	43.75	112.8	3,957,702	1,640	1,813	23.53	88.8
1907-8	687,274	7,759	5,870	48.52	123	4,306,809	2,019	1,609	25.07	95
1908-9	697,398	8,273	6,240	50.92	128	5,175,247	2,126	1,890	25.23	98
1909-10	712,769	8,677	6,389	51.60	131	6,416,420	2,243	1,965	26.53	90
1910-11	712,769	9,220	6,566	57.77	127	7,358,173	2,384	1,976	33.02	95
1911-12	727,297	9,442	6,572	54.50	132	7,672,114	2,344	1,937	33.35	96
1912-13	727,297	9,486	6,655	58.34	133	7,886,496	2,371	1,972	34.40	97
1913-14	774,976	10,038	6,738	58.34	135	8,427,291	2,516	2,026	30.70	104

¹ School age in 1855, 5-18; in 1856 and 1857, 6-21; in 1868-69 to 1874-75 it was 5-21; beginning with 1875-76 it has since been 7-21.

² Census of 1860.

³ For year Oct. 1, 1860, to Jan. 1, 1871.

⁴ Pay of all teachers, white and black.

⁵ For year Jan. 1 to Oct. 1, 1871.

⁶ For year Oct. 1, 1871, to Sept. 30, 1872; 22 counties not reporting.

⁷ 51 counties only reporting.

⁸ Includes all schools, rural and special district.

⁹ Includes country districts only.

¹⁰ Reports incomplete.

TABLE 2.—Enrollment and attendance.

Years	Total school enrollment.	Per cent of total school population.	Average school attendance.			Negro.							
			Number.	Per cent of enrollment in average attendance.	Per cent of school population in average attendance.	School population.	School enrollment.	Per cent of school population enrolled.	Average school attendance.	Per cent of enrollment in average attendance.	Per cent of school population in average attendance.		
1856													
1856	89,160	52.1	38,265	42.9	22.4								
1857	89,013	49.9	39,887	44.8	22.4								
1858	98,274		42,274										
1859													
1860	161,751												
1861-68													
1868-69	160,000	43.1											
1869-70			52,000			157,918			16,097				
1871	141,312	35.4	107,666	76.2	26.9	164,671	54,336	33.0	41,308	76.0	25.1		
1871-72	103,615	25.0	73,927	71.3	18.3		41,673		28,406				
1872-73						169,139							
1873-74						172,500							
1874-75	145,707	35.9	110,253	75.0	27.1	172,537	54,596	31.6	43,229	79.2	25.0		
1875-76	126,891					48,716							
1876-77	143,571	38.8	103,018	71.8	27.9	155,168	54,949	35.4	40,222	73.2	25.9		
1877-78	160,713	43.4	99,125	61.1	26.7	155,525	63,914	41.6	41,659	65.2	26.7		
1878-79	174,585	46.3	112,374	64.5	28.9	162,561	67,635	40.9	46,438	68.6	28.5		
1879-80	179,490	46.3	117,978	65.7	30.4	170,449	72,007	42.2	50,184	69.4	29.4		
1880-81	170,289	45.4	115,316	65.4	29.1	170,413	68,951	40.5	48,476	70.3	28.4		
1881-82	177,428	44.2	114,527	64.5	28.5	176,539	69,479	39.3	47,146	67.8	26.7		
1882-83	200,513	49.6	127,916	63.8	31.4	178,858	80,420	44.9	53,143	66.1	29.7		
1883-84	215,578	51.4	134,410	62.4	32.1	186,309	84,085	45.1	55,595	63.7	29.8		
1884-85	233,909	55.6	144,572	61.8	32.9	188,512	90,872	48.7	59,716	65.7	32.5		
1885-86	252,871	56.0	152,776	60.4	33.9	201,330	104,150	51.7	62,673	60.1	31.1		
1886-87	251,700	55.5	157,718	62.6	34.8	201,331	98,396	48.9	63,945	65.0	31.8		
1887-88	258,590	53.3	165,099	63.9	34.0	212,821	98,919	46.5	66,424	67.1	31.2		
1888-89	261,667	53.9	165,528	63.2	34.2	212,931	101,649	47.7	66,898	65.8	31.4		
1889-90	292,052	55.9	175,168	59.6	33.5	228,925	111,648	49.2	69,507	62.2	30.6		
1890-91						240,894							
1891-92													
1892-93	306,014	52.9				259,355	115,709	44.6					
1893-94													
1894-95	323,049	54.6				268,113	118,689	44.2					
1895-96	331,557	56.1					124,618						
1896-97	348,899	59.0					132,413						
1897-98	341,638	57.8					129,955						
1898-99	319,214	50.4				282,879	122,915	43.4					
1899-1900	215,093					282,733	109,763						
1900-1901	359,493	54.3	168,484	46.9	25.4	235,916	125,085	42.3	65,655	52.0	21.9		
1901-2	365,816	54.2	188,299	51.4	27.8	301,496	126,116	41.8	68,573	54.3	22.7		
1902-3	543,411	52.9	163,137	47.8	25.1	277,659	112,274	44.3	56,588	50.4	23.4		
1903-4	339,726	51.5	208,364	61.3	31.7	322,634	117,693	38.8	64,952	55.2	21.4		
1904-5	357,661	52.7	208,316	58.4	30.7	322,115	117,044	38.7	72,841	62.2	24.1		
1905-6	382,821	56.3	245,441	64.1	36.1	322,115	126,989	42.0	74,967	59.0	24.8		
1906-7	394,482	57.3	210,952			307,664	134,005	43.5	75,297	56.2	24.5		
1907-8	386,478	56.2	249,030	61.9	36.3	307,252	127,490	41.8	86,063	67.5	28.0		
1908-9	405,226	58.9	264,446	65.2	38.5	305,938	133,316	43.5	87,730	65.3	28.7		
1909-10	422,795	59.3	265,570	62.8	37.2	322,707	142,813	44.2	89,008	62.3	26.6		
1910-11	431,707	60.6				322,707	144,605	44.8					
1911-12	424,075	58.3	254,265	59.5	34.9	328,024	136,272	41.5	79,905	58.6	24.3		
1912-13	428,625	58.9	259,768	60.6	35.7	328,024	134,870	41.1	82,871	61.4	28.3		
1913-14	468,154	60.5	288,607	61.6	37.2	342,425	147,812	43.1	92,078	62.3	26.9		

¹ Census of 1890.

² Estimated.

³ Reports incomplete.

TABLE 3.—School revenues.

Years.	Invested funds: Sixteenth section funds and surplus revenue.	Miscellaneous, including balances.	State appropriations, including special and general.	Poll tax.	Constitutional one-fifth mill special tax.	City and county appropriations.	Total.	Available funds per capita of school population.
1850							\$103,640	
1851								
1852							139,841	
1853								
1854							237,515	
1855	\$135,981	\$1,344	\$100,000				267,690	\$1.63
1856	151,318	16,372	100,000				267,690	1.56
1857	179,084	8,790	100,000				281,874	1.56
1858	151,916	19,463	100,000				261,253	
1859							275,965	
1860							283,870	
1861							283,870	
1862							231,774	
1863							268,731	
1864							233,978	
1865							112,783	
1865-66							413,849	
1866-67							290,250	
1867-68							45,411	
1868-69	198,207	26,514	300,000				524,622	1.47
1869-70	198,216	4,000	160,903		\$137,290		500,409	1.29
1871	166,347		100,000	\$82,580	232,463		581,389	1.46
1871-72	199,698	2,000	54,276	113,505	235,525		604,979	1.50
1872-73	200,123	14,000		115,642	193,046		522,811	1.29
1873-74	200,216	13,142		80,487	180,502		474,347	1.17
1874-75	200,510			73,817	209,887		484,214	1.19
1875-76	100,427	2,050	130,000		96,414		348,891	.85
1876-77	100,485	121	150,000		116,627		367,243	.90
1877-78	137,425		130,000		110,133		377,560	1.02
1878-79	117,558	418	130,000		120,125		368,215	1.04
1879-80	137,672	5,197	130,000		124,597	\$60,145	397,465	1.03
1880-81	138,013	1,253	130,000		128,212	\$76,412	397,479	1.03
1881-82	138,584	923	130,000		123,398	\$66,990	392,905	.98
1882-83	139,469	11,864	130,000		106,733		418,006	1.03
1883-84	140,025	690	230,000		135,784	\$23,180	506,699	1.21
1884-85	141,040	\$2,460	230,000		138,010		511,540	1.22
1885-86	141,348	3,920	230,000		148,085		523,353	1.17
1886-87	141,830	7,264	230,000		136,896		515,990	1.14
1887-88	142,361	38,239	250,000		135,127	\$174,183	566,460	1.17
1888-89	143,289	182,049	250,000		137,861	\$184,359	713,198	1.47
1889-90	143,938	33,538	350,000		151,222	\$200,000	698,698	1.34
1890-91	144,685	52,277	350,000		152,803		699,765	1.27
1891-92	145,170	57,018	350,000		146,545		698,672	1.27
1892-93	145,536	52,372	350,000		145,702		693,610	1.20
1893-94	145,885	166,635	350,000		143,751		806,271	1.40
1894-95	146,270	98,350	350,000		143,357		738,577	1.26
1895-96	145,000	168,868	350,000		145,235		809,124	1.37
1896-97	145,000	184,080	350,000		146,374		826,054	1.40
1897-98	145,000	168,794	350,000		153,418		817,242	1.39
1898-99	145,000	57,584	450,000		150,416		803,000	1.27
1899-1900	149,227	163,960	450,000		152,833		916,050	1.44
1900-1	150,754	78,240	550,000		156,048	\$245,246	1,180,283	1.67
1901-2	153,868	97,545	550,000		145,593	\$257,129	1,204,135	1.79

1 Estimated.
 2 Income 1869-1865 from auditor's reports.
 3 Income 1865-1868 from superintendent's reports.
 4 Income 1868-69 to 1877-78 from superintendent's report for 1877-78, p. xxxviii.
 5 Auditor's figures begin.
 6 For 15 months, Oct. 1, 1869, to Jan. 1, 1871.
 7 For 9 months, Jan. 1 to Oct. 1, 1871. Since that date the fiscal year has run Oct. 1 to Sept. 30.
 8 Figures in this column, 1879-80 to and including 1889-90, are private contributions and not counted in auditor's report.
 9 Figures of superintendent: poll tax then a local matter and not reported to auditor.
 10 Income 1887-88 to date from auditor's reports. Prior to 1887-88 totals exceed auditor's by amount of poll tax. Prior to 1883 auditor gives only receipts of sixteenth section funds.
 11 The law of Feb. 23, 1890, and subsequent laws provided \$165,000 to cover the total interest carried by these funds.
 12 From 1900-1901 the figures in this column are the special State tax of 10 cents on the hundred levied by the legislature of 1899 and the 30-cent tax provided by the constitution of 1901.



PUBLIC SCHOOL EDUCATION IN ALABAMA.

TABLE 3.—School revenues—Continued.

Years.	Invested funds: Sixteenth section funds and surplus revenue.	Miscellaneous, including balances.	State appropriations, special and general.	Poll tax.	Constitutional one-fifth mill special tax.	City and county appropriations.	Total.	Available funds per capita of school population.
1902-3.....	\$154,406	\$84,151	\$550,000	\$100,803	\$273,437		\$1,167,897	\$4.78
1903-4.....	154,882	73,264	550,000	126,517	261,211		1,185,874	1.80
1904-5.....	155,667	80,934		89,811	1,881,545		1,206,957	1.78
1905-6.....	156,490	85,098		117,566	1,927,423		1,296,583	1.90
1906-7.....	157,653	60,766		101,710	1,982,334		1,302,463	1.80
1907-8.....	158,256	51,203	300,000	124,443	1,070,006	\$951,754	2,367,662	3.44
1908-9.....	159,192	59,430	350,000	102,959	1,282,818	508,243	1,701,968	3.73
1909-10.....	160,041	51,111	350,000	245,112	1,358,082	780,190	1,954,399	4.06
1910-11.....	160,232	60,771	350,000	143,988	1,399,671	1,004,951	2,894,846	5.22
1911-12.....	161,074	57,245	350,000	179,086	1,462,594	1,589,319	3,719,313	5.09
1912-13.....	162,024	73,929	350,000	136,836	1,565,472	1,002,011	2,114,362	5.92
1913-14.....	167,798	(*)	350,000	204,800	1,734,302	531,917	2,446,076	5.74

* The law of Feb. 23, 1899, and subsequent laws provided \$165,000 to cover the total interest earned by these funds.

† From 1900-1901 the figures in this column are the special State tax of 10 cents on the hundred levied by the legislature of 1899 and the 30-cent tax provided by the constitution of 1901.

‡ These are the auditor's figures, which represent the sums passing through the State treasury. The superintendent reports for this year \$1,289,399, which is equal to the sums reported by the auditor increased by local, city, and county funds which do not pass through the State treasury.

§ This column stands for local funds contributed by cities and county funds raised by the special tax on county school tax.

¶ Top row gives superintendent's figures, found by adding to the auditor's total (bottom row), the local, county, and city contributions given in column 6. There are also included in the superintendent's total various miscellaneous sums like fees, supplements by patrons, etc.

‡ Not found in the auditor's report but made up by subtracting from his total the total of columns 1, 3, 4, 5. In 1913-14 the amount apportioned was less than the total of these columns.

§ Superintendent's report, 1912-13, p. 147.

¶ Ibid., p. 144.

‡ City appropriations only.

§ Superintendent's report, 1913-14, p. 119.

TABLE 4.—School expenditures.

Years.	Total for white teachers.	Miscellaneous, including supervision and administration.	Normal schools.	Total for negro teachers.	Total expenditures, all purposes.	Balance on hand.
1855.....					\$140,825	
1856.....					490,278	
1857.....					552,984	
1858.....	\$256,210					
1859.....						
1860.....					489,274	
1861.....					283,870	
1862.....					231,774	
1863.....					269,731	
1864.....					233,978	
1865.....					112,783	
1913-66.....					413,849	
1866-67.....					290,250	

† From treasury for all purposes.

‡ Includes local funds, not reported to auditor.

§ This item is substantially like those for 1856 and 1857. Practically all expenditures of those days were for teaching.

¶ This was the amount reported to auditor.

‡ Amount apportioned, but not all was used for schools.

TABLE 4.—School expenditures—Continued.

Years.	Total for white teachers.	Miscellaneous, including supervision and administration.	Normal schools.	Total for negro teachers.	Total expenditures, all purposes.	Balance on hand.
1867-68					\$44,773	
1868-69					502,156	
1869-70	\$389,969	\$32,662	\$5,372	25,000	491,163	\$0,216
1871	417,416	40,750		194,927	588,523	2,082
1872-73	318,289	40,550	10,750	234,000	605,420	1,641
1873-74	271,430	37,050	0,750	242,812	521,032	3,430
1874-75	204,801	28,050	8,000	164,900	404,801	779
1875-76	282,390	30,387	10,000	237,102	540,079	2,605
1876-77	195,860	6,150	8,000	141,410	351,438	70
1877-78	228,817	7,382	10,000	150,894	396,266	
1878-79	204,581	6,077	10,000	148,423	369,080	141
1879-80	208,569	12,615	10,000	158,850	387,033	8,301
1880-81	210,681	12,048	11,500	158,913	382,141	9,325
1881-82	225,868	12,420	11,500	158,902	410,690	427
1882-83	222,996	12,215	15,500	152,800	403,002	111,500
1883-84	252,740	17,800	15,500	167,398	448,498	660
1884-85	285,630	14,440	21,500	202,131	522,727	11,180
1885-86	298,260	14,691	21,500	204,499	538,650	
1886-87	303,661	15,661	25,500	198,221	543,044	3,421
1887-88	291,884	15,555	25,500	194,380	527,320	585
1888-89	294,181	13,993	30,500	184,334	523,159	181,301
1889-90	315,000	16,089	24,000	211,718	650,803	53,395
1890-91	321,737	15,860	25,500	208,180	648,135	50,563
1891-92	330,896	16,129	30,000	208,895	644,656	55,109
1892-93			30,000		647,400	51,272
1893-94	\$53,840		30,000		580,015	163,565
1894-95			31,000		554,092	97,284
1895-96			32,000		571,284	167,193
1896-97			32,000		625,715	163,400
1897-98			32,000		658,639	167,514
1898-99			32,000		760,804	56,438
1899-1900			32,000		645,877	157,123
1900-1			44,500		840,943	75,116
1901-2			44,500		1,084,331	96,952
1902-3			44,500		1,119,397	84,738
1903-4	\$504,130		44,500		1,098,113	68,773
1904-5	\$502,510		54,500		1,107,860	78,018
1905-6			54,500		1,124,782	82,175
1906-7			54,500		1,228,383	58,190
1907-8	1,922,334		74,500	273,001	2,195,335	48,638
1908-9			79,500	287,045	1,632,916	172,327
1909-10	2,143,662		85,700	329,065	2,431,708	50,992
1910-11	2,417,379		85,700	329,065	1,905,993	130,933
1911-12	\$2,507,669	796,062	85,500	357,585	2,746,473	48,405
1912-13	\$2,533,364	708,185	118,500	375,192	2,107,173	148,361
1913-14	\$2,704,565	678,196	114,500	395,674	3,719,313	59,473
1913-14	\$2,962,168	911,683	114,500	401,637	2,079,004	106,225
					3,547,355	37,358
					2,031,039	155,756
					3,888,533	54,339
					2,126,379	194,978
					4,274,458	17,293
					2,273,436	171,618
						13,501

1 Amount apportioned, but not all was used for schools.
 2 Superintendent's figures.
 3 Auditor's figures begin.
 4 Includes local funds, not reported to auditor.
 5 Includes white and black.
 6 Includes supervision; white and black.
 7 Top row gives superintendent's figures and includes local county and city funds, of column 6, table 3; lower row gives auditor's figures, who excludes all funds that do not pass through State treasury.
 8 Presumably includes greater part of sums paid for supervision.



TABLE 5.—Assessed valuation of property.

1848	\$191,761,000	1881	\$152,920,000	1898	\$290,201,000
1849	142,536,000	1882	151,530,000	1899	262,144,000
1850	166,381,000	1883	156,518,000	1900	270,406,000
1851	166,333,000	1884	167,124,000	1901	286,637,000
1852	179,233,000	1885	172,526,000	1902	296,440,000
1853	189,240,000	1886	173,808,000	1903	315,100,000
1854	192,021,000	1887	214,925,000	1904	326,173,000
1855		1888	228,869,000	1905	347,228,000
1856	110,992,000	1889	2,917,000	1906	374,850,000
1857	122,265,000	1890	2,979,000	1907	450,268,000
1858	126,949,000	1891	275,316,000	1908	467,784,000
1859-1873		1892	260,926,000	1909	484,350,000
1876	135,545,000	1893	263,081,000	1910	508,568,000
1877	130,796,000	1894	244,596,000	1911	541,764,000
1878	126,773,000	1895	242,537,000	1912	568,407,000
1879	123,737,000	1896	246,083,000	1913	580,589,000
1880	139,077,000	1897	250,427,000	1914	615,380,000

† Includes slaves.

‡ Slaves not included.

ADDENDUM.

After the above story of public school education was put into type the State legislature met in its regular quadrennial session early in January, 1915, and after remaining in session for 20 legislative days adjourned on February 19 to reassemble on July 13, 1915.

The principal educational work accomplished includes an act providing for a literacy commission, and an act authorizing the State board of examiners to grant teacher certificates to graduates of certain institutions of higher learning who have had an amount of professional training approved by said board of examiners, and to those who hold unexpired certificates in other States for a time not to exceed that of the unexpired certificate.

By a two-thirds vote the legislature submitted to the people for popular ratification a proposed amendment to the State constitution, providing that the counties be given power to levy a special tax not exceeding 50 cents on \$100 and that the school districts, including incorporated cities or towns, be also given power to levy a special tax of not over 50 cents on \$100, provided "that no district tax shall be voted or collected except in such counties as are levying and collecting not less than a 3-mill special county tax." No tax may be levied except by consent of the majority of the voters, who may also fix the rate and the time the tax is to continue.

This tax proposition will be passed on by the electors at the regular election to be held in November, 1916. In a final word of exhortation Supt. Feagin says in his last report:

The several lines of improvement suggested in this report, including better teachers, longer terms, better attendance, better buildings, better equipment, better organization, better administration, better supervision, all depend upon the willingness and authority of the taxpayers to finance the same. * * * In a word, if Alabama's educational needs were to be resolved into one supreme requirement and that requirement were translated into law, it should be written large: Local taxation, first by counties, and then by districts.

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