

## ERRATA.

On page 2 and in sec. 4, read "among" for "amongst."

On page 5 and on the 13th line below the words "its history," read "one hundred and fifty three thousand seven hundred and nineteen dollars and twenty one cents (\$153,719,21,") instead of "one hundred and five thousand seven hundred and nineteen dollars and twenty-one cents (105,719,21.)"

On page 7 and in second line from bottom, add the word "how."

On page 8, remove "comma" in 4th line from top, and from betwixt the words "not" and "however," and place said "comma" after the word "deduced" in same line.

On the last line of page 8, introduce "&c., &c." after the word "boilers," and a "comma" betwixt the word "boiler" and the word "engine" preceding it.

On page 9, at 20th line from top, introduce betwixt the words "surrender" and "upon" the words "of the contract."

Transpose the first and second "whole sentence" on page 10.

On page 11, and on 6th line from top, introduce the words "or penal" betwixt the words "reformatory" and "institution."

On page 12, and at 19th line from top, read "term" instead of "time."

On page 13, and in first line from top, read "grave" instead of "grievous."

On page 13, and at 10th line from top introduce the word "penal" and "a comma" betwixt the words "all" and "reformatory."

On page 14, and in 3d line from bottom, remove "colon" and introduce a dash, thus " : — " betwixt the words " hundred " and " but ."

On page 15, and on 11th line from top, read "tence" for "force."

On page 15, and on 14th line from top, omit the word "say" once.

On page 15, and in 23d line from top, read "there" for "these."

## JOURNAL

OF THE

## Board of Education

OF THE

## STATE OF IOWA,

## AT ITS SECOND SESSION,

BEGUN AND HELD AT THE CITY OF DES MOINES, ON THE FIFTH DAY OF  
DECEMBER, A. D. 1859.

DES MOINES, IOWA.

JOHN TEESDALE, STATE PRINTER.

1860.



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larded to the report of your Secretary, which will present these in detail, with such proposed alterations as his observation and experience may suggest. I may express the hope that the same courteous bearing that marked your former session, and that so graciously explained the duties of the chair, will characterize the present session, and that your labors may contribute to the well-being of our beloved commonwealth.

JOURNAL

OF THE

BOARD OF EDUCATION OF THE STATE OF IOWA.

DES MOINES, IOWA, }  
MONDAY, DECEMBER 5TH, 1859. }

In accordance with Section 2, Chapter 155, Acts of 1858, the Board of Education of the State of Iowa met, this day, at its second session, in the Senate Chamber of the Capitol at Des Moines, and at 2 o'clock, P. M., was called to order by its President, Hon. Oran Faville, Lieut. Governor.

Prayer was offered by Rev. J. M. Chamberlain.

The President then delivered the following address :

*Gentlemen of the Board of Education :*

Allow me to congratulate you upon the favorable circumstances under which we have assembled at this, our second session.

You return with the confidence of the people; for, although at your former session trammelled with Constitutional difficulties, your efforts to advance the educational interests of the State were appreciated, and your enactments generally approved.

Teachers, and those immediately connected with educational pursuits, are, so far as I have learned, pleased with the present system and wish to give it a longer trial before important changes are introduced; and what is no less important, the people are discussing the merits and demerits of our School Law, and a new interest in educational matters is the result.

It will not be necessary for me to call your attention to those portions of the law deemed defective. You are respectfully re-



ferred to the report of your Secretary, which will present these in detail, with such proposed alterations as his observation and experience may suggest.

I may express the hope that the same courteous bearing that marked your former session, and that so essentially lightened the duties of the chair, will characterize the present session, and that your labors may contribute, in a marked degree, to the well-being of our beloved commonwealth.

Upon motion of Mr. Hildreth,

The Secretary proceeded to call the Judicial Districts in their order, when it appeared that members were present from their respective districts, as follows:

4th District—D. E. Brainard.

5th “ —Dan Mills.

6th “ —S. F. Cooper.

7th “ —T. H. Canfield.

8th “ —F. M. Connelly.

9th “ —O. H. P. Roszell.

10th “ —A. B. F. Hildreth.

11th “ —I. J. Mitchell.

On motion of Mr. Canfield,

The rules of the last session were adopted as the rules to govern this.

A communication from Samuel Storrs Howe, editor and proprietor of the *Literary Advertiser and Public School Advocate*, relative to the printing of a daily report of the proceedings of the Board during its present session, and furnishing the members with copies thereof, was received, read, and

Upon motion of Mr. Roszell,

Laid upon the table.

Mr. Roszell

Moved that the following Standing Committees, to consist of three members each, be appointed, to wit:

A committee on Revision, on Judiciary, on School District Organization and Elections, on State University, on Printing, on Text Books and School District Libraries, and on Enrolled Bills,

Which was adopted.

A communication from Will Tomlinson, representing *The Iowa State Journal*, containing a proposition to furnish the Board with daily reports of their proceedings was received, read, and

Upon motion of Mr. Canfield,  
Directed to be referred to the Committee on Printing.

Upon motion of Mr. Canfield,

The communication of Mr. Howe was taken from the table and directed to be referred to the same committee.

A similar communication from Mills Brothers, publishers of the *Iowa School Journal*, was received and referred to the same committee.

Another from J. Teesdale, proprietor of the *Iowa Citizen*, upon the same matter, was also received, read, and similarly referred.

Mr. Cooper

Offered the following resolution:

*Resolved*, That the several clergymen of this city be invited to open our sessions by prayer, in such order as the President of the Board may think proper.

Which was adopted.

On motion of Mr. Mills,

The Board adjourned till to-morrow morning at 10 o'clock.

TUESDAY MORNING,  
December 6th, 1859. }

At 10 o'clock the Board was called to order by the President. Prayer was offered by Rev. Thompson Bird.

The President announced the acceptance by the Clergy of the city, of the invitation contained in the resolution passed yesterday by the Board.

The Journal of yesterday was read and approved.

The Standing Committees were announced as follows:

*On Revision*—Messrs. Roszell, Brainard and Canfield.

*On Judiciary*—Messrs. Mills, Connelly and Perry.

*On School District Organization and Elections*—Messrs. Cooper and Hildreth.

*On State University*—Messrs. Canfield and Cooper.

*On Printing*—Messrs. Hildreth, Mitchell and Roszell.

*On Text Books and School District Libraries*—Messrs. Mitchell, Roszell and Brainard.

*On Enrolled Bills*—Messrs. Connelly and Perry.



## RESOLUTIONS.

Mr. Cooper

Offered the following resolution :

*Resolved*, That Frederick Michael be appointed Janitor during the present session of this Board.

Which was adopted.

Mr. Roszell

Offered the following :

*Resolved by the Board of Education of the State of Iowa*, That the Auditor of State be requested to report to this Board the number of copies of Webster's Dictionary ordered by the several counties of this State—the number received by the Auditor, and the number distributed by him to County Superintendents, in accordance with the provisions of the act of the Board of Education.

Which was adopted.

Mr. Canfield

Offered the following :

*Resolved by the Board of Education of the State of Iowa*, That the Committee on Revision be instructed to enquire into the expediency of so altering the present school law as to make the County Superintendents receive their compensation by the day, and of so specifying their duties as to render the expense of the office to the different counties less than at present.

After discussion, this was,

On motion of Mr. Roszell,

Laid on the table.

The Report of the Secretary of the Board was then received and read.

On motion of Mr. Cooper,

Adjourned till 2 o'clock this afternoon.

## TUESDAY AFTERNOON.

At 2 o'clock, P. M., the Board came to order,  
The President in the Chair.

## REPORTS OF COMMITTEES.

The Committee on Printing made the following report :  
*To the Board of Education :*

Your Committee on Printing, to whom were referred several propositions for furnishing the Board daily with printed copies of a report of their proceedings during the present session, have given their attention to the same, and a majority of the Committee beg leave to report by recommending the adoption of the following resolution :

*Resolved*, That 450 copies of the *Daily Iowa School Journal* be ordered for the use of the officers and members of the Board during the session, provided the same can be obtained at the rate of \$10 per day, and will be delivered by 9 o'clock each morning.

Signed,

A. B. F. HILDRETH,

I. J. MITCHELL,

Majority of Com. on Printing.

Mr. Roszell

Moved to amend the resolution of the Committee by striking out "450 copies," and inserting "300 copies;" and also to strike out "\$10" and insert "\$6 66."

This amendment was lost.

Mr. Cooper

Moved to amend by striking out "450" and inserting "600."

Mr. Hildreth

Moved, as a substitute for this amendment, to amend the resolution of the Committee by striking out all after the word "Resolved" and inserting as following :

That 600 copies of the *Daily Iowa School Journal* be ordered for the use of the officers and members of the Board; provided, that the Board may, at its option, pay for the same either at the rate of \$12 per day, or \$200 for the session; and that the same shall be delivered by 9 o'clock each morning.

This amendment prevailed, and the original resolution as amended, was adopted.

Mr. Hildreth

Had leave to introduce an amendment to Act No. 8, relative to the distribution of public moneys to sub-districts, which was,

On his motion,



Referred to the Committee on Revision.

A communication from the Auditor of State, in reply to the resolution of inquiry adopted this morning, was received, read, and,

On motion of Mr. Roszell,

Laid on the table.

Mr. Roszell

Moved that 500 additional copies of the Report of the Secretary of this Board be ordered for the use of the Board.

Adopted.

Mr. Hildreth

Moved that 10 o'clock, A. M., be fixed as the daily hour of meeting, unless otherwise ordered.

Which motion prevailed.

On motion of Mr. Cooper

The Board adjourned.

WEDNESDAY MORNING, }  
December 7th, 1859. }

At 10 o'clock the Board was called to order by the President.

Prayer was offered by Rev. Thompson Bird.

The Journal of yesterday was read and approved.

#### NOTICES OF BILLS.

Mr. Canfield

Gave notice of the introduction, to-morrow morning, of a bill for act to confer certain powers on sub-districts.

Mr. Mills

Gave notice of the introduction, to-morrow morning, of a bill for an act to amend certain sections of Act No. 8 of this Board.

Mr. Cooper

Also gave notice that he would introduce, to-morrow, a bill to amend an act entitled "an act to provide a system of Common Schools," passed by the Board at its last session.

Mr. Roszell

Also gave notice that he would, to-morrow morning, introduce a bill for an act to amend the act of the Board of Education enti-

led "an act to provide for the election, and to define the duties of the Secretary of the Board of Education."

Mr. Mitchell

Gave notice that to-morrow he would introduce a bill to amend section nineteen of the act of the Board of Education entitled "an act to provide a system of Common Schools."

#### RESOLUTIONS.

Mr. Canfield

Offered the following resolution:

*Resolved*, That the election of Secretary of this Board, and of Trustees of the State University to fill the places of those whose terms first expire, be made the special order for to-morrow morning at 11 o'clock.

On motion of Mr. Hildreth.

This was laid on the table.

#### PETITIONS, &c.

Mr. Cooper

Presented a petition from Adams county, praying for a High School enactment, and moved that it be referred to a special committee on High Schools.

The motion prevailed, and the President named as such committee:

Messrs. Cooper, Mills and Mitchell.

Mr. Hildreth

Presented communications from townships of Floyd county, which were on his motion referred to committee on revision.

On motion of Mr. Roszell,

Adjourned till 2 o'clock, P. M.

#### WEDNESDAY AFTERNOON.

At 2 o'clock the Board met pursuant to adjournment.

Mr. Hildreth moved to refer the report of the Secretary of the Board to a special committee.

Which motion prevailed.



Whereupon, the President named as such committee, Messrs. Hildreth, Connelly and Canfield.

Mr. Cooper

Offered the following resolution :

*Resolved*, That a special committee of three be appointed on the subject of Teacher's Institutes.

Which was adopted.

The Chair named, Messrs. Cooper, Roszell, and Mitchell, as such committee.

On motion of Mr. Cooper,

The Board adjourned.

THURSDAY, MORNING,  
December 8th, 1859. }

At 10 o'clock the Board met.

President in the Chair.

Prayer was offered by the Rev. J. M. Chamberlain.

The Journal of yesterday was read and approved.

#### PETITIONS.

Mr. Roszell

Presented a petition from Vinton, Benton county, praying for certain amendments to the school law.

On his motion it was referred to the committee on revision.

#### INTRODUCTION OF BILLS.

Mr. Roszell

Had leave to introduce a bill for "an act to amend an act entitled an act, to provide for the election, and to define the duties of the Secretary of the Board of Education,"

Which was read the first and second times, and

On motion of Mr. Cooper,

Referred to a special committee of three.

The Chair appointed as such committee,

Messrs. Cooper, Mills and Brainard.

Mr. Mitchell

Had leave to introduce a bill for "an act to amend an act entitled 'an act, to provide a system of common schools.'"

Which was read the first and second times, and referred to the committee on revision.

Mr. Cooper

Also had leave to introduce a bill for "an act to provide a system of common schools."

This was read the first and second times, and

On his motion, laid on the table.

Mr. Hildreth

Moved that a financial committee of three be nominated by the Board—

Carried.

Whereupon the following were appointed :

Messrs. Hildreth, Brainard and Connelly.

#### REPORTS OF COMMITTEES.

The special committee to whom was referred the report of the Secretary of the Board of Education made the following report :

Your committee to whom was referred the report of your Secretary, have attended to the duties of their appointment, and beg leave to report that they have apportioned the different topics, treated of in the report of the Secretary to the several committees, as follows :

*Revisory Committee*—The question of abolishing or retaining the office of County Superintendent.

*Judiciary Committee*—The provision for varying the per centum of taxes for school house purposes, and the constitutionality or legality of the provision for levying taxes.

*Committee on School District Organization and Elections*—The intricacy of the District organization; the times of holding elections of county and district officers; boundaries of districts; and powers of sub-districts.

*Financial Committee*—The expensive character of the school system as at present organized; the school house, teacher's and other funds; the salaries of County Superintendents and other officers; and the delay in paying teachers.



And to the special

*Committee on Teacher's Institutes*—That portion of the report which relates to such institutes.

Signed,

A. B. F. HILDRETH, }  
F. M. CONNELLY, } Committee.  
T. H. CANFIELD, }

On motion of Mr. Cooper,

The report of the committee was accepted, adopted, and the committee discharged.

### RESOLUTIONS.

Mr. Cooper

Offered the following resolution :

*Resolved*, That 500 copies of the Journal of the Board be ordered to be printed, and to be distributed as may be hereafter provided,

Which was adopted.

On motion of Mr. Hildreth,

The Board adjourned till to-morrow morning.

FRIDAY MORNING, }  
December 9th, 1859. }

At 10 o'clock the Board met.

President in the Chair.

Prayer was offered by the Rev. J. M. Chamberlain.

The Journal of yesterday was read and approved.

### INTRODUCTION OF BILLS.

Mr. Mills

In pursuance of notice, introduced a bill for "an act to amend an act entitled 'an act to provide a system of common schools.'"

It was read the first and second times, and

On his motion referred to the committee on revision.

### REPORTS OF COMMITTEES.

Mr. Cooper

From special committee to whom was referred Mr. Roszell's bill for "an act to amend an act entitled 'an act, to provide for the election and to define the duties of the Secretary of the Board of Education,'" made the following report :

Your committee to whom was referred a bill to amend an act entitled "an act to provide for the election and to define the duties of Secretary of the Board of Education," beg leave to report that they have had the same under consideration, and would report back the same with sundry amendments, and recommend its passage.

The amendments are as follows :

Amend by striking out " school" in fourth line of Sec. 16, and by restoring "five" instead of "two" in Sec. 20; and strike out all after "under this act," in the third line of same section as far as the period in the ninth line; and strike out the whole of Section twenty-one.

Signed,

S. F. COOPER, }  
D. E. BRAINARD, } Committee.  
DAN MILLS. }

On motion of M. Canfield,

The report was laid on the table.

The report of the Board of Trustees of the State University was received and read.

On motion of Mr. Hildreth,

It was referred to the committee on the State University.

Mr. Roszell

Moved that they be instructed to have 500 copies printed for the use of the Board, which motion prevailed.

On motion of Mr. Roszell,

Mr. Cooper's bill for "an act to provide a system of common schools" was taken from the table and 50 copies ordered to be printed.

On motion of Mr. Canfield,

The Board adjourned till 2 o'clock this afternoon.



## FRIDAY AFTERNOON.

At 2 o'clock the President called the Board to order.

On Mr. Cooper's

Motion, the report of the committee on Mr. Roszell's bill to amend the act concerning the election and duties of Secretary was taken from the table, and the Board resolved itself into committee of the whole for the consideration thereof.

Mr. Canfield in the Chair.

After discussion the committee rose, reported progress and asked leave to sit again.

Leave was granted.

Mr. Roszell

Now moved that the bill for an act to amend the act defining the duties and providing for the election of Secretary, be re-committed to the special committee who had had it under consideration, and that they be instructed to report again at 10 o'clock tomorrow morning.

Which motion prevailed.

On motion of Mr. Cooper,

The Board adjourned.

SATURDAY MORNING,  
December 10th, 1859.

At 10 o'clock the Board met, the President in the chair.

Prayer was offered by the Rev. R. T. Drake.

Journal of yesterday was read and approved.

## REPORT OF COMMITTEE.

The Special-Committee on the bill for an act to amend the act concerning the election and duties of Secretary, to whom said bill was re-committed—in pursuance of instructions, made the following report:

Your committee to whom was re-committed a bill for an act to amend an act to provide for the election of Secretary, &c., had

the same under consideration, and beg leave to report it back without amendment, and recommend its passage.

(Signed)

S. F. COOPER,

DAN MILLS,

D. E. BRAINARD,

Committee.

On motion of Mr. Canfield,

The Board resolved itself into Committee of the Whole for the consideration of the bill,

Mr. Cooper in the chair.

After considerable discussion, the committee rose, and through their chairman reported that they had given the bill due consideration, and asked leave to sit again.

Leave was not granted.

On motion of Mr. Roszell,

The report was laid on the table.

## RESOLUTIONS.

Mr. Mills

Offered the following resolution:

*Be it resolved by the Board of Education of the State of Iowa,* That the Secretary of State be requested to furnish this Board and its officers with the articles of stationery which have been usually furnished to the State Legislature.

On this motion, the yeas and nays were called. They were as follows:

Yeas—Messrs. Canfield, Connelly, Hildreth and Mills—4.

Nays—Messrs. Brainard, Cooper, Lowe, Mitchell and Roszell—5.

So the resolution was lost.

Mr. Mills,

From Judiciary Committee, made the following report:

*To the Board of Education:*

The Judiciary Committee to whom was referred that portion of the report of the Secretary of the Board, which has reference to the levying of taxes for school house purposes by the District Board and District Meetings, and varying the taxes voted for such purposes by said meetings,

Would respectfully report that they have had the subject of such reference under consideration, and have come to the conclu-



sion that the Board possess no Constitutional power to pass laws levying taxes; and having no taxing power, cannot confer such power on the district meetings or district boards.

Your committee are also of opinion, that the present law authorizing district boards to vary taxes voted by district meetings cannot be amended, changed, or repealed by the Board of Education.

Your committee ask, therefore, to be discharged from the further consideration of the subject.

DAN MILLS,  
*Chairman.*

Mr. Canfield

Moved that this report be re committed to the Judiciary Committee.

Pending this motion,

Mr. Roszell moved to adjourn till 2 o'clock this afternoon, Which motion was lost.

He then moved to adjourn till Monday morning, Which motion prevailed, and the Board adjourned.

MONDAY MORNING,  
December 12th, 1859.

At 10 o'clock, the President called the Board to order.

Prayer was offered by the Rev. R. T. Drake.

The Journal of Saturday was read and approved.

PETITIONS, &c.

A communication from R. N. Fee, County Superintendent of Louisa County, suggesting certain amendments to the School Law, in the matter of the qualifications of teachers, was received and read, and

On motion of Mr. Hildreth,

Referred to committee on Revision.

A similar communication from Amos Steckel, County Superintendent of Davis county, was received, read, and

On motion of Mr. Cooper,

Laid on the table.

A communication from Henry Wilbur, of Floyd Township,

Floyd county, was presented by Mr. Hildreth, and on his motion, Referred to the committee on Revision.

Mr. Mills

Presented a communication from Jonathan Cox, of Pyra, Warren county, asking the law to be retained in its present form.

On his motion,

It was referred to committee on Revision.

### RESOLUTIONS.

Mr. Hildreth

Offered the following resolution:

*Resolved*, That the Secretary of State be requested to furnish the officers and members of this Board each with a copy of Cushing's Manual; also such articles of stationery as it has been customary to furnish to members of the General Assembly.

This resolution was adopted.

Mr. Connelly

Offered the following:

*Resolved*, That in view of the resolution passed by the Board of Education, that said Board should not be supplied with stationery, the Secretary be notified not to furnish such stationery.

This was,

On motion of Mr. Cooper,  
Laid on the table.

### REPORTS OF COMMITTEES.

Mr. Hildreth,

From Financial Committee, made the following report:

Your committee, to whom were referred those portions of the report of the Secretary of the Board of Education, which relate to "the expensive character of the school system, as at present constituted; the school house, teachers' and other funds; the salaries of County Superintendents and other officers; and the delay in paying teachers;" having had the same under consideration, beg leave to report that:

1st. The expensive character of the school system may be materially lessened by abolishing the office of County Superintendent. For the discharge of some of the more important duties now imposed upon the County Superintendent, a County Exam-



iner may be appointed by the Presidents of the several Townships of the county, whose duty it shall be to examine teachers; make reports to the Secretary of the Board of Education: ascertain and report the number of youths between the ages of five and twenty-one years residing in each township district, and each sub-district in the county; and be the medium of communication between the Secretary of the Board of Education and the township Boards. For compensation, the County Examiner should receive, (say) \$2 00 per day for service actually rendered (and sworn to) in the discharge of these duties.

2d. As to the teachers' fund, we have to say that, as a large part of the taxes become delinquent, it would enable the districts to pay the teachers of summer schools more promptly if an apportionment were made in September (as well as in April) before the report of the County Superintendent (or Examiner) is made; and we would therefore recommend that the delinquent county school tax then collected, be apportioned at that time.

3d. Some difficulty has been caused on account of the failure of the present law to point out how the funds, in the hands of the district officers under the former system, shall be disposed of. Your committee recommend that a separate law be enacted, authorizing sub-districts having such funds, to expend the same in supporting a school a length of time sufficient to exhaust it, in addition to the school supported by their other funds.

4th. School house funds in the hands of officers under the former law in sub-districts lying partly in two counties or towns, and which have since had their boundaries changed, should be equitably distributed to the two or more districts, by whom they were paid. Your committee would therefore recommend that a provision to this effect, be incorporated into the law recommended in section 3d of this report.

5th. The delay in paying teachers will be partially obviated by carrying out the suggestion made above, in section No. 2, namely: the apportioning of the delinquent county school tax, collected, and in the hands of the treasurer, in September.

All which is respectfully submitted.

A. B. F. HILDRETH,

D. E. BRAINARD,

F. M. CONNELLY,

*Financial Committee.*

On motion of Mr. Hildreth,  
It was referred to the committee on Revision.

Mr. Cooper,

From the committee on School District Organization and Elections, made the following report:

Your Committee to whom was referred the following topics embraced in the report of the Secretary of the Board, to-wit: "The intricacy of the district organization; the times of holding elections for county and district officers; the boundaries of districts, and the powers of sub-districts," have had the same under consideration, and beg leave to submit the following report:

After a careful consideration of the law itself, and having witnessed its practical workings throughout the State, since its enactment, your Committee are of the opinion that, although very much of the dissatisfaction arises from a partial misapprehension of the law, yet there are, in that portion of it under consideration at least, serious defects; such, however, as may be remedied without in the slightest degree marring the harmony of the whole system itself.

A school law, to be efficient and popular, should above all other statutes combine clearness with simplicity. The present plan of electing different portions of the same district board at different times, and in a distinct manner, gives rise to much of the perplexity, confusion and misapprehension evidently existing. Your Committee are of the opinion that the time and manner of electing the County Superintendent have rendered the office, in too many instances, subject to the pernicious influence of political intrigue and inefficient, uneducated, illiterate men have been elected to fill it, and thus it has come into great disrepute throughout the entire State. With regard to the boundaries of districts, &c., your Committee are clearly of the opinion that the plan of single township districts, with no lines of sub-division, and bounded strictly by township lines, is best adapted to the successful operation of a system of free schools, and would ultimately result in the greatest good; while, however, sub districts are recognized in our law, the people demand and should have in their respective sub-districts, more power in controlling and managing their own local affairs.

Your Committee would therefore respectfully recommend as follows:

*First*—That the present law be so changed that all the members



of the district board of directors be elected at the same time and in the same manner.

*Second*—That the boundaries of districts should correspond strictly with the lines of the civil township, and that the size and boundary of the several sub-districts should be left entirely at the discretion of the board of directors.

*Third*—That the people of each sub-district should, through their local director, have power to employ their own teachers and control their own local affairs, subject to any just restrictions of the district board; and in case the said board refuse or neglect to provide them facilities for school purposes, they should have power themselves to provide such facilities.

*Fourth*—That the election of County Superintendent should be under the entire control of the several district boards in the proper county.

Signed,

S. F. COOPER,

A. B. F. HILDRETH,

*Com. in S. D. O. and Elections.*

On motion of Mr. Cooper

This report was referred to the Committee on Revision.

#### UNFINISHED BUSINESS.

Mr. Canfield's

Motion—that the report of the Judiciary Committee be re-committed to them—now coming up,

It was so re-committed.

On Mr. Cooper's

Motion, Mr. Roszell's bill proposing certain amendments to the act providing for the election and defining the duties of Secretary of the Board of Education,

Was now taken from the table.

Mr. Hildreth

Moved to strike out the second amendment of section one of the bill under consideration,

Pending which,

On motion of Mr. Perry,

The Board adjourned till 2 o'clock, P. M.

#### MONDAY AFTERNOON.

At 2 o'clock the Board met, the President in the Chair.

The consideration of Mr. Roszell's bill now being resumed,  
Mr. Hildreth

Moved to lay it and pending amendments on the table.

This motion prevailed.

#### REPORTS OF COMMITTEES.

The Committee on Revision, through Mr. Roszell, their Chairman, made the following report:

The Committee on Revision, to whom was referred sundry petitions asking for changes in the present school law, have had the same under consideration. They have given the matters of complaint set forth in said petitions, a careful examination. Your Committee are of opinion that many of the changes asked for are necessary, though several important, and perhaps desirable ones, are beyond the power of this board to make. Your Committee have embodied such amendments and changes as they deem possible and expedient in the accompanying bill, which they beg leave to report to the Board.

Signed,

O. H. P. ROSZELL, Ch'n.

The bill, as reported from the Committee, was read twice, and,

On motion of Mr. Cooper,

Laid on table, and 50 copies ordered to be printed.

On motion of Mr. Mills

The Board adjourned.

TUESDAY MORNING,  
December 13, 1859. }

At 10 o'clock the Board met.

President in the Chair.

Prayer was offered by the Rev. Santord Haines.

No quorum being present, a call of the house was ordered, pending which, the absentees appearing, further proceedings under the call were dispensed with.



The Journal of yesterday was read and approved.

### RESOLUTIONS.

Mr. Canfield

Presented the following resolution :

*Resolved*, That the Board of Education adjourn without day on Tuesday, the 20th inst.

On motion of Mr. Cooper,

This resolution was laid on the table.

### COMMITTEE OF THE WHOLE.

The Board then resolved itself into Committee of the whole for the consideration of Mr. Cooper's bill—a bill for an act to provide a system of common schools.

Mr. Roszell in the Chair.

After considerable discussion, the committee rose, and through their chairman reported that they had made some progress, and asked leave to sit again at 2 o'clock this afternoon.

Leave was granted accordingly.

The following communication from Hon. Elijah Sells, Secretary of State, in reply to a resolution adopted yesterday, was received and read.

OFFICE OF SECRETARY OF STATE,  
Des Moines, Iowa, Dec. 13, 1859. }

To HON. ORAN FAVILLE,

*President of the Board of Education :*

SIR:—In compliance with a resolution passed by the Board of Education, Dec. 12th, 1859, as follows :

“ *Resolved*, That the Secretary of State be requested to furnish the officers and members of this Board each with a copy of Cushing's Manual ; also with such articles of Stationery as it has been customary to furnish to members of the General Assembly.”

I herewith lay upon your Secretary's table, twelve copies of Cushing's Manual for the use of the members of your Board.

Heretofore it has been customary to furnish to members of the General Assembly, in addition to the articles of stationery furnished your Board, *Gold Pens* and *Pen Knives*. The officers to

to whom the selection of stationery is assigned for the use of the General Assembly, were of the opinion that *Pen Knives* and *Gold Pens* were not essential to secure wise, prudent, and speedy legislation ; that the advantage to be derived from their use is not commensurate with the expense, and hence were omitted in selecting stationery for the use of the General Assembly.

It would afford me pleasure to be able to comply fully with any request that your Board may see proper to make, but in this instance, I know of no fund that can be applied to the purchase of Pen Knives and Gold Pens for the use of the members of the Board of Education.

Very Respectfully,

ELIJAH SELLS,  
Secretary of State.

On motion of Mr. Cooper,

This was laid on the table.

The Board then adjourned till two o'clock this afternoon.

### TUESDAY AFTERNOON.

At 2 o'clock the Board met pursuant to adjournment.

President in the chair.

The Board immediately resolved itself into committee of the whole for the consideration of the special order for this hour.

Mr. Roszell in the Chair.

After some discussion, the committee rose, and through their chairman reported that they had made some progress and asked leave to sit again to-morrow morning at 10 o'clock.

Leave was granted.

On motion of Mr. Mills,

The Board then adjourned.

WEDNESDAY MORNING,  
December 14th, 1859. }

At 10 o'clock the Board met.

President in the chair.

Prayer was offered by the Rev. S. Haines.

The Journal of yesterday was read and approved.



On motion of Mr. Roszell,  
The special order for this hour was postponed, and the regular order of business taken up.

#### PETITIONS AND MEMORIALS.

A petition from Tabor, Fremont county, asking for certain amendments to the school law was received and read, and

On motion of Mr. Canfield,  
Referred to a special committee.

The chair appointed as such committee, Messrs. Canfield, Mills, and Perry.

A communication from Pee Dee, Cedar county, was received, read, and

On motion of Mr. Roszell,  
Referred to the committee on judiciary.

#### RESOLUTIONS.

Mr. Hildreth

Offered the following resolution :

*Resolved*, That eight hundred copies of the printed report of the Secretary of the Board of Education be distributed to the members of the Board, and that two hundred copies of the same be retained by the Secretary for the use of his office.

Which was adopted.

#### COMMITTEE OF THE WHOLE.

The Board now resolved itself into committee of the whole for the further consideration of Mr. Cooper's bill for an act to provide a system of common schools.

Mr. Roszell in the chair.

After some time spent in discussion, the committee rose and through their chairman, reported progress and asked leave to sit again at 2 o'clock this afternoon.

Leave was granted.

On motion of Mr. Cooper,  
The Board adjourned till 2 o'clock this afternoon.

#### WEDNESDAY AFTERNOON.

At 2 o'clock the President called the Board to order.

The Board immediately resolved itself into committee of the whole for the further consideration of Mr. Cooper's bill.

Mr. Roszell in the chair.

After considerable discussion, the committee rose and through their chairman, reported that they had made some progress and asked leave to sit again to-morrow morning at 10 o'clock.

Leave was granted.

On motion of Mr. Mills,  
The Board adjourned till to-morrow morning.

#### THURSDAY MORNING, } December 15th, 1859. }

At 10 o'clock the Board met, the President in the chair.

The session was opened with prayer.

The Journal of yesterday was read and approved.

On motion of Mr. Cooper,  
The special order for this hour was deferred, to give way to the regular order of business.

#### RESOLUTIONS.

Mr. Mills

Offered the following resolution :

*Be it resolved by the Board of Education of the State of Iowa*, That all recommendations of Text Books for the use of common schools in this State, heretofore made by this Board, or any of its committees or officers, be hereby withdrawn. And the School District Boards are each left to determine all such matters in all the schools of which they have charge; *Provided*, That Act No. 7, passed by the Board of Education at its session in December, 1858, entitled "An Act prohibiting the exclusion of the Bible from the schools of the State," shall not be affected by the passage of this resolution.



On motion of Mr. Hildreth,  
This resolution was laid on the table.

Mr. Perry  
Offered the following:

*Resolved*, That an independent district system, by which the people of every single district may elect their own officers, build their own school houses, and do all other acts concerning the affairs of the district, fully recommends itself to this Board as preferable to the present complex and vexatious school system.

*Resolved*, That the past year's experience in the operation of the present school law, demonstrates to us the necessity of a change of that system, and the adoption of a system by which the people of every district may control their own school affairs—freed from all ties or obligations of every name and nature—which now unite them with other districts in whose affairs they have no real interest.

*Resolved*, That to release the several districts from any union with others, leaves them more free to transact their own school affairs, and will have a greater tendency to secure that end; and when this is done, the object of a perfect common school system is more readily attained.

The resolutions were,

On motion of Mr. Cooper,  
Laid on the table.

#### REPORTS OF COMMITTEES.

Mr. Mills,

From majority of the Judiciary Committee, to whom was re-committed their report on that portion of the Secretary's report, which was referred to them, made the following report:

*To the Board of Education:*

Your Committee, to whom was referred the within report, have re-considered the same, and the undersigned being a majority thereof, have discovered no reasons for changing their report. We therefore respectfully ask that it be accepted, and your committee discharged from the further consideration thereof.

(Signed)

DAN MILLS, *Ch'n.*

F. M. CONNELLY.

Mr. Perry,

From minority of the same committee, made the following report:

*To the Board of Education of the State of Iowa:*

The undersigned, being one of the Judiciary Committee to which was re-committed that portion of the report of the Secretary of the Board, which relates to the subject of taxation, begs leave to submit the following, by way of a minority report:

The question involved, is—Can the Board of Education provide such *needful* rules and regulations as may be necessary to enable the people of the several school districts to levy taxes for building school houses, and for incidental purposes?

It is claimed by the majority of the committee, that the Constitution, 9th Art., 10th Sec.—provides that the Board shall not make any appropriation of money, or levy a tax; and hence, the Board is prohibited from making any rule or regulation, or from providing the manner in which the people may levy a tax.

It is also claimed, that inasmuch as the Board does not possess the power to levy a tax, that it cannot authorize the people to do so. At this point they lose sight of the fact that the people have never delegated to the Board the taxing powers. This power is in the people, and they are not dependent upon the Board for its exercise. It is certainly true that the Board cannot give to the people the right to levy a tax. The Board has not this power to give. The true question is, as has been stated, can the Board provide the system—define the manner—or provide the rule or regulation by which the people may do this. The 9th Art. of the Constitution provides, that the Educational interest of the State shall be under the control of a Board of Education—that this Board shall make all needful rules and regulations in relation to common schools—and shall provide a *system* of common schools by which a school shall be taught in each school district, at least three months in every year—and any district failing to keep up and support such school for two consecutive years, shall be deprived of its proportion of the school fund.

If the Board cannot make this regulation, they cannot provide the system as contemplated by the Constitution. No one will deny but that the regulation is a needful one. If this is so, and it relates to common schools, the Constitution has expressly given the Board the power to make the said regulation. It will be borne in mind, that the Constitution contemplated that the Board shall make the entire system, without the aid or intervention of the legislature. The latter has no original power of legislation,



in relation to the making of any part of our school system. It is only a supervisory power which the General Assembly can exercise over the acts passed by the Board.

Then, inasmuch as the raising of money by taxation, is necessary to enable the people to act under, and carry out the system—any rule or regulation the Board may make for that purpose, is needful—and is authorized by the Constitution—and if the people are left without this regulation, there is no other tribunal possessing original powers of legislation on the subject which can provide for them a system of common schools, and the youth of this State will never be able to receive the benefits of our common school fund.

The construction given the Constitution, by the majority of the committee, sets at nought the action of the framers of that instrument, and in fact, it overrides the Constitution itself, leaving its provisions meaningless.

Well may the people complain of the action of the Board, if this view shall be entertained.

(Signed)

T. B. PERRY.

Mr. Roszell

Moved that a report of the majority of said committee be concurred in.

Mr. Cooper

Moved that both reports lie upon the table.

This latter motion prevailed.

#### COMMITTEE OF THE WHOLE.

The Board now resolved itself into committee of the whole to resume the consideration of Mr. Cooper's bill.

Mr. Roszell in the chair.

After a long discussion, the committee rose, and through their chairman reported that they had finished the consideration of the same, made certain amendments thereto, and recommended the concurrence of the Board therein.

Mr. Hildreth

Moved that the bill with amendments be referred to the committee on school district organization and elections.

Carried.

On motion, Mr. Roszell

Was added to the committee on school district organization and elections.

On motion of Mr. Cooper,  
The Board adjourned till 2 o'clock this afternoon.

#### THURSDAY AFTERNOON.

At 2 o'clock the President called the Board to order.

Mr. Mills

From judiciary committee, to whom was referred a communication from Pee Dee, Cedar county, now made a report thereon.

Mr. Cooper

Moved that the report be accepted and adopted.

Mr. Roszell

Moved that this motion be laid upon the table.

Which latter motion prevailed.

#### COMMITTEE OF THE WHOLE.

The Board now, upon motion of Mr. Cooper, resolved itself into committee of the whole for the consideration of Mr. Roszell's bill—"a bill for an act to amend an act entitled 'an act to provide for a system of common schools.' "

Mr. Cooper in the chair.

After discussion, the committee rose, and through their chairman reported progress and asked leave to sit again to-morrow morning at 10 o'clock.

Leave was granted accordingly.

On motion of Mr. Canfield,

The Board adjourned till to-morrow morning.

#### FRIDAY MORNING, December 16th, 1859. }

At 10 o'clock the President called the Board to order.

Prayer was offered by the Rev. T. H. Canfield.

The Journal of yesterday was read and approved.



## PETITIONS AND MEMORIALS.

Mr. Connelly

Presented a memorial from teachers of Cedar county, Iowa, praying that the school law be retained in its present form.

This was, on motion of Mr. Mills, referred to the committee on revision.

## COMMITTEE OF THE WHOLE.

The Board now again resolved itself into committee of the whole for the further consideration of Mr. Roszell's bill for "an act to amend an act entitled 'an act to provide a system of common schools.'"

Mr. Cooper in the chair.

Some time was spent in the consideration of the same when the committee rose, and through their chairman reported further progress, and asked leave to sit again this afternoon at 2 o'clock.

Leave was granted.

On motion of Mr. Roszell,

The Board adjourned till 2 o'clock this afternoon.

## FRIDAY AFTERNOON.

At 2 o'clock the Board was called to order by the President.

## COMMITTEE OF THE WHOLE.

The Board immediately went into Committee of the Whole to resume consideration of Mr. Roszell's bill.

Mr. Cooper in the Chair.

After considerable discussion, the Committee rose, and reported that they had made further progress, and asked leave to sit again to-morrow morning at 10 o'clock.

Leave was granted accordingly.

On motion of Mr. Mills

The Board adjourned.

SATURDAY MORNING,  
December 17th, 1859. }

At 10 o'clock the President called the Board to order.

Prayer was offered by the Rev. I. P. Teter.

No quorum being present, a call of the House was ordered, and the following members found to be absent, to-wit:

Messrs. Canfield, Lowe, Mitchell and Perry.

A quorum soon appearing, further proceedings under the call were dispensed with.

The Journal of yesterday was read and approved.

On motion of Mr. Hildreth,

The special order for this hour was postponed, and the regular order taken up.

## RESOLUTIONS.

Mr. Hildreth

Offered the following preamble and resolution:

WHEREAS, Samuel Storrs Howe has, by his wanton, malicious and unprovoked attacks upon officers and members of this Board, shown himself unworthy to participate in the privileges usually extended to reporters; therefore,

*Resolved*, That his conduct in publishing such attacks meets our most unqualified censure.

On motion of Mr. Cooper

Mr. Howe was allowed the privilege of the floor for the purpose of explanation, should he desire to make any.

Mr. Canfield

Moved that the preamble and resolution be laid upon the table, which motion was lost.

Upon the passage of the resolution, the yeas and nays were demanded.

Mr. Cooper

Asked to be excused from voting.

Upon this the yeas and nays were called.

The yeas were

Messrs. Brainard, Connelly and Perry—3.

The nays were

Messrs. Canfield, Hildreth, Mills and Roszell—4.

So Mr. Cooper was not excused.

Mr. Perry

Stated that he had been absent during the discussion, and asked to be excused.



He was excused accordingly.

Mr. Brainard

Also asked to be excused.

He was not excused.

The yeas and nays upon the resolution were as follows:

Yeas—Messrs. Hildreth and Mills—2.

Nays—Messrs. Brainard, Cooper, Canfield and Roszell—4.

So the resolution was lost.

Pending the call of the roll,

Mr. Cooper explained his vote.

Mr. Connelly also explained his vote.

### REPORTS OF COMMITTEES.

Mr. Canfield,

From Special Committee, to whom was referred a petition from inhabitants of Tabor, Fremont county, made the following report:

*To the Board of Education:*

Your committee, to whom was referred a petition, and accompanying documents from Tabor, and vicinity, have had the same under consideration, and beg leave to report:

*First*—That inasmuch as the petitioners ask for special legislation, the Board of Education has no constitutional power to grant the prayer of the petitioners.

*Second*—The wants of the petitioners are fully met by a provision in bills already pending before this body, and therefore, deem that no further action is called for in the case.

They ask to be discharged.

(Signed) **THOMAS H. CANFIELD,**  
*Chairman.*

The report was accepted and the committee discharged.

### COMMITTEE OF THE WHOLE.

The Board now resolved itself into Committee of the Whole for the further consideration of Mr. Roszell's bill,

Mr. Cooper in the chair.

After discussion the committee rose, and through their chairman reported back the bill, with sundry amendments, in which they ask the concurrence of the Board.

On motion of Mr. Hildreth,

The bill and amendments were referred to the committee on School District Organization and Elections.

On motion of Mr. Cooper,

The Board adjourned.

MONDAY MORNING, }  
December 19th, 1859. }

At 10 o'clock the Board met, the President in the chair.

Prayer was offered by the Rev. I. P. Teter.

Journal of yesterday was read and approved.

### INTRODUCTION OF BILLS.

By general consent, Mr. Perry introduced a bill for an act to amend an act entitled "An act to provide a system of Common Schools," which was, on his motion, laid on the table, and fifty copies ordered to be printed.

### UNFINISHED BUSINESS.

On motion of Mr. Canfield,

The bill for an act to amend the act providing for the election and defining the duties of the Secretary of the Board of Education, was taken from the table that it might be further considered.

The question pending being upon striking out section 3 of the bill under consideration, and thus retaining in the law the sections providing for the travelling duties of the Secretary, the yeas and nays were demanded.

They were as follows:

Yeas—Messrs. Brainard, Canfield, Hildreth and Lowe—4.

Nays—Messrs. Cooper, Connelly, Mitchell, Mills, Perry and Roszell—6.

So the amendment was lost.

Mr. Hildreth

Moved as a substitute for Sec. 5 of the bill under consideration, the following:



Sec. 5—All of Section 20 after the word “act,” in the third line thereof, is hereby stricken out, except the words “to be audited and paid as the salaries of other State officers.”

To this, Mr. Canfield

Moved an amendment by which the salary of the Secretary should be reduced to \$1,200; and upon this, the ayes and noes were called.

The yeas were,

Messrs. Canfield, Connelly and Mills—3.

The nays were,

Messrs. Brainard, Cooper, Hildreth, Mitchell, Lowe, Perry and Roszell—7.

So the amendment did not prevail.

The question then recurring upon Mr. Hildreth's substitute, the yeas and nays were demanded, and the substitute adopted.

The yeas were,

Messrs. Brainard, Cooper, Hildreth, Lowe, Mitchell, Mills, Perry and Roszell—8.

The nays were,

Messrs. Canfield and Connelly—2.

Pending the call of the roll,

M. Lowe explained his vote.

On motion of Mr. Roszell,

The 11th rule was suspended; the bill under consideration read a third time and put upon its final passage.

The yeas were,

Messrs. Cooper, Mitchell, Mills, Perry and Roszell—5.

The nays were,

Messrs. Brainard, Canfield, Connelly, Hildreth and Lowe—5.

The bill not receiving a majority of the votes of the whole Board, was then lost.

On motion of Mr. Roszell,

The Board adjourned till to-morrow morning.

TUESDAY MORNING, }  
December 20th, 1859. }

At 10 o'clock the Board was called to order by the President.

Prayer was offered by the Rev. Mr. Summerbell.

The Journal of yesterday was read and approved.

#### REPORTS OF COMMITTEES.

The committee on School District Organization and Elections, made the following report:

Your committee, to whom was referred a bill for “An Act to provide a system of common schools,” and also a bill to amend “An Act to provide a system of common schools,” have had the same under consideration, and beg leave to report the accompanying bill as a substitute for both.

(Signed)

S. F. COOPER,

A. B. F. HILDRETH,

O. H. P. ROSZELL,

*Com. on S. D. Organization and Elections.*

On motion of Mr. Canfield,

The substitute was laid on the table and made the special order for this afternoon at 2 o'clock.

#### COMMUNICATIONS.

A communication from Timothy Mason, County Superintendent of Dubuque county, was received and read, and

On motion of Mr. Perry,

Referred to Mr. Roszell.

#### UNFINISHED BUSINESS.

Mr. Perry

Moved that the resolutions introduced by him at a previous day and laid upon the table, be now taken up for consideration.

Which motion was lost.

Mr. Canfield moved

That the election of Secretary of the Board of Education, and of Trustees of the State University, in place of those whose terms first expire, be made the special order for to-morrow at 2 o'clock, which motion prevailed.

On motion of Mr. Perry,

The bill introduced by him—a bill for “an act to amend an act entitled an act to provide a system of common schools, approved December, 1858”—was taken up.



He now moved to amend Section 13 thereof, by inserting in the same as follows :

"It shall be the duty of the County Judge to make the report to the Secretary of the Board of Education, as required to be made by the County Superintendent, by the act to which this is amendatory,"

Which amendment was adopted.

Other verbal amendments were offered, and unanimously concurred in.

#### NOTICES OF BILLS.

Mr. Canfield

Gave notice of the introduction of a bill for an act to amend "an act to provide for the election, and to define the duties of the Secretary of the Board of Education."

On motion of Mr. Roszell,

The Board adjourned till 2 o'clock this afternoon.

#### TUESDAY AFTERNOON.

The Board was called to order at 2 o'clock.

#### SPECIAL ORDER.

The special order for this hour—the bill reported this morning from the committee on School District Organization and Elections—was now taken up, when Mr. Roszell moved to suspend the 11th rule, read the bill a third time and put it upon its final passage,

Which motion prevailed.

The bill was now read a third time, and upon its passage,

The yeas were,

Messrs. Brainard, Cooper, Canfield, Connelly, Hildreth, Lowe, Mitchell and Roszell—8.

The nays were

Messrs. Mills and Perry—2.

So the bill passed and its title was agreed to.

Pending the call of the roll,

Messrs. Lowe and Mills explained their votes.

#### INTRODUCTION OF BILLS.

Mr. Cooper

Had unanimous consent to introduce a bill for an act to amend act No. 4 of the last session.

It was read twice, and on his motion, the 11th rule was suspended and the bill read a third time. It was then re-committed to a special committee, consisting of Mr. Cooper.

#### RESOLUTIONS.

Mr. Roszell

Offered the following resolution :

*Resolved by the Board of Education of the State of Iowa, That when this Board proceed to elect a Secretary, said election shall be by ballot, and that the person having a majority of all the votes cast, shall be declared duly elected.*

Mr. Perry

Moved to strike out the words "by ballot," and insert "viva voce,"

Which motion was lost.

The resolution was then adopted.

Mr. Mills

Now called up from the table his resolution concerning text books.

It was lost.

#### REPORTS OF COMMITTEES.

Mr. Cooper,

Committee to whom was re-committed a bill for an act amendatory of Act No. 4, of last session, made the following report :

Your committee, to whom was re-committed a bill for an act to amend "an act providing for the publication of the laws of the Board of Education in the several counties of the State," begs leave to report back the same with the addition of the following clause as an amendment, to wit :

"This act to take effect from and after its publication in the Daily Iowa School Journal," and recommend its passage.

(Signed)

S. F. COOPER,



Upon motion of Mr. Lowe,

The bill and reported amendment were laid upon the table and made special order for to-morrow morning at 10 o'clock.

On motion of Mr. Roszell,

The Board adjourned.

WEDNESDAY MORNING,  
December 21th, 1859. }

The Board met at 10 o'clock, the President in the chair.

Prayer by the Rev. Mr. Summerbell.

The Journal of yesterday was read and approved.

On motion of Mr. Canfield,

The special order for this hour was deferred, and the regular order of business taken up.

#### PETITIONS AND MEMORIALS.

Mr. Roszell

Presented a communication from B. Roberts, County Superintendent of Buchanan county, asking for certain instructions relative to the school law.

It was referred, on motion, to the committee on Revision.

A communication from T. Steed, County Superintendent of Black Hawk county, was received and read, and

On motion of Mr. Mills,

Laid on the table.

#### INTRODUCTION OF BILLS.

Mr. Canfield,

In pursuance of notice, now introduced a bill to amend an act entitled "an act to provide for the election, and to define the duties of the Secretary of the Board of Education."

It was read twice, and

On motion of Mr. Cooper,

Referred to the committee on Revision, with instruction to report this afternoon.

Mr. Roszell

Had unanimous consent to introduce a bill for an act concerning appeals.

It was read twice, and on his motion, referred to committee on Judiciary, with instructions to report to-morrow morning.

#### REPORTS OF COMMITTEES.

Mr. Roszell,

From the Committee on Revision, made the following report:

The committee on Revision, to whom was referred the bill of Mr. Hildreth, for an act to amend Act No. 8 of the Board of Education, of the last session, beg leave to report that they have had the same under consideration, and respectfully report the same back to the Board, and recommend its indefinite postponement; as in the opinion of your committee, the amendment prayed for is at variance with the whole tenor and intention of the school system.

Signed, O. H. P. ROSZELL, Ch'n.

The report was adopted, and the committee discharged from further consideration of the subject.

Mr. Roszell

From the same committee, made the following report:

The Committee on Revision, to whom was referred the petition of the County Superintendent of Louisa county, relative to graded certificates, have had the same under consideration, and beg leave to report that, in their opinion, the evil complained of by the petitioner would not be remedied by the action prayed for, and at the same time such an enactment would be adding machinery to a school system already sufficiently complex. Your Committee can see no objection to the County Superintendent's noting the comparative qualifications of teachers on the certificates given by them, under the law as it now stands, and are of opinion that the whole matter may be safely left to the school officers, without further legislation on the part of the Board.

O. H. P. ROSZELL,

Chairman.

The report was accepted.

Mr. Roszell,

From the same Committee, also made the following report:



*To the Board of Education :*

The Committee on Revision, to whom was referred the memorial of J. W. Reader and others, Executive Com. of the Teachers' Association, have had the same under consideration, and beg leave to report, that we are unwilling to recommend a strict compliance with the wishes of the memorialists, in view of the many defects which your Committee conceive to exist in the former acts of this Board. But we trust the changes made at this session of the Board will receive the approval of the memorialists, and will be found not to impair, but to increase the efficiency of the school system of the State.

Signed, O. H. P. ROSZELL,

*Chairman.*

The report was accepted, and the Committee discharged from further consideration of the subject.

The same Committee, through Mr. Roszell, also made the following report :

The Committee on Revision, to whom was referred a bill offered by Mr. Mills, for an act to amend an act entitled "an act to provide a system of Common Schools," have had the same under consideration, and beg leave to report the same back to the Board with a recommendation that it be indefinitely postponed.

Signed, O. H. P. ROSZELL,

*Chairman.*

The report of the Committee was adopted.

Mr. Roszell,

From same Committee, made also the following :

The Committee on Revision, to whom was referred bill (No. 2) for an act to amend section 19 of act No. 8, passed at the last session of the Board, have had the same under consideration, and respectfully report the same back to the Board and recommend its indefinite postponement, believing that the necessary amendment has already been incorporated in the general amendatory act passed by the Board.

Signed, O. H. P. ROSZELL,

*Chairman.*

The report of the Committee was adopted.

Mr. Roszell,

From Special Committee, also made the following :

*To the Board of Education  
of the State of Iowa :*

Your committee to whom was referred the communication of the County Superintendent of the County of Dubuque, has had the same under consideration and would respectfully report, that in his opinion the true policy of the State is to apply the school funds to the instruction of the youth of the State, and that such instruction should be given in the English language.

The interests and happiness of the youth of our State speaking a foreign tongue, require that they be so taught, not only because as citizens of this country, their business relations with the government, with societies and with individuals must be carried on almost exclusively in the English language; but because that national prejudice which often interferes with the political rights and social relations of the foreigner will be soonest and most surely and easily overcome by his assimilation to the language, education and customs of our people.

Your committee is satisfied that the course of the Superintendent in the case reported is judicious, and feeling confident that this matter may be safely entrusted to the wisdom and discretion of those officers whose duty it is to administer our school laws, would recommend no legislation in the matter.

Referring to that portion of the communication which expresses the hope that this Board will annihilate the sub-districts, your committee is of the opinion that in the populous counties like Dubuque, where possibly, nearly all districts have a school house erected under some previous law, or in the very thinly settled portions of the State, where *none* are erected, such a step might not be injurious. But the experience of the past two years clearly indicates, if it does not demonstrate, to your committee that in the moderately settled counties comprising by far the largest portion of the State, where a few and but a few have been erected, the construction of school houses by voluntary taxation (and no other taxation for that purpose would receive the sanction of your committee, or is within the power of this Board) under the township system, cannot be successfully accomplished. A dislike to aid others to do what themselves have done unaided, influences some; a fear that after aiding others, they may by change of law, be compelled to build unaided, or an unwillingness to be taxed at all, influences others;



and the result is that the townships almost uniformly refuse to vote taxes for school houses, and in view of this fact which is well attested by members of this Board, your committee would recommend that sub-districts be not annihilated, and heartily concurs in the action of this Board, tending to give them power to build school houses for their own use.

For the substantial fulfillment of the other hopes expressed in the communication referred, your committee will most cordially co-operate with the members of this Board, and sincerely trusts that no part of the laws enacted at this session will be found ambiguous or give rise to litigation.

O. H. P. ROSZELL, Committee.

The report was concurred in, and the committee discharged from further consideration of the subject.

#### BILLS ON THIRD READING.

The bill introduced by Mr. Perry, for an act to amend an act to provide a system of common schools, approved Dec. 1858, now coming up, it was on motion of Mr. Hildreth, indefinitely postponed.

#### SPECIAL ORDER.

The special order—Mr. Cooper's bill for an act to amend act No. 4 of last session was now taken up.

The amendment reported from committee was adopted.

Mr. Perry

Now offered a substitute for the bill under consideration, as follows:

"The acts passed by the Board of Education at the present session thereof, shall within ten days after the adjournment of this Board be published in the Iowa Weekly Citizen, Iowa State Journal and the Iowa School Journal.

This act to take effect and be in force from and after its publication in the Iowa School Journal."

Mr. Cooper

Offered an amendment to the substitute, by which the "Iowa Instructor" and "Literary Advertiser" should be included in the list of papers.

Which amendment was adopted.

The whole substitute was then lost.

The question now recurring upon the final passage of the bill, the yeas and nays were as follows:

Yeas—Messrs. Cooper, Canfield, Connelly, Hildreth, Lowe and Mitchell—6.

Nays—Messrs. Mills, Perry and Roszell—3.

Pending the call of the roll, Mr. Roszell explained his vote.

There not being a constitutional majority necessary to pass the bill, it was lost.

On motion of Mr. Canfield,

The vote by which the bill was lost, was re-considered.

On motion of Mr. Hildreth,

The bill was laid on the table and made the special order for 2 o'clock.

#### RESOLUTIONS.

Mr. Lowe

Introduced the following resolution:

*Resolved*, That it is the sense of this Board that the counties should be responsible in their corporate capacity for the principal and annual interest of the school funds held by them respectively.

The resolution was adopted.

On motion of Mr. Canfield,

The Board adjourned till 2 o'clock.

#### WEDNESDAY AFTERNOON.

At 2 o'clock the Board met.

President in the Chair.

#### SPECIAL ORDERS.

The special order for this hour—the election of trustees of State University and of Secretary of the Board of Education—was now taken up.

The election by ballot for Trustees of the State University was first proceeded with.

Mr. Lowe

Nominated the present incumbents,

Messrs. J. M. Griffith, C. O. Waters and L. F. Parker.



Mr. Roszell  
 Nominated Mr. H. A. Wiltse.  
 Mr. Perry  
 Nominated Mr. J. A. Williamson.  
 Mr. Hildreth  
 Nominated Hon. O. Faville.  
 Mr. Canfield  
 Nominated Mr. Wm. Crum.  
 Mr. Mills  
 Nominated Dr. Wm. P. Davis.  
 Messrs. Griffith, Waters and Parker receiving the requisite number of votes, were declared duly elected.

The Board now proceeded to ballot for Secretary, when it appeared that

T. H. Benton, Jr., had received.....	7	votes.
J. A. Williamson, " " .....	2	" "
T. H. Canfield, " " .....	1	" "

Mr. Benton

Having received a majority of all the votes cast, was declared duly elected.

The special order—Mr. Cooper's bill to amend act No. 4 of last session—now coming up it was put upon its final passage.

Those voting yea were,

Messrs. Brainard, Cooper, Canfield, Connelly, Hildreth, Lowe and Mitchell—7.

Those voting nay were,

Messrs. Mills, Perry and Roszell—3.

So the bill passed and title was agreed to.

On motion of Mr. Hildreth,

The Board adjourned.

THURSDAY MORNING, }  
 December 22d, 1859. }

At 10 o'clock the Board met, the President in the Chair.

Prayer was offered by the Rev. J. H. Young.

The Journal of yesterday was read and approved.

## RESOLUTIONS.

Mr. Canfield

Offered the following resolution :

*Resolved*, That the Board of Education adjourn *sine die* on Friday, the 23d inst.

Mr. Cooper

Moved to amend by striking out "Friday" and inserting "Saturday,"

Which amendment prevailed, and the resolution, as amended, was adopted.

## INTRODUCTION OF BILLS.

Mr. Roszell

Had unanimous consent to introduce a bill for an act to amend an act entitled "an act to provide for the election and to define the the duties of the Secretary of the Board of Education."

It was read twice, when

Mr. Perry

Moved to amend the bill by inserting a new section as follows :

SEC. 4. The word "each" in the begining of the third line of section 9, the final "s" in the word "journals" in the same line, and all in the section after the word "education" in the 6th line, are hereby stricken out.

The amendment was adopted.

On motion of Mr. Roszell,

The 11th rule was now suspended, the bill read a third time and put upon its final passage.

The yeas were

Messrs. Brainard, Lowe, Perry and Roszell—4.

The nays were

Messrs. Cooper, Canfield, Connelly, Hildreth, Mitchell and Mills—6.

So the bill was lost.

Mr. Lowe,

Having voted in favor of the passage of an act to amend an act providing for the publication of the laws of the Board in the several counties of the State, now moved to reconsider the vote by which the bill was passed.



Upon this motion the yeas and nays were called.

They were as follows:

Yeas—Messrs. Canfield, Lowe, Mills, Perry and Roszell—5.

Nays—Messrs. Brainard, Cooper, Connelly, Hildreth and Mitchell—5.

There being a tie, the President voted in the negative, and thus the motion to re-consider was lost.

### REPORTS OF COMMITTEES.

Mr. Cooper,

From the special committee on Teachers' Institutes, made the following report:

Your committee, to whom was referred the subject of Teachers' Institutes, have had the same under consideration.

Your committee deem the subject one of vital importance to the interest of Common Schools, and are clearly of opinion that in no way can our school system be rendered more popular and efficient than by fostering with a liberal hand Teachers' Institutes throughout the State.

Your committee are of the opinion that this may be effected without any increased expenditure in our school system, since by the present law, the salary of the County Superintendent has been greatly reduced; and the amount thus saved, it is believed, will be, with the appropriation already made by law, amply sufficient to defray the expenses of an Institute at least four weeks in each year, in every county of the State.

The committee are, however, of the opinion that this Board has no power thus to direct for that or any other purpose, any portion of the present salary of County Superintendents, and would therefore leave it to the wisdom and intelligence of the Legislature to make such appropriations as they may think desirable.

Signed,

S. F. COOPER,

I. J. MITCHELL,

O. H. P. ROSZELL,

*Committee on Teachers' Institutes.*

The report was accepted and the committee discharged.

Mr. Cooper,

From special committee, made the following report:

Your committee, to whom was referred the petition of Reuben

Stephenson and seventy other citizens of Adams county, asking the re-enactment of the law relating to County High Schools, beg leave to report that they have had the same under consideration.

Your committee are of the opinion, that the establishment of a County High School under the law referred to, would be warmly seconded in some of the more populous counties of the State, and would result in the greatest good; but, your committee have ample evidence of the fact, that the law on that point, while in force, met with great disfavor, and proved insufficient and useless in a large majority of the counties throughout the State; and your committee therefore recommend that the petition be not granted.

Signed,

S. F. COOPER,

I. J. MITCHELL,

DAN MILLS.

The report was accepted and the committee discharged.

Mr. Roszell,

From the Committee on Revision, made the following report:

The Committee on Revision, to whom was referred the communication of the County Superintendent of Buchanan county, have had the same under consideration, and beg leave to report that, in the opinion of your committee, the subjects of said communication are not such as can be voted upon by this Board.

The Board is a legislative body, and it is for the executive and judiciary to execute and expound the laws which we may enact. Your committee therefore report the said communication back, with the recommendation that it be referred to the Secretary of this Board, and they ask to be discharged from the further consideration of the subject.

Signed,

O. H. P. ROSZELL,

*Chairman.*

The report was concurred in, and the committee discharged.

The committee on Text Books made the following majority report:

The undersigned, a majority of the committee on text books ask leave to report that they have had the same under consideration, and recommend the following:

Spellers—McGuffeys.

Readers—“ Series.

Arithmetics—Ray's “

Geometry—Robinson's.



Surveying—Robinson's.  
 Algebra—Ray's.  
 Natural Philosophy—Well's.  
 “ “ “ Science of common things.  
 Chemistry— “  
 Botany—Gray's.  
 History—Wilson's.  
 Physiology—Hooker's.  
 Book Keeping—Palmer's.  
 Grammar—Bullion's.  
 Trigonometry—Robinson's.  
 Astronomy—Brocklesby's.  
 Meteorology— “  
 Writing—Spencerian System.  
 Geology—Hitchcock's.  
 Music—Bradbury's School Music.  
 Dictionary—Webster's.

The committee would further represent that they have had under consideration several works on Geography, and find them all grossly incorrect so far as the map of Iowa and other western States are concerned, in relation to location of streams and towns. They also find great errors in relation to the population of the cities and towns of Iowa. Your committee being of the opinion that the above named errors are entirely owing to the neglect of the revisors and publishers of such works, decline making any recommendation in relation to Geography for the present, but would recommend that the Secretary of the Board of Education be instructed so soon as any work on Geography may be revised or published as nearly correct as (in his opinion) may reasonably be expected, that he recommend the same.

All of which is respectfully submitted.

I. J. MITCHELL, Chm'n.

D. E. BRAINARD.

On motion of Mr. Roszell,  
The report was laid on the table.

#### COMMUNICATIONS.

A communication from the publishers of the Iowa School Journal was received and read, and

On motion of Mr. Perry,

It was referred to the committee on printing, with instructions to report this afternoon.

On motion of Mr. Connelly,  
The Board adjourned till 2 o'clock this afternoon.

#### THURSDAY AFTERNOON.

At 2 o'clock the Board met pursuant to adjournment.

A communication from Samuel Storrs Howe, offering the columns of the "Literary Advertiser and Public School Advocate," as a medium for giving publicity to the decisions of the Secretary of the Board, and another from J. H. Sanders, on behalf of the "Iowa Instructor," making the same tender, were received and read, and on motion, referred to printing committee.

#### REPORTS OF COMMITTEES.

Mr. Hildreth

From the financial committee, made the following report:

The Financial Committee respectfully report, that the following named persons are members of the Board of Education of the State of Iowa, and that they are entitled to the following *per diem* and mileage for attending the session of the Board for December, 1859, viz:

T. B. Perry.....	2d District.....	\$ 66 00
D. E. Brainard... 4th	" .....	120 00
Dan Mills..... 5th	" .....	78 00
S. F. Cooper .... 6th	District.....	78 00
T. H. Canfield... 7th	" .....	141 00
F. M. Connelly .. 8th	" .....	90 00
O. H. P. Roszell.. 9th	" .....	120 00
A. B. F. Hildreth 10th	" .....	135 00
I. J. Mitchell..... 11th	" .....	72 00
Gov. R. P. Lowe, <i>Ex-officio</i>	.....	105 00
Oran Faville, President	.....	213 00

We also beg leave to report that F. Michael is entitled to fifty (\$50) dollars, for services as Janitor to the Board during the present session.

We further report that the publishers of the Daily Iowa School Journal are entitled to two hundred (\$200) dollars for six hundred



copies of said publication furnished to the officers and members of the Board of Education during the present session.

All of which is respectfully submitted,

Signed, A. B. F. HILDRETH,  
*Chairman.*

Mr. Perry

Moved to lay this report on the table,

Which motion was lost.

The report was then adopted.

A majority of the Committee on Revision, through Mr. Canfield, reported back the bill for an act to amend the act defining the duties of Secretary, introduced by him, and recommended its passage without amendment.

The bill was now read a third time and put upon its final passage.

The yeas were

Messrs. Brainard, Cooper, Canfield, Connelly, Mitchell and Mills—6.

The nays were

Messrs. Hildreth, Perry and Roszell.

There not being a constitutional majority voting for the bill, it was lost.

Mr. Hildreth,

From the Committee on Printing, made the following report:

The Committee on Printing, to whom was referred the several propositions of different Educational Journals, beg leave to report by recommending the adoption of the following resolution:

*Resolved*, That in view of the several propositions made to this Board by the publishers of the several educational journals of the State, the Board recommend to the Secretary to cause such official communications as he may desire to publish, to be made through the columns of the "Iowa School Journal" and "Iowa Instructor."

Signed, A. B. F. HILDRETH,  
*Chairman of Com. on Printing.*

On motion of Mr. Perry

The Resolution was laid upon the table.

The Committee on Judiciary made the following report:

The undersigned, members of the Judiciary Committee, to whom was referred a bill for an act to provide for appeals, beg leave to report that they have had the same under consideration, and rec-

ommend the accompanying bill as a substitute for the one which they have had under consideration.

Signed,

DAN MILLS,  
T. B. PERRY,  
F. M. CONNELLY,  
*Committee on Judiciary.*

On motion of Mr. Perry,

The 11th rule was suspended, the substitute read a third time and put upon its final passage.

Those voting yea were

Messrs. Brainard, Cooper, Canfield, Connelly, Hildreth, Mitchell, Mills, Perry and Roszell—9.

None voted in the negative.

So the bill passed and its title was agreed to.

#### INTRODUCTION OF BILLS.

Mr. Cooper

Had unanimous consent to introduce a bill for an act to amend Act No. 12 of last session, relative to the introduction of Webster's Dictionary into the Common Schools of the State.

It was read twice, and sundry verbal amendments unanimously concurred in, when,

On his motion,

The 11th rule was suspended, the bill read a third time and put upon its final passage.

Those voting yea were

Messrs. Brainard, Cooper, Canfield, Connelly, Hildreth, Mitchell, Mills, Perry and Roszell—9.

None voted nay.

So the bill passed and its title was agreed to.

Mr. Cooper

Had also unanimous consent to introduce a bill for an act to amend Act No. 11 of the last session of the Board.

It was read twice and laid on the table.

Mr. Canfield

Moved to adjourn,

Which motion was lost.

Mr. Mills

Had unanimous consent to introduce a bill for an act providing for the boundaries of districts in certain cases.



It was referred to the Committee on School District organization and elections.

Mr. Canfield

Moved to adjourn.

Lost.

### RESOLUTIONS.

Mr. Hildreth

Offered the following resolution :

*Resolved*, That the proposition of Mills Brothers be accepted, and that the Secretary of the Board be requested to make the *Iowa School Journal* the medium through which to communicate his official decisions.

Mr. Perry

Moved as a substitute, the following :

*Resolved*, That the *Iowa School Journal* and the *Iowa Instructor* be the organs through the columns of which the Secretary of the Board of Education may make his official communications.

Mr. Brainard

Moved to amend the substitute by adding the "Literary Advertiser and Public School Advocate."

Which amendment prevailed, and the substitute as amended was adopted.

Mr. Canfield

Moved to adjourn.

The motion was lost.

On motion of Mr. Cooper

The report of the majority of the Committee on Text Books was taken up.

Mr. Mills

Moved to lay it again on the table, and make the consideration thereof the special order for 2 o'clock to-morrow.

The vote thereon being a tie, the President voted in the affirmative, and Mr. Mills' motion thus prevailed.

On motion of Mr. Mills

The Board adjourned till to-morrow morning.

FRIDAY MORNING,  
December 23d, 1859. }

At 10 o'clock the Board met.

President in the Chair.

Prayer was offered by the Rev. J. H. Young.

The Journal of yesterday was read and approved.

### RESOLUTIONS.

Mr. Hildreth

Offered the following :

*Resolved*, That there be printed in pamphlet form, under the direction of the Secretary, 15,000 copies of the laws and such resolutions as are of public interest, passed by the Board of Education at its present session, together with those passed at the last session and now in force ; the necessary blank forms and Article 9 of the State Constitution, the whole to be properly arranged and indexed, and distributed according to law.

Mr. Roszell

Moved to amend by striking out "15,000" and insert "10,000."

Upon this motion, the yeas and nays were called.

The yeas were,

Messrs. Brainard, Canfield, Connelly, Perry and Roszell—5

The nays were,

Messrs. Cooper, Hildreth and Mills—3.

So the amendment was adopted, and the resolution as amended was concurred in.

### INTRODUCTION OF BILLS.

Mr. Perry

Had unanimous consent to introduce a bill to amend an act entitled "an act to provide for the election and to define the duties of the Secretary of the Board of Education."

It was read twice, when

Mr. Perry

Moved to suspend the 11th rule and put the bill on its final passage.

Mr. Cooper

Moved to lay it on the table and make it the special order for 2 o'clock.



Which motion was concurred in.

### REPORTS OF COMMITTEES.

Mr. Cooper

From the committee on school district organization and elections, made the following report :

Your committee on school district organization and elections, to whom was referred "a bill for an act to provide for the boundaries of districts in certain cases," have had the same under consideration, and beg leave to report the same back with a substitute and recommend its passage.

Signed, S. F. COOPER,  
A. B. F. HILDRETH,  
*Com. on S. D. O. and Elections.*

On motion of Mr. Roszell,

All after the enacting clause of the substitute was stricken out, and all after the enacting clause of the original inserted.

Upon motion of Mr. Canfield,

The word "uninhabited" was inserted before the word "portion."

On motion of Mr. Mills,

The 11th rule was suspended, the bill read a third time, and put upon its final passage.

The yeas and nays were as follows :

Yeas—Messrs. Brainard, Cooper, Canfield, Hildreth, Mills, Perry, and Roszell—7.

Nays—Mr. Connelly—1.

So the bill was passed.

Mr. Perry

Moved to amend the title.

The amendment proposed was lost.

Its original title was then agreed to.

Mr. Canfield,

From the committee on the State University made the following report :

*To the Board of Education of the State of Iowa :*

GENTLEMEN:—Your committee on the State University beg leave to report :

1. That it is not expedient to make any alteration in the pres-

ent law relative to the State University at the present session of the Board.

2. That 500 copies of the report of the trustees of the State University made at this session of the Board, have been printed and are ready for distribution.

Respectfully submitted,

Signed, THOS. H. CANFIELD,  
Chairman.

The report was accepted.

Mr. Hildreth

Offered the following resolution :

*Resolved,* That 250 copies of the report of the Trustees of the Iowa State University be distributed to the officers and members of the Board of Education; and that 250 copies of the same be preserved for the use of the General Assembly.

The resolution was adopted.

Mr. Roszell

Moved to adjourn.

Lost.

Mr. Perry,

Moved to adjourn till 2 o'clock this afternoon.

Carried.

The Board adjourned.

### FRIDAY AFTERNOON.

At 2 o'clock the Board met pursuant to adjournment.

Mr. Roszell

From minority of committee on text books, made the following report :

The minority of the committee on text books, respectfully reports that he is unable to agree with the majority in their recommendations.

I believe it to be for the interests of the schools and of the school system, that few if any changes be made in the text books used at the present time. In many portions of the State, great efforts have been made to obtain a uniformity of text books in the schools, and those efforts have been crowned with a good degree



of success. This success, I consider, due almost entirely to the fact that the same recommendations have been adhered to for several years, and no course has contributed so much to that end as the refusal of the Board at its last session to change the recommendations formerly made by the State Superintendents.

In several of the branches taught in our schools, no books have been recommended by this Board, and in those recommended for studies but little pursued in our common schools, changes might be made without much injury resulting therefrom.

The minority of your committee is of opinion that no change should be made except as follows:

Book-Keeping—Palmer's instead of Mayhew's.

History—Wilson's instead of Willard's.

Writing—Spencerian system.

Natural Philosophy—Well's.

Chemistry—Well's.

Physiology—Hooker's.

And would recommend, also, the following, in addition to those formerly recommended:

Geology—Hitchcock's.

Astronomy—Brocklesby's.

Meteorology—

Music—Bradbury's.

The minority of your committee concurs fully in the report of the majority, as far as relates to the Geographies, deeming that the publishers of those works have shown too little enterprise to render their publications worthy of recommendation by this Board, or suitable for use in the common schools of this State. The minority of your committee considers it very important that the youth in our schools be furnished with a Geography from which they may learn the correct topography of their own State, as well as of other States; and that the statistics contained in such works should also approximate to accuracy.

In view of the unexceptionable character of the books now in use, and from the fact that the executive officers of the school system will have abundant occupation in allaying prejudices, correcting misapprehensions, and overcoming other difficulties in the way of a successful administration of the school system, without placing upon them the odium of advising a change of text books, the minority of your committee earnestly hopes that the Board

will concur with him in leaving the matter unchanged, except as specified in this report.

(Signed)

O. H. P. ROSZELL.

This report was laid on the table.

### SPECIAL ORDER.

The special order—the consideration of the report of the majority of committee on text books, was now taken up, when

Mr. Cooper

Moved to adopt it.

Mr. Hildreth

Moved to amend it by adding after the recommendation of McGuffy's Readers—or "Sanders,"

Which amendment was adopted.

Mr. Roszell

Moved to add "Thompson's," after the recommendation of Arithmetics—"Rays."

This amendment was lost.

Mr. Mills

Moved to add "Robinson's Arithmetic," to the recommendation of the committee.

Upon this the yeas and nays were called.

They were as follows:

Yeas—Messrs. Mills and Roszell—2.

Nays—Messrs. Brainard, Cooper, Canfield, Connelly, Hildreth and Perry—6.

So this amendment was lost.

Upon the adoption of the report as amended, the yeas and nays were demanded.

Those voting yea were,

Messrs. Brainard, Cooper, Connelly, Hildreth, Mills and Perry—6.

Those voting nay were,

Messrs. Canfield and Roszell—2.

So the report was adopted.

The second special order—Mr. Perry's bill to amend the act concerning the Secretary of the Board—was now taken up, and again laid on the table.



## RESOLUTIONS.

Mr. Roszell

Offered the following resolution :

*Resolved*, That a recommendation of text books by this Board, or by its Secretary, in accordance with law, shall have the force and effect of a rule of this Board for the regulation of common schools, and not for Colleges or other incorporated institutions.

This resolution was lost.

Mr. Cooper

Asked to be excused from further attendance upon the Board.

He was excused.

Mr. Canfield

Offered the following :

*Resolved*, That the thanks of this Board be tendered to the clergymen of this city, who have been present to open our morning session with prayer.

This resolution was unanimously adopted.

Mr. Connelly

Offered the following :

*Resolved*, That F. Michael be allowed ten dollars for extra services rendered the Board of Education, in addition to the per diem allowed by said Board.

This resolution was concurred in.

Mr. Canfield

Asked for leave of absence.

He was not excused.

Mr. Hildreth

Offered the following resolution :

*Resolved*, That 10,000 copies of the "Daily Literary Advertiser and Public School advocate," which was yesterday adopted as the official organ of the Board of Education, be ordered for the use of the officers and members of the Board during the present session.

Upon this the yeas and nays were called.

Yeas—none.

The nays were,

Messrs. Brainard, Canfield, Connelly, Hildreth, Mills, Perry, and Roszell—7

So the resolution was lost.

Pending the call of the roll,

Messrs. Mills and Roszell explained their votes.

On motion of Mr. Perry,

The Board adjourned till to-morrow morning.

SATURDAY, MORNING,  
December 8th, 1859. }

At 10 o'clock the Board met.

President in the Chair.

Prayer was offered by the Rev. E. N. Waring.

The Journal of yesterday was read and approved.

On motion of Mr. Perry,

The bill for an act introduced by him to amend the Secretary act was taken up.

A call of the house was now ordered, when it appeared that

Messrs. Brainard, Canfield and Mitchell were absent without leave.

Mr. Perry's

Bill was now read a third time and put upon its final passage.

Those voting yea were,

Messrs. Connelly, Mills, Perry and Roszell—4

Those voting nay were,

Messrs. Hildreth and Lowe—2.

The bill failing to obtain the number of votes constitutionally required to pass a bill, was lost.

On motion of Mr. Roszell,

A call of the Board was again ordered, when it appeared that Messrs. Brainard, Canfield, Mitchell and Perry were absent without leave.

The absentees were sent for, but a quorum appearing, further proceedings under the call were dispensed with.

Mr. Roszell

Offered the following resolution :

*Resolved*, That Messrs. Perry and Lowe be allowed pay for the entire session of the Board, to-wit: Mr. Perry eighteen (18) dollars in addition to the amount reported by the Finance Committee, and



Mr. Lowe nine (9) dollars in addition to the amount named in the report of said Committee.

Upon motion,

This resolution was required to be divided.

Upon the question of allowing pay, as indicated by the resolution, to Mr. Perry, the yeas and nays were demanded,

Mr. Perry being excused from voting.

Those voting yea were

Messrs. Connelly, Lowe, Mills and Roszell—4.

Mr. Hildreth voted nay—1.

The question of allowing pay to Mr. Lowe was then put and carried in the affirmative.

Thus the whole resolution prevailed.

Mr. Mills

Offered the following :

*Resolved by the Board of Education of the State of Iowa,* That Josiah T. Tubby be allowed the sum of thirty-six dollars for extra services rendered during the present session of the Board.

Which was adopted.

Mr. Hildreth

Offered the following :

*Resolved,* That the thanks of this Board be and are hereby tendered the Editor and Publishers of the Daily Iowa School Journal, for their courtesies to the Board, and faithful reports of their proceedings.

This resolution was unanimously concurred in.

Mr. Perry

Offered the following resolutions :

*Resolved,* That the thanks of this Board are hereby tendered the Hon. Oran Faville, for the very able and impartial manner in which he has presided over this body at its present session, and that in him we recognize a scholar, a high-toned gentleman and liberal minded man.

*Resolved,* That we hereby tender our unreserved thanks to our esteemed friend, Josiah T. Tubby, for the very able and efficient manner in which he has discharged the duties of Secretary of our body during its present session.

Both resolutions were adopted.

Mr. Mills

Offered the following

*Resolved,* That the thanks of this Board be presented to the Hon. Thos. H. Benton, Jr., Secretary of this Board, for his courtesy and honorable bearing towards the members, and for the faithful performance of his duties as such.

Which was adopted.

Mr. Connelly,

From the Committee on Enrolled Bills, reported back bills Nos. 1, 2, 3, 4 and 5, as correctly enrolled.

Mr. Hildreth

Moved that the Board do now adjourn *sine die*.

The motion was carried, but before announcing the result, the President delivered the following address :

GENTLEMEN :—

The hour has come when we must again, and for the last time, terminate our labors as a Board. In behalf of the officers, I thank you for the kind words of your complimentary resolutions. Our duties have been rendered much less irksome by your generous forbearance, and by your devotion to the legitimate business of the session.

I trust the few changes that it has been deemed expedient to make in our school laws, will be approved by the people. Whatever may be the final result of your labors, I most cordially bear testimony to your faithfulness and zeal in behalf of the educational interests of the commonwealth.

In bidding you farewell, and retiring from these scenes of public labor, I shall bear with me, and shall ever cherish for each one of you sentiments of the highest regard.

Invoking for you the continued blessings of our common Father, I now bid you adieu, and pronounce the Board adjourned *sine die*.

Attest :

THOMAS H. BENTON, Jr.,

Sec'y of the Board of Education.

STATE OF IOWA, } SS.

I, THOMAS H. BENTON, Jr., Secretary of the Board of Education of the State of Iowa, do hereby certify that the foregoing Journal is truly copied from the original records in my office.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name, at the City of Des Moines, this 7th day of April, A. D., 1860.

THOMAS H. BENTON, Jr.,

Secretary of the Board of Education.



## RULES OF THE BOARD OF EDUCATION.

### ORDER OF DAILY BUSINESS.

After the Journal is read, the following order shall govern :

1. Petitions or memorials to be offered.
2. Notices of bills.
3. Resolutions.
4. Reports of Committees.
5. Communications on the President's table.
6. Reports in possession of the Board which offer grounds for a bill.
7. Bills or other matters before the Board and unfinished the preceding day.
8. The general file of bills, and other papers agreeable to their introduction into the Board.

### STANDING RULES.

1. The President shall take the Chair at the hour to which the Board is adjourned, and call the members to order; and if a quorum be present, he shall direct the journals of the preceding day to be read, and mistakes, if any, corrected. He shall preserve order and decorum, and decide all questions of order, subject to an appeal to the Board.

2. One-fourth of the members may have a call of the Board, and absent members sent for.

3. Questions shall be distinctly put in this form, viz: "As many as are of opinion that (as the question may be) say aye." And after the affirmative voice is expressed, "as many as are of the contrary opinion, say no." If the President doubt, or a division be called for, the Board shall divide—those in the affirmative of the question shall first rise from their seats, and afterwards those in the negative.

4. All motions (except to adjourn, postpone or commit) shall be reduced to writing, if required by any member of the Board. Any motion may be withdrawn before it is amended by the Board.

5. Every member present when a question is put shall vote,

unless he shall, for special cause, be excused by a vote of the Board; but no member shall vote on any question in the event of which he is directly and personally interested, or in any case where he was not present when the question was put.

6. When a member is about to speak in debate, or deliver any matter to the Board, he shall rise from his seat, and respectfully address himself to Mr. President, and shall confine himself to the question under debate, avoid personalities, and the imputation of improper motives.

7. When a question is under debate, no motion shall be received but to adjourn, to lie on the table, for the previous question, to postpone to a day certain, to commit or amend, to postpone indefinitely; which several motions shall have precedence in the order in which they are named; and no motion to postpone to a day certain, to commit, or to postpone indefinitely, being decided, shall be again allowed on the same day, and at the same stage of the bill or proposition.

8. The previous question shall be in this form, "Shall the main question be now put?" It shall only be admitted when demanded by a majority of the members present, and its effects shall be to put an end to all debate, and bring the Board to a direct vote upon amendments reported by a committee, if any; then upon pending amendments, and then upon the main question.

9. A motion to adjourn, to lay on the table, and for the previous question, shall be decided without debate; and all incidental questions of order arising after a motion is made for the previous question, and pending such motion, shall be decided—whether an appeal or otherwise—without debate.

10. Any member may call for a division of a question, which shall be divided, if it comprehends propositions in substance so distinct, that one being taken away, a substantive proposition shall remain for the decision of the Board. A motion to strike out and insert shall be deemed indivisible; but a motion to strike out being lost, shall preclude neither amendments, nor a motion to strike out and insert.

11. Every bill shall be introduced on the report of a committee, or by motion for leave, on giving at least one days' previous notice. Every bill shall receive three several readings previous to its passage; but no bill shall have its second and third readings on the same day, without a suspension of this rule.

12. The first reading of a bill shall be for information, and if objections be made to it, the question shall be, "Shall the bill be rejected?" If no objections be made, or the question to reject be lost, the bill shall go to its second reading without further question.

13. Upon the second reading of a bill, the President shall state it as ready for commitment or engrossment, and if committed, then the question shall be, whether to a select or standing committee,



or a committee of the whole. If to a committee of the whole, the Board shall determine on what day. But if the bill be ordered to be engrossed, the Board shall appoint the day when it shall be read the third time. No bill shall be committed or amended until it shall have been twice read.

14. When a question is lost on engrossing a bill for a third reading on a particular day, it shall not preclude a question to engross it for a third reading, on a different day. On a third reading of a bill no amendment (except to fill blanks) shall be received, except by unanimous consent of the members present.

15. A bill or resolution may be committed at any time previous to its passage.

16. In filling blanks, the largest sum and longest time shall be first put.

17. When a motion or question has been decided in the affirmative or negative, any member having voted with the majority, may move a re-consideration the same or on the day following.

18. No standing rule or order of the Board shall be rescinded or suspended, except by a vote of two-thirds of the members present.

19. The rules of parliamentary practice comprised in Jefferson's Manual, shall govern the Board in all cases to which they are applicable, and in which they are not inconsistent with the standing rules or orders of the Board.

NOTE.—Not having sufficient space in this form for an index to the Journal, and believing it is not of sufficient importance to justify the expense of an additional form, I have deemed it prudent to omit the index entirely, and to fill the odd pages with the Rules of the Board of Education, as they may be of value hereafter.

SECRETARY OF THE BOARD.

## EDUCATIONAL LAWS

OF THE

STATE OF IOWA,

PASSED BY THE

# Board of Education

AT ITS FIRST AND SECOND SESSIONS,

AND BY THE

GENERAL ASSEMBLY,

AT ITS EIGHTH REGULAR SESSION.

DES MOINES, IOWA.

JOHN TEESDALE, STATE PRINTER.

1860.