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EDUCATIONAL HISTORY OF ILLINOIS UP TO 1855
EDUCATIONAL HISTORY OF ILLINOIS UP TO 1855 WITH EMPHASIS ON THE MOVEMENT FOR PUBLIC SCHOOLS

BY

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CHAPTER I

INTRODUCTION

It is the purpose of this study to give a brief historical account of education in Illinois from the time of the first attempts at formal instruction down to the establishment of the public free schools by the law of 1855; to indicate the influences which operated to promote the cause of public education and the development of the free school idea; and to give illustrations, collected from a variety of sources, of the early methods of instruction, curriculums of study, construction and equipment of school houses, and qualifications and character of teachers. Very little has heretofore been attempted in this field, consequently the writer's work has been rather laborious and the results necessarily fragmentary and disconnected. In many instances the selection of material is made without any privilege of choice because of the limited amount of it available, especially during the first part of the period covered by this study. In the absence of legislative action in regard to public education prior to 1825, each community was a law unto itself—an unwritten law at that, for no records or reports have been preserved, if such were ever made.

1. Types of Schools in Illinois.

Any attempt to discover the origin and trace the development of any country's educational institutions is always an arduous task. In discussing the historical aspect of American ed-
ucation we must necessarily take into account the many diverse elements of European culture that have contributed to the complexity of our own educational system.

In Illinois there are three distinct types of educational institutions which began their development during the time covered by this investigation. First, there was the private elementary school which was opened almost immediately after the new arrivals had settled in their new homes. The situation in Illinois at this time was peculiar, and consequently great fears and responsibilities rested upon those who had awakened to the needs of schools for the masses. They had come to realize that it was incumbent upon them to lay the foundations and construct systems of education that would affect the future character of society and the interests of future generations. A few far-sighted ones early recognized the public resources that would soon be available for educational purposes. They realized that these advantages were sufficiently great that, if judiciously employed, would be sufficient to carry the blessings of knowledge to every cabin and every child in State. But because of the apathy on the part of others these advantages were not wisely used and consequently the cause of education suffered a great loss.¹ This class of schools continued to serve the public in their feeble, unorganized fashion for more than fifty years when they were received under the care of the State, and became the present system of common elementary schools.

Chapter two is devoted to an account these schools.

The second type of school was that of the academy which began

¹ Common School Advocate, January 1833.
in 1819, and continued to be an important factor in the education of Illinois until the 60's when they began to close their doors. From about 1830 to 1850 the academy assumed the leading role in the field of education, not only in Illinois, but throughout the United States. This was the academy age and marked the transition from a partially stratified society of the colonial life to modern democracy. These schools served the great middle classes in an efficient manner, thus bringing universal education a step nearer, and hastening the enactment of the free school law of 1855. The common charge preferred against the academies was that they were aristocratic. This is true in the sense that they charged tuition and of course this barred a great many of the very poor as they could not pay the fees. The very earliest charters, however, that were granted in this State (1819) contained provision whereby they were to admit the poor gratis as soon as the financial conditions of the schools would justify it. The coming of the academy into Illinois brought a degree of culture and refinement into a rugged frontier life. That they had a wholesome influence in the promotion of education goes without question; but the advocates of free schools made such vigorous attacks on them that they began to lose their popularity after 1850 when the free school policy had increased. The whole number of charters granted to academies by the General Assembly up to 1870 was 220, but after that date no more charters were granted. Unfortunately no records have been kept of these early academies; consequently information in regard to their curriculums

2. See Charter for Madison Academy, in Appendix B.
is almost entirely lacking. The only information I have been able to find that gives any knowledge of the work offered is in an announcement of the Jacksonville Academy in the Common School Advocate of March 1837, informing the public of the opening of its doors for instruction on the first Monday in March, 1837. I quote the following from that announcement: "Some of the more prominent text books employed will be the following, viz: National Reader, Adams' Arithmetic, Smith's Arithmetic, Woodbridge's large and small Geographies, Kirkham's English Grammar, Gould's Adam's Latin Grammar, Goodrich's Greek Grammar, together with the most approved text books in History, the Classics and the higher branches of Mathematics."

The third type of schools in Illinois was the small denominational colleges which made their first appearance in about 1830 and received satisfactory charters from the General Assembly in 1835. These generally grew up from the academy and attached the academy to themselves. An account of the prejudices held against these institution will be found in Chapter III.

2. The Origin of American Educational Ideals.

Governor Duncan in his message to the General Assembly in 1834 said: "In all ages and under every circumstance education has decided the relative greatness of men and nations. Placed beyond its genial influence, man becomes a savage and a nation, a wandering band of depredators. Education under all forms of government constitutes the first principle of human happiness; and especially is it important in a country where the sovereignty is vested in the people".

1. Quoted by the Common School Advocate for Jan. 1837.
Going back to the time of Washington we find the same idea forcibly expressed in his Farewell Address: "Promote, then, as an object of prime importance, institutions for the general diffusion of knowledge. In proportion as the structure of a government gives force to public opinion, it is essential that public opinion should be enlightened".

Jefferson likewise states the same idea in a short and pithy remark familiar to us all: "If a nation expects to be ignorant and free in a state of civilization, it expects what never was and never will be". ¹

There did Washington and Jefferson and other American advocates get their ideals of education? It has been generally been held that our early schools were modeled after those of England; but, with the exception of the Latin Grammar schools which were very similar to those of England, doubtless Germany's influence was greater than that of any other single source. "In the fifty years following the American Revolution Germany led the world in the rapid advance in civilization and culture, and particularly in education". The writings of Rousseau, Pestalozzi, and Froebel lent color to educational thinking during the latter half of the nineteenth century. That their writings were familiar to readers of this country is evidenced by the fact that lengthy articles in discussing the merits of their systems of education appeared in the educational journals of the time (1837).² Michigan based her system of education directly upon the German system, and Michigan in turn has influenced very markedly the educational institutions of other states of the west and northwest.

2. Common School Advocate, Feb. and March 1837.
3. Putnam, Primary and Secondary Ed. in Michigan, Ch. III.
CHAPTER II

THE PIONEER SCHOOL

The history of early education in Illinois exists almost entirely in tradition. The subject seems hitherto to have attracted little general interest and the facts are fast slipping from the memories of the oldest remaining early settlers. Published accounts are exceedingly rare and fragmentary, and authentic records are not to be found; in fact no records were kept of these early schools. The source of our information in regard to attempts of the early settlers to provide schools for their children consists of fragmentary accounts in private correspondence, early newspaper articles, scrap-books, biographical sketches of the early settlers, and like sources. Although schools and their early history in Illinois have almost passed into oblivion, there is no other institution that better illustrates our rapid development than they.

School children of to-day take it for granted that education in Illinois has been public and free ever since the State was admitted into the Union in 1813. Such is not the case, however, and the history of the repeated attempts at establishing free schools and of the repeated failures, the advances and relapses, the toil and sacrifice, covering a period of almost a half century, finally succeeding in the establishment of the present system of public education, is doubtless one of the most interesting and significant subjects in the annals of the State's leg-
islation. For a century and a half or more, children of European parentage were born and reared in Illinois without much provision for their education; and for more than a quarter of a century after Illinois became a state there were no free schools worthy of the name.

1. Schools Difficult to Establish in New Country.

In establishing schools in a new country many difficult problems present themselves. Among these are the characteristics of the settlers themselves. The first inhabitants are usually backwoods hunters whose modes of life require no scholastic training in the strict sense of that term. Their interests are chiefly in the chase, and their children are allowed to grow up without knowing how to "cast up the simplest sums by the rules of arithmetic, or write a word, or read a sentence". Others are "sons of the plow" and in quest of agricultural opportunities generally establish themselves over such broad areas as to render it almost impossible to have schools in reach of a sufficient number of children. Some of the early settlements in Illinois had this difficulty to contend with. This is particularly true of the first English settlement in Edwards county according to a sketch of this settlement by George Flower. "Standing in the center of a moderate sized prairie", he says, "the eye may trace a number of fine farms on the edge of the timber, with houses perhaps a mile apart, and yet the inhabitants not be near enough to reach the benefit of a school. There are many eligible situations in the open prairie, a mile or two from the timber. When these are occupied the school houses immediately follow. There must be a
certain density of population before schools can exist. No matter what laws there may be on the subject or what funds for the purpose lie in the treasury of the State, if there are no children sufficient within a radius of a mile of a school house, there can be no school. In "An historical sketch of the early settlements in Illinois, from 1780-1800", read before the Illinois State Lyceum, at its anniversary, August the 16th, 1832, by Rev. J.M. Peck, other difficulties in the way of providing educational advantages are mentioned. According to this account, which is doubtless true, the first settlement formed of American emigrants from the United States, was made near Bellefontaine, Monroe county, in 1781, by a Mr. James Moore, a native of Maryland, who came to Illinois from West Virginia, with his family, in company with a number of other settlers. Mr. Moore and a portion of his company planted themselves on the hills near Bellefontaine, while a number of his followers settled in the "American Bottom", near Harrisonville. This station became afterward known as the "Blockhouse Fort". After narrating the difficulties and troubles with the Indians during the early years, and the law-abiding and liberty-loving qualities of the settlers, he makes the following statement in regard to the difficulties of providing for the education of their children: "The opportunities of these pioneers to educate their children were very small. If the mother could read, while the father was in the cornfield, or upon the range, she would barricade the door to keep off the Indians, get her little ones around her, and by the light that came in through the crevices of the roof and sides of the cabin, she would teach them 

the rudiments of spelling from the fragments of some old book. After schools were taught, the price of a rough and antiquated copy of Dilworth's spelling book was one dollar, and the dollar equal in value to five now" (1833). 1

2. The English Colony at Albion an Exception.

In the early settlement in Edwards county, Mr. Flower gives us a different picture in regard to providing for the establishment of schools. "In a town or village, however humble, a school is soon gotten up, and is often of spontaneous growth. If there are only a half-score families, a school is easily assembled, and a suitable teacher usually found on the spot. It was so in Albion, in its earliest days. An inhabitant from a populous town in England, with a large family and limited means opened a school. He was one of those persons often found in a new settlement, a man of town habits and unsuited to country life. With him the boys got a common-school education. In writing he excelled, and there are many men who owe their good legible writing to their early instruction at the school of Mr. Oswald Warrington". Mr. Flower gives a sketch of another school, the second established in this settlement, built about three miles from Albion and conducted after the fashion of the schools of the time. A community of a few English farmers and two or three New England families, living in what, at that time, was called a close neighborhood, none more than a mile from a common center, built a school house from the neighboring woodland, employed a teacher and at once started the school. This school continued under different masters for a number of years. The conditions which prevailed in the little settlement, as described by Mr. Flower,

seem rather gratifying and lead one to think there is a bit of truth in the oft-repeated saying, "In the good old days of our fathers!" "Before the teacher arrives", he says, "children of all ages are found assembled about the house in high exchange; some are chasing each other round the house; others at hide and seek among the trees; another group watching a dog barking at a squirrel up a tree; some sit on the door step cracking nuts. The girls in little groups, chatting confidently to each other, and one or two more thoughtful than the rest, conning their lessons in the silent and nearly vacant school house. On the arrival of the teacher, they rush in, make a slight obeisance to the teacher and take their places in silence. The favorite exercise seems to be the short recitations in spelling. The countenances of all are bright with excitement. Their clean-washed faces and hands, their coarse garments tidy and neat, give to each individual a self-confidence sufficiently apparent".1

However, this colony of English at Albion was doubtless an exception rather than the rule. Many settlements could not have the opportunities that this settlement enjoyed. Schools were private and tuition was charged. Most of the early settlers came from the slave states: North Carolina, Virginia, Tennessee, and Kentucky, where knowledge and general culture were little esteemed. Only the children of the well-to-do settlers enjoyed regular elementary instruction. The children of the poor grew up without any schooling and in many localities schools and teachers were little respected. The extent of general knowledge consisted in the ability to read the village newspaper and to use the multiplication table.2

1. Flower, George, Hist. of English Settlement in Edwards Co.
3. Reynolds's Account at Kaskaskia.

John Reynolds, who later became governor of Illinois and wrote a history of the State, notes the following difficulties of school facilities in and around Old Kaskaskia: "The immigrants were from the South and Western states and were not as efficient to push the cause of education as their duties to themselves and their country demanded at their hands....Before any common school was established in the settlement, where my father resided, I mounted a horse nearly every evening during the winter, and rode about a mile and a half to the residence of James Hughes, to study under his guidance the arithmetic...We had not the least idea when a school would be established in the neighborhood; and I was advancing in years, so that it was a matter of necessity that I study with Mr. Hughes...As soon as I commenced the study of arithmetic with Mr. Hughes, I commenced also an ambition and small enthusiasm for education generally. This disposition induced me to read and study almost every book I could obtain. It must be recollected that at that day in Illinois, not a man in the country, professional or otherwise, had any collection of books that could be called a library. There were some books scattered throughout the country but they were not plenty. Although my father was a reading man and had a strong mind, yet as far as I recollect, he brought to the country with him no books, except the Bible. Many of the immigrants acted in the same way as to books. One exception I recollect was, that John Fulton, who settled in the vicinity of my father, brought with him Rollin's

2. Henry Raab, Schools and Teachers of Old Belleville, (a series of articles which originally appeared in the Post and Zeitung, later published in the educational column of the Advocate).
Ancient History. My father borrowed it, and I read it day and night at times I spared from labor. This was the first history I had ever seen, and it gave me a new field of mental exercise. I made arrangements with my father to go all one winter to school. I had raised a colt he gave me, and I gave it to a man to work in my place on the farm while I attended school. Reynolds gives us no further account of this school and the subjects taught in this connection, but it was doubtless the same school which he mentions in another instance. (See page 36). His story, however, of the difficulties he had to encounter and the scarcity of books is doubtless true. Although poorly equipped and difficult to reach, these little schools offered the only means of training for the future statesmen, lawyers, and teachers of that early day. If, in the light of the present, their teachers seem insignificant, their programs of study extravagant, and their equipment crude, let them not be despised, for judging by their results in character building and the fixing of high ideals, these humble institutions did an efficient work. Reynolds is one of the many successful men who owe to the little log school a debt of gratitude for giving them an inspiration to better things.

3. The First Schools.

The Americans, the English speaking people, brought with them to Illinois the first ideas of schools. Monroe county boasts of having started the first school in the State, and to a Mr. Samuel J. Seely belongs the distinction of being the first teacher. This school was in the settlement known as the New Design and was begun in 1783. It was here in an old abandoned and dilapidated

1. Reynolds, My Own Times, p. 70.
The first difficulties in obtaining the rudiments of an education were encountered by the children of Illinois.

Francis Clark, an intemperate man, came after Mr. Seely. Clark conducted a small school in the Moore settlement near Bellefontaine in 1785. He is said to have done as much harm as good. Doubtless this same charge could be justly preferred against many of the early teachers. None of them had any training for the business of teaching.

Next after Clark, for two or three years, an insignificant Irishman, by the name of Halfpenny, conducted schools in these settlements. He possessed very little learning and much less skill in teaching. Reynolds called Halfpenny the "School Master General of Illinois" because he taught in so many different localities. He never remained longer than a year in one place. Master Halfpenny had no better school-master sense than to give out his lessons from the Book of Daniel, and the third chapter.

Schools were continued during the next eight or ten years about Bellefontaine, New Design, and the "Bottom" by John Clark, a very pious and exceptionally well educated man for that day. Father Clark, as he was called, was a Baptist minister, but his services were perhaps more profitable in the schools than in the churches. Of these Rev. J. M. Peck has the following to say: "Among his other services that implanted him in the confidence and affections of the people, was his ability, zeal, and influence in the cause of education. In this department of his la-

2. ibid, p. 244.
bor, as well as his gospel ministrations, he engaged from no personal or pecuniary motives. His services were offered to all who would come under his tuition and behave properly. ¹

Randolph county was the next after Monroe to establish schools. The first school taught in this county was opened in 1790. John Doyle, who had been a brave soldier in the army of Colonel Clark, was the first teacher. He taught school for several years in Kaskaskia after 1790.

St. Clair county's first school was begun near Shiloh in 1804. John Messenger, a surveyor by profession, was the teacher. It is said that this school was open only in the evenings, as Mr. Messenger gave the daytime to surveying. ² This is the earliest instance I know of in Illinois of an evening school.

Madison county, also, opened its first school on the edge of the "Great American Bottom" in 1804. The teacher, John Bradbury, is said to have been "faithful but not learned". Another school was begun in this county in 1807, near Edwardsville. The teacher, John Atwater, who had come from Massachusetts, gained a reputation as a good teacher. ³

Teachers who had made special preparation for teaching were unheard of in Illinois in those early days; anyone was considered competent to teach the children reading, writing, and fundamentals of arithmetic; teachers' examinations were deemed unnecessary; and morality never entered into the considerations

² Cook, J. W., Educational History of Illinois, p. 60.
³ Ibid., p. 60.
when employing a teacher. The ability to read and write and do a little ciphering was the first prerequisite of a man's fitness to teach. The second essential, considered as important as the first, was his ability to "flog". The school directors, who were selected by the parents who had children to go to school, had to decide upon the qualifications of the teacher, and one of these worthies granted a teacher a certificate after the following examination: "The school director asked: 'Mr. C., what is orthography'? Mr. C. answered: 'I have not studied anything but the common branches'. Another candidate was considered eligible and allowed to take charge of a school who, on being examined declared that he had been through long division, but when it came to the test, his pupils found that he did not understand division. A little later a county historian naively tells us that some learned people had come into the country who really understood English grammar and arithmetic.¹

Women teachers were very seldom heard of, though once in a great while the wife of a physician or preacher was found teaching school. Occasionally, too, a farmer's wife would teach a class of neighbor girls.

Some teachers carried on the business in connection with other work, as tending a farm or looking after a mill. Physicians sometimes taught school in connection with their practice. A young lawyer or clergyman would sometimes teach for a while in order to get a living. A mechanic or surveyor did the same during the season when there was no demand for his regular work.

Not a few of the early teachers were Irishmen or Scotchmen; the

¹ Henry Raab, Early Teachers of Old Belleville, Advocate,
former "known for their amiability and ready wit, the latter for their linguistic and metaphysical knowledge and strict discipline.

1. Drinking Alcoholic Liquors.

In those days the drinking of alcoholic liquors was a general custom, and many were the whiskey-loving teachers who drank to an excess. The second school taught in the State was almost a complete failure on account of the drunkenness of the teacher. Another instance is recorded of an Irishman employed as teacher who regularly brought to school his "shillelah" and his bottle. We read of another Irishman in St. Clair county who frequently got drunk during school hours and then proceeded to whip the entire school without regard to persons. He usually began with his own son to "get his hand in"; he made bookkeeping his hobby when he was sober.

The following is related by Peck 2 of a teacher who was fond of "sucking the jug": "A few years later, one of the whiskey-loving sons of Erin attempted to teach in a settlement known to the writer...The master was observed by the shrewd young men under his charge, to retire from the cabin to a thicket during the hours for lessons, and in proportion to these occasions of retirement, his eyes grew dull, his tongue wagged heavily, and his natural jabbering as an Irish pedagogue, became more unintelligible.

"A search warrant in a verbal form was issued and served on the thicket by two smart young men; the whiskey bottle was found, and in quite a private way received a full allowance of tartar-emetic, and then carefully deposited in its accustomed hiding.

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place. Next day the master was seized suddenly with an alarming illness. It would have been called cholera, but the disease was unknown on the frontier at that period. But, as our informant expressed it, 'he was orfully skeered and glad enough to have us let him off from his article'.

The schools very largely reflect the customs of the time and we are not greatly surprised at the intemperance of the teachers when we are informed that whiskey was in demand at all secular gatherings. Cook says, "It must have been counted among the mechanical powers for it was regarded essential and indispensable at every barn-raising. Few farmers attempted to harvest their grain without having an abundant supply, and a common question by a harvest hand when his services were solicited and the per diem compensation was specified, was, 'Do you furnish whiskey?" Perhaps in those days very little was thought of an occasional treat of whiskey by the teacher to his pupils. I read of the following incident in Champaign county: "In 1832, a school was kept in the Stewart district, west side of the Big Grove, by Claudie Thompkins. The same year, Asahel Brueer, now 82 years old (1874), taught a school in the Brumley district. The old gentleman says the boys had turned out the teacher the term before and tried to turn him out, but that he whipped them till they were glad to obey. He also tells with great glee how the boys barred him out the next term at Christmas, in order to make him treat, and how he climbed up the corner of the log house and covered the chimney with an old blanket, thus smoking them out.

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\[\text{---} \] Cook, J. W., Educational History of Illinois, p. 63.
After covering the chimney with the board and blanket, the boys took a pole, and thrusting it up the chimney, knocked off the covering. This was kept up until Mr. Bruer managed to seize the pole and pull it away from them. Their weapon gone, one of the boys escaped between the logs in the attic and was chased by Mr. Bruer into the woods and caught. The others unbarred the door and captured the teacher, who, after a struggle, gained the school house. The trouble was finally ended by Mr. Bruer’s sending for a bushel of apples and a gallon of whiskey. That night the boys met at the school house and had a big drunk. The frolic was indorsed by the patrons of the school, and afforded a good deal of fun.  

Another teacher in Schuyler county as late as 1897, was wallowed in the snow by two boys until he agreed to treat to two gallons of whiskey.

The following account told by Dr. Willard is perhaps the latest occurrence of this practice. This was in Brown county in 1844, when two young men and a girl determined to make the teacher treat. "The girl encouraged the young men; told them the teacher ought to treat; there was a law he should treat; her father had made many a teacher treat. They undertook to take him over the hill to a creek half a mile away. He fought them as long as he could, and, when he recovered his strength, renewed the struggle. At last they gave up, tired out. But, after all, he thought best to treat on Christmas day, and, at the cost of one dollar, he furnished them two gallons of whiskey and two pounds of sugar."


5. The Rough School.

Sometimes these schools were very rough. The big boys often thought it their duty to "lick" the school master and drive him away before the term was over, and many times they succeeded in doing so. Sometimes the teacher was young and athletic and came out victorious in the struggle. In the light of these practices we can see some justification in the liberal use of the ferule, in and even contests of a pugilistic nature. As mentioned before the use of the rod was an essential no less in importance than the ability to instruct. The maxim was that "lickin' and larnin' go together". The masters ruled, not with a "rod of iron", but with a wand of hickory four feet long; yet about Christmas time the teachers were turned out, the king of misrule took the chair, and lawlessness prevailed. These contests were usually of a "rough-house nature" without malice on either side, but if the big boys prevailed there was no alternative for the teacher but to leave.¹

In these early schools a custom much in vogue was that of "barring out". To leave out an account of this indulgence would be an omission of one of the most vivid of the experiences of the early schoolmaster. This was the initial act to the Christmas time hostilities between the master and the pupils. I have already incidentally mentioned this practice in connection with the frolic in Champaign county described above. The following account by Dr. Willard² further illustrates the working principle of the game: "A few days before Christmas, a teacher, on coming to the school house, finds the pupils inside in full force; but admission to him is refused unless he will promise to treat on

¹ Dr. Samuel Willard, Illinois School Report, 1883-4, p. CVI.
² Ibid., p. CVII.
Christmas day. If he tries to force his way, he finds the door effectually barred. A small boy is sent out as envoy, conveying the ultimatum of the pupils. The teacher has heard already preliminary hints that the teacher who will not treat is mean; it is very likely that he has found such a notion prevalent among the adults of the community, who thus support the rebels. If there are large boys in the community whose strength is superior to his, he may as well give up.... a struggle may only emphasize their victory. But the teacher often tries to maintain his dignity by force, and besieges the school house. Perhaps he goes upon the roof and tries to get in from above by descending the ample chimney or tearing up the roof. To anticipate this move, the besieged have a good fire and a pile of straw or hay, and meet him with volumes of smoke or flame. Sometimes, if the teacher is bold enough to go down with almost the risk of life itself, he may succeed; but instead he may find himself but a Gulliver among the Lilliputians, overpowered by numbers, a prisoner, and bound with cords. If he now refuses, he is taken to the nearest pond or stream and ducked until he yields.

Mr. R. C. Wright, who was a teacher in Champaign county in 1833, relates the following story about a Christmas barring out:

"The scholars got possession of the house early and barred the door. The floor was made of puncheons, laid about two feet from the ground, and was not finished at one end. The teacher was determined to get possession of the house, and he at once proceeded to burrow under the outside logs, intending to crawl up through the hole in the floor, but no sooner did he show him-

1. School Report to the Board of Supervisors of Champaign Co., for the year 1874.
onstrate cube root with one hand and maintain discipline with the other. He had a particular fondness of mathematics and a West Point idea of obedience and discipline.

The schools were supported altogether by subscription. Generally the teacher himself went around soliciting the parents to subscribe their children. When the required number was obtained the school was begun. A definite sum was generally charged for each pupil, the rate varying from one dollar to two and a half dollars per quarter. Sometimes a definite sum was agreed upon for a term of three or six months. In the latter case the community would raise the money and send as many children as they wished. The following is an example of an agreement such as was common in these subscription schools: "The teacher agrees to teach forty-five scholars for a term of six months for one hundred dollars; or he shall receive twelve dollars per month and board round, and for this he shall instruct twenty-two children in reading, writing, arithmetic, and English grammar; or he shall keep a common English school for six months at two dollars a child besides board and lodging in the homes of the parents".

Tuition was often merchandise at the market price. One teacher would sometimes agree to accept cattle, mink skins, and fence-rails; another would agree to take wheat, bacon, hogs, wax, tallow, deer skins, wool, and young cattle provided they were delivered at his home. Mr. Roots in an historical sketch of the early schools in Perry county, gives a copy of a teacher's contract as follows:

"Articles of agreement, drawn this 25th day of May, 1833, between Allen Parlier, of the county of Washington and State of

1. Henry Raab, Schools of Old Belleville, in the Advocate.
2. Wells, Early Schools of Peoria, p. 7.
Illinois, of the one part, and we, the undersigned, of said county and State, witnesseth, that the said Parlier binds himself to teach a school of spelling, reading, writing and the foregoing rules of arithmetic, for a term of three months, for two dollars per quarter, per scholar, said Parlier further binds himself to keep good order in the said school, will teach five days in each week, all due school hours, and will make up all lost time, except muster days, and will set up with twenty scholars, the subscribers to furnish a comfortable house, with all the conveniences appertaining thereto, the school to commence as soon as the house is fixed. N.B.—Wheat, pork, hogs, beeswax, tallow, deer skins, wool and young cattle, all of which will be taken at the market price, delivered at my house, at the expiration of said school, day and date above written.

(Subscribers' names) "Allen Parlier."

Dr. Willard remarks: "The reader cannot but notice that, despite the legal and technical style of the document, it is well that Mr. Parlier did not add grammar to the list of his subjects taught".

In the above contract we notice the provision that the teacher was to "board'round." This was the general custom in those days, and continued to be for many years. The teacher would board for a week, more or less, with one family or patron of the school and for a like period, with another. These boarding places were usually in the "rough, homely, but hospitable homes of the pioneer". These homes were nearly always one room cabins in which a family of perhaps six or eight cooked, ate, and slept.

1. Dr. Samuel Willard, in Superintendent of Public Instruction's Report, 1883-4, P. CIV.
Sometimes there was a loft reached by a ladder where the boys slept, but it was unusual to find a cabin with less than two or three beds in the only room. One of these early teachers, in a letter to her mother in one of the eastern states, gives her experience in boarding'round as follows: "I am told my school is a large one for this place. I have twenty-six scholars, most of them very regular in attendance. I have two girls and four boys, who are older than I am, but they are very well behaved and seem desirous to learn. I board this week with Mr.----They are nice people and seem desirous to do anything they can to make me comfortable and at home....I have a nice large room with a fire in it, all to myself....I allow Mrs....to cook at the fire in my room, I also allow the family to eat there. There are three beds in the room and a trundle bed, which may be pulled out at night. As I cannot use all the beds myself, I have concluded to allow Mr. and Mrs.....to sleep in one of them, and the girls to sleep in another, as I do not want to disoblige such kind patrons. For dinner to-day (Sunday) we had venison and corn bread and two kinds of pie....pumpkin pie and Dutch cheese......so you see I live like a nabob".

7. Construction of School Houses.

Buildings constructed expressly for school purposes were seldom found in the villages and towns for some time after such settlements were established. At first, in these communities, it was frequently the case that the school was conducted in the house in which some family lived, or, if the house was so pre-

tentious as to be of the double-log-cabin variety, one room was given up for the instruction of the youth. In one instance, perhaps not an isolated case, in which the mistress of the house was the teacher and carried on her home duties while teaching. In many instances the church or court house served the purpose of school house also. In Perry county the sheriff was ordered by the court to rent the court house for school use. The rent was fifty cents a month. In Peoria the same plan was followed for some time, as well as in De Witt and Shelby counties.

In the country the log house first made its appearance. But here for a while it was not unusual to find a deserted log-cabin or kitchen or smoke house pressed into the service of the school house. Sometimes an old fort or block house was utilized for the purpose. But generally when an adequate number of settlers had located sufficiently near each other to have a school, and as soon as they had constructed their log-cabins to live in and had cleared their little agricultural patches, the log school house immediately appeared on the scene. It is impossible, by use of mere words, to describe the grotesque architecture of these humble institutions of learning in a manner appreciable to the youth of to-day. Dr. Samuel Willard, himself a leading educator in Illinois for many years, has given us a most vivid picture of the first school-houses. This historical sketch of Dr. Willard is based upon personal observations and individual research and is doubtless the most authentic description to be obtained. I can do no better than to let him tell his own story.

It is as follows:

"For the first school house, the settlers met with a yoke or two of oxen, with axes, a saw and an auger; no other tools were necessary, though a frow' or tool for splitting out clapboards was desirable. The first settlements were never in the open prairies, but always on the skirts of the timber lands or in the woods; the school house has the same location. Trees were cut from the public lands; rough trimmed and unhewn, they were put together to make a log house, generally sixteen feet square; a hole was cut on one side for the door; a larger hole on the other side to allow the building of an outdoor chimney. The roof was made of clapboards, roughly split out, which were held in place by 'weight poles' laid on the end of the clapboards and secured by pins or otherwise. Three or four days' labor might be enough to do all this and build a chimney and the furniture; the walls and roof, with a fairly numerous company, would require but the second day. Generally such a house had no atom of iron in its structure: all was wood and stone. We read of one made of gum logs that sent forth sprouts and twigs after the house was built; of another, which was used without door or window, or chinking.

"The next step was 'chinking and daubing'. The spaces between the logs were filled out with chips and bits of wood; then clay or surface mud was daubed upon this filling, both in-

1. Some of the chroniclers of the early school-houses mention the "frow" as one of the indispensable tools used in splitting out clapboards for roofing the house and making the doors. Not many of the people of to-day know what it is. The author of this sketch very clearly understands its use for he has many times used it.

2. These openings were in the gable sides of the house.
side and outside, until all openings were closed, and light and weather excluded. Not infrequently this work would be done by pupils and teacher. On at least one side the space between two logs would be left open to admit light; and this window would be closed by greased paper to exclude the rain and snow; or a plank of hewed 'puncheon' might be hung so as to act as a shutter. Sometimes a few small panes of glass were set in the opening. A school house in Schuyler county, in 1835, had leather flaps for shutters. It is noted as a great rarity that a school house in Edwards county had a real glass window as early as 1824. Sometimes no opening was left; or it proved insufficient, and a part of the roof was left moveable, so as to be raised on dark days. The door was made of clapboards or slabs split thin, put together with wooden pins; and it was hung on wooden hinges that creaked distressingly. Generally the floor was the natural earth; or perhaps a layer of firmer clay was laid and packed down hard. Sometimes a floor of puncheon (that is of logs split and hewed somewhat smooth on the inner side) was laid; such a luxury belonged to the more ambitious houses. One old man remembers such a floor in the school house of his early days, set up so far from the ground that the pigs occupied the under space, and, as he humorously says, raised sometimes a racket and sometimes the floor.

"A ceiling under the roof was another luxury; if made, more clapboards stretched from joist to joist; or, in at least one case, bark from the linden tree was used, and earth was spread on this to keep out the cold. The chimney was large, six feet or more in width, set outside the house; it was even made so
wide as to occupy all of one end of the house. Sometimes there was no chimney; a hole was left in the roof in Greek and Roman fashion, and a board was provided to be set up on the windward side of the opening, and shifted from side to side as the wind might vary. The chimney was built of small poles, and topped out with sticks split to the size of an inch or two square, laid up in log house fashion; then its chinks were filled with mud. Inside, a liberal bank of sod was laid to protect its woodworks from the fire; or, with great labor, oftentimes stone was procured for that purpose. We read of a house which had a ceiling with a chimney starting from the joists, and thus built inside the house; this gave access to three sides of the fire. Stones or logs were used for andirons; clapboard was the shovel; tongs, there were none. The fire must be kindled by the aid of flint, steel and tinder, or coals must be brought from the nearest farm house. Firewood was cut four feet or more in length, and was generally green, fresh from the woods".¹

8. The Equipment of School-house.

The equipment, like the school-house, was the simplest possible. Seats for the pupils were made of puncheons, or moderately sized trees cut to the desired length, split in half, hewed on the split side with a broad-axe to as smooth a surface as possible; and round legs set into two-inch auger holes bored obliquely. Writing desks for the older pupils were made by boring holes slanting downward into the walls of the house, into which supports were driven, and a broad puncheon, dressed as smoothly as possible, on the top surface, was fastened in place by means

of shoulders cut on the lower end of the supports. When writing, the pupils sat with their faces toward the wall, at other times they had their backs to their desks. One writer jocosely remarks of these seats in front of the desks, that "they were like those of a railway car, springy and reversible, only the boys did the springing and reversing". An old split-bottom chair for the teacher; a water pail or "piggin" and a gourd for drinking purposes; and a shelf on which the master kept his scanty supply of books and the pupils their pens and ink, completed the equipment of the room.

Such were the school houses and their equipment in the days of our grandfathers—"those good old days!" Perhaps nothing better demonstrates our rapid development than the growth and improvement of public schools. There remain to be described the plan and organization, courses of instruction, and methods of teaching employed in these pioneer schools.


The individual pupil was the unit of organization in these schools. Only in spelling could there be anything resembling class organization. In the spelling classes there was the monotonous repetition of standing in line and spelling orally the words pronounced by the teacher. Words were given in the order in which they occurred in the book, and usually each pupil would study only the words which would come to him in turn. The words were carefully counted beforehand, and when the teacher was ready to give the word, the pupil at the head of the class would, before it was given, spell the first word, the next pupil the next

word, and so on around the class. When a word was missed by one pupil and the next pupil spelled it, the two would change places. This was called "turning down".

10. The Loud School.

The "loud" school was common, although not the exclusive practice. In some instances a special period was given for "loud" study. In these schools each pupil was expected to study his lessons aloud, and he was not considered studying at all unless he did so. "All things are going on at once; one is going over his spelling lesson; b-a, ba, k-e-r, ker, baker; c-i, ci, d-e-r, der, cider; another rehearses the multiplication table; another shouts from the "Columbian Orator" 'My name is Norval'; another is coming his lesson in the New Testament as if he read the Lord's Prayer 'hallowed be Thy name'; and in the midst of all the din of such a bedlam may be heard the masculine bass of the teacher raised for reproof, correction, and instruction."1 Sometimes the school was opened in the morning with formal Scripture reading and prayer, otherwise everything was chaos, "without form and void".

11. The Course of Study.

Spelling, reading, writing, and arithmetic as far as the "rule of three" were usually the only subjects taught in these early schools. As has been pointed out, no classes were organized, neither was there any uniformity of text books. Each pupil took to school, for the preparation of his lessons, such books as could be found in his father's log cabin. Books were scarce and very dear; a single copy of Dillworth's "New Guide to the English

1. Dr. Samuel Willard, in Ill. School Report for 1883-4, p.CVI.
Tongue", one of the popular spelling books of that day, was one dollar. Webster's speller, "Old Blue Back", as it was called, was also a favorite, because it was "a dictionary without definitions". A single copy of Dillworth's speller, which also served for a primer, was usually handed down to the next generation or two, and was used even after it had become badly soiled and torn and the leaves perforated by the pointer in the places where the hard words were.

After the speller or "spell book", as Horace Mann called it, came the New Testament, or some other book which the child was compelled to read without in the slightest degree comprehending the contents. Sometimes, as a means of diversion, a lesson would be given from the Old Testament for easy reading. The following lesson, assigned to a little fellow, from the book of Daniel, is typical of the pedagogical sense of the early schoolmaster: "Partly by spelling out the words, and partly by the aid of a school fellow, he [the lad] had made tolerable progress in pronouncing the 'hard words' and proper names through eleven verses. In the twelfth verse he met the formidable obstruction of the three Hebrew names, Shadrach, Meshach, and Abednego, which he could not surmount. The master was petulant, surly, and uttered a series of strange sounds, in jabbering Irish, which the poor afflicted pupil could neither understand nor imitate. He did his very best to pronounce these names in the way the master ordered, and was dismissed with the formidable threat of a 'striped jacket' the next day if he forgot them. Next day came, and the little fel-

2. Ibid., p. 240-241.
low was in his seat, toiling at his lesson, for he really tried to learn. His turn came to say his lesson, and he stood beside the master in a tremor that shook his little frame and the perspiration streaming down his cheeks. His lesson commenced with the thirteenth verse. Nebuchadnezzar was one of the long words that had gone the round of school on divers occasions, and little Tommy, as he was familiarly called in the family circle, had mastered that before the stupid master had put him into the book of Daniel. He read two lines distinctly with a tremulous voice, for the threat of a 'striped jacket' had not escaped his memory, when he stopped suddenly. 'Th' read on', sounded in his ears like the crack of the hazel; 'why don't ye th' read on, ye spalpeen', came again with the expectation of the whip. The trembling pupil, unable to recollect or repeat anything, burst into tears and sobs, and made an effort to explain his inability—'Why here are these three fellows again, and I don't know them'. Master Halfpenny for once was disarmed. There was so much simplicity and honest effort in the boy that the master made a kind effort to relieve his pupil. 'Why, boy, cannot ye mind th'em? They ar' Mister Shaderack, Mes-hack, and Abed-ye-go. Now ye mout go on with y' r lesson; and don't ye miss 'em agin'.

Writing was accomplished under the most difficult circumstances. Only paper of the coarsest kind, "the refuse of old stores and printing offices, sold at auction, was brought to this frontier". From this copy books were made, and ruled by means of a piece of lead pounded to a point and a straight-edged piece of wood for a ruler. Ink made of copperas and galls from the native oak, and pens made from the goose's quills, completed the outfit.
Arithmetic was the favorite study of the pupils. The most exciting feature of the "general exercises", which occurred weekly, usually on Fridays afternoon, consisted in a free-for-all drill in mental arithmetic. The teacher "gave out lists of numbers, beginning with the easy ones and speaking slowly; each succeeding list he dictated more rapidly and with ever-increasing complications of addition, subtraction, multiplication, and division, until he was at last giving them out faster than he could talk. One by one the pupils dropped out of the contest with despairing faces". The only text-book in general use was that of Nicholas Pike. This text held sway for several years, being finally displaced by that of R. C. Smith.

The branches thus described were the only ones commonly taught in the schools during the period covered by this chapter, although surveying, navigation, and science were taught in a kind of seminary as early as 1806 near the present city of Belleville. Mr. Reynolds, of whom mention has been made, was a pupil in this school and has the following to say in regard to it:

"In the school near my father's, the teacher was unable to instruct any of his students in the higher branches of mathematics or the sciences and I made arrangements, with the consent of my father, that I should attend during the winter of 1806 and 1807, a good school, taught by a competent teacher. This school was situated a few miles north of the present city of Belleville, on the land of the present Mr. Schreader. I have often examined with deep feeling the tumuli of earth where this school house once stood. I revere the sight with the same feelings as the Jew..."

1. Wells, Schools and Teachers of Early Peoria, p. 65.
in ancient times did the city of Jerusalem.

"At this seminary I studied land surveying and navigation. I attended also to reading, spelling and writing. I became well accomplished in the general principles of the mathematics, and particularly in the science of land surveying. My father procured for me a surveyor's compass, and I learned both the theory and practice of surveying. My compass and mathematics books I retain to this day. I studied the various branches of the mathematics and sciences, until I calculated an almanac, but it was never printed.... At this school where I studied surveying I also learned bookkeeping, of which I thought very little. My writing in this study improved my penmanship, but I think not much my knowledge." ¹

Such were the beginnings of education in the early days of Illinois. It is a far cry from the little log school house of the pioneer, with its puncheon floor, mud and stick chimney and greased paper for windows, to the magnificent school buildings of to-day; from the teaching of the elements of two or three subjects, then, to that of the enriched curricula now; from the private little units scattered here and there over the prairies, to our present well organized system of public education extending to every child of the Commonwealth. But all beginnings are difficult. In 1810, Illinois had a population of 12,282, sparsely scattered over the southern half of its area. These pioneers were not slow to see the value of the fundamentals of education, and from their scanty means did what they could toward the instruction of their children. Soon after the home was erected and the first few acres prepared for the plow, the school house ap-
peared on the scene. Before sketching further the history of the development of the schools let us see what legislative provisions were made for the establishment of a school system.
The great epochs in the school history of Illinois are the years 1787, 1825, 1841, 1845, and 1855. It is the purpose of this chapter to trace the activities clustered around these dates and to indicate the evolution of the prevailing conception of education from the idea that "anyone can teach little children well enough" to the idea that "to enjoy the rights and liberties of a great democratic society and to be an efficient member in that society there must be an enlightened citizenship, and that to this end the best schools possible must be provided and specially skilled teachers must be employed". The wheels of legislative machinery seem to have moved at first very slowly and with considerable friction. Democratic government was yet in the experimental stage. The first Illinois law that provided a system of free schools seems crude, in the light of the nearly one hundred years, which have elapsed since its passage. Progressive school legislation was at first very slow, and remissness in duty, carelessness, apathy, and ignorance must be recorded against our early law makers.

A. THE ORDINANCE OF 1787.

The foundation for the broad policy of popular education and the beginning of the free-school and university system of the
west had its origin in the Ordinance of 1787. Because of the
wise provisions laid down and the liberal terms for the happi-
ess and prosperity of those who were to become citizens of this
territory, the document has been justly considered one of the
most momentous in our history. It was the consummation of the
greatest thought and effort of the very earnest thinkers of the
time, and laid down a series of fundamental principles of great
significance, among which is the recognition that religion, mor-
ality, and knowledge are necessary to good government and the
happiness of mankind. In recognition of this principle, it was
provided that schools and the means of education should forever
be encouraged. In the year 1785, Congress had passed an ordinance
for the disposition of the lands in the western territory. This
ordinance contained a number of important provisions, and was
the origin of the admirably complete and simple land system,
which provided for the establishment of townships six miles
square, each of which should be divided into thirty-six sections
one mile square. It was further provided that the section num-
bered sixteen in every township should be reserved for the main-
tenance of public schools within the township, and further pro-
vision was expressly made for the setting aside of two townships
for a university and a section in each township for the support
of religion. This Ordinance was a great state paper and to Jef-
ferson, Madison, Dane and others, under whose influence and lead-
ership the document was provided, the friends of public education
owe a great debt of gratitude.


In order to understand better the importance the "Fathers" of the Constitution attached to public education, it will be well, perhaps, to review briefly some of the policies held by them.

It has been said that the French idea of educational administration by the state, rather than the doctrine of naturalism, became influential in this country at this period and dominated the actions of the "Fathers" in their liberal provisions for "the more general diffusion of knowledge". However this may be, we are not surprised that Jefferson should have been one of the first Americans to respond to this influence. But Jefferson drew suggestions from a wide range of conferences and readings, and his ideas cannot be looked upon as merely a working out of the French schemes. He learned from Switzerland, Scotland, Old and New England, and many other sources, and reacted vigorously on all that came to him. Of all the public men of the Constitutional period, Jefferson was perhaps the greatest champion of state administration of education. As a member of the committee appointed to revise the school laws of Virginia, he presented to the legislature of the state as early as 1779, a comprehensive bill "for a more general diffusion of knowledge". The following quotation from this bill will give some idea of the purpose and means of providing an adequate system of state education:

"Whereas it appeareth that however certain forms of government are better calculated than others to protect indi-

viduals in the free experience of their natural rights and are at the same time themselves better guarded against degeneracy, yet experience hath shown, that even under the best forms, those entrusted with power have, in time, and by slow operations, perverted into tyranny; and it is believed that the most effectual means of preventing this would be, to illuminate, as far as practicable, the minds of the people at large, and more especially to give them knowledge of those facts, which history exhibiteth, that, possessed thereby of the experience of other ages and countries, they may be enabled to know ambition under all its shapes, and prompt to exert their natural powers to defeat its purposes; and whereas it is generally true that that people will be happiest whose laws are best, and are best administered, and that laws will be wisely formed, and honestly administered, in proportion as those who form and administer them are wise and honest; whence it becomes expedient for promoting the public happiness that those persons whom nature hath endowed with genius and virtue, should be rendered by liberal education worthy to receive, and able to guard the sacred deposits of the rights and liberties of their fellow citizens, and that they should be called to that charge without regard to wealth, birth or other accidental condition or circumstance; but the indulgence of the greater number disabling them from so educating, at their own expense, those of their children whom nature hath fitly formed and disposed to become useful instruments for the public, it is better that such should be sought for and educated at the common expense of all, than that the happiness of all should be confined to the
weak or wicked".

This bill proposed that every county in Virginia should be laid off into small districts five or six miles square, designated by the old term hundreds, and that there should be established in each of these smaller districts a school for teaching reading, writing, and arithmetic. These schools were to be supported by the people of the hundred and all the children were permitted to attend for a period of three years free, and as much longer as they wished to pay for. There was further to be a visitor over these schools, who was to appoint annually one boy of the best promise in each school from among those whose parents were unable to send them to a higher school for a better education. For the purpose of further preparation of these boys of promise, who had thus been chosen by the visitor, there was to be a provision made for the establishment of twenty grammar schools in the different parts of the state, for teaching Latin, Greek, geography, and the higher branches of numerical arithmetic.

The ultimate result of this scheme of education, as proposed by Jefferson, would be the education of "all the children of all the people" in the state in reading, writing, and common arithmetic; turning out annually of superior talent, well taught in Greek, Latin, geography, and the higher branches of arithmetic; turning out yet ten others, of still superior abilities, who should have added to their learning such branches of science as they were capable of acquiring; and the furnishing to the wealthiest of the citizens convenient schools at which they could educate their children at their own expense.
Although Jefferson's scheme was not enacted into law in its entirety, it led to better and more liberal provisions for education in his own state and, in a modified form, was incorporated into the Ordinance of 1787 and again into the enabling acts for admitting states which were formed out of the Territory into the Union. Of all the purposes of this law, none is more important, than that of "rendering the people the safe, as they are the ultimate, guardians of their own liberty".

2. Pope's Services for Education.

It has been stated that the people of Illinois are greatly indebted to Nathaniel Pope for the liberal provision for free schools in these large reservations of land made by Congress. This statement, however, is erroneous, for, as has been pointed out, Congress in 1785, under the leadership of Jefferson, Madison, Dane, and others, passed an act providing for such reservations. These provisions were again made in the Ordinance of 1787 and confirmed by the first Congress of the United States in 1789.

Illinois, however, is indebted to Pope in another matter of considerable importance. Pope was a territorial delegate to Congress from Illinois at the time an act was passed by Congress enabling the people of the Territory of Illinois to form a state government. He at this time secured an amendment by which the northern boundary of our state was fixed at its present location instead of along a line running west from the south end of Lake

Michigan, thus securing to Illinois, territory containing now more than one-third of the population and wealth of the State and great commercial gate-way to the West. At the same time Mr. Pope rendered valuable service for the cause of education by securing an amendment to the Enabling Act for Illinois by which be secured, in round numbers, eight hundred thousand dollars from the five per cent net proceeds of the sale of public lands. It was originally provided in the Enabling Act for Illinois, as it had been in the case of both Ohio and Indiana, at the time of their admission into the Union in 1803 and 1816 respectively, that five per cent of the net proceeds from the future sale of all public lands within the boundary of the State should be reserved for the building of roads and canals. The change in this provision is indicated by the following extract from the Annals of the Fifteenth Congress, April 4, 1818:

"Mr. Pope moved further to amend the bill, by striking out that part which appropriated the state's proportion of the proceeds of the sales of public lands to the construction of roads and canals in said state, and to insert the following:

'Mr. Pope said, that the fund proposed to be applied for the encouragement of learning had, in the other new states, been devoted to roads; but its application had, it was believed, not been productive of the good anticipated; on the contrary, it had been exhausted on local and neighborhood objects, by its distribution among the counties, according to their respective representation in the legislature. The importance of education in

1. W.L. Pillsbury, Illinois School Report, 1885-6, p. CVI.
a Republic, he said, was universally acknowledged; and that no immediate aid could be derived in new counties from waste land was not less obvious; and that none would be provided in a new state, the history of western states too clearly proved. In addition to this Mr. Pope said nature had left little to be done in the proposed state of Illinois, in order to have the finest roads in the world. Besides the roads would be made by the inhabitants as they became useful, because the benefits were immediate; but not so with the endowments for schools. The effects of these institutions were too remote. The lands on the roads were generally private before the opening of the roads; and the benefit resulting to the United States from the stipulation would be found alone the exemption from taxation, for five years, of lands sold in state.

"This motion was agreed to without debate". 1

Hence this donation by the Federal government of per cent of the net proceeds of all public lands sold within the state, together with section sixteen in every township and the seminary reserve of "Town 5 N., Range 7. of 3rd Principal Meridian", constituted a total reservation of a little over one-eighteenth of all the public lands in Illinois to be devoted to the cause of education.

3. Illinois Helps Establish Indiana University.

Another matter pertaining to education to which the territory of Illinois was a party should be mentioned in this connection. At the first meeting of the General Assembly of Ind-

I. Annals of the Fifteenth Congress, April 4th, 1813.
ana Territory, held in the village of Vincennes in 1806, an act was passed for the establishment of a University. Since Illinois was at this time a part of Indiana Territory and the said act was doubtless passed by the help of our delegates, and bears the signatures, in addition to that of Governor William Henry Harrison, of Jesse B. Thomas, speaker of the House of Representatives, and P. Menard, President pro tem of the Legislative Council, both of whom were Illinois men, we may justly claim that this act belongs, in part at least, to Illinois history. The importance that was attached to such an institution of learning at this time may be seen from the following resolutions:

"Whereas the independence, happiness, and energy of every republic depends (under the influence of the destinies of Heaven) upon the wisdom, virtue, talents, and energy of its citizens and rulers.

"And, whereas, science, literature, and the liberal arts contribute in an eminent degree to improve those qualities and acquirements.

"And, whereas, learning hath ever been found the ablest advocate of genuine liberty, the best supporter of rational religion, and the source of the only rational and imperishable glory which nations can acquire.

"And forasmuch as literature and philosophy furnish the most pleasing and useful occupations, in proving and varying the enjoyments of prosperity, affording relief under pressure of misfortune, and hope and consolation in the hours of death.

"And considering that in a commonwealth, where the humblest citizen may be elected to the highest public office, and where
the Heaven born prerogative of the right to elect, and to reject, is retained and secured to the citizens, the knowledge is requisite for a magistrate and elector should be widely diffused".

Then follow the provisions for the creation of a board of trustees, the appointment of a college president, and four professors and the establishment of courses of instruction in "Latin, Greek, French and English languages, mathematics, Natural Philosophy, Ancient and Modern History, Moral Philosophy, Logic, Rhetoric, and the Law of Nature and Nations". In addition to the seminary township, the institution was granted the power to sell four thousand acres and to hold not exceeding one hundred thousand acres of land, to receive donations and bequests and to raise twenty thousand dollars by lottery. The trustees, with General William Harrison president, met and organized December 6, 1806. A brick building was constructed and the preparatory department started; but, according to W. L. Pillsbury, "was not so successful as Harvard College in attracting the Indians; not even two were gathered within its walls. Tecumseh was organizing them for his struggle and they showed a far greater natural predisposition for disfurnishing the outside of other people's heads than for furnishing the insides of their own". However this may be, the University thus established was far in advance of the ideas of the people of the time and cannot be said to have worked advantageously for many years later.


While Illinois was yet a part of Indiana Territory, the General Assembly passed an act by which the Courts of Common
Pleas were empowered to lease the school lands in their respective counties, provided the same should not be leased for a longer period than five years, and restricted the extent of such lease to one-quarter section to one man with the provision that ten acres were to be improved. This act bore the date, October 26, 1808, and was to be effective until the close of the session of the next General Assembly. Meanwhile the Illinois Territory had been organized and Kaskaskia named as the territorial capital. The Governor and Judges of the new Territory at the first meeting, June 13, 1809 expressed an opinion that the laws of Indiana so far as practicable were in force in Illinois, and this opinion was confirmed by an act of the first Legislative Assembly, which met in 1812, declaring the laws of Indiana in force March 1, 1790, to be effective in Illinois. From this we would naturally infer that the school lands were leased by the Courts of Common Pleas until the first meeting of the legislature in 1819 under the new state constitution.

5. The Territorial Legislature of Illinois.

"The only action taken by our own territorial legislature with regard to schools and school lands was a joint resolution passed January 4, 1816, which, after reciting the gifts of the township of land for a seminary of learning, and that it had not been located yet, and that the registrar and receiver of public lands could not leave their business and make the location, requested them to appoint one or two persons competent to make the selection and to set apart the township chosen by them."

1. Illinois School Report, 1885-6, p. CVI.
as a seminary township. The resolution also directed the auditor of the territory to pay the expenses that might be incurred in making the location. The author here quoted, Mr. Samuel Willard says further: "Whether or not this course was pursued I am unable to say, but the township was selected in 1816; and by whomever made, the selection seems to have been bad, for it ... is in Okaw bottom in part, and its valuation is now much less than the adjoining townships, which are, like it, exclusively agricultural." However, this township, located in what is now Fayette county, was, by instructions of the legislature in 1821, placed under the authority of the Auditor for leasing to individuals. But the legislature of December 22, 1829, by memorial to Congress, asked permission to surrender this township and to make other selections in its stead. The claim was that the lands, or a large part of them, were sterile and unsuited to agricultural purposes, while other parts were filled with swamps and could not be used, thus defeating the purposes for which the lands had been granted. The conclusion of the memorial says: "This township now is and ever will continue to be, total valueless for a seminary of learning." The request was granted by Congress in 1831, permitting the surrender of this township and authorizing other selections in lieu thereof. The state was allowed to make the new selection, the same to be either one continuous township, or a quantity equivalent there-to in tracts of not less than a quarter section. Under the authority of the legislature the Governor executed a deed surren-

2. Illinois School Report for 1881-2, p. CXXXIII.
dering the township August 9, 1831, after which other lands were carefully selected which are now rated among the most productive lands of the State.

By the terms of the fourth clause of section six of the Enabling Act admitting Illinois into the Union in 1818, in addition to the township in Fayette county, there was given another six sections, or one entire township, which was to be designated by the President of the United States, to be reserved for the use of a seminary of learning; and vested the State legislature with the authority to dispose of the lands solely for that purpose. With regard to this cession of lands for the use of a seminary, the legislature in 1823 memorialized the President of the United States as follows:

"To the President of the United States:

"The memorial of the General Assembly of the State of Illinois, would respectfully represent:

"That by the fourth article of the compact, between the United States and this State, it was provided, 'that thirty-six sections, or one entire township, which shall be designated by the President of the United States, together with the one heretofore reserved for that purpose, shall be reserved for a seminary of learning, and vested in the legislature of said State, to be appropriated solely for that purpose by the legislature of said State!"

"As the period has now arrived, when, in the opinion of your memorialists, such designation ought to be made, they respectfully request, that the President will, as soon as practi-
cable, cause the said thirty-six sections, or one entire township of land, to be designated for the purpose contemplated by Congress.

"From the language in which the fourth article of the compact alluded to is couched, your memorialists infer, that it is optional with the President to cause the said land to be located, either in separate sections, or in one entire township. This opinion is strengthened by the fact, that when the bill, 'to enable the people of the late Territory of Illinois to form a constitution and State government', was on its passage in the House of Representatives, our delegate called the attention of the House to the words, 'thirty-six sections' expressly declaring that his object in inserting these words, was to procure the selection to be made in different sections, and intimating that if the House were unwilling, that the selection be made in this manner, then was the time to expunge the words. No motion to that effect was made".

The prayer of the Legislature was granted by the President, who requested the Governor of Illinois to appoint two commissioners to make the selection of lands. This plan was carried out and an appropriation was made by the Legislature of two hundred dollars, in paper of the State Bank, to each in payment of his services. However the selections made at this time by the appointed commissioners were not all accepted and other selections had to be made later. 1


Illinois was admitted into the Union in 1818. The constit-

1. W. L. Pillsbury, in Illinois School Report, 1885, p.CXXIV.
tution did not refer to schools or education in any way whatever. The act of Congress, passed April 18, 1818, providing for the admission of the State into the Union, imposed upon the people the following stipulations providing for the support of schools and institutions of learning; when accepted by the people of the State of Illinois, these were "not to be revoked without the consent of the United States".

"Whereas, The Congress of the United States, in the act entitled 'An act to enable the people of the Illinois territory to form a constitution and state Government, and for the admission of such state into the Union, on an equal footing with the original states, passed the 13th of April, 1818', have offered to this convention, for their free acceptance or rejection, the following propositions, which, if accepted by the convention, are to be obligatory upon the United States, viz:

"'1st. The section numbered sixteen in every township, and when such section has been sold, or otherwise disposed of, other land equivalent thereto, and as contiguous as may be, shall be granted to the said state for the use of the inhabitants of such township for the use of schools.

"'2nd. That all salt springs within such state, and the lands reserved for the use of the same, shall be granted to the said state for the use of the said state, and the same to be used under such rules and conditions, and regulations, as the legislature of the said state shall direct: provided, that the legislature shall never sell nor lease the same for a longer period than ten years at any one time."
That five per cent of the net proceeds of the lands lying within such state, and which shall be sold by Congress from and after the first day of January, one thousand eight hundred and nineteen, after deducting all the expenses incident to the same, shall be reserved for the purposes following, viz: Two-fifths to be disbursed under the direction of Congress, in making roads leading to the state; the residue to be appropriated by the legislature of the state for the encouragement of learning, of which one-sixth part shall be exclusively bestowed on a college or university.

That thirty-six sections, or one entire township, which shall be designated by the President of the United States, together with the one heretofore reserved for that purpose, shall be used for the use of a seminary of learning, and vested in the legislature of said state, to be appropriated solely to the use of such seminary by the said legislature.

These propositions made by the United States were accepted by the convention which met at Kaskaskia, in July, 1818, and having completed the framing of the organic law of the state on the 26th day of August, an ordinance was adopted in compliance with the act of Congress of April 18, 1818, accepting the conditions therein stipulated, and declaring the same to be the law of the state of Illinois.

As has been mentioned, the constitution, which became operative in 1818, contained not a word with respect to schools. In its provisions for the operation of government and statements of the political principles, no reference whatever is made even
to the "glittering generality" of the Ordinance of 1787, or the Nation's munificent gift of western lands for the encouragement of education. This generous gift of the Federal government, however, made the legislature of Illinois trustee for large areas of land in behalf of educational institutions. Thus the legislature being compelled to take action with reference to safeguarding these interests, measures in regard to schools and the disposition of school lands soon appeared on the statute books.

The absence of any educational provision from the Constitution of Illinois seems rather striking in comparison with the very liberal provisions made by the Constitution of Indiana. The Constitution of Indiana became operative in 1816, two years before Illinois was admitted into the Union, and made it the specific duty of the legislature to provide for the improvement of the public lands granted by the United States for the use of a system of public education. It was the duty of the General Assembly to provide for a general system of education ascending in a regular gradation from the township schools to the State University. Tuition in all these different grades of schools was to be free and equal to all alike. It was provided that all monies paid in as fines in violation of the penal laws should be applied to the support of county seminaries in the county wherein they shall be assessed. Also the money which was paid in as exemption from military duty, except in times of war, was to be applied to the support of county seminaries. When a new county was laid off, ten per cent of the proceeds from the sale of town lots at the seat of such county was to be reserved for
the support of a county library. At the same session of the General Assembly in which a new county was laid off, there was incorporated a Library Company whose business was to extend the benefits of the library to the public.

B. THE FREE SCHOOL LAW OF 1825.

The first legislature under the New Constitution met at Kaskaskia in 1819. At this session a number of acts were passed with reference to schools and school lands. One of these acts made provision for protecting these lands against "depredators who would rob them of their timber". Laws passed by this first General Assembly, at its second session, provided for leasing the sixteenth-section lands, and authorized county commissioners to select three good, substantial freeholders in each township as trustees for that purpose. Some of the sixteenth sections, however, were considered worthless or practically so. Especially was this true of the prairie sections, for the prairie lands were thought for a long time to be of very little value. In view of this assumption the General Assembly, in 1829, requested our representatives in Congress to do all they could to secure permission from that authority to make exchanges. The General Assembly, itself, in 1831, memorialized Congress upon the subject, but received no satisfaction. Again in 1833 a similar memorial was presented to Congress by the General Assembly, and again there was no action. The matter was called up a third and a fourth time by the legislatures of 1845 and 1847 respectively. The resolutions of 1845 had the following preamble:

1. Constitution of Indiana 1816, Article VII.
"Whereas, The sixteenth section, commonly known as the school section, in many of the townships of the State are situated in large prairies, remote from timber, and from other causes are so worthless as to render wholly abortive the object contemplated by the grant of such sections to the inhabitants of this State, therefore be it

"Resolved", etc.

All these efforts were in vain, for in no instance, with one exception, have any of the grievances, either real or fancied, been redressed. The instance referred to was that of the township in Adams county, the trustees of which, upon the representation that its section sixteen was located in a pond, were authorized to select one section of any of the public lands "subject to entry at one dollar and twenty-five cents per acre". It seems strange to us to-day that these early settlers could have mistaken the value of the fertile prairie soil of Illinois, but it is doubtless true that the prairies were avoided for many years for agricultural purposes. This fact helps to explain the small returns from the sale of the early school lands, and it is a matter of much regret that larger funds from this source could not have been realized, for the benefit of schools.

The first legislature also provided that

The township trustees were to appoint a treasurer and a clerk and to have the sections surveyed and divided into lots of not more than one hundred and sixty acres each, one or more lots to be reserved for timber, and the rest to be leased, on the best terms they could secure, for a period of ten years.
The legislature of 1819 passed two charters, one incorporating Madison Academy at Edwardsville, the other incorporating Washington Academy at Carlyle. It has been said that Belleville, too, received a charter at this time; but this, doubtless an error. Henry Raab, Superintendent of Public Instruction from 1833-87, in speaking of cities and towns receiving from the legislature special charters authorizing the establishment of public schools, says that Belleville was not among them, and that the establishment of public schools in that city was left to private enterprise. It is stated by another writer that a "Mr. Baker, the father of General Baker of Oregon, who was killed at Ball's Bluff, opened an academy at Belleville about 1825." However this may be, it seems that the legislature was favorable to academies at this time and during the next twenty years these academies multiplied rapidly throughout the State. This was the period of academy development, not only in Illinois, but all over the country. More will be said on this subject in the chapter on Secondary Education.

In respect of these academies which received special charters at the first session of the General Assembly, provision was made that the children of the poor should receive free instruction; that no discrimination should be made with respect to choice of trustees and professors on the basis of religion; that children shall never be denied entrance on account of religious

1. Henry Raab, Early Teachers of Old Belleville.
3. Belleville did receive a charter but was not used.
opinion or profession; and that there should be established departments for the instruction of women as soon as the funds of the institutions would admit of it.

The original proprietors of Alton, (that is Old Alton, what is now Upper Alton) donated one hundred town lots, one half for the support of the gospel, and one half for the support of the public schools. The legislature, in 1821, placed the control of these lots in the hands of the trustees of the town. Similar donations made by the proprietors of Mt. Carmel were placed under similar control. The Cumberland Presbyterians, near Enfield church in White county, having built a house on one of the school sections, the legislature, in 1821, provided that the house should be used for school purposes for ninety-nine years, and that the school should be under the joint control of the trustees of the township and the directors of the church society.

2. The Duncan Law.

At the session of 1825 Joseph Duncan, a member of the Senate from Jackson county, and afterward member of Congress and Governor, introduced a bill for the support of schools by public taxation. After due discussion and investigation this bill became a law January 15th, 1825. This was the first free-school act to be written upon our statute books, and in many respects was as valuable as any school law in the United States at that time. The need of public education was clearly set forth in the preamble as follows:

"To enjoy our rights and liberties we must understand them;

their security and protection ought to be the first object of a free people and it is a well established fact that no nation has ever continued long in the enjoyment of civil and political freedom, which was not both virtuous and enlightened; and believing that the advancement of literature has always been and ever will be the means of developing more fully the rights of man; that the mind of every citizen in a republic is the common property of society, and constitutes the basis of its strength and happiness. It is therefore considered the peculiar duty of a free government like ours to encourage and extend the improvement and cultivation of the intellectual energies of the whole. Therefore, Be it enacted by the People of the State of Illinois represented in the General Assembly:

"Sec. 1. That there shall be established a common school or schools in each of the counties in this State, which shall be open and free to every class of white citizens between the ages of five and twenty-one years. Provided that persons over the age of twenty-one years may be admitted into such schools on such terms as the trustees of the school district may prescribe.

"Sec. 2," etc. (For full text of the first free school law see Appendix A).

The essential points in the first free school law were:
"(1) A school system based upon law. (2) A school free of all rates or charges for all children of given ages. (3) Defraying all the expenses of such schools, except so far as paid by the income of the school funds, by general tax upon all classes of property and all persons".1

1. Illinois School Report, 1885-6, CVII.
The law received the signature of Governor Coles, who was doubtless heartily in sympathy with it, since he had very strongly urged legislation in behalf of the schools in his messages to the General Assembly. It became operative January 15, 1825. This law anticipated many features of our present school law and, as was well expressed by one historian, was far in advance of the civilization of the time. Nowhere outside of the New England States was there to be found a free school law at that time; (Rhode Island did not adopt a similar law until 1842).

3. Comments on the Duncan Law.

Governor Ford says the law worked admirably well and that schools flourished in almost every neighborhood. This is to be seriously questioned, for as Governor Ford himself says, there was much clamorous opposition which led to a repeal by the next legislature. Judge William Thomas, when he was school commissioner of Morgan county in 1832, contributed an article to the Illinois Patriot in regard to the law as follows:

"Although the act of the Assembly may be considered as an indication of the wishes of the people at that time, yet the plan adopted was not approved, and it is not known that society ever derived any benefits from the labors of the Assembly".

The following communication to the Sangamon Journal by Erastus Wright, who was at that time School Commissioner of Sangamon county, appeared December 14, 1833:

"On the 15th day of January 1825, an act was passed to provide for the establishment of free schools. This act was ac-

companied with a very complaisant and graceful introduction, but the free schools were to be sustained only by a tax levied upon the district and disbursed by six or eight officers. The practicability of the plan, I think, has never been tested, and I would suppose, for very good reasons."

Cyrus Edwards referring to this act in his report to the Senate, December 23, 1826, said: "Very few schools were established in the manner required, and they never received the promised reward of State aid" (from returns of the funds derived from the sale of school lands).

We are at least sure that no account is given in the published reports of the Auditor and Treasurer which shows that any funds were paid out for the support of schools during the years 1825 and 1826. But there appears an appropriation of twenty-five dollars, made by the legislature in 1829, for a district in Johnson county, together with the provision that the act of 1825 should continue to apply to this particular district. From this it appears that some few districts may have received State aid.

The law, as has been pointed out, was in advance of the ideas of the time. Most of the people had come from the states where there were no public-school laws. To such the very idea of a tax was distasteful. They were willing to pay the full tuition for their children's schooling, or allow them to grow up without the advantage of an education rather than submit to the mere name of tax.\(^1\)

\(^1\) Ford, History of Illinois, p. 53.
"If we could get at the unwritten history of the passage of the law", says W. L. Pillsbury, "we should, I imagine, find its passage was secured by strong personal influences, more potent in Vandalia with the small number that could be talked to face to face, than with the sparse and widely scattered people of the State at large in those days of few newspapers with short subscription lists, when travel was chiefly on horseback".1

1. Illinois School Laws 1885-6,
CHAPTER IV

LEGISLATIVE DEVELOPMENT (Concluded)

C. THE LAW OF 1841.

Thus I have traced the history of the first two real progressive steps in school legislation in Illinois. The next great event for the cause of public education was the passage of a bill entitled "An act making provision for organizing and maintaining public schools". This bill, known as the Davidson bill, made a thorough revision of the old laws, rendering fifteen of them void, amending others, and adding several new features and important changes. But before discussing this law in detail, it would be well, perhaps, to discuss some of the minor events which transpired between 1825 and 1841.

1. The Duncan Law Repealed.

The legislature in 1827 so changed the Duncan law of 1825 that the free-school feature of it was destroyed, since no one was to be taxed without his consent. Sections three and four of the amending act are the ones which are essential to the history of the early schools. Section three provided that the legal voters of any school district, at their regular meeting, shall have power in their discretion to cause either the whole or one half of the sum, required to support a school in any district, to be raised by taxation, the remainder may be required to be paid by parents, masters, and guardians in proportion to the number of
persons each of them shall send to such school. Section four provided that no person was to be taxed for the support of free schools in the State unless by his own free will and consent, first had and obtained in writing; and unless he was taxed he could not send any children to school.

Two charters were granted by this legislature; one was given to Monroe Academy at Waterloo, Monroe County, which endowed it with school lands, but forbade the teaching of any but "useful" subjects; the other was given to Franklin College at Albion, but the charter was rejected because the terms were unsatisfactory.

Provision was also made at this session for the further protection of school lands and the restoration, from the State Treasury, of some funds which had been lost in the State Bank.

The labors of the next two sessions of the General Assembly were almost uneventful so far as educational interests were concerned. In 1829 that part of the Duncan law, which gave to the public schools two per cent of the net proceeds of the revenues of the State, was repealed, and the law was otherwise modified, rendering the creation of schools more completely an affair of "voluntary union and subscription". The Seminary Township was, at this time, directed to be sold and the funds to be borrowed by the State.

2. The Session of 1833.

The session of the legislature in 1833 was eventful in one or two particulars in regard to schools. Provision was made for the first time for the payment of the income from the school fund to teachers. For this purpose teachers were required to

1. Illinois Session Laws, 1827.
make out a schedule, showing the number of pupils in school and the daily attendance; which served as a basis for the distribution of whatever funds belonged to the township among the teachers, in proportion to the daily attendance in each one's school.

Two more charters were granted at this time providing for the incorporation of two colleges. One of these was the Union College of Illinois, which was to be established in Randolph county; the other was the Alton College of Illinois, which was to be at Upper Alton. The first of these was in the interests of the Scotch Covenanters; the second, that of the Baptists. Nothing was ever done with the charter for Union College, and the other was rejected because of the disagreeable features it contained. As has already been mentioned, the legislature was very favorable to academies, but unfriendly to colleges. One restriction, imposed on colleges by these charters, was that no professor of theology should be allowed to teach in the college and that no theological department should be allowed in any way or form. Furthermore it was provided that in case of violation of these provisions by any college, the Attorney General of the State should institute proceedings against it and invalidate its charter.

3. Sentiment Against Colleges.

In regard to the sentiment against sectarian institutions, I find, in the Western Monthly Magazine for May, 1833, the following editorial:

"A private institution of learning, to be called Union

College was incorporated, with an express provision, that no theological department shall ever be attached to it. This is another instance of public sentiment, or at least the policy of the legislature. There is a great dread among our lawmakers of religious domination, and sectarian influence. Bills to incorporate religious societies, for the single purpose of enabling them to hold a few acres of ground for their meeting house and grave yard, have been more than once introduced and rejected. No college or other institution of learning, in which any one religious sect is known to have a predominant influence, has as yet received a charter in this State, nor will any such institution ever be incorporated here, unless public sentiment shall undergo a change. This prejudice is to be deplored. If religious denominations think proper to educate their children in their own tenets, they have a clear right to do so, and to establish schools for that purpose; and it is enough for those who object to the exertion of sectarian influence upon the young mind, to withhold their support from institutions which they disapprove. The granting of a charter to literary institutions confers upon it no moral power, stamps no authority upon the tenets the direct it, nor affects, in the slightest degree, any of the rights of conscience. It merely confers on such an institution, facilities for the transaction of its financial concerns. It gives vigor and security to its pecuniary transactions; but adds nothing to its literary reputation. In the country where religious opinions are perfectly unshackled and men believe and worship as they please, it seems to be un-
fair, that they should not be allowed every facility for educating their children according to the dictates of their own judgment. The truth is that the best colleges in the United States are sectarian; each of them is under the direct influence and patronage of a religious sect. No college, from which such influence has been excluded by express prohibition, has been successful

4. The First Conventions.

The year of 1833 is memorable, too, for the beginning of a series of conventions held by the friends of education for the purpose of creating interest in the establishment of public schools and bringing to bear pressure upon the legislature for the passage of desirable measures for this purpose. The first meeting was held in Vandalia in February 1833, and in October of the same year there was formed a "Ladies' Association for the Education of Females". The sentiment in favor of education was growing daily and the contest was becoming more and more intense. It was futile for the law-makers to attempt to withstand longer the demand for colleges, and on February 9th, 1835, the legislature approved a measure which united in a single act the charters of four colleges, namely, Alton, Illinois, McKendreean, and Jonesboro. A bill to establish an institution under the name of Illinois University, and to endow it with college and seminary funds, was introduced at this session, but it failed to pass because of the jealousies aroused over the location of the proposed institution. The following "Notes on Illinois Legislation" which appeared in the Western Monthly Maga-
zine, May, 1833, perhaps fairly expresses the prevailing sentiments at this time:

"Several attempts have been made to appropriate the school fund, and to bring into existence a system of common schools, none of which have proved effective. There is a decided wish to act on this important subject but there are insurmountable objections to any premature action. The population is so thinly scattered at present, as to render it difficult to organize any system, which shall disseminate its benefits even to a majority of those who need them. But the greatest obstacle to any beneficial action at this time, arises from the lack of any knowledge of details, in regard to the fiscal and practical parts of such a system. A connected plan of instruction to embrace the whole of the State, is a vast and somewhat complicated machine; and it cannot be expected that those who have never witnessed such a system, should be able to understand its bearings, or devise the best measures for its adoption. Our legislature acts wisely, therefore, in delaying this great measure, until the necessary information can be collected. Some public spirited individuals have, during this winter established an institute at Vandalia, for the purpose of procuring such details, and publishing them for the benefit of the public. In the meanwhile, the school fund is rapidly increasing, and some provisions have been enacted for its safe keeping, management, and future distribution. The amount of the fund for common schools, for colleges, and for the encouragement of learning, collectively, is about one hundred and ten thousand dollars. This fund was created by Congress for
the three specific objects named, and it is proposed at this session to apply to the National Legislature, for permission to direct the whole to the support of primary schools; in support of which idea, it is possibly urged, that colleges may be best supported by private enterprise, and that the whole of this fund may be most usefully employed in sustaining public schools. This proposition failed; but it is altogether probable that some such arrangement will finally be adopted."

The legislature during the next few sessions pursued the paths of its accustomed policy. Several more charters were granted to academies, so that by 1840 there were thirty-six of these schools incorporated, including five schools for girls.

The year 1841 is another great landmark in school legislation in Illinois. Many things transpired at this time for the promotion of the cause of public education. In granting charters to several more academies, three of them were given privilege of receiving public money on the presentation of proper schedules such as were required of the common schools. However, this practice does not seem to have become common. The restrictions imposed upon the colleges, which forbade the establishment of a theological department and denied them the privilege of holding in perpetuity lands exceeding in amount one square mile, were removed. This act greatly encouraged the colleges, and they soon developed strong preparatory departments, commonly bearing the name academy. The colleges largely determined the character of

1. Western Monthly Magazine for May, 1833.
the instruction in secondary schools of the State. Thus was established the precedent by which colleges, to a large extent, have determined the standards of secondary instruction from that time to the present day.

5. The Beginning of Supervision.

Organization and supervision began to take definite shape at this time. The county superintendent heretofore had been merely a county land agent whose duty it was to act as agent of the county in the sale of public-school lands, and to apportion the income of the school fund in his county among the several teachers entitled thereto. For his compensation for such services, he was allowed to retain two and a half per cent of all sums apportioned. By the act of 1841 the office of school commissioner was created and made elective in every county of the State. The term was fixed at two years and the compensation was changed to three per cent of the amount derived from the sale of lands, two per cent on moneys reloaned, and two per cent of the amount of all moneys distributed and paid to teachers and trustees for the support of schools.

The history of school legislation affecting the certification of teachers shows a gradual, but reluctant advancement toward a general and uniform plan. At first the trustees of the school were the certificating authority. When it was proposed to take away this authority and place it in the hands of the county commissioners, objections were made. However a compromise was effected in 1841 by which this authority was divided between

the county commissioner and the trustees, but by 1845 the authority to examine and certificate teachers had passed entirely into the hands of the county school commissioners.

6. Other Agencies Appeared in 1841.

In 1841 there appeared other agencies whose chief object it was to promote the cause of education. These by persistent effort, systematic organization, and close co-operation did much to hasten favorable legislation for the public schools.

The first of these was the Illinois State Educational Society which at a preliminary meeting held in the Hall of Representatives, in Springfield, December 16, 1840, appointed a committee to consider the advisability of a permanent organization of the friends of education, and to provide for a future meeting. A meeting was arranged to assemble in the Senate Chamber December 28th. The meeting was held according to plan, a permanent organization was effected, officers elected, and a committee appointed to prepare a memorial to be presented to the House January 12, 1841. A more complete account of the history of this organization will be found in Chapter VIII; here we are concerned only with the provisions of the memorial.

Among these provisions the following are the most important: (1) The number of children actually in school was to be the basis of the distribution of public school funds, instead of the number under twenty years of age; (2) the laws in regard to the loaning of funds were to be carefully revised so as to insure against loss; (3) a fine of one hundred and three hundred dollars respectively was to be imposed on trustees and comiiiss-1. Illinois Education Commission Report for 1899, p. 175. rioners.
ioners for a neglect to report statistics concerning the schools; (4) upon a majority of three-fourths of the legal voters, power was given to levy and collect taxes for the support of schools; (5) not more than half of the teacher's wages was to be paid from the public funds, thus compelling the people to help support the schools; (6) after one year no school was to be allowed any of the public money unless the school had been in session at least three months; (7) teachers were to be carefully examined and the school laws were to be published in a separate volume and distributed among the commissioners and trustees; and (8) a state superintendent was to be appointed, the same to be a man of talents, who was to give all his time and attention to the improvement of the schools.

This memorial doubtless influenced Mr. John Moore, senator from McLean county, to introduce into the Senate, on December 30, the following motion:

"Resolved, That the Committee on School Lands and Education be requested to inquire into the expediency of revising and amending the school laws of the State, and printing the same in pamphlet form for the use of commissioners and trustees of townships, and that they report by bill or otherwise".

7. The Davidson Bill.

On January 16, 1841, the chairman of this committee, Mr. Davidson of White county, reported a bill entitled "An act making provision for organizing and maintaining public schools". This bill as enacted into law contains twenty-eight pages and one hundred nine sections. All previous acts were repealed.
Many of the provisions contained in the memorial of the State Educational Society were incorporated in the new law, although not all of them.

The following are the most important features of this new law: (1) The office of the county superintendent was made elective, with a two-year term; (2) the sale of school lands and the loaning of school funds at twelve per cent were carefully provided for; (3) the incorporation of school townships and the organization of school districts all over the State were made possible; (4) the examination of teachers for certificates by the trustees and directors was made binding, and a penalty for failure to make reports; and (5) four thousand five hundred copies of the school law were ordered printed and distributed among school officers.

Although the provision for the establishment of the office of state superintendent was rejected by the legislature, as well as those provisions for the distribution of public funds and the levying a tax for school purposes, the friends of education continued their persistent efforts until they were fully realized ten years later.

8. The Influence of Educational Publications.

Another effective agent in arousing public sentiment and promoting favorable school legislation was The Common School Advocate, the first number of which appeared in January, 1837. Although this publication was discontinued after the twelfth number, it did much toward securing good school legislation by collecting and publishing valuable information of school con-
ditions throughout the country and in pointing out the needs of better school conditions in Illinois.

But perhaps the greatest champion of the free school movement of that time was The Union Agriculturist and Western Prairie Farmer, (later changed to The Prairie Farmer) the first number of which appeared in January, 1841. This paper from the beginning assumed the leading rôle in the field of education and continued to hold the first place until the appearance of the Illinois Teacher in 1855. It enjoyed a wide circulation for the time and always had a message, not only for the teachers and those interested in educational work, but also for the farmers as well. On its pages is to be found the most complete account of the conditions of the schools and the educational tendencies during the period from 1841 to 1855. Through its efficient and enterprising editor, J. S. Wright of Chicago, urgent appeals were made for a remedy of the evils which were causing the common schools to suffer. In various editorials he clearly pointed out wherein the evils lay and indicated a remedy as follows:

"Two things we consider absolutely necessary to create a system of common school instruction adequate to the wants of our State—the appointment of a competent superintendent and the establishment of a teachers' seminary.

"The appointment of a superintendent.—This is the first step to be taken. The legislature has not the means and they cannot learn the wants of the State for educational purposes without employing a competent agent, who, by traveling through the State, will acquire facts and data upon which the legislature could act understandingly. Such a man would not merely visit
the towns and villages where he would receive sumptuous entertain ment and have the pleasure of addressing large audiences, but he would go into the sparse settlements, and by mingling with the farmers and obtaining their views learn what the people require. He would address public meetings, organize societies auxiliary to the Illinois State Educational Society, and awaken a deep interest in the subjects wherever he went. The appointment of such a superintendent received thorough discussion at the meetings of the Educational Society at Springfield last winter, and was generally approved. An assistant might be required, to have the duties performed quickly.

D. THE SECRETARY OF STATE EX OFFICIO SUPERINTENDENT

At the next session of the legislature, which met in 1843, a number of petitions and memorials were presented but without result. The time was unfavorable for securing any legislation which involved the expenditure of money.

1. Effect of the Crisis of 1837.

The people had not yet recovered from the effects of the great financial crisis of 1837. The State, encumbered by debt to the extent of fifteen million dollars, was unable to pay the interest and meet its current running expenses. Besides the credit of the State was so reduced that a dollar of its paper was worth only thirty-seven and a half cents. However, the preparations were begun for a vigorous effort to secure favorable legislation at the next session which was to meet in 1844.

2. The Peoria Convention.

For this purpose an educational convention was called to

1. The Union Agriculturist for March, 1842.
meet at Peoria, October 9th, of that year. Mr. Wright took the initiative and through the columns of the Union Agriculturist made a strong plea for all who were interested in education to be present at this meeting. Although the meeting was not largely attended, sessions continued for three days, and, after formulating plans for legislative action, a committee of three was appointed to draw up a memorial to be presented to the General Assembly. Mr. Wright was made chairman of this committee and was permitted to appear in person before the legislative committee and given full opportunity to explain his plans. An account of this memorial was communicated by Mr. W. W. Thompson, senator from Peoria, to the Galena Gazette as follows:

"Mr. Wright, the editor of the Prairie Farmer, who was secretary of the Peoria convention, has frequently been before us, explaining and elucidating the splendid system of common school education which he has presented for our consideration, as the result of the labor and research of this committee appointed for that purpose by the aforesaid convention. The document is in the form of a memorial to the legislature and is necessarily voluminous. I had the honor and pleasure of presenting it to the Senate a few days since, when its reception was marked, not only with confidence and cordiality, but with the substantial approbation of ordering 5,000 copies to be printed for the public eye, and I trust for the public welfare".

This memorial occupies thirty pages in the Legislative reports, nine pages of which "are given to arguments in favor of

1. School Report for 1885-6, p. CXLVI.
2. Ibid, quotes Galena Gazette for October, 1914.
taxation for school purposes". An idea of the opposition to such a measure may be inferred from the "graphic language" employed in the paragraphs of the memorial:

"We come now to consider finally, the one great requisite of the proposed plan—taxation. Each of the other parts is considered essential, yet they are but the machinery to work this result. We come out frankly and boldly, and acknowledge the whole system, every effort is identified only as a means of allurement to draw the people into the grasp of this most awful monster—a school tax.

"But start not back in alarm. After all he may not be so terrible as some perhaps have imagined. Used with skill and judgment, and no other power can accomplish what he will; no other can work such changes in your common schools, and it is in vain that we attempt to dispense with his services. All experience throughout the Union is in favor of his employment. We do not, however, propose coercing anyone to employ him, who prefer to let him alone. All we ask is to give those permission to use him who are so inclined; and others when they witness his subordination, and power to work for education, will doubtless themselves desire to try his services.

"Our position is that taxation for the support of schools is wise and just, that it is in fact the only method by which deficiency for defraying the expenses of popular education beyond that supplied by the public funds can be equalized amongst those who should pay it".

Among the reasons presented by this memorial for creating
the office of State Superintendent of Public Instruction the following are the most important:

1. The State should have an authorized agent, as in other public appropriations, to see that its money is regularly applied and made useful in the highest degree.

2. The usefulness of the township funds would be greatly increased.

3. The legislature would be supplied with reliable information concerning the operation of the law, the condition of the schools throughout the State, the plans and wishes of the people, and improvements made in other states, all of which is necessary for enlightened legislation.

4. The influence of such an agent would be of especial value in those regions where the greatest apathy prevails.

5. The necessity of enlisting a more general interest in common schools is clearly seen; the surest and best method of doing this is to send a man of the right character through the length and breadth of the State.

The opposition which existed at that time to the creation of such an office may be inferred from the appeal of the committee to those who were opposed to its recommendations:

"Several differ from us who have shown by former efforts their sincere desire to promote this great cause. But we would ask of them as a particular, as a great favor, to waive their objections and yield their own plans, giving this their cordial support, even if they think some other measure less expensive might be devised. Till now we have not had the office, and

all acknowledge the necessity of working a change:—let our plan be tried for a year or two and watch the consequences. If found no to answer the purpose, the law can be repealed at the next session, and the experiment will not be very costly. Please not only withhold opposition, but give us your hearty support."

As a consequence of all this agitation, a bill was introduced which included all the propositions contained in the memorial above mentioned; but in its final passage was "shorn of many things." However, substantial progress was made and the promoters of education were greatly encouraged. By this act the secretary of state was made ex officio superintendent of common schools with practically all the powers that belong to that office to-day with one additional power, namely, the power to recommend text-books, maps, charts, and apparatus for the schools. The county commissioner of lands was now made ex officio county superintendent of schools and required to visit and give advice in matters of educational interest, also to examine and certificate teachers.

3. Supervision on a Firm Basis.

School supervision was now placed on a comparatively firm basis. A faint beginning of state supervision had begun to manifest itself as early as 1847. By an act approved March 4th, of that year, trustees of schools were required to make annual reports to the county school commissioners, who in turn, were required to transmit abstracts of these reports to the auditor of public accounts to be, by him, laid before the general assembly.

The first school report, (if we exclude a meager account of the schools sent out by the auditor in 1839) was made in January 1347. Data received by Thomas Campbell, secretary of state and ex officio superintendent of public schools, in response to a circular letter sent out to the various county school commissioners, show the returns from fifty seven counties as follows: schools, 1,502; scholars, 46,814; persons under twenty years of age, 155,715; funds from townships, $557,780; funds raised by tax, $8,763; school houses, 1,328; average wages of teachers, male and female, $12.90 a month; district libraries, 21; number of male teachers, 1,051; number of female teachers, 494.

Mr. Campbell was the first ex officio state superintendent of public schools. He was very bitterly opposed to the plan of uniting the two offices, or rather of making the office of state superintendent an adjunct of the office of secretary of state. He contended that it was poor economy to burden one office with so many duties merely to save the salary of another officer.

Other important provisions of the law of 1845 were the following:

1. The township for school administration was made identical with the congressional township. There was to be a board of trustees elected by the voters of the township, with duties very similar to that of the present time.

2. The district was made the unit of organization.

3. By a two-thirds vote of the people, a tax, not to ex-

1. Illinois School Report, 1885-6, p. CLVII.
ceed fifteen mills on the hundred dollars, might be levied for school purposes.

4. Any district which failed for ten months to provide a school should be denied its share of the distributable funds within the township.

E. THE FREE SCHOOL LAW OF 1855

Encouraged by the progress noted above, the friends of education renewed their efforts to secure further concessions in legislative enactments. The organization of teachers' institutes and associations multiplied rapidly. An educational convention was held in Freeport on July 4, 1845, at which there was an attendance of about two thousand. According to one enthusiastic writer, "There would have been three thousand but for the prevalence of measles in the town". He continues: "Two thousand assembled, fifteen hundred miles due west from Plymouth Rock—two hundred and twenty five years from the landing of the Pilgrim Fathers, on ground which only ten years ago was in possession of the Indian and the wolf, having in our number the lineal descendants of Bradford, the first governor of Plymouth Colony, (Carver was the first) and of Bresston, the first elder of the Plymouth church, assembled for the express purpose of establishing and handing down to future generations the institutions of our Pilgrim Fathers—was a sight to be contemplated by the philosopher and the Christian with admiration and devout gratitude. Among the banners was a satin coverlet, brought over by Governor Bradford in the Mayflower".

Besides the numerous county institutes held during the
next few years, a convention was held in Jacksonville, June, 1845; another at Winchester in September, 1845; another in Chicago, October 3, 1845; and one in Springfield, November 26, of the same year. At this last convention the Northwestern Educational Society was organized with J. S. Wright of Chicago as its corresponding secretary. Under the auspices of this organization the Northwestern Educator, a monthly magazine of thirty-two pages, was started with James L. Enos of Chicago as editor. The institute idea was very popular and doubtless did much good, not only in influencing better legislation, but also in instructing teachers in the best methods of education.


When the constitutional convention met in the autumn of 1847 to draw up a new constitution for the State, a vigorous attempt was made by those who were interested in education, to secure provisions for a system of public schools upon a constitutional basis. All these efforts proved futile, for the new constitution was framed without any provisions for schools. Nothing further was accomplished for the schools at this session except an amendment of the law providing for local taxation. The law as amended permitted a majority of the voters present at a district election to vote a tax not exceeding one dollar on the hundred for all school purposes. It should be noted also that at this time a bill for the establishment of a State University passed the Senate, but was later reconsidered and laid on the table.

2. The Houlton Bill of 1854.

During the next two sessions of the legislature school
matters received very little consideration, but a new factor entered the field in 1854 which exerted great influence upon the legislature of that year and the following years. This new force was the Illinois Teachers' Association which was organized at Bloomington in 1853 and has continued to hold annual meetings ever since. The first meeting of this new organization met in Peoria in December 1854 and drew up a number of resolutions to be presented to the legislature at its next session, which was to meet the next year. But in the meantime the governor had called a special session of the legislature to convene on February 9, 1854, and in his message to this session, included school legislation among the subjects to be considered. As a result of the Governor's recommendation for immediate action on the part of the legislature with respect to amending the school law and the creation of the office of superintendent of common schools, a bill was introduced into the House by R. W. Houlton providing for the office of state superintendent. The bill as reported by Mr. Houlton passed the House by a vote of 40 to 11, and on the same day, February 28th, it passed the Senate by a vote of 16 to 5.

3. First Superintendent of Schools.

This bill provided that the office be filled by appointment of the Governor until the general election in November, 1855 should elect. This was a blunder for there was no general election to be held that year, and the appointment held over to the election of 1857.

Ninian E. Edwards was appointed as the first incumbent of the newly created office and immediately entered upon the

his duties with vigor. It was made his duty to investigate the needs of the schools and report a bill at the next session of the General Assembly. To this end he visited the Eastern States and familiarized himself with their schools and laws, and, upon his return, he visited all the counties of his own state, and explained the provisions of a law he had drawn up to be presented to the legislature at its next session. Mr. Edwards also attended the State Teachers' Association at Peoria and thoroughly explained his proposed plans to that body. The Association passed the following resolutions in support of Mr. Edwards's proposed law:

"Resolved, that this institute cordially concur and co-operate with our State Superintendent of Public Instruction in the effort to establish a good system of common schools, and that we approve of the principle of supporting them by a direct ad valorem tax. That the details of this bill are so numerous that no popular assembly can digest them in a single evening and that a committee of three be appointed to confer with the committee of the legislature to whom this bill shall be referred".

The following are the principal provisions of the bill:

1. There shall be elected every two years a state superintendent, with power to appoint a deputy and with other duties and powers about as they are at the present time.

2. The township shall be made the unit for school purposes with a township board of five members.

3. Schools shall be maintained for at least six months each year.

4. There shall be a county superintendent who shall be
elected by a majority of the directors of the various townships of the county. He shall hold his office for a term of two years.

5. A county convention composed of all the directors of the various townships in the county shall determine the duties of the county superintendent, fix his salary, and appoint two persons to assist him in holding teachers' institutes, teachers' examinations, and determining the qualifications of teachers.

6. Colored children shall not be admitted to the public schools but in townships where they supported schools themselves they shall be allowed the taxes which they paid under the law.

7. There shall be a state of a certain number of mills assessed upon the property valuation, two-thirds of which, together with the income from the school funds, shall be distributed to the counties on the basis of the number of white children under twenty-one years of age, and one-third, less a tenth of one mill, in proportion to the number of townships in the county. The one-tenth mill shall be used by the Superintendent of Public Instruction to purchase libraries and apparatus for the use of public schools.

This bill known as the Edwards bill accompanied his report of the conditions of the schools in the different counties of the State and, as a part of the report, was defended by strong arguments for its passage. In the Senate the bill met with little resistance and passed with only three dissenting votes, but in the House it was at first rejected. However, on motion for a reconsideration, it finally passed that body, but in a somewhat modified form. The provision for a township unit of organ-
ization was rejected and the district unit retained. Power was denied the Superintendent of Public Instruction to compel the use of such books as he recommended, neither was he given power to make contracts with publishers of books selected for use in the public schools. Superintendent Edwards during his investigation of the schools in the east had made such contracts, subject to the approval of the legislature, of course, with the idea that the bonuses received from publishers of books selected would be used for the maintenance of a normal school. His entire scheme fell to the ground so far as text-books are concerned, with the exception of a gift of one thousand dollars by Messrs. Merriam, publishers of Webster's Dictionary, "for the normal school, when established, and this gift, by the act establishing the school, the trustees were empowered to receive and use for the purchase of apparatus."

The principal provisions of the Edwards bill as enacted into law were the following:

1. There shall be a school in every district within the State for at least six months in each year to which all white children between the ages of six and twenty-one shall be admitted free of charge.

2. There shall be a State tax collected upon the property of the State, and distributed two-thirds on the basis of the number of white children and one-third according to area.

3. There shall be no restraint to local taxation for school purposes.

4. There shall be elected every two years a Superintendent of Public Instruction whose duty shall be to visit each
county every year and report to the legislature statistics concerning the conditions of the schools in this State. (The provision compelling the superintendent to visit the counties was repealed by the next session of the legislature, also, he was denied the privilege of recommending text-books, apparatus etc.).

5. Effects of the Free-School Law.

Objections were immediately raised against the plan of raising and distributing the funds. It was at once seen that the poor counties would be favored at the expense of the rich. In many localities, especially in the southern part of the State, the opposition against free schools was very bitter, and had it not been for the fact that the poorer southern section was the gainer by the distribution plan, the law would doubtless have failed of passage. "If those fellows up north want to pay for schools down here, we'll let 'em", said the people in the southern part. The people in the northern part were opposed to the method of distributing the funds, but yielded their opposition rather than lose the law altogether.

The effect of the State-tax argument may be inferred from the following data for the first year of its operation:

Cook county paid out $65,150.31, and received on distribution $29,185.02; Williams county paid $1,137.04, and got from the distributable fund $4,917.25. The amount raised by the two mill tax for 1855 was $600,000; the local taxation for that year was $350,000.

The most significant effect of the free-school law was the great impetus given to school work throughout the State. Schools

1. Illinois School Report for 1855-6, p. CXCII.
soon found their way to every part of the Commonwealth, and every white child was given an opportunity to acquire an elementary education without cost. The subject of education was now receiving the attention of thinking people generally. Prof. J.P. Turner's plan for an industrial university began to be agitated by industrial leagues, teachers' conventions, and the public press. As expressed by Prof. Turner, "We wish every impediment removed, and the best educational facilities free to the people; free as the sunlight that falleth everywhere, and practical as every man's pursuit in life. We wish the sanctions of God's science to consecrate the alliance of Thought and Labor, of hand and brain,—that greater impetus may be given industrial science, as well as all others. We wish to elevate the standard of scientific and human culture, bettering our race, and giving the genius and resources of a free people ample development!"

With the public high school already making its appearance; with city, county, and State supervision fairly well organized; and with the Illinois State Normal University and State Industrial University soon to be; the future development of public education in Illinois is assured. However it is not the purpose at this time to trace further the development of this great institution. The next chapter will give an account of the early schools and school books from the time of the admission of the State into the Union to the passage of the free school law in 1855.

1. Turner Manuscripts, a letter from Prof. Turner to L.bury, Esq. February 16, 1853.
APPENDIX A

FREE SCHOOL LAW OF 1825.


Preamble—To enjoy our rights and liberties we must understand them; their security and protection ought to be the first object of a free people and it is a well established fact that no nation has ever continued long in the enjoyment of civil and political freedom, which was not both virtuous and enlightened; and believing that the advancement of literature has always been and ever will be the means of developing the rights of man; that the mind of every citizen in a republic is the common property of the society, and constitutes the basis of its strength and happiness. It is therefore considered the peculiar duty of a free government like ours to encourage and extend the improvement and cultivation of the intellectual energies of the whole. Therefor,

Be it enacted by the People of the State of Illinois represented in the General Assembly:

Sec. 1. That there shall be established a common school or schools in each of the counties of this state, which shall be open and free to every class of white citizens between the ages of five and twenty-one years of age. Provided, that persons over the age of twenty-one years may be admitted into such schools on such terms as the trustees of the school district
may prescribe.

Sec. 2. Be it further enacted, That the County Commissions Courts shall from time to time form school districts in their respective counties, whenever a petition may be presented for that purpose by a majority of the qualified voters resident within such contemplated district.

Sec. 3. Be it further enacted, That the legal voters in each district to be established as aforesaid, may have a meeting at anytime thereafter by giving ten days previous notice of the time and place of holding the same; at which meeting they may proceed by ballot to elect three trustees, one clerk, one treasurer, one assessor and one collector, who shall respectively take an oath of office faithfully to discharge their respective duties.

Sec. 4. Be it further enacted, That it shall be the duty of the trustees to superintend the schools within their respective districts; to examine and employ teachers; to lease all lands belonging to the district; to call meetings of the voters whenever they shall deem it expedient; or at any time when requested so to do by five legal voters, by giving to each one at least five days notice of the time and place of holding the same; to make an annual report to the County Commissioners Court of the county of the number of children living within the bounds of such district between the ages of five and twenty-one years, and what number of them are actually sent to school with a certificate of the time school was actually kept up in the district with the probable expense of same.

Sec. 5. Be it further enacted, That each and every school
district, when established and organized as aforesaid, shall be, and they are hereby constituted a body politic and corporate so far as to commence and maintain action on any agreement made with any person or persons for the non-performance thereof, or for any damage done to their school house or to any property, which may belong to or be in possession of such school, and be liable to an action brought and maintained against them for the non-performance of any contract by them made.

Sec. 6. Be it further enacted, That it shall be the duty of the trustees to prosecute and defend all such suits in the name of the trustees for the use of the school district; giving it its proper name; and that it shall be lawful for said trustees in the name and for the use of said district to purchase, or receive as a donation and hold in fee simple any property, real or personal, for the use of the said school district and they may defend or prosecute to any suit or suits relative to the same; and it shall be the duty of the trustees to give order on the treasurer of the said district for all sums expended in paying teachers and all other expenses necessarily incurred in establishing, carrying on and supporting all schools within their respective districts, and at the regular annual meeting of the inhabitants of the district the said trustees shall, together with the other officers, settle all accounts, which shall have accrued during the year for which they are elected.

Sec. 7. Be it further enacted, That it shall be the duty of the clerk of each district to keep a book in which he shall make true entries of the votes and proceedings of each meeting of the
voters of the district and of the trustees, which shall be held according to law and to give attested copies thereof, which shall be legal evidence in all courts in this State.

Sec. 8. Be it further enacted, That it shall be the duty of the treasurer of each school district to receive all money belonging to the same and pay them over for the use of the school to the order of a majority of all the legal voters by a vote in general meeting or order of the trustees, requiring at all times written vouchers for such payments, stating the purpose for which it is made.

Sec. 9. Be it further enacted, That it shall be the duty of the collector in each school district to collect all the money belonging to or due to the same when directed so to do, and to collect such taxes as by vote of the district shall be levied and to pay over all moneys when collected to the treasurer to the said district within twenty days of such collection, except five per cent, which he shall retain for his services, taking his receipt for the same.

Sec. 10. Be it further enacted, That it shall be the duty of the assessor of each school district to assess all such property lying within and belonging to the inhabitants of said district as he may be directed to assess by vote of a majority of the voters of such district and to make return of the same within thirty days after such assessment to the trustees of said district.

Sec. 11. Be it further enacted, That when any legal voter living within any school district shall be duly elected or ap-
pointed according to the second section of this act, trustee, clerk, treasurer, collector, assessor or to serve notice, and refuse or neglect to discharge the duties of the same he shall, if a trustee be fined in the sum of ten dollars; if a clerk in the sum of eight dollars; if a treasurer in the sum of five dollars; if an assessor in the sum of five dollars; and if a person appointed to serve a notice of any meeting the sum of five dollars; and for a neglect to settle all their respective accounts at the end of the year for which they were elected the trustees, clerk, collector and treasurer shall be fined in the sum of twenty-five dollars, which together with all other fines imposed in this act shall be collected by suit before any justice of the peace within the proper county, and when collections shall be paid over to the treasurer of the district for the use of the school or schools within the same.

Sec. 12. Be it further enacted, That the legal voters within any school district lawfully assembled shall have the following power, to-wit: To appoint a time and place for holding annual meetings, to select a place within the district to build a school house to levy a tax either in cash or good merchantable produce at cash price upon the inhabitants of their respective districts, not exceeding one half per centum, nor amounting to more than ten dollars per annum on any one person, to all and everything necessary to the establishment and support of schools within the same.

Sec. 13. Be it further enacted, That one of the trustees shall preside at all meetings of the voters, who shall put all questions upon which a vote is to be taken and when the vote is
taken upon levying a tax upon the district, each of the voters present may propose a sum to be levied and the vote shall be taken upon the highest sum proposed first, and in case of a disagreement, upon the next highest, and so on down until a majority of all the legal voters within the district so taxed shall agree.

Sec. 14. Be it further enacted, That it shall be the duty of the trustees, or a majority of them, to furnish the collector with the following warrant to collect such taxes as may be so levied, which warrant shall be his authority for collecting the same to wit:

State of Illinois)

) ss.

) ss. County

To A. B. Collector of the School District

in the County aforesaid, Greeting:

In the name of the people of the State of Illinois, you are hereby required and commanded to collect from each of the inhabitants of the said district the several sums of money or produce as the case may be, written opposite their name in the annexed tax list and within sixty days after receiving the warrant to pay amount of money by you collected into the hands of the treasurer of the aforesaid district and take his receipt for the same, and if any one or more of the said inhabitants shall neglect or refuse to pay the same you are hereby further commanded to levy on the personal goods and chattles of each delinquent and make sale thereof according to the law regulating the collection of taxes within the State.

Given under our hand this ---- day of ---- A. D., 18----

The annexed tax list:
Sec. 15. Be it further enacted, That for the encouragement and support of schools, respectively established within this State, according to this act, there shall be appropriated, for that purpose, two dollars out of every hundred hereafter to be received in the treasury of this State; also, five-sixths of the interest arising from the school fund; which shall be divided annually between the different counties of this State, in proportion to the number of which inhabitants in each county, under the age of twenty-one years, after the next census shall be taken; until which time no such dividend shall take place.

Sec. 16. Be it further enacted, That it shall be the duty of the auditor to issue his warrant upon the treasury, upon the first day of January, after the next census shall be taken, and on the first day of January, in each and every year thereafter, or as soon thereafter, as application is made to him by the treasurers of the respective counties, for the several sums which may be their proportion of the said revenue, and interest, as appropriated by the fifteenth section of this act.

Sec. 17. Be it further enacted, That it shall be the duty of the treasurer of the county, to pay over to the treasurer of each school district, lawfully established within such county, on the first day of March, in each and every year, their respective proportions of the money received by him, according to the sixteenth section of this act, which proportion shall be ascertained by the certificate of the trustees of the several dis-
RICTS of the number of children within their respective limits, between the ages of five and twenty-one years: Provided, however, that no district shall be entitled to receive any part of the money thus appropriated, unless it has kept a school in actual operation, at least three months in the year for which the appropriation was made.

Sec. 18. Be it further enacted, that the rents arising from the school lands, in each township, shall be collected by the trustees of such lands, and divided by them among such of the inhabitants of the township, as shall have contributed, by tax, subscription, or otherwise, to the support of the common school, in or near such township, for at least three months within the last twelve months preceding the time of making such dividends: Provided, that such rents shall be divided among the inhabitants aforesaid, in proportion to the sums contributed by them to the support of such common schools.

Sec. 19. Be it further enacted, That the auditor and secretary of state, under the direction of the governor, are hereby declared and constituted commissioners of the school fund; and the said fund now on deposit in the state bank, together with all such moneys as shall be and accrue to this State, for the use of schools and a seminary of learning, by virtue of any act of Congress, shall be, and the same are hereby vested in said commissioners, to be by them applied to such matters in such manner for the use of schools and a seminary of learning, as shall be prescribed by law, and the said commissioners, or a major part of them, are hereby authorized to receive and give acquittances for all such sums of money as this State is, or
shall be, entitled to receive from the treasury of the United States.

Sec. 20. Be it further enacted, That it shall be the duty of the cashier of the state bank, to pay to the order of the said commissioners, or a majority of them, the amount of the school fund, on deposit, in said bank; and the said commissioners shall forthwith, proceed to buy up, therewith, as large an amount of the bank notes of said bank, as the same will purchase; and the note so purchased shall be by the said commissioners deposited in said bank, and the cashier shall give to said commissioners a receipt therefor, and proceed to burn the same, in the manner and at the time prescribed for burning the ten per cent paid into said bank; which receipt the said commissioners shall present to the auditor of public accounts, who shall issue a certificate for the said amount specified in said receipt, payable to the aforesaid commissioners of the school fund, in the legal currency of the United States, which certificate shall be by said commissioners safely kept as an evidence of the claim of the commissioners upon the treasury of the State.

Sec. 21. Be it further enacted that it shall be the duty of the clerk of the county commissioners' court of the several counties in this State, to make an abstract of the report of the trustees of the schools established, stating the number of children within each district, the number actually sent to school, the time the school has been kept in operation in each district, with an account of the expense of the same, and forward it to the secretary of state, on the first day of December in each and every year.
Sec. 22. Be it further enacted, That it shall be the duty of the inhabitants of any district, at their regular or called meetings, to make such regulations for building or repairing school houses as they may think necessary, and for furnishing the school house with fire-wood and furniture; they shall have power to class themselves, and agree upon the number of days each person or class shall work in making such improvements, and all other regulations that they may think necessary to accomplish such building or improvement: Provided, however, That no persons shall be required to do any work, or pay for such improvements or wood, unless they have the care of a child between the age of five and twenty-one years, or unless he shall attend school for the purpose of obtaining instruction; and for any neglect or refusal to do such work, by any one of the inhabitants, according to this act, there shall be a fine for each day they shall so neglect or refuse to work of seventy-five cents.

Sec. 23. Be it further enacted, That the several school collectors and treasurers who may be appointed under the provisions of this act, shall, before they enter upon the discharge of the duties of their respective offices, enter into bond and security, in the sum of two hundred dollars, to the county commissioners of the county in which they reside, and their successors in office, conditioned for the faithful accounting for all the moneys received by them, respectively, under and by virtue of any authority conferred on them by this act.

Sec. 24. Be it further enacted, That whenever the tax is
levied, according to the twelfth section of this act, in good merchantable produce, it shall be lawful for the trustees to make out a list, with a warrant, stating to be collected in produce; and they shall have power to transfer the list and warrant to any teacher or teachers that they may have employed, who shall full power to collect the same; and if any person shall refuse or neglect to pay their respective amounts, in produce, for two weeks after demanded, it shall be lawful to collect the same in cash: Provided That whenever there is any disagreement about the price of any produce, offered in payment, it shall be the duty of each to select one disinterested house-keeper, to value the same, and if they cannot agree, it shall be their duty to choose the third, and all such valuations shall be binding.

This act was amended by the act of February 17, 1827. Sections three and four are the ones which are essential to the history of the early schools. Sec. 3 provided, The legal voters of any school district at their regular meetings shall have power in their discretion to cause either the whole or one half of the sum required to support a school in such district to be raised by taxation the remainder may be required to be paid by parents, master and guardians in proportion to the number of persons which each of them shall send to such school. Sec. 4 provided that no person was to be taxed for the support of free schools in the State unless by his own free will and consent first had and obtained in writing and unless he was taxed he could not send any children to the school.
APPENDIX B.

An Act to Incorporate the Madison Academy

Whereas several inhabitants of the town of Edwardsville and county of Madison, have entered into arrangements to build, by subscription amongst themselves, an academy for the education of youth; and whereas so laudable and useful an undertaking is deserving of legislative action sanction: Therefore,

(Sec. 1.) Be it enacted by the people of the State of Illinois represented in the General Assembly and it is hereby enacted by the authority of the same. That Benjamin Stephenson, Joseph Bow- ers, Robert Latham, John Todd, Joseph Conway, Abraham Prickett, and Theophalus W. Smith, be, and they are hereby constituted a body politic and corporate, to be known by the name of the trustees of Madison Academy, and by that name to have perpetual succession and a common seal.

(Sec. 2.) Be it further enacted that there shall be monthly meetings of the trustees of the said academy on the first Saturday of every month, the chairman of the board shall have power to call special meetings, giving five days notice thereof, a majority at any stated, adjourned, or special meeting, shall form a board or quorum, and a majority of them shall be capable of doing and transacting business and concerns of the said academy and particularly of entering into contracts for erecting and repairing any building or buildings necessary for said institution, of making and enacting by-laws and ordinances for the government of
said academy and not contrary to the constitution and laws of the
United States or of this State; of filling vacancies in the board
of trustees occasioned by death, resignation or removal out of
the State; of electing and appointing the principal, professors,
and teachers of said academy; of agreeing with them for their
salaries, and of removing them for misconduct, or breach of the
laws of the institution; of appointing committees of their own
body to carry into execution all and every resolution of the board;
of appointing a chairman, treasurer and secretary, out of their
own number; and stewards and managers and other necessary and cus-
tomary officers for taking care of the state, and management of
the concerns of the institution: PROVIDED that all vacancies of
the board of trustees shall be filled at a stated meeting of the
board.

(Sec. 3.) Be it further enacted that the board of trustees
shall have power to demand and receive the money and materials
already subscribed, or that may hereafter be subscribed for the
use of the said institution, and spend the same for the purpose
of the said academy in such manner as they shall deem proper.

(Sec. 4.) And be it further enacted, That it shall be the
duty of the trustees as soon as the funds of the academy will ad-
mit, to establish an institution for the education of the females;
and to make such by-laws and ordinances for the government there-
of, as they shall deem necessary and proper.

(Sec. 5.) And be it further enacted, That trustees shall be
enjoined to cause the children of the poor people, in the said
county to be instructed gratis and to cause all the students to
be educated gratis at the said academy, in all or any of the bran-
ches of education which they may require, whenever the funds of the institution shall in the opinion of the trustees permit these or either of these arrangements.

(Sec. 6.) And be it further enacted, That as the dissemination of useful knowledge should be the only object contemplated by this institution, no preference shall be given, nor any discrimination made in the choice of trustees, professors, teachers, or students on account of religious sentiments, nor shall the trustees, professors or teachers, at any time make by-laws or ordinances, or regulations, that may in anywise interfere with, or in any manner control the right of conscience or the free exercise of religious worship.

(Sec. 7.) Be it further enacted, That the said trustees and their successors, by the name and style aforesaid, shall be capable in law to purchase, receive and hold, to them and their successors, any lands, tenements, goods and chattels, of whatsoever kind the same may be, either given, derived to, or purchased or leased for the use of said academy, and shall sell and dispose of the same as shall seem most convenient to the interests of the said academy; and shall be person in law, capable in law of suing and being sued, pleading and being impleaded in all courts and places whatsoever.

Note: Then follows six more sections of this law which provide for the town government of Edwardsville. About a month after this act was passed it was amended so as to provide for the election of other trustees for the government of the city, leaving the trustees of the academy a separate body. In 1822 the same provision was made for the academy and city of Belleville.
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