

THE UNIVERSITY OF TENNESSEE

THE EVOLUTION OF THE PUBLIC SCHOOL
SYSTEM IN TENNESSEE

By

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John Taliaferro Rennolds

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THE EVOLUTION OF THE PUBLIC SCHOOL SYSTEM IN TENNESSEE

Introduction

The pioneers who settled over the mountain sections of North Carolina have had so great an influence on all the institutions of Tennessee that any proper discussion of these institutions must take into account the early history of North Carolina and her settlers. They were a bold and fearless type of people, in search of political and religious freedom and financial independence. Theodore Roosevelt said of them, "... the backwoods mountaineers who dwelt near the great watershed that separates the Atlantic streams from the springs of the Watauga, and the Monongahela, were all cast in the same mold, and resembled each other much more than any of them did their immediate neighbors of the plains... The backwoodsmen were Americans by birth and parentage and of mixed race; but the dominant strain in this blood was that of the Presbyterian Irish -- the Scotch-Irish, as they were often called. ... That these Irish Presbyterians were a bold and hardy race is proved by their at once pushing past the settled regions, and plunging into the wilderness as the leaders of the white advance... But, indeed, they were fitted to be Americans from the very start; they were kinsfolk of

the Covenanters; they deemed it a religious duty to interpret their own Bible and held for a divine right the elections of their own clergy. For generations their whole ecclesiastic and scholastic systems had been fundamentally democratic. In the hard life of the frontier they lost much of their religion, and they had but scant opportunity to give their children the schooling in which they believed; but what few meeting-houses and schoolhouses there were on the border were theirs. The numerous families of Colonial English who came among them adopted their religion if they adopted any. The creed of the backwoodsman who had a creed at all was Presbyterianism; for the Episcopacy of the tidewater lands obtained no foothold in the mountains and the Methodists and Baptists had but just begun to appear in the West when the Revolution broke out.. Those of them who knew the right honestly tried to live up to it, in spite of the manifold temptations to backsliding offered by their lives of hard and fierce contentions."

The nature of the country in which they settled -- mountains out by narrow valleys -- and the desire to get the best lands in as large tracts as possible, caused these early settlers to locate farther from each other than the lack of roads, the dangers from Indian attacks and community life would otherwise have made expedient. This situation made schools and churches of any kind wholly impossible during the first period.

There have been several papers published touching the subject of education in Tennessee in a historical way, but such is not the object of this study. It is my purpose here, as far as possible, to trace and interpret the educational trend of the public mind in this state and the legislation which was its outcome; also the results, as far as the records make them appear, of this legislation in its practical application and its effects upon public opinion, which again was reflected in the legislation. We shall attempt to follow, as nearly as the meager records, especially before the Civil War, will permit, the trial and error method which has characterized the development of the schools of our State.

There is no attempt made in the references to present the cumulative evidence of facts as here given, and only such portions of the available evidence as seem necessary, with reference to, or quotation from, the authorities which are deemed most trustworthy.

By an examination of the facts as presented in the following pages of this paper, it would seem that the history of education in Tennessee presents four more or less distinct phases, the first being the period through which the responsibility for the training of the children was almost universally accepted as resting upon the parent and the church. So far as the evidence we have been able to gather goes, there was no indication prior to about 1815

of a consciousness of any broader obligation than this. We shall later, however, call attention to one or two exceptions.

The second period presents the phase of an awakening of a consciousness of local or community responsibility; first, to the orphans and the children of the poor, and later to all the children of the community. Out of this grew our district system which prevailed for about seventy-five years, modified at times, it is true, by increasing state and county regulations.

The third period was manifest in the county unit system, which resulted from an expanding sense of educational responsibility and a realization of the inequalities of opportunity which characterized the district system. The success of this advance brought the fourth period, which we shall call the period of state responsibility, recognizing at the same time that it is not yet a fully developed system, but is to a degree expressive of the popular consciousness that the state owes to all children in the state equal educational opportunities. It is hoped that the presentation of these facts in a concise form and in the order of their sequence may prove of some small value to those upon whom may devolve, in the near future, the responsibility of carrying on and improving our system of public schools, and whose time for research will of necessity be very limited.

CHAPTER I

PERIOD OF INDIVIDUAL RESPONSIBILITY

The few glimpses we have into the conditions surrounding the early settlers of Tennessee give only a meager notion of their efforts to educate. It would seem that the many calls upon their time and energies -- building houses, barns, cutting roads, clearing land, building fences, guarding stock, tending crops, hunting to provide food, all the while guarding against Indian attacks -- would have filled their days and nights too full to allow time or opportunity for education, a thing that did not supply any of the immediate necessities which pressed urgently upon them. Yet these forefathers of ours were not ignorant men. Only three or four per cent of them, said Roosevelt "¹..had to make their mark".

From another source: "While the earliest history of education in the State is obscure, we may feel sure that instruction of some sort was not wholly lacking. We have seen that many of the settlers were Scotch-Irish, and where the Presbyterian Covenanters went, there were a preacher and a school. We must judge that the pioneers were men of at least rudimentary education from the fact that when the petition to be annexed to North Carolina in 1776 was signed by one hundred and ten citizens, only two signed by mark. Evidently there were home schools.

1. Roosevelt, T. R.: The Winning of the West. Vol. I, p. 180.

in eastern Tennessee pretty soon after the houses were erected."²

That these frontiersmen not only could read and write themselves but were determined that their children should also have educational advantages, is shown by the following quotation from Goodspeed's History of Tennessee: "Section 32 of the rejected constitution of the State of Franklin and reputed to have been proposed by Samuel Doak: 'All kinds of useful learning shall be encouraged by the commonwealth; that is to say, the future legislature shall erect before the year 1787 one university which shall be near the center of the state, and not ~~only~~ in any city or town, and for endowment of same there shall be appropriated such lands as may be judged necessary, one-fourth of all the moneys arising from the surveys of land hereafter to be made, one-half penny upon every pound of inspected tobacco forever, and if the fund thus arising shall be found to be insufficient the legislature shall provide for such additions as may be necessary and if experience shall make it appear to be useful to the interest of learning in this state, a grammar school shall be erected in each county, and such sums paid by the public as shall enable the trustees to employ a master or masters of approved morals and abilities."³

2. Hale and Merritt: History of Tennessee; p. 56

3. History of Tennessee. Goodspeed Publ. Co. p. 415, Note.

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Thus at the very outset of the history of Tennessee an effort was being made to secure for all succeeding generations the educational opportunity which the pioneers themselves had had to a limited degree only. A tendency to build from the top often asserted itself during the years that followed. These backwoodsmen thought it the first duty of the state to establish a university and to provide for its perpetual maintenance, and then, "if experience shall make it appear to be useful", grammar schools should be established. The grammar schools here referred to evidently occupied a middle position in the course similar to that of the modern high school. No mention is made of the very elementary education which, at that time, was given in the home, and which, so far as we have been able to ascertain, was left to be done by the parents or older children of the household. In contrast to this prevailing policy in Tennessee of beginning at the top and building downward, we quote the following from Goodspeed's History of Tennessee:

"In these colonies (New England)* the fundamental idea was universal education, beginning with the common school and ending with the university. In North Carolina, Tennessee and other southern states the system was reversed. The college was first provided for, leaving the individual⁴ to prepare himself for receiving its benefits."

4. History of Tennessee. Goodspeed Publ. Co. p. 420.

*Parentheses are used here and in following pages instead of brackets, to indicate author's insertions.

As an evidence of how this plan worked, the Historical Commission of North Carolina said, "It took fifty years to of agitation to get the enactment of the first public school law." Numerous authorities were quoted to show the woeful influence of the people in the early part of the Nineteenth Century.⁵ Not until 1751 did the constitution of Virginia⁶ mention the matter of common schools.

While the utter failure of the State to meet the needs of education is thus shown, the people in their private capacity were not unmindful of their duty to the rising generation. Ramsey said, "After the Revolution schoolhouses and churches became the first care of the inhabitants. A minister and a schoolmaster were sought for in every community."⁷

With reference to the influences pervading and controlling the public schools in this early part of our history, Edgar W. Knight, in the Sewanee Review, said that from 1750 to 1835 education in America was a mixture of aristocratic ideals and democratic notions, and that the church's influence educationally was caused by the fact that it was⁸ during the Reformation that colonists came to America.

Knight, in his Public Education in the South, said that denominational influence was very great in the academies

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5. Publ. of N. C. Historical Commission. Raleigh, N.C. 1916.p.9
Idem. Editor's introduction, p. 12.
 6. Knight, E. W.: Sewanee Review, Jan. 1916. p. 31
 7. Ramsey: Annals of Tennessee. p. 727
 8. Knight, Edgar W.: Sewanee Review, Chap. IV, p. 72

of the early Nineteenth Century, that there were a great many academies established and that the character of the work done by them was most excellent.⁹

Hale and Merritt said, "Harrett and Goodpasture lay down the rule, 'the residence of a preacher in the community was evidence of the existence of a school -- history as reliable as official records'. These preachers gave the early impress to education in Tennessee, and were founders of the first schools outside of the home schools."¹⁰

That Tennessee was not behind in this awakening is shown by the following statements, from Goodspeed: "Tennessee was the pioneer in the dissemination and promotion of learning in the southwest. Considering that up to 1790 she formed a part of North Carolina, in educational matters the most backward of the states, this is a remarkable fact. From the earliest settlement of that colony down to the Revolutionary War, we find many Acts for the establishment of an orthodox ministry and vestries, provisions for courthouses, jails, stocks, prisons and pillories, and very few for the encouragement of institutions of learning, not above ten in all. From the formation of the Federal Union to the close of the century numerous Acts establishing academies and other schools were passed by the Legislature of North Carolina and more was done for the encouragement of learn-

9. Knight, E. W.: Public Education in the South; Chap. IV, p. 72
 10. Hale and Merritt: History of Tennessee; p. 56.

ing than had been accomplished in the last hundred years."¹¹

Hale and Merritt: "Previous to 1806 (in Tennessee)¹²
there had been no suggestion of free public schools."

The same authors said, "If the pioneers could not have their old field schools they put up with their home schools; if they could not have their colleges, they made shift with their old field schools; and so on until a better time came." Many specific references were made by these authors¹³
to schools in the various settlements.

It was asserted by Phelan that "until 1806 the four colleges then in existence and a few private schools here and there had supplied the absolute requirements of the people for rudimentary instruction. But the state was unable to give assistance. In 1801 the State Senate, in answer to a petition of the University of North Carolina, adopted a resolution in which it says: 'Tennessee in her present condition and infant state has not arrived at the period when her revenues will even authorize a loan to patronize the seminaries of learning already established within the limits of her own state'."¹⁴

Another Tennessee historian said, "Thus it is seen that after more than thirty years of dependent and twenty years of independent state government no legislative action

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- 11. History of Tennessee. Goodspeed Publ. Co., pp. 413-4.
 - 12. Hale and Merritt: History of Tennessee. Vol. II, p. 277
 - 13. Idem. p. 269
 - 14. Phelan, James: History of Tennessee. p. 234.

had been taken for the support and encouragement of common schools in Tennessee. Acts and grants for the benefit of academies and higher institutions of learning are numerous, but the idea of a system of popular education maintained at public expense does not seem to have entered the minds of the legislators."¹⁵ Dexter, in his History of Education in the United States, gave similar testimony.

The fact that during this period when there were no public elementary schools there was growing a demand for them among the people is indicated by an article written by A. P. Whitaker, found in the Tennessee Historical Magazine, in which he said, "More and better common schools was made the battle cry of the politicians for the first fifty years of our history, but little was accomplished after election."¹⁷

Hale and Merritt voiced the same state of affairs in the following: "All the governors of the State were aware of the advantage of a system of public education, as suggestions in the Messages show; but it was not till 1823 that the first public school law was enacted. The system when established was unfortunate. It provided that the Commissioners should apply the public funds to the education of the poor by establishing poor schools in the various counties, or by paying the tuition of poor children

15. History of Tennessee. Goodspeed Publ. Co.; p. 420

16. Dexter: History of Education in the U.S.; p. 129

17. Whitaker, A.P.: Tennessee Public Schools, in Tenn. Hist. Magazine, Vol. II, p. 8

in other schools, and in the purchase of books for them. As a result such were called poor schools and public schools were accordingly brought into disrepute. The prejudice has not been entirely eradicated yet."¹⁸

A. P. Whitaker said that up to 1834 the common schools were regarded as pauper schools, and were dependent upon the public lands and state bank stock almost entirely for their support and that they had no semblance of organization,¹⁹ also that the fact that money for school lands was expected from the United States Government made the Legislature before 1845 hesitate to assess direct school taxes.²⁰

J. L. M. Curry, in Education in the South, said, "In the minds of many people at the south there were deep-rooted convictions against gratuitous education by governments. In the establishment of free public schools, obstacles were to be overcome and making haste slowly was found to be a wise maxim."²¹

In 1817 an Act was passed requiring the county courts to elect county school commissioners who should lease the school lands within the county and collect the rent and pay it over to the trustees. The commissioners were to be paid by the court, and it was provided that

18. Hale and Merritt: History of Tennessee. Vol. II, p. 287

19. Whitaker, A. P.: Tennessee Public Schools, in Tenn. Hist. Magazine, Vol. II, p. 5

20. Idem., Vol. II, p. 2

21. Curry, J. L. M.: Education in the South. Vol. II, p. 279

"..whenever sufficient funds shall have been received for such purpose it shall be the duty of such commissioners upon each of said tracts of land to build a comfortable house for a common English school to be taught in, and to employ and pay a good teacher of English to instruct all children that may be sent thereto. When as much as a hundred dollars of school money for which there is no immediate use is accumulated, he shall put it out at ²² interest for one year."

Thus, at the very beginning, the schools were localized in the fullest degree and the plan worked injustice. That it failed to accomplish the desired ends is indicated by the passage of the law of 1825, which took the matter entirely out of the hands of the county commissioners, required the state treasurer to sell all of the school lands of the State and to collect all the school money and place it in the state treasury as a common fund for all ²³ the counties.

Thus, a century ago, there was recognition of the fact that only by state management could equal benefits be given to the various counties by the fund which was set apart for the common good. In some counties there were large tracts of valuable school land, while in others there was practically none, owing to the fact that the

22. Acts of Tennessee, of 1817; Chap. 125.

23. Idem., 1825; Chap. 85

Revolutionary soldiers of North Carolina had been allowed to locate their land warrants wherever they pleased, resulting in its being a mere matter of chance as to what lands were left vacant for school purposes. This presented a very different situation from that of the northern and western states, where a particular portion of each township was set apart for schools, thus giving each township an equal quantity, if not an equal quality, of school lands. It would seem that this inequality of opportunity between the counties furnished a suggestive parallel, to which reference will be made later in these pages; and the state-wide view of the educational problem taken by the Legislature of 1825 might have served as a valuable suggestion to the Legislature which met just one hundred years later. It is significant that the Legislature of 1826, had to temporarily suspend the Act of 1825 until "...suits and injunctions are decided and to order the Treasurer to suspend the sale of school lands and appoint one man in each county to rent them for one year."²⁴ Those counties to which by chance had come an undue advantage strenuously objected to an equal division with other counties.

During the period in which the present State of Tennessee was a part of North Carolina, there were organized by the Legislature three academies which constituted the sum total of the state action for education before this

24. Acts of Tennessee Legislature, of 1826; Chap. 25.

region was ceded to the general Government and its organization as "the territory south of the River Ohio". At the first session of the territorial legislature there was passed a bill, on September 10th, 1794,²⁵ for the establishment of what has since become the University of Tennessee.

An Act of Congress, passed April 18th, 1806, became the foundation of the public school system of the State. It provided one hundred thousand acres each for two colleges, one in East and one in West (Middle) Tennessee, two hundred thousand acres for academies in the several counties and six hundred forty acres in each township for common schools. As to the results of these apparently liberal grants the following is quoted from Governor McMinn's reply to a resolution of the Legislature asking for information concerning the statistics on school land: "I regret that it is not within my power to give you the information asked for, in relation to the quantity of acres entered in the different surveyor's offices on which grants have not been issued... You further ask me to exhibit the probable quantity of vacant land lying North and East of the Congressional reservation, exclusive of the land South of the Tennessee and North of the Hiwassee River. To this I am not able to give an answer which will be in any reasonable degree conclusive

25. Sanford, Edw. T.: Blount College and University of Tennessee, 1894; p. 3

to my mind."²⁶

In the Report of the Committee on Education of the Tennessee Legislature at Murfreesboro, the following statements were made: "The latter donation (1/36 of the land north and east of Congressional line) however, is found to rest for the most part in imagination. North Carolina had, at the period of the cession, perfected numerous titles and had authorized entries to an amount which covered the greatest and best portions of the lands. The holders of warrants and other evidences of claims to lands, not restricted to lines previously marked as a boundary, have availed themselves of this lawful privilege of selecting the best lands, so that of the millions of acres yet unclaimed but little is deemed at this time worth the expense of surveying. The consequence is, so far as information can be obtained by your committee, that of the one-thirty-sixth thus set apart and reserved, no more than forty-four tracts containing in the aggregate 22,705 acres have been secured for common schools and even of that quantity a considerable portion is said to be unfit for cultivation."²⁷

Hale and Merritt described the situation as follows:

"There has probably never arisen more confusion in the

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26. Governor's Message, Senate Journal of Tennessee Legislature, 1819; p. 82
 27. Report of Com. on Educ. of Tenn. Legislature at Murfreesboro, Niles Reg., Vol. 24, p. 9

matter of public lands than in those of Tennessee; and the public school system was so involved in the confusion that more than three hundred Acts have been passed relative to this maze-like relation. It all arose out of certain stipulations required by North Carolina when the cession of this territory was made to the United States, as to the disposition of public lands. North Carolina and Tennessee (after admission to the Union) were for years at variance²⁸ as to the right to dispose of these lands."

Cumberland College at Nashville became the college for that division of the State. The name was later changed to University of Nashville. Merriam, in Higher Education in Tennessee, gave the following facts concerning the University of Nashville at that time:

No. pupils ranged from 35 to 126, years 1824-1850.

Total no. graduates 1825-1850 was 411.

Tuition charged was \$50.00; fees \$16.00; matriculation \$5.00; Board \$2.00 per week (students paying for fuel and washing).

Faculty consisted of four professors and two tutors.²⁹

The State, prior to 1815, had failed to do anything in the interest of education in Tennessee except to establish one academy in each county of the State. These academies, until 1838, were largely private in character

28. Hale and Merritt: History of Tennessee; Vol. II, p. 275

29. Merriam: History of Education in Tennessee, in American Bur. of Educ. Bul. No. 16, p. 32

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and were for boys only.

The following quotation, taken from Goodspeed's History of Tennessee shows that during the early part of the Nineteenth Century the so-called academies, instead of being purely public institutions, were in fact maintained largely through private means. "In 1806 the general assembly, in compliance with the Act of Congress, made provisions for county academies, and appointed five trustees for each county. These trustees were empowered to fix upon and purchase a site and to take and receive subscriptions for the same. As the amount of funds available for each county was quite small, it was necessary that the people provide the buildings, and also in a great measure support the schools by subscriptions and donations." ³¹

By Acts of 1813 the trustees of academies were authorized to rent or lease all school lands in their county for not exceeding five years, and were required to have a warranty deed in fee simple to the sites on which they built academies. ³² In the next chapter reference is made to the activities of these academies.

30. Knight, E. W.: Public Education in the South; p. 91

31. History of Tennessee. Goodspeed Publ. Co. p. 420

32. Haywood and Cobb: Laws of Tennessee, Vol. II, p. 128

CHAPTER II

THE PERIOD OF CUMMUNITY AND CHURCH RESPONSIBILITY
BEFORE THE CIVIL WAR

The law of 1827 provided that the common school fund should consist of the capital and interest of the new State bank, the lands of the Hiwassee District, all the school lands, all vacant and unappropriated lands in the State, the stock in the old state bank (amounting to four hundred shares) and all escheats, the whole to be deposited in the new state bank and to become the capital of that bank for the benefit of public schools forever.¹ One school commissioner for every captain's company was to be elected by the county court and these commissioners were to divide the regiment into school districts. Five trustees were to be elected by the people of each district for a term of one year, the trustees to elect a chairman and a clerk, the chairman of the several districts to elect five to seven commissioners for the county. The commissioners were to have control of the interest on the school money of the county, to receive reports from the trustees and to make reports to the secretary of state annually, and to each Legislature. They were to elect a clerk and treasurer who was required to make bond and who received

1. Haywood and Cobb: Laws of Tennessee, Vol. II, pp. 296-300

a salary of fifty dollars per year. The commissioners apportioned the income of the school fund among the districts in proportion to their population. The trustees were required to provide a comfortable schoolhouse and to make bond to the chairman of the commissioners before receiving a share of the school fund.²

The trustees were empowered to employ and dismiss teachers, to judge their qualifications, capacity and character, expel any member of their own board and appoint another, and be a body politic for school purposes only. The Bank of Tennessee was required to distribute the school fund among the counties according to the free white population.³ The county commissioners were permitted to spend twenty dollars for books and paper for the poor but "...it shall be the duty of the trustees of the several districts to induce all the children within the district under the age of fifteen years to be sent to school and no distinction shall be made between the rich and the poor."⁴

Illustrative of the results of this law, Goodspeed said that "the scholastic population of Maury County at that time (1832) exceeded four thousand; less than twenty-five percent were enrolled in the public schools. The report from this county was one of the most satisfactory."⁵

2. Haywood and Cobb: Laws of Tennessee, 1827; Vol. II, p. 296

3. *Idem.*, 1827. Vol. I, p. 298

4. *Idem.*, Vol. I, p. 299

5. History of Tennessee. Goodspeed Publ. Co., p. 425.

Remembering that the first Constitution of Tennessee made no reference whatsoever to the matter of education it is interesting to note that in the first constitutional pronouncement made on that subject, which was in the Constitution of 1834, the following is found:

"Art. II. Knowledge, learning and virtue being essential to the preservation of republican institutions and the diffusion of the opportunities and advantages of education throughout the different portions of the State being highly conducive to promotion of this end, it shall be the duty of the General Assembly in all future periods of the Government to cherish literature and science. The fund called the 'common school fund' and all the lands and proceeds thereof, dividends, stock and all other property of every description whatsoever, hereafter by law appropriated by the General Assembly of this State for the use of the common schools, and all such as shall hereafter be appropriated, shall remain a perpetual fund, the principal of which shall never be diminished by legislative appropriation, and the interest thereof shall be inviolably appropriated to the support and encouragement of common schools throughout the State, and for the equal benefit of the people thereof; and no law shall be made, authorizing said fund or any part thereof, to be diverted to any other use than the support and encouragement of common schools; and it

shall be the duty of the General Assembly to appoint a Board of Commissioners for such term of time as they may think proper who shall have the general superintendence of said fund, and who shall make a report of the condition of the same from time to time under such rules, regulations, and restrictions as may be required by law; provided, that if at any time hereafter a division of the public lands of the United States or of the money arising from the sale of such lands, shall be made among the individual states, the part of such land or money coming to this state shall be devoted to the purpose of education and internal improvement, and shall never be applied to any other purpose."

In the provision of this constitution a crystallization of public sentiment is apparent, which resulted from the experience of the early nineteenth century, and the agitation brought about by some progressive thinkers in public life, beginning about 1820. In carrying out the provision of this constitution, the Legislature of 1835 passed a school law providing for a state board of commissioners, composed of the State Treasurer, State Comptroller and State Superintendent, the latter to be elected by the Legislature. The Superintendent was to be president of the Board, to hold office two years, to make an annual report and to have charge of all common school money. The Board was authorized to employ an agent in each county at a salary

not to exceed \$100.00 per year.⁷

The progressive ideas expressed in this law were that there was to be a state body in control of the schools, with an executive officer in the person of the State Superintendent, having power to appoint agents in each county who were to see that his orders were executed, and the placing of the public school lands and moneys in the hands of the State Superintendent instead of having them held by the commissioners of the several counties.

In judging of the results obtained from this law it should be remembered that there were no precedents and that the county commissioners were undoubtedly reluctant to lose control of the school funds. Following is a study of the establishment and development of that educational system provided by the constitution and its slow evolution is traced as it expands into a system in which the unit of organization becomes larger and larger, gradually approaching the state-wide system.

In 1837 an amendatory law was passed which provided: "It shall be the duty of said commissioners (district) and they shall have power, (1) to apply for and receive from the county trustee all moneys apportioned or collected for the use of schools in their district; (2) to designate the site for the district schoolhouse or houses; (3) to have

7. Acts of Tennessee Legislature, 1835-1836; Chap. XXIII.

the custody and keeping of the district schoolhouse or houses;

(4) to contract with and employ all teachers in the district and to pay their wages out of the moneys which shall come into their hands from the county trustee or from any other source;

(5) to visit the common school or schools in their district at least once a month, and oftener if they shall deem it necessary;

(6) at such visitation to examine into the state and condition of such school both as to the progress of the scholars in learning and the good order of the school;

(7) to give their advice and direction to the teachers of such school regarding the government thereof and the course of study to be pursued therein;

(8) to dismiss any teacher for incompetency, improper conduct or inattention to his duty;

(9) to exempt from payment of the wages of teachers such indigent persons within the district as they shall think proper;

(10) to certify such exemptions and deliver the certifications thereof to the clerk of the district to be kept on file in his office;

(11) to ascertain, by the examination of the school lists kept by the teachers the number of days for which each person not so exempted shall be liable to pay for instruction, and the amount payable for each person;

(12) to make out a rate bill, containing the name of each person so liable and the amount for which he is liable, and annex thereto the authority for the collection thereof;

(13) to choose a district clerk."

Indicating the working of this law, Goodspeed said:
"The new system of common schools went into effect in 1839,
and by the close of the following year 911 of the 987 dis-
tricts in the State had chosen trustees and the majority
of them had opened schools. The first apportionment of
school funds was made in 1839, at the rate of \$.625 for
each child of school age, the scholastic population being
185,432.⁹"

Keeping in mind the fact that the county court clerk
was at this time the only connecting link between the State
Superintendent and the officers of the 987 districts, the
difficulties confronting the State Superintendent are not
hard to understand. The following quotation indicates the
problem that confronted the State Superintendent in the
matter of collecting moneys due the school fund:

"In about 40 counties the greater portion of them
(notes due public school fund) it is believed will in time
be collected..... In the remaining counties, except those
that have settled up, they are mostly bad or doubtful.....
.....
..... It is evident from the provisions of the School
Act (1836) that the most important duty it imposes rests
upon the commissioners (district)."¹¹

It is worthy of note that by the Act of 1838 there

9. History of Tennessee. Goodspeed Publ. Co. p. 427
10. Report of State Superintendent, 1839-1840. p. 773
11. Idem. p. 780

was provided a permanent fund for academies in Tennessee of
¹²
 \$18,000.00 per year.

The Act of 1840 provided that these academy funds
 should be guaranteed by the faith of the State and that they
¹³
 should be divided equally among 74 counties.

As to the results of education in Tennessee up to
 this time, A. P. Whitaker said that in 1840 North Carolina
 only had more illiteracy than Tennessee, and that illiteracy
 increased in Tennessee through the period 1840-1850 from
¹⁴
 23½% to 24½%.

In the period preceding 1835 the elementary schools
 of private or quasi-private character, and also church and
 town schools began to disappear and the so-called district
 schools began to take their places. From 1830 to about
 1900 came the gradual separation of public education from
 church control, the development of local control and a ten-
 dency toward state control. Academies became public schools
¹⁵
 and colleges became non-sectarian.

The office of State Superintendent was abolished in
 1844, and the duties were transferred to the State Treasurer.
 In 1848 the president and directors of the state bank were
¹⁶
 constituted the state school commissioners. The Comptroller's

12. Acts of Tennessee Legislature, of 1838.

13. Idem., of 1840.

14. Whitaker, A. P.: Tennessee Public Schools, in Tennessee
 Historical Magazine, p. 19.

15. Knight, Edgar W.: Dewanee Review, Jan. 1916; p. 27

16. History of Tennessee. Goodspeed Publ. Co., p. 428

report in 1847 showed the average school fund for the preceding eight years to have been \$110,200.00, the average per child being forty to fifty cents.

The census of 1850 showed no improvement in the educational status of the state. The amount apportioned to be distributed among the counties for common schools in 1859 was \$.63 per capita.¹⁷ According to the census of 1860 the proportion of illiterates was 19 7/10%, a gratifying improvement, due probably in a great measure to the increased efficiency of the common schools. At this time¹⁸ the appropriation was \$.70 per child.

The Act of 1851-1852 provided "...that common school commissioners or trustees of common schools be, and they are hereby, authorized to employ female teachers in any school, for such time as they may deem proper, who shall be paid in the same manner as other teachers under the law now in force in this State."¹⁹

The Act of 1853-1854 doubled the school money of Tennessee.²⁰ It provided \$.25 on polls and \$.025 on property for schools, together with the \$100,000.00 from the General fund, which was all to be distributed among the counties in proportion to scholastic population. The county courts were required by two-thirds vote to raise by taxation an

17. House Journal of Tennessee Legislature, 1859; p. 799

18. History of Tennessee. Goodspeed Publ. Co. p. 428

19. Acts of Tennessee Legislature, 1851-1852; Chap. 133, p. 188

20. Whitaker, A. P.: Tennessee Public Schools; p. 24

amount equal to the county's pro-rata from the state levy, or to call an election by the people who should vote with ballots reading "for the school" or "against the school".²¹

The first graded school was established at Nashville. In 1858 Memphis was allowed to levy a tax for school purposes, not to exceed \$10.00, for each youth between the ages of eight and sixteen years. In 1860 this limit was raised to \$15.00, and the Board allowed to erect the buildings to a value of \$75,000.00 without a vote of the citizens. "Thus the leading citizens were supplied with efficient public schools whose success and popularity did much to encourage the cause of education throughout the State."²²

The so-called academies formed an important part of the education program of this period and as to their character Knight, in his Public Education in the South, said, "The academy in America has been called the product of national development and the 'let alone' theory of government. All academies were usually privately controlled and managed by an incorporated board of trustees. Incorporation was all that most of the academies asked of the state, though occasionally an academy was given the privilege of raising funds by a lottery."²³ Academies of the better type were presided over by college bred men of a

21. Acts of Tennessee Legislature, 1853-1854, Chap. 70, p. 140

22. History of Tennessee. Goodspeed Publ. Co. p. 430

23. Knight, E. W.: Public Education in the South. pp. 75-89

high type and were sources of enlightenment and culture, from²⁴ which grew many of our best colleges and universities.

There were, during these years, many academies incorporated by the State; twelve in 1843-1844, sixteen in 1845-1846, eighteen in 1853-1854, and twenty in 1859-1860.²⁵ We also notice a tendency at this time in the articles of incorporation to provide separate academies for girls and in case of academies which had been coeducational to separate them into two, one for males and one for females. The trustees of the academies constituted private corporations and were empowered to do all such things as other corporations could do; that is, sell stock, buy real estate, secure and invest endowments, etc. The trustees were self-perpetuating. Generally no mention was made of public funds, of free tuition or of state and county control.²⁶ There were, however, a few exceptions. There were one hundred or more academies incorporated between the dates 1875 and 1879. Goodspeed said, "The same causes, however, which prevented the success of the public education (before 1860) promoted the cause of the private schools, academies and seminaries. These institutions sprang up all over the State and many of them obtained a

24. Knight, E. W.: Public Education in the South; pp. 85-89

25. Acts of Tennessee Legislature, 1845-1860.

26. Idem., 1859-1860.

wide reputation for the excellence of their discipline and instruction. The result was that those persons able to avail themselves of the advantages of these institutions were, as a rule, thoroughly educated."²⁷

Edwin A. Alderman, in the Outlook, August 3, 1901, said, "It is doubtful if there were anywhere in the world outside of Scotland better schools for the training of the few than existed in the south prior to the Civil War, and there issued from them the smallest but the strongest political force that Christendom has ever seen. The value and dignity of the common man - the single individual - to society was not realized, unhappily, and therefore the common school with rural conditions to struggle against could not take root in the south. The value of all the public school property in the southern states prior to 1870 did not equal the cost of one great modern high school of today."²⁸

The period of the Civil War was without schools of any consequence whatsoever; either public or private. The war left the State in distress socially, politically and financially. Yet as early as 1865 a courageous effort was being made to re-establish the public schools of the State. During this year there was a law passed to accept

27. History of Tennessee. Goodspeed Publ. Co. p. 430

28. Alderman, Edwin A.: Education in the South, in The Outlook, August 3, 1901; p. 776

the lands provided by the United States for an agricultural
and mechanical college.

CHAPTER III

THE PERIOD OF COMMUNITY AND CHURCH RESPONSIBILITY:
AFTER THE CIVIL WAR

The Legislature of 1866-1867 sent a memorial to Congress asking that Tennessee be granted her proportion³⁰ of public lands for a perpetual school fund. One historian said, "The reestablishment of public schools of Tennessee was materially advanced by the gift in 1867 of more than three million dollars by George Peabody for the encouragement of education in the south, and by the assistance of various organizations for the education of the negro. The gifts coming at the most critical time in our educational history, and being most wisely administered, hastened the rehabilitation of the schools and began the system of normal training for teachers that has³¹ proved to be so great a boon to our people."

The same author said, "The law of 1867 was the most forward step yet taken for a general system of common schools, but, owing to the disturbed political and social conditions, proved to be too abrupt a change and was repealed in 1869 and a return made to the poorly organized³² plan in vogue before the War."

30. Acts of Tennessee Legislature, 1866-1867, Resolutions; p. 437

31. History of Tennessee. Goodspeed Publ. Co. pp. 433-434

32. Idem., p. 435

In reference to the general status of schools for the period, he said, "During the ten years 1860-1870, no county in the State had more than three sessions of public schools, while many had not more than one. The private schools, too, were not so numerous and many who had previously been able to pay tuition for their children were rendered unable to do so by the misfortunes of the War. It is little to be wondered at that illiteracy increased most lamentably. While the white population increased by 13% during the decade, the increase in the number of white illiterates was 50%. In July 1870 an Act to organize public schools was passed. In this Act the whole subject of public education was virtually remitted to the counties, without imposing any obligation upon them to take action in the premises. No state levies on property were made for school purposes, but a tax of fifty cents was imposed upon polls. The only officers provided for were three commissioners for each civil district, who collectively constituted the county board of education, and in whose hands was placed the entire management of the schools. The State Treasurer was made ex-officio State Superintendent, but no special duties were imposed upon him, and he was a superintendent without a charge and without authority."

On this same subject J. W. Algood said: "The excellent system of schools (in Tennessee) which by law had favored all colors are, as you know, now set aside, leaving in a loose way the whole subject of education in the counties, only two of which, out of 85 in the State, have voted for any public instruction, but there is undoubtedly reaction."³⁴

About 1872 the trustees of the Peabody Fund contributed a salary for an Assistant State Superintendent to which position J. B. Killibrew was appointed, and after extensive investigation and visiting of schools in a great many counties, he made the first comprehensive report that had ever been submitted on the school conditions in Tennessee. To show the extremely low ebb to which the schools of Tennessee had sunk, the following quotation from his report is given:

"Under the county system now in operation, only 29 of 95 counties levied a school tax. These range from \$.03 in Maury to \$.40 in Hamilton and Campbell. There were 20 counties that made no returns of the scholastic population."³⁵

"From the returns as published, it will be safe to say that not one-fifth of that population has any means of education. Indeed, in some of the counties visited last summer there was not a single school either public or

34. Miscellaneous Pamphlets on Slavery. Vol. I, No. 8, p. 30

35. Report of J. B. Killibrew, Asst. State Supt., 1873. pp. 6-7

private in operation, nor were there any efforts being made by the citizens ³⁶to remedy the deficiency."

"The counties assessing school tax for 1872 and the rate in each were as follows:

"Bledsoe -----	\$.05	
Bradley -----	.20	
Cannon -----	.15	
Campbell -----	.40	
Carter -----	.20	
Dickson -----	.30	
Fayette -----	.05	
Greene -----	.15	
Gibson -----	.25	
Grundy -----	.20	
Hamblen -----	.40	
Hancock -----	.10	
Jefferson -----	.20	
Knox -----	.20	
McNairy -----		\$5,500
Marion -----	.10	
Polk -----	.10	
Roane -----	.10	
Union -----	.20	
Washington -----	.05	
Williamson -----	.125	
Wilson -----	.05	
Warren -----	.20	
Rutherford -----	.15	
Maury -----	.03	
Stewart -----	.20	
Coffee -----	.20	
DeKalb -----	.15	
Davidson -----	.20"	37

Killibrew further said, "The success of our school system depends on the efforts of some executive officer. Someone is needed to suggest and devise the best methods of governing, conducting and teaching schools. This is

36. Report of J. B. Killibrew, Asst. St. Supt., 1873, p. 7

37. Idem., p. 7

the work of the County Superintendent." ³⁸

The realization of the utter helplessness of the public school system, under the law of 1870 and preceding laws, and the woeful condition of the people as regards general intelligence, brought about the enactment in 1873 of a law which reflected the judgment of the best thinkers of that time in Tennessee and the experience of the people after three-fourths of a century of experiment. This law, with amendments and additions, has constituted our school system up to the present. Therefore the leading articles will be given in substance. The Act is entitled, "An Act to establish and maintain a uniform system of public schools", and in substance is as follows:

Section I. There should be established and maintained in this State a uniform system of public schools.

Section II. The system is to be administered by the State Superintendent, County Superintendents and District Directors.

Section VII. Duties of the State Superintendent are:

1. To collect and disseminate statistics.
2. To make tours of inspection.

38. Report of J. B. Killibrew, Asst. St. Supt., 1873; p. 4

3. To see that the school laws are executed.
4. To prepare and distribute blanks.
5. To have printed and distributed copies of the school law.
6. To appoint inspectors without compensation to assist him in the various counties.
7. To require reports of county superintendents and other school officers.
8. To appoint substitutes for officers that fail to make reports.
9. To prescribe the mode of examining and licensing teachers.
10. To preserve official documents.
11. To report to the Comptroller the school population annually.
12. To report to the Governor annually.

Section VIII. Qualifications of county superintendents: they are to be elected for two years by the county court, and "must be persons of literary and scientific attainments, and when practicable of skill and experience in the art of teaching".

Section IX. Duties of County Superintendents are:

1. To have supervision of the public schools of the county.

2. To visit schools and confer with the district directors.

3. To see that district directors make their reports.

4. To perform such duties in relation to the examination of teachers and issuing to them of certificates of qualification as may be required of him by the State Superintendent.

5. To report to the County Trustee as soon as ascertained the school population of each district on the last day of June.

6. To observe the directions and regulations of the State Superintendent.

7. To keep a record of all his official acts.

Section X. Provides for three school directors for each school district.

Section XVI. County Superintendent is to appoint directors in case of no election.

Section XX. Duties of three directors are:

1. To explain and enforce the law and regulations.
2. To visit the schools and to see that they are conducted according to the law and with efficiency.

3. To employ and dismiss teachers.

4. To suspend and dismiss pupils.

5. To use school fund for interest of public

school.

6. To see that the census is taken.
7. To hold regular and special meetings.
8. To call meeting of the people in the interest of schools.
9. To keep white and colored schools separate.
10. To draw on the Treasuere of the district for the pay of teachers.
11. To draw on Trustee for money due district.
12. To take care of school property.
13. To make reports to county superintendents.

Section XXII provides that sshool districts may make contracts and buy and sell property.

Section XXVI provides that teachers must have certificates from county superintendents.

Section XXX. Public schools shall be free to all persons of the district between six and eighteen years of age.

Section ~~XXI~~XXI. "In every public school shall be taught orthography, reading, writing, arithmetic, grammar, geography, elementary geology of Tennessee, history of Tennessee. Vocal music may be taught therein; other branches may not be introduced except as provided by local taxes", or tuition.

Section XXXII favors graded schools.

Section XXXIII provides for consolidation with private schools.

Section XXXIV. The school fund should consist of the permanent school fund, plus the interest which amounted to \$2,512,500.00 at that time, and a certificate of indebtedness was issued for this, the interest of which should be paid annually, for the maintenance of schools, the principal to remain forever unimpaired.

Section XXXVI provides a poll tax for school purposes of \$1.00.

Section XXX^{VII}/provides one mill school tax to be collected and to remain in each county for school purposes.

Section XXXVIII provides that the state school fund shall be apportioned among the counties according to scholastic population.

Section XXXIX. The districts are made incorporated townships by chancery court and are to have power, (1) to purchase and hold real estate for school purposes; (2) to levy a tax not exceeding \$.003 for school purposes.

Section LI provides for separate systems for
40
cities and incorporated townships.

An examination of this law will show its advance beyond anything yet tried in Tennessee and that it was

a better and more elaborate system than had yet been tried. The duties assigned to the State Superintendent and the powers given to him were such as to make of him an effective administrative officer. But for the fact that the county superintendents were elected by the county courts, and that the required qualifications did not limit them to men of especial fitness, and that the law gave the State Superintendent practically no power over them, he should have been able -- by means of the county superintendents, who were intended to be his local representatives -- to direct the schools of the State.

We shall notice in the future how the working of this law made a county unit system rather than a unified state system.

The County Superintendent in his relation to the public school directors, occupied about the same position as the State Superintendent did with reference to the county superintendents, but the intent of the lawmakers seems to have been to make a uniform system, as was indicated by the caption of the Act.

As the working of this law is studied, the amendments and additions made to it and the results obtained from its operation, its wisdom can be better judged. It should be borne in mind that this plan was, in fact, still a district system, for by examination of the powers granted

to district directors it is shown that in them still rested the responsibility for success or failure of the schools. This resulted in the multiplying of the number of districts organized by Acts of the Legislature during the eighties and nineties.

One great forward step was provided in Section XIX under the duties of the county superintendent, which required each teacher to be examined and to secure a certificate of qualification before being allowed to teach in the public schools. This was the beginning of the effort to raise the standard of teachers in the State, and the results, although slow, have been constant.

The State Superintendent, in his report in 1874, referring to certification of teachers, said, "In many counties, as has already been shown, but few schools had been maintained for several years, and a large proportion of the schools of the State had been conducted by incompetent teachers.... It was not practicable to establish at once as high standard of qualifications as we may hope to attain after a few years of experience and progress."⁴¹

In his report of 1876 he pointed out the great difficulty in getting county courts to levy school taxes, and made the suggestion that force might be brought to bear upon them by denying them the use of the State fund.⁴² This seems to have been the beginning of the

41. Report of the State Superintendent, 1874; p. 1

42. Idem., 1876; p. 22

method still used by the State in its dealings with the counties.

The working of the law of 1873, and the first reliable school statistics available are illustrated by the following statement: The scholastic population in 1875, 434,131; daily attendance 125,908; percent of attendance of population 28.87; cost per pupil enrolled per month \$.856; the number counties levying school tax was 55, while the average school tax levied in these counties was \$.133.

At this time took place the beginning of that system of teachers' institutes held in various portions of the State and which had such influence in improving
43
the condition of our schools.

Among the private schools the number in 66 counties was 1,083; the number of teachers 1,251; the number of pupils 31,416, and the cost per month of tuition \$1.79.

A reading of Governor Brown's message to the Legislature of 1873, calling attention to Tennessee's standing of third from the bottom in matters of education and her woeful financial condition, confronted by a debt of more than \$43,000,000.00 much of which was past due; approximately one-half of her taxable property swept away by the war; her school fund gone and her credit ruined,

43. Report of the State Superintendent, 1876.

cannot fail to elicit an admiration for the men who could, under such circumstances, reorganize her school system upon a plan which, with some amendments, made possible the great program of the succeeding twenty-five years. A student of this subject should bear in mind that since the Constitution of 1870 required that white children and colored should be taught in separate schools, it became necessary to run nearly twice the number of schools as had been required before.⁴⁴

In his message to the Legislature in 1875 Governor James D. Porter endorsed the law of 1873 and submitted to the Legislature a memorial from the State Teachers' Association and gave to that body due credit for work advancing the educational interests of the State.⁴⁵ In the message of 1879 he called attention to the fact that there was increased enrollment in 1877 of 33,000 over that of 1876; and that 1878 showed an increase of 14% over that of 1877. He further stated that he had been requested (by a Committee of the State Teachers' Association) to see that the school law as then in force be "let alone". He called attention to the great benefits at that time being derived from the teachers' institutes being held over the state.⁴⁶

44. House Journal of Tennessee Legislature, 1873; app., p.14

45. Idem., 1875. App., pp. 5-6

46. Idem., pp. 5-6

An Act adding to the school law of 1873 was passed in 1875, with the following preamble: "Whereas, an adequate supply of adequately educated teachers is a necessity to the maintenance of an efficient system of public schools; and whereas, all proper and needful facilities for this purpose should be afforded by the State to its citizens; and whereas, suitable buildings and grounds have been offered for normal schools or schools in various local and different divisions of the State; therefore....", and the bill went on to provide for the establishment of these normal schools by the Board of Education, giving them power to locate, receive donations from any source, especially the Peabody Education Fund and granting the trustees of educational institutions the power to donate their resources to this purpose. The regulations for the management of these proposed normal schools were very similar to those now in force in the State. In fact, it seems to have taken thirty years to put this well-laid plan, except as to Peabody Normal School, into successful operation and to give to the State the benefits which were realized even at that early date to be so necessary for the efficiency and economical expenditure of the public school money. No doubt the facts developed by the first examination of teachers under the law of 1873 brought this need of

"adequately educated teachers" forcibly before the public mind and that the passage of this Act was an expression of the public judgment on this subject. The same Act provided that the Governor should appoint a State Board of Education to serve for a term of six years, two members to retire each two years, thus making of it a perpetual body. The Governor himself was to be ex-officio a member. This part of the law, in essentials, is still⁴⁷ the practice.

In 1879 the school age was raised from 18 to 21⁴⁸ years. A law which proved a constant source of irritation in many of the counties of the State, until the passage of another providing for the county unit system, more than twenty-five years later, provided that the district directors might subdivide the school districts.⁴⁹

With reference to the results of this law, Superintendent Frank M. Smith, in his annual report of 1890, stated: "These districts are identical in 81 counties of the State, and the remaining counties give more trouble to this department on account of the school district and the election of district directors than the 81 counties where the districts were uniform."⁵⁰ The session of the Legislature which met in 1899 passed more than⁵¹ fifteen special Acts making special school districts.

47. Acts of Tennessee Legislature, 1875; Chap. 90; pp. 126-128

48. Idem., Chap. VI; p. 7

49. Idem., Chap. 77; p. 90

50. Superintendent's Report, 1890; p. 11

51. Acts of Tennessee Legislature, 1899.

There were no Acts passed by the Legislature in 1903, organizing special school districts.⁵² A perusal of the indices of the Acts of Tennessee during the period up to the passage of the county unit system law, will reveal a great number of private acts passed to form special school districts and to grant privileges and will show the death struggles of the localized school sentiment that was predominant a century ago when the school funds were "pillaged by a thousand hands". The district system had served its day and its faults, abuses and inequalities had become too well known to a long-suffering public to be endured much longer.

Another amendment to the law of 1873 provided that the district directors, instead of drawing the money due their district in a lump sum and holding it for the use of the schools, should draw warrants on the county trustee in favor of the teachers for their salaries.⁵³

The Act of April 4, 1881, repealing the requirement of the law of 1873, by which the county superintendent had to approve the warrants for the pay of a district clerk for taking the school census, and by which the approval of the county court was required for the subdivision of the school districts by the school trustees,

52. Acts of Tennessee Legislature, 1903; pp. 1383-1384

53. Idem., 1879; Chap. 79; p. 166

left no check on the trustees whatsoever in these matters and no doubt resulted in much of the confusion that marked the district system until its final abolishment.⁵⁴ The Legislature that year gave power to all incorporated towns or cities to levy tax for "higher graded schools",⁵⁵ and in 1889 there was passed a law making women eligible for the position of county superintendent.⁵⁶

A great step forward was made in 1891 by the passage of the law providing for the establishment of the primary and secondary schools, thereby more than doubling the content of the common school curriculum. It provided for the establishment by the directors of as many primary schools as necessary in each district, and also that "in every primary school shall be taught orthography, reading, writing, arithmetic, grammar, geography, history of Tennessee and history of the United States. Vocal music, and elocution, or the art of public speaking, may be taught therein, and no other branches shall be introduced", and further provided that "the school directors of each school district, whenever the interests of the district shall require it, may establish and maintain therein one or more secondary schools. Every secondary school shall consist of a principal and, whenever necessary,

54. Acts of Tennessee Legislature, 1881; Chap. 91; p. 106

55. Idem., Chap. 113; p. 145

56. Idem., p. 213.

an assistant or assistants may be employed. In every secondary school shall be taught the following: orthography, reading, writing, arithmetic, grammar, geography, history of Tennessee, history of the United States, containing the Constitution of the United States, elementary geology of Tennessee, elementary principles of agriculture, elements of algebra, elements of plane geometry, elements of natural philosophy, bookkeeping, elementary physiology and hygiene, elements of civil government, and rhetoric or higher English; practice shall be given in elocution, or the art of public speaking. Vocal music may be taught and no other branches shall be introduced... The course of study and the system of promoting pupils through the several grades shall be prescribed by the county superintendent thereof in accordance with the general regulations of the State Superintendent Pupils completing the first five grades and attaining proficiency therein shall receive a certificate from the State Superintendent, certifying that the holder has completed the primary school course... pupils completing the eight grades of the course of the secondary schools and obtaining proficiency therein shall receive a diploma from the State Superintendent.⁵⁷

57. Acts of Tennessee Legislature, 1891; Chap. 132; p. 295

This system of primary and secondary schools was never entirely satisfactory, but served to good purpose in preparing the way for the establishment of the high schools eight years later.

The Act of 1895, by which county superintendents were to be examined, under direction of the State Superintendent, as to qualifications, put an end to the practice of the county courts of electing to that office those whom they thought needed charity, or who had political influence, or of putting the office up to the lowest bidder. The head of the county school system henceforth was to be one more or less well-trained for that important
58
office.

The power of the county superintendent to protect the school fund was increased by the passage of the law in 1899 which required his signature on all warrants except those issued for teachers' salaries. This checked to a large extent the raids of agents for apparatus, maps, charts, etc., on the school funds.
59
Another law passed by this Legislature was the uniform textbook law, which marks another advance made in carrying out the plan of the "uniform system of public schools" begun by the Act of 1873. This law is too lengthy and its provisions and benefits too well known and appreciated to justify an

58. Acts of Tennessee Legislature, 1895; Chap. 54; p. 70

59. Idem., Chap. 234; p. 490

extended discussion in this study. Suffice it to say, it was a step in that constant progress toward state direction in school matters that has characterized, with one single exception, the period since the Civil War.⁶⁰

During the same year a law was passed making the State Superintendent secretary and treasurer of the State Board of Education, and providing that, as such, he should have charge and general supervision of the moneys thereafter appropriated for the Peabody Normal College, and for all normal colleges and institute funds, and that he should give bond in the sum of \$10,000.00.⁶¹

In addition to the important laws just described, the Legislature of 1899 passed another law of great significance to education in Tennessee. It was the county high school law, which provided that the county court might levy a tax of not more than \$.15 for the establishment of one or more high schools, to be managed by the County Board of Education, consisting of six members elected by the court for a term of three years, two to retire each year. The County superintendent was ex-officio a member, making seven in all. The curriculum provided by this law for high schools consisted of the subjects then taught in the secondary schools, exclusive of those taught in the five primary grades, and "in

60. Acts of Tennessee Legislature, 1899; Chap. 205; p. 423

61. Idem., Chap. 343; p. 788

addition, such other high school branches may be taught as the Board of Education may prescribe as necessary to prepare pupils for college or for business". It was also provided that "in order to secure efficient instruction for the extensive course of study, the Board shall employ in every county high school not less than three teachers". All pupils of school age who had completed the five grades of the elementary school were eligible to enter the high school. The Board was authorized to locate and manage the high school or to consolidate it with "seminaries, academies or colleges of city or district schools". The high schools were put under the general supervision of the County Superintendent and State Superintendent as other public schools are. ⁶²

As early as 1865 the State Teachers' Association seems to have been engaged in work similar to that which they are doing at the present time. In his report of 1869, the State Superintendent said, "A state teachers' association was organized in July 1865, or two years before this office was opened, and had had annual meetings, able addresses and discussions and had done much in the right direction and manner to arouse public attention and fix it upon this great necessity. They had taken a stand first in favor of free schools; secondly, in

62. Acts of Tennessee Legislature, 1899; Chap. 279; p. 671

favor of guarding and honoring the profession of teaching; and thirdly, in behalf of the normal schools. They urged the Legislature to a liberal provision for education and pressed the doctrine that the property of the State should educate the children of the State. Many of the most permanent friends of learning and virtue in the State appear⁶³ in the earlier records of the Association."

County institutes began to be held in 1873, and have continued down to the present time. State Superintendent W. R. Garrett said of them, "The testimony of my predecessors has been uniform as to the value of these useful appliances. They have served not only the purpose of educating the teachers (reaching what the normal schools cannot reach, the teachers already in the field) but they have served a purpose of even more value, because it reaches deeper: they have been educators of public sentiment. They were established at the wise suggestion of, and maintained by the beneficent support of, the Peabody Education Fund. The institutes continued to be conducted on a peripatetic, popular plan until 1881, doing the work of diffusion as it can be done in no other way, improving the efficiency of the teaching force by going to those who needed help, guarding the public school system, and planting its interest deep in the hearts of the people...

63. State Superintendent's Report, 1867; p. 85

The first State appropriation for institutes was made in 1891."⁶⁴

The State Superintendent in 1883 had said, "The only professional training given the majority of our teachers is obtained in normal institutes. These institutes are a source of much information to our teachers and exert a very salutary influence upon the people. Six state normal institutes were held during the past summer, three for white and three for colored teachers, and each for a period of four weeks. All were aided by the Peabody Education Fund.... A most excellent institute was also held at Monteagle, under the auspices of the Monteagle Sunday School Association, a private enterprise."⁶⁵

Superintendent S. G. Gilbreath said, in his report of 1896, with reference to the teachers' institutes: "The summer normals are becoming more and more training schools for the teachers, and are year by year losing their 'popular entertainment features'. Their growth has been steady and along the right lines."⁶⁶

The Superintendent's report in 1884 showed that the number of private schools in the State was 893; the number of teachers 1,085 and the number of pupils 33,743; and in reference to them he said, "By reference to our

64. Report of State Superintendent, 1891; p. 534

65. Idem., 1883; p. 10

66. Idem., 1896; p. 16

statistical tables it is seen that the average cost of tuition per pupil per month in our private schools is \$1.70, thus making a difference of \$1.11 per month in favor of public schools. Taking into account the number of pupils enrolled in the public schools last year (350,143), the amount saved is \$388,658.73 per month, or \$1,943,293.65 for a term of five months."⁶⁷

Superintendent W. R. Garrett, in his report of 1891, said of the private schools: "So far as they approach accuracy, their statistics would seem to indicate that while the number of private schools is diminished and the grade is improving, they attract a larger number of pupils who have completed the course of the public schools and are seeking higher education."⁶⁸ It can also be shown by these statistical tables that the average age of the 239 private schools in Tennessee was 17 years and that the total property owned by the 274 private schools from which reports were obtained was valued at \$5,401,650.00"⁶⁹

L. S. Merriam, in his Higher Education in Tennessee, said, "The history of higher education in Tennessee is in the main the history of private initiative and activity. Practically all that has been done by the Government for colleges and universities has been done by the United States

67. State Superintendent's Report, 1884; p. 9

68. Idem., 1891; pp. 33-40

69. Idem., 1891; pp. 33-40.

and not by Tennessee herself. The State has, however, acted as agent of the Federal Government whenever it has extended aid to institutions of learning within her borders. Whence have come the funds for the maintenance of colleges and universities? The answer is, chiefly from private persons, throughout the various Christian denominations. The University of Tennessee, West Tennessee College and the University of Nashville are the only prominent colleges in the history of the State which are not denominational. The Baptists have their Carson-Newman College and Southwestern Baptist University; the Northern Methodists their U. S. Grant University; the Southern Methodists their Hiwassee College and their Vanderbilt University; the Cumberland Presbyterians their Bethel College and their Cumberland University; the Norther Presbyterians their Greeneville and Tusculum College, their Maryville College and their Southwestern Presbyterian University; the Episcopalians their University of the South; the Roman Catholics their Christian Brothers' College.⁷⁰

Moses White, in his early history of the University of Tennessee, published in 1879, most vividly portrayed the trials and difficulties confronted by the University during these early years. It was opposed and attacked by political demagogues, and was hampered by frequent changes in

70. Merriam, L. S.: Higher Education in Tennessee, in Bur. of Education Circular of Information, No. 5, 1895

the presidency. In those early years \$25.00 was the annual tuition. The president in 1858 was allowed \$400.00 from the permanent school funds, and his subordinates \$250.00 each, and a pro-rata of moneys arising from tuition. There was very great uncertainty as to the amount of the income from the school lands.⁷¹

Dr. P. P. Claxton, in an address published in the University of Tennessee Record, said, #The results of this study (one directed by himself) recently published show the ratio of such students (college, university and professional) to the total population to be smaller for Tennessee than for any other state of the Union. The range of the ratios is from one student in 110 of the total population in Oregon, to one to 604 in Tennessee. This statement that the 'Volunteer State', so vitally interested in higher education in the early days of the State's history, now ranks lowest of all the states, gives rise to many interesting questions. It has always been so. A similar study to that just referred to, made twenty-three years earlier, in 1896-1897, put Tennessee in the 28th place."⁷²

"In earlier years before the states had begun to make any considerable appropriations for state colleges and universities, and when practically all higher education and

71. White, Moses: Early History of Tennessee, publ. by University of Tennessee, 1879.

72. Claxton, P. P.: in U. T. Record, 1922; p. 40

most of the secondary, or high school, education were given in private, church or endowed schools, Tennessee ranked comparatively well. In primary education it may have ranked low, but not in secondary and higher education. At the beginning of the Civil War there were more than 250 academies in Tennessee, many of them having considerable endowment. After the war, Odd Fellows, Masons and other societies and churches established and maintained academies and preparatory schools, usually with primary and grammar schools as a basis. As late as 1900 many schools doing some college work still flourished that have since gone out of existence. The establishment and development of the public schools, however, slow as that development may have been, necessarily undermined these schools. Twenty years ago their empty buildings could be seen in almost every town and village."⁷³

The State Superintendent's report of 1874 gave 35 colleges in Tennessee conferring degrees.⁷⁴ A study of Chart I, the figures for which were obtained from the State Superintendent's Report of these dates, will give some further information with reference to these private schools in the period 1874-1894.

The progress being made by the public schools was succinctly stated in the report of the State Superintendent for the year 1891. He said, "The following facts dis-

73. Claxton, P. P.: in U. T. Record, 1922; p. 41

74. State Superintendent's Report, 1874; p. 207

closed by the statistics of the year are evidences of the steady growth of the public school system:

"1. The schools were taught an average of ten days longer than ever before.

"2. The number of pupils enrolled was 63,333 more than ever before.

"3. The average daily attendance of pupils was 41,053 greater than ever before.

"4. Four hundred fifty-seven more schools were taught and 339 more teachers were employed than ever before.

"5. The estimated value of school property increased \$344,489.00.

"6. One thousand one hundred and twelve (1,112) more teachers attended county institutes than ever before.

"7. The school revenues were \$387,135.00 more than ever before....

"20. The increase in the number of higher graded corporation schools was marked.

" 11. The increased zeal and activity of county superintendents are shown in the records of their official work in statistical table No. 6, and in the fact that the reports were made by each county superintendent in the State." ⁷⁵

By reference to Chart No. 1 at end of this chapter, among other interesting developments there is shown a gradual

75. State Superintendent's Report, 1891; p. 21

increase in the percent of attendance on population with two marked exceptions. The exception in the case of 1874 might be explained by the fact that the people had been so long without schools that they were anxious to avail themselves of them; also that the newly appointed school officials in their activities of building schoolhouses, employing teachers, and giving notices of the schools, stimulated public interest. The other exception, that of 1892, is inexplicable with the data at hand. The gradual increase in the value of the school property is another proof of the adaptability of the system then in vogue. The rapid increase in the number of city schools and the number of consolidated schools is another evidence of the practical working of the system, and of the constantly increasing interest of the people in education. The number of institutes held between 1888 and 1900 and their constant increase in enrollment, which reached the maximum of 9,224 in 1900, is a proof of the faith of the school officials and people in this method of diffusing educational ideas. The one thing which seems to have been more constant than any other factor was that of the teachers' salaries, which, on the whole, in the 25 years from 1874 to 1900, slightly decreased, while the total expended for public school purposes was increased 75%. The number of schoolhouses erected during this period was another evidence of the

great advance of school interest. The following indicates the number of schoolhouses built, the year in which they were built and the pages of the Superintendents' reports from which the facts were obtained:

Number of houses	:	Year	:	Page of Report
295	:	1876	:	5
316	:	1878	:	6
266	:	1884	:	9
308	:	1888	:	13
265	:	1890	:	10
231	:	1894	:	46
185	:	1900	:	40

When it is remembered that the curriculum in 1892 was more than four times as extensive as it was in 1874, the following data as to the number of pupils receiving certificates for having completed the first five grades and diplomas for having completed the eight grades, becomes impressive:

1,038	certificates	and	252	diplomas	in	1892;
1,701	"	"	382	"	"	1894;
1,449	"	"	572	"	"	1896;
1,959	"	"	679	"	"	1900.

This progress in percent of attendance, in number of schoolhouses built, in increase in curricula, in greater efficiency of the teaching force, with many

other improvements which it is impossible to show by figures, was all accomplished without increasing the tax by the State, but was done by county taxation and private donations. As no evidence of the irregularity of the system, and of the struggle between the various neighborhoods to get the advantage which was made possible by the district system for the rich and populous sections, as against the poorer and less populous sections, the following figures have been gathered to show the increase in the number of school districts:

Superintendent's Report 1876, page 5, 1876 districts;

"	"	1888,	"	9,	2481	"	;
"	"	1890,	"	8,	2582	"	;
"	"	1894,	"	46,	2753	"	;
"	"	1896,	"	9,	3091	"	.

If the district system had been kept in vogue until the present day it is a matter for conjecture as to how many separate systems of schools there would have been at this time, but now the county, city and state began to assume the principal place in school affairs, and of this the next chapter treats.

Table 1

[illegible]

Table 1 (Cont'd)

:Value	:No.	:No.	:No.	:No.	:Av.	:Total	:No.
Date:of	:City	:Consol.	:Insti+enr.	:Sal.	:Exp.	:for:	:Private
:Prop.	:Sch.	:Schools	:tutes:	inst.:	:Teach.	:sch.	:Schools
1874:	4	:	:	:	33.03:	977376:	:
1876:1048943:	5	: 156	:	:	32.18:	698220:	1,083
1878:1061398:	:	: 257	:	:	28.12:	816341:	988
1880:	:	:	:	:	:	:	:
1882:	:	:	:	:	:	:	:
1884:1367444:	:	:	:	:	28.41:	955489:	893
1886:	:	:	:	:	:	:	:
1888:1934324:	102	: 261	: 463	: 4,350:	29.71:	1157930:	1,102
1890:2580319:	117	: 270	: 402	: 4,749:	31.24:	1300351:	1,069
1892:3197027:	:	: 211	:	: 7,924:	30.85:	1687059:	956
1894:2702842:	189	: 235	: 519	: 7,483:	30.62:	1599106:	878
1896:3080944:	148	: 238	: 630	: 8,780:	29.41:	1690750:	:
1898:	:	:	:	:	:	:	:
1900:3063567:	129	: 216	: 622	: 9,224:	31.16:	1751047:	:
:	:	:	:	:	:	:	:

Table I (Cont'd)

	Enrollment	Cost per	
Date:	in Private	No. Priv.	
	Schools	Schools	
1874:			
1876:	31,416	1.79	
1878:	31,730	1.57	
1880:			
1882:			
1884:	33,743	1.70	
1886:			
1888:	39,600	1.45	
1890:	40,683	1.74	
1892:	45,420	1.71	
1894:	43,342	1.71	
1896:			
1898:			
1900:			
:			

CHAPTER IV

PERIOD OF COUNTY AND STATE RESPONSIBILITY

The growth of the school system of Tennessee from the district system by which the schools were localized as to funds, management and interest, to present joint county and state system was, as shown in the previous chapter, very gradual, but by the year 1900 the leading school men of the State had seen the futility of the effort to provide anything like equal or adequate educational opportunities to the children of the State by that system and there were put on a series of educational campaigns for the enlightenment of the public and the stimulation of school officials in every county in the State. The result was the passage of the laws described below, and the system was brought to its present state of efficiency.¹

Indicative of the trend of thought at this time is the following quotation: "The County Institute work throughout the State has done more for education than any other one thing. It has stimulated teachers, enthused citizens and popularized the profession."²

"Popular sentiment of the State favors additional taxation

1. State Superintendent's Report, 1905; p. 18

2. Idem., 1902; p. 21

for the improvement of schools... a Careful study of conditions in the State convinces that large districts with good officials and few schools give better opportunities and more substantial instruction."³ "It is right that the State as a whole bear a part of the education of the children -- the future citizens of the State -- and that the expense should be apportioned among the property owners of the entire State.... It should as far as possible⁴ furnish equal educational advantages to all."

In 1903 the Legislature passed an act which provided that school districts should be co-extensive with the civil districts except where otherwise provided by special⁵ act of the Legislature, but the good effects of this law were nullified by the passage in 1905 of eighty special⁶ acts creating special school districts, showing the efforts made the richer communities to retain the unequal advantage which that system had always given to them.

A special county board law was passed in 1903, applying to Montgomery County only, providing one member from each civil district, together with the county judge⁷ and county superintendent.

For the year 1903-1904 Superintendent P. L. Harned

3. State Superintendent's Report, 1902; p. 22

4. Idem., 1904; p. 19

5. Acts of Tennessee Legislature, 1905; Chap. 240, p. 551

6. Idem., pp. 1382-1384

7. Idem., 1903; Chap. 254; p. 592

of Montgomery County, made a detailed report of the working of the new county board law to the State Department, in which he showed the results obtained by five years under the district system, and compared them with the one year under the county system, demonstrating that the county plan saved a large amount of money, gave all parts of the county equal educational opportunities, and met with

⁸
general approval. In reference to the operation of this law Superintendent Harned in his report for 1905 said, "Under the direction of the County Board of Education, the course of study has been laid off by years and by days, thereby running all the rural schools upon the same plan and schedule; i.e., all the children in the county of a given grade are studying the same lessons upon the same day. Among other advantages of this plan of work, inexperienced teachers cannot run hastily over the important parts of the books, and children or teachers who move from one school to another in the county can take up the work at any time of the year where they left off. Thus far the teachers of the county are well pleased with this uniformity, and we have every reason to believe it will give even better results in the future. At the close of the year the various schools were given uniform questions for the final examination for each grade for

8. State Superintendent's Report, 1904; p. 27

promotion, and all the children were given cards for admission when the schools open next September. This prevents their classifying themselves where there is a change of teachers."⁹

That the rural school constitutes the most important part of the system and is, and has always been, the weaker part of the system, began to be recognized about this time. Superintendent Mynders, in his report for 1905, had this to say: "Of the 722,000 children enumerated in the State, over 600,000 live in the small towns and rural districts. The great problem of school administration then must be the improvement of the rural schools... The preparation of the farmer's boy for the duties of life is the work of the rural school. These schools then should be made equal to, if not better, than any city system. The great need of more system in the management of our country schools is recognized by all who have had any dealings with their work."¹⁰

This weakness was also in the mind of the State Superintendent in 1904 when, in his annual report, he said: "The most urgent need in our public school system today is more thorough work in the elementary branches..." Farmers' conventions urge more teachers of agriculture. Intelligent state policy demands that these schools be made efficient."¹¹

⁹ "Another gross evil", said State Superintendent's Report, 1905; p. 244

¹⁰ Idem., pp. 19-20

¹¹ Idem., 1904; pp. 92-93

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Superintendent Mynders, "has been the employment of teachers related to district directors. With many of these officials the greatest ambition seems to be to secure a place for some relative. In all such cases, the temptation for 'a trade' is too great.to be resisted and ' a community of interests' is established at the expense of the schools. Legislation should be enacted that will¹² prevent this."

The question of the consolidation of the great of small schools into a fewer number of larger ones became an important issue from 1900 to about 1910. In the reports it was said, "There are yet too many small and inefficient schools."¹³ "The Act of 1903 making school and civil districts co-extensive and providing that no school shall be maintained with under 70 scholastic population, was intended to bring about a consolidation of weak schools over the State. This purpose was accomplished to some extent, but there are still too many of these small schools maintained."¹⁴ "The Act of 1903....has resulted in the consolidation of a number of rural schools. Consolidation tends to modern buildings, better instruction, more competent teachers and classification and economy."¹⁵

The custom of electing a county superintendent

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12. State Superintendent's Report, 1905; p. 21
13. Idem., 1904; p. 29
14. Idem., 1905; p. 22
15. Idem., 1906; p. 25

for a nominal salary, who was expected to devote only a small part of his time to the duties of the office, became a great clog in the wheels of progress. One Superintendent said in his report: "It would be economy to fix the salary at such an amount as will enable the county superintendent to give his entire time to the duties of the office. Competent supervision would not only insure better teaching, but would enable the county superintendent to make valuable recommendations to the district directors, for the improvement of their schools."

Possibly the greatest handicap by which the schools were confronted through all their history until the establishment of the state normal schools and the multiplication of the high schools, was the lack of a competent corps of teachers. Nearly all the state superintendents from 1900 to the present have mentioned this fact and urged that legislation be enacted to remedy the evil. They mentioned the teachers' institutes and later the summer schools as valuable agencies, but emphasized the necessity of regular teacher-training schools. As an example: "The great work accomplished by the Summer School of the South at Knoxville and the Peabody College for Teachers cannot be over-estimated.... Teachers' institutes were held last summer in all the counties of the State and we estimate that 75% of the teachers

attended either summer school or a teachers' institute.... We held last summer eight state institutes for white teachers and four for colored. These were of one month's duration. In addition to this, the State furnished help to 35 counties in holding county institutes."¹⁶

General Education Bill

The passage in 1909 of the General Education Bill marked a new era in the public schools of Tennessee. It served to bring about a co-ordination of all the branches of the system and was an acknowledgment of the State's responsibility for the education of the people in all the branches of the system. The efforts and recommendations of the State Superintendents, the State Teachers' Association, the State School Officers' Association, the Teachers' Institutes and the leading educational thinkers of the State, were at last successful in bringing about a really efficient system which met the needs of the time remarkably well. Its chief provisions were: a general education fund, to consist of one-fourth of the gross revenues of the State, to be distributed among the counties as follows -

61% according to population;

10% according to population and in inverse ratio to taxable property to scholastic population to those counties

16. State Superintendent's Report, 1905; p. 22

that levied, for common schools, \$.40 on property, \$2.00 on polls and all the privilege taxes allowed (of the 10% here referred to; \$33,500.00, or such a part thereof as necessary, went to supplement the salaries of the county superintendents under certain restrictions);

8% to encourage and assist the counties to establish high schools but no high school to receive more than one-third of its revenues from this source;

1% for establishing and maintaining school libraries;

13% to establish and maintain normal schools "solely for the education and professional training of teachers for the elementary schools of the State";

7% to be used for the maintenance and improvement of the University of Tennessee and its experiment stations.

Section XIX provided that all schools receiving assistance under the Act should be recognized as a part of the school system of the State and should report yearly to the State Superintendent. It was made the duty of the State Board to make regulations as to the grading of the high schools and the disbursement of the money for high schools, the examinations and licensing of the high school teachers and the election of a high school inspector,¹⁷ thus giving the State a firm hold on these schools.

During the same session of the Legislature there

17. Acts of Tennessee Legislature, 1904; Chap. 264; p. 907

was enacted another law which strengthened the hold of the State upon the management of the schools. This law put the examination and qualification of county superintendents entirely in the hands of the State Board of Education.¹⁸

The General Assembly of 1911 passed a number of laws creating special school districts and extending the compulsory attendance law to apply to a number of additional counties, but made no changes in the general school laws.¹⁹

A further advance toward complete state control of the schools was made by an Act passed in 1913, which provided that the whole matter of examination and certification of teachers should be placed in the hands of the State Board of Education, and the State Superintendent, and that a fee of \$2.50 for primary and \$3.50 for high school teachers should be charged for the examinations, teachers in cities of 7,500 or more being exempted. Those under eighteen years of age were not allowed to teach, and those under twenty-one were not allowed to be principal of a school where there was more than one teacher.²⁰

The provision for charging a fee for the examination of teachers was repealed by the next Legislature and the

18. Acts of Tennessee Legislature, 1911; p. 2,120

19. Idem., 1913; Chap. 40; p. 102

20. Idem., 1915; Chap. 103; p. 307

expense of holding the examinations was paid out of the general fund.²¹ The Acts of 1917 amended the law and provided that those teachers who had averaged 85% or²² more should be exempted from further examination.

A law providing that two years of high school work might be paid for out of elementary school money was passed in 1917. This was a breaking down of the requirement of the General Education Bill.²³

A law amending the General Education Bill was passed in 1917 by which the equalization fund was increased to 14% and the high school to 9%. It was provided that five of the 14% equalization fund should go to those counties which had less than 120 days of school term, and the remaining 9% to those with less than 140 days of school term, but the conditions for receiving this fund were severe in the extreme, requiring the levy for school purposes by these counties to be the maximum. The right to share the high school apportionment was conditioned upon the county's levying an equal amount and that all counties receiving as much as \$1,500.00 from the State must maintain one first class high school. Section IV of the Act provides for the elimination of the first two years of high school work from the normal

21. Acts of Tennessee Legislature, 1917; Chap. 96, p. 284
 22. Idem., Chap. 141; p. 440
 23. Idem., Chap. 130; p. 395

24
schools.

A readjustment of the funds provided by the General Education Bill was made by an Act of 1919, by which 10% was divided among the normal schools and the Polytechnic School, 5% formerly going to the Equalization Fund was, after deducting enough to supplement salaries of county superintendents, to be used to employ supervisors for rural schools and to build houses for consolidated schools, 15% to go for county high schools, and 2% for Smith-Hughes vocational education and a special state tax of \$.05 was levied for elementary schools, one-third of which was to be distributed according to scholastic population, one-third equally among the counties and one-third among the counties having less than 140 days of school on condition that they levy as much as \$.30 for elementary schools.

The same Legislature reorganized the state textbook commission and provided minute details as to its duties and powers.

The Acts of 1913 contained a compulsory school law for years 8 to 14, also 14 to 16 unless persons were at work and could read and write. It also provided books in case of poverty. Teachers were to report to attendance officers, and the Board might establish truancy.

24. Acts of Tennessee Legislature, 1919; Chap. 111; p. 285

25. Idem., Chap. 142; p. 524

26. Idem., 1913; Chap. 9; p. 19

The next chapter of the Acts of 1919 contained a general compulsory school law for all children between 7 and 16 years for the full school term and made it the duty of the county boards of education to elect and fix the salary of county attendance officers who were given the powers of deputy sheriffs for school purposes, and to make instant arrests for violation of any law and were required to give their full time to this office. A fine of \$5.00 was provided if he violated any provision of the law.

The law passed by the Legislature of 1921, which made it the duty of the chairmen of the county boards of education to prepare a budget of the needs of the schools for the succeeding year and to present it to the quarterly county court at its July term, and making refusal or neglect to do so a misdemeanor and cause for removal from office, served to bring the schools in closer touch with the tax-levying body and caused the courts to more fully realize their responsibility to the schools. The Act required the budget to contain the following items: (1) salaries of the secretary and members of the boards of education; (2) county superintendent's salary; (3) supervisors and truant officer's salary; (4) enumera-

tion of school children; (5) salaries of principal and teachers; (6) wages of engineers and janitors; (7) fuel, lights, water, janitor supplies, etc.; (8) maintenance of plants; (9) insurance; (10) textbooks, stationery and supplies; (11) transportation; (12) miscellaneous items.²⁷

The provisions of the General Education Bill and its amendments were one general act in 1921, which divided the general school fund among the different classes of schools on a percentage basis. The only important change in this was that the funds were to be distributed according to average daily attendance instead of scholastic population, as before.²⁸

An Act of 1921 provided that the terms of county superintendents be four years instead of two as formerly, and that candidates must have had at least twenty-four months of experience. Those persons holding a first grade high school professional certificate were made eligible without examination.²⁹

The Legislature of 1921 passed an Act doing away with school directors, advisory boards, and the existing elementary and high school boards, putting all the county schools under a new board of seven members elected by the county courts, the term of one member to expire each year, thus centralizing control in the hands of one continuous

27. Acts of Tennessee Legislature, 1921; Chap. 2, p. 3

28. Idem., Chap. 118, pp. 289-296

29. Idem., Chap. 119, p. 297

body whose members served for seven years, and giving this body complete control under the directions laid down in the Act and those given by the state board.

After tracing the changes in the school system of Tennessee through a century of development and until it reached the county-state form in the period 1900-1925, it seems advisable to call attention to some of the results accomplished under the following heads: enrollment, attendance, length of term, quality of teaching as evidenced by the advancement of pupils from grade to grade and the acknowledgment of the efficiency of the schools as evidenced by increased appropriations. The statistics of the state superintendents' reports 1905-1923, are used, as covering the central portion of the period. The scholastic population in 1905 was 772,894; in 1923 it was 770,500, a decrease of over 2,000 for the period under consideration, and this fact should be kept in mind as the following statistics are considered for the beginning and ending of the period:

	<u>1905</u>	<u>1923</u>	<u>% Increase</u>
Enrollment -----	507,423	654,741	29-plus
Daily Attendance-	348,688	443,348	27- "
Length of term --	113 days	161 days	42- "
No. in 8th Grade-	8,501	32,611	243- "
" " High Sch.-	3,603	34,129	846- "
Expenditures ---	2933289.23	3493911.54	19- "

A review of the above figures will no doubt convince the most casual observer that the Tennessee schools

have developed to a point where the children of the people are being really educated. The increase in length of term and the number reaching the higher grades are indeed startling, and these are the items which are probably the best test that can be applied in the measurement of the efficiency of a school system unless the following were studied in detail: housing conditions, qualifications of teachers, classification of pupils, richness of curricula, and other features which would make of this thesis an article too lengthy for the purpose intended. It may not be amiss, however, to state that the State Normal Schools, the State University, and Peabody College for Teachers, not to mention the denominational colleges, have turned out many graduates who have had a large part in accomplishing these gratifying results under the joint county and state system.

The defects of the system will now be gone into. If the whole purpose be to give the majority of the children of the State a chance in education, without regard for whether or not that chance is offered equally to all or to a small minority only, the present status of things might be very pleasing. However, if the statement is subscribed to, that the State owes an equal opportunity to all of its children, and that such an opportunity is an obligation against the property of the State, there are some other statistics upon which it would be well to ponder. Before submitting these statistics the following pregnant state-

ments from the annual report for 1923 of Commissioner P. L. Harned are submitted: "During the past fifteen years the passage of local school laws has done much to retard progress. If a superintendent is popular with the quarterly court but unpopular with the community or vice versa, because of some perfectly sane act of his, the community or quarterly court may proceed to have a law passed which will change the method of electing in order to defeat him. The same thing sometimes happens to a Board of Education, and the general law governing the Board's membership or election is changed to suit a particular county. Again, any community that desires it, because of certain advantage to itself, may, by special legislation, be made into a special taxing district and assume full control of its school and all funds belonging thereto. In such cases a special act may weaken half a dozen other schools around this unit and perhaps all the other schools of the county. Such legislation is wrong in principle as well as the method of correcting the evil, real or imaginary. By working together as a county unit, all the schools can be brought up to the desired standard. Besides, it is of equal importance to the State and county that equal educational opportunity be given all children out of the public funds..... In nearly every case of local legislation, some community, or the county as a whole, is weakened

more than the special district is helped. Before the efficiency of all the rural schools can be improved very much, it will be necessary for the State to extend the term uniformly to a minimum of eight months..... The elementary schools must be standardized, but this cannot be done if the term in one county is five months and in another nine, nor can it be done with teachers of low grade of efficiency in one county and of high grade efficiency in another.... The salary of the skilled teacher, who goes to the remotest rural community, should be at least as much as that of the high school teacher of equal training and skill, for the services of the teacher who goes to the remote community and gives life to its school is worth more to the State than that teacher who works in the high school.. There is no good reason for waiting indefinitely to standardize the rural schools. Nearly all the people are depending on them to educate their children. Shall they wait for the completion of every other public service? The State owes an equal educational opportunity to all her children. The financing of public education is a State rather than a local duty and the total property of the total adult population should contribute to its support.³¹"

To show that the debt which Commissioner Harned

31. Harned, P.L.: Annual Report, 1923

said the State owed to its children has never been paid to the children of the rural counties under joint state and county control, we will select two adjacent counties, Knox and Union, and compare them.

	<u>Tax for Schools</u>	<u>Duration of Schools</u>	<u>Percent of Children in School</u>	<u>Average Salary of Teachers</u>
KNOX COUNTY	38	136	66%	\$495.68
UNION COUNTY	53 $\frac{1}{4}$	118	90%	389.80

By an examination of the above figures it is seen that the rural county of Union, while levying a forty percent higher school tax than is levied by Knox County, is able to run her schools thirteen percent less time than Knox County. This would seem inequality enough, but the salaries of teachers in Knox County are twenty-seven percent higher than the salaries of teachers in Union County. Startling as these inequalities are, they do not tell the whole story. The writer, by personal observation, has come to know the beautifully and well equipped buildings of Knox County, and the small, shabby ones of Union County. That these discrepancies are not the result of appreciation of education in one of the counties and the lack of it in the other, but are the result of an inequitable system, is evidenced by the fact that the poorer county enrolled 90% of her school population, while the richer

one enrolled only 66%. The reader has no doubt noted in the laws referred to in previous pages the efforts made by the Legislature to stimulate the county courts to levy additional school taxes by an equalization fund in which they might or might not participate according as they levied a certain tax or did not levy it. The illustration given in reference to Knox and Union Counties seems to us to show clearly the futility of such a plan as we have been working under, as long as there shall remain such a great inequality in the ratio of per capita wealth in the different counties. Why the legislation has not resorted to a uniform state tax sufficient to run all the schools for a term of, say, eight months, in the same manner that the Normal Schools are now run, and thus put to an end the century-old struggle for local advantage, is certainly worthy of thought. The poorer counties which are largely in the majority would very likely be willing to surrender local control for so great a financial and educational advantage.

There was a bill passed by the Legislature of 1925 which unified all the school laws of the State and provided joint state and county funds sufficient to run all the elementary schools eight months in all cases where the counties met the requirements laid down by the State.³²

32. Public School Laws of Tennessee, 1925; P.L.Harned, Commissioner of Educ.; p. 46, paragraph 97

In his foreword to the laws, the Commissioner said:

"Previous to the last session of the Legislature the school laws of Tennessee consisted of more than one thousand different acts. The demands of the various communities of the State had influenced legislation suited to their respective needs so that the entire system was largely a series of private acts or amendments to general acts. The need of a codified school law was so imperative that the General Education Bill was prepared for the purpose of gathering the main provisions of the acts passed since 1873 into one uniform bill written in simple, clear and concise form.

"The bill was introduced in both houses of the Legislature. Several hundred copies were printed and distributed throughout the State and a special committee of the Legislature was appointed to study the provisions during the recess. The committee was in session two weeks and made a careful examination of the entire bill, but, naturally, there were points of variance between the judgment of the authors and the committee. For example, the original bill provided that the office of county superintendent be abolished at the expiration of the present term and that the office of executive secretary, to be filled by the County Board of Education, be substituted.

The legislative committee feared that the bill could not be passed if it included this provision. Therefore, the part pertaining to the office of Executive Secretary was stricken out by the committee and a new bill, which was practically the same as the old with the exception that this provision was omitted, was substituted.....

"In both houses of the Legislature the bill was very bitterly fought for the reason that many representatives attempted to make it include certain provisions that would be more favorable to their respective communities....."

The Act of 1925 was in fact not only a summary of the various laws then in force, but was essentially a consummation of the tendency so often referred to in these pages, from the smaller to the larger unit of organization, and constituted a system in which the State is the unit. While the counties still retain some powers concerning taxation and management, these are directed by the State Department. The Commissioner of Education was made the executive head of the school system, with power to appoint with only a few exceptions all the minor officials, and the number of these was increased sufficiently to enable him to exert a controlling influence over all the departments. It makes of him the head of a business organization, whose subordinates are responsible to the Com-

missioner and are directed by him. The day when each school officer was a law unto himself seems to have gone the way of the district director, the county superintendent who practiced law, the sixteen-year-old teacher and the one-room log schoolhouse, built on a rocky knoll or in a cedar glade.

That a consciousness of state responsibility for the education of all the children has been recognized by our lawmakers and that sufficient funds to maintain the schools of the rural districts has been provided, is evidenced by the following quotation from the laws: "Provided, however, that all counties which meet the requirements of this section, and then do not have sufficient funds to maintain all elementary schools for eight months, their funds shall be supplemented sufficient to enable them to maintain an eight-month school term according to the provisions of this Act, out of the Equalization Fund, and it is further provided that should there not be sufficient Equalization Funds to meet the requirements of this clause, that the balance of such funds necessary to carry out the provisions of this clause shall be, and is, hereby appropriated out of any general state funds not otherwise appropriated."

Tennessee now has a school system which is the outgrowth of her own experience and the culmination of

the plans, efforts and thought of her best educators -- a system with which the people are well acquainted and to which they have given their approval; and it is the expectation of the school men of the State that it will serve to raise the efficiency of our schools to a point vainly hoped for by their predecessors during the last hundred years.

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