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FEDERAL AND STATE AID

TO

EDUCATION IN IOWA

BY

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PREFACE

This study of *Federal and State Aid to Education in Iowa* was first published in four installments in *The Iowa Journal of History and Politics*. These installments appeared in the issues for October, 1906, and for January, April, and July, 1907. Through the courtesy of The State Historical Society of Iowa, by which the *Journal* is published, the Department of Education of The State University of Iowa is permitted to issue this volume as a reprint of the four installments brought together under one cover. It is the thought of the writer that in this way facts of some educational value are made available which otherwise could not be obtained except from many and widely separated sources.

HUGH S. BUFFUM

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INTRODUCTION

A glance at the educational writings of the past few years will show that more and more attention is being paid to the financial problems of education. That this is the case needs no apology. It is not an indication that the minds of educators are becoming sordid and mercenary, but simply that educational thinkers are becoming more fully awake to the fact that among the important—indeed, the essential—factors in the successful administration of any educational institution are the factors pertaining to its financial support. While the making of money should not be the end and aim of any educational institution, yet without funds and a measure of wisdom in their administration an educator, even with the loftiest ideals and ambitions, will usually not be able to conduct a school successfully. Buildings must be erected and equipped; heat, light, and laboratory and library supplies must be provided; salaries of teachers must be paid; and for many other purposes funds are essential. The amount, sources, care, and expenditure of funds should receive even more attention than is now being given to these matters. The successful administrator of educational affairs must have not only high ideals as to the ends to be striven for in his work, but also ability to obtain, care for, and use funds for the attainment of such ends.

Studies of various phases of school financing in the differ-

ent States of the Union may be of much value. Such studies should be made in at least a few States in which are found methods characteristic of a group of States. For example, in the matter of the care and disposal of its Federal land grants Iowa may be taken as a type of certain States of the Mississippi Valley. On the other hand, other States of the Middle West have treated their lands received from such sources by methods considerably different from those used by Iowa. A comparative study of the laws of the various States is profitable not only from the standpoint of historical interest, but also for its suggestive value in the newer States where school lands are yet largely unsold.

A complete understanding and appreciation of present conditions in regard to almost any enterprise depends in a large measure upon a knowledge of the evolution and growth of that enterprise. Accordingly, the larger part of this study of *Federal and State Aid to Education in Iowa* is historical. The concluding chapter is devoted to a brief comparison of some Iowa conditions with those of a few other States.

The present paper on *Federal and State Aid to Education in Iowa* has grown out of the first of a series of studies recently made and still being carried on by the writer and by other graduate students in the Department of Education at The State University of Iowa. Several other discussions of various phases of educational finance are to follow. This paper was presented to the Faculty of the Graduate College of The State University of Iowa, and upon the recommendation of Professor Frederick E. Bolton, Head of the

Department of Education, was accepted in partial fulfillment of the requirements for the degree of Doctor of Philosophy.

Acknowledgments and sincere thanks are due to Professor Bolton for numerous and helpful suggestions in this study, and in a far deeper sense for a view of the field and possibilities of education which have been chiefly instrumental in forming the writer's determination to devote his life to educational work. Acknowledgment is due Professor Benjamin F. Shambaugh, Head of the Department of Political Science in The State University of Iowa, who has kindly assisted in securing access to much of the material used and in editing and preparing the manuscript for the press.

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PART I

FEDERAL AID TO EDUCATION IN IOWA

Federal aid to education in Iowa has been extended chiefly through land grants. But some aid has also been received through means other than grants of land. And so, following a discussion of the several land grants, some consideration will be given to the other means of extending aid to education in Iowa.

FEDERAL LAND GRANTS

From an early date the Federal government has contributed materially to the encouragement and development of public schools and of other educational agencies. When the nation was still in its infancy, before the adoption of the Federal Constitution, the spirit which has resulted in such activity was already manifest. In the days when the supreme law of the land was embodied in the Articles of Confederation the central government was already interesting itself in laying foundations for the education of the masses. The Congress, engrossed as it was with the solution of an almost countless number of problems growing out of its own lack of power, of inter-State struggles, and of dangers from foreign forces, yet kept in view the idea

that the advancement of education was one of the important functions of the central government. Thus deeply in the very foundations of our national government were also laid the foundations of Federal encouragement and Federal aid to popular education.

Federal aid to education has been rendered chiefly by the granting of tracts of land belonging to the nation at large. At the close of the Revolution, the large extent of land lying between the Ohio and Mississippi rivers was claimed by several of the States. Massachusetts, Connecticut, New York, and Virginia each claimed a part, or in some cases all, of this territory. These conflicting claims bade fair to be the cause of feelings of strife and hatred, if not, indeed, of actual warfare between these States. Furthermore, the claim was made by other States that, since this land had been won from England by all the States united in common warfare, it should belong to all in common and not to the States having special claims. Maryland especially took a firm stand on the question, refusing to agree to the Articles of Confederation until title to this land had been given over to the Federal government.[1] After a considerable time spent in fierce wrangling and bitter disputation the four States gave up their several claims, and the western frontier, known as the Northwest Territory, became and was generally recognized as a part of the national domain.

It was in the establishment and adjustment of means for the control and disposal of the Northwest Territory that the first indications are seen of the nation's policy regarding the

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[1] *Johns Hopkins University Studies in History and Political Science*, Vol. IX, p. 107, et seq.

encouragement and development of education as a function of the general government. In April, 1784, a plan for surveying and selling the lands of the Northwest Territory was introduced into Congress by Thomas Jefferson. His plan was not adopted. But in the following year another plan was introduced, containing some of the essential features presented by Jefferson, and it was referred to a committee for consideration. This committee presented to Congress a measure which, after a month's debate and after being amended in many respects, was adopted by Congress, May 20, 1785, under the title of "An ordinance for ascertaining the mode of disposing of lands in the Western Territory."[1] This ordinance provided for the manner in which disposal could be made of such territory, ceded by the individual States to the United States, as had been purchased of the Indian tribes.

To accomplish this purpose it was necessary for the land to be surveyed. Accordingly a surveyor from each State was to be appointed by Congress or by a committee of the States. These surveyors were to divide the territory into townships six miles square, by lines running due north and south, and others crossing these at right angles, except where boundaries of Indian purchases might render it impracticable, and in such cases there was to be departure from this rule no farther than such particular circumstances might require. These lines were to be described exactly on a plat, on which were also to be noted by the surveyors all mines, salt-springs, salt-licks, and mill-seats coming to their knowledge. The plats of the townships, respectively, were

[1] *Journals of Congress*, Vol. IV, pp. 520-522.

to be marked by subdivisions into lots of one mile square, or six hundred and forty acres, in the same direction as the external lines, and numbered from one to thirty-six; and where (from the above mentioned causes) only a fractional part of a township should be surveyed the lots protracted thereon were to bear the same numbers as if the townships had been entire. This ordinance, having thus directed the surveying of the land, proceeded to make the provision which gives to the ordinance its chief interest from the standpoint of education. The exact words of this provision are: "There shall be reserved the lot No. 16, of every township, for the maintenance of public schools, within the said township."[1]

Thus the foundation was laid for the policy of aiding schools by means of land grants, which has continued down to the present time. In accordance with the policy thus inaugurated the Federal government has granted to the various States and Territories many millions of acres of land for public schools. Acting on this policy, the United States has granted to every State entering the Union previous to August 14, 1848,[2] the sixteenth section of each township to be used for public schools; while every State entering the Union since that date has received the sixteenth and thirty-sixth sections for such purpose.[3]

About two and one-half years later the Continental Congress again adopted measures relating to education. Indeed, two legislative enactments now followed in the spirit of the

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[1] *Journals of Congress*, Vol. IV, p. 521.

[2] Date of passage of an act to establish the Territorial government of Oregon.

[3] *Report of the Commissioner of Education*, 1880, pp. xxix-xxx.

Land Ordinance of 1785. In the first of these educational matters were dealt with in general terms; while in the second, specific statements were used.

On July 13, 1787, Congress adopted "An Ordinance for the Government of the Territory of the United States, northwest of the river Ohio."[1] This is the measure popularly spoken of as the "Ordinance of 1787." In the third article, this ordinance declares that "Religion, morality and knowledge, being necessary to good government and the happiness of mankind, schools and the means of education shall forever be encouraged." We have here a general statement of the position which the Federal government then took and has since continued to hold with regard to education. Support of schools was not among the powers granted by the Articles of Confederation, yet here is the statement that by the United States "schools and the means of education shall forever be encouraged." Although the States were, and ever have been, jealously watching the Federal government, fearing that it would appropriate to itself power belonging to the States, yet the Federal policy of encouraging and aiding education has never been questioned or objected to.

Ten days after the passage of the Ordinance of 1787, Congress, on July 23, 1787, enacted a measure making specific provision for grants of land for the support of education.[2] It granted certain "powers to the Board of Treasury to contract for the sale of the Western Territory." The Board of Treasury was in fact empowered and author-

[1] *Journals of Congress*, Vol. IV, pp. 752-754.

[2] *Journals of Congress*, Vol. IV, Appendix, pp. 17, 18.

ized to contract with any person or persons for a grant of a tract of land within the western territory of the nation. Within seven years after the completion of the surveying of this tract the purchasers were to lay off the whole tract into townships and fractional parts of townships and divide the same into lots according to the Land Ordinance of 1785. In any tract of land conveyed under this measure, the lot No. 16 in each township or fractional part of a township was to be given perpetually to the purpose contained in the Land Ordinance, namely, "the maintenance of public schools within the said township." A further provision of this Ordinance was that there were to be given not more than two complete townships to be used perpetually for the purposes of a university. This land was to be laid off by the purchaser or purchasers, as near as might be to the center of the tract, so that the same should be good land. It was to be applied to its intended object by legislation of the State.

This latter enactment is of especial interest from the fact that it not only is based upon and puts into definite operation the policy of granting the sixteenth section in each township for public schools, but it also marks the beginning of the policy of Federal land grants for founding and supporting universities. Here were first sown the seeds from which was destined to spring the present great tree of State University education, which to-day gives of its abundant and incomparable fruit to thousands of the nation's citizens. Here the government said that not only *common* but also *higher* education is rightly to be encouraged by the national government.

Such were the beginnings of the policy of Federal aid to

education by means of land grants. This policy, moreover, has been followed, to a greater or less degree, and with some variations, in every State admitted to the Union and in every Territory organized since the adoption of the Federal Constitution; and for agricultural colleges or other educational agencies it has been extended to the thirteen original States as well.

The fruits of this Federal policy have been enjoyed by Iowa, which has received grants at different times and for various purposes. In addition to tracts of land donated specifically for aid to education, this State has received land grants made by Congress for other purposes and afterward turned over by the State to educational agencies. The several Federal land grants made to Iowa for education, or made with other ends in view and afterward diverted to educational purposes, are as follows:—

1. The Sixteenth Section Grant.
2. The Five Hundred Thousand Acre Grant.
3. The University Grant.
4. The Agricultural College Grant.
5. The Saline Land Grant.
6. The Five Section Grant.
7. The Swamp Land Grant.

It is the intention to notice in the following pages when, how, and for what purposes these grants were made; by whom cared for and sold; how much money has been received therefrom (in so far as may be ascertained); and how much, if any, of these lands yet remain unsold. Information as to these matters has been obtained chiefly by an examination of laws and resolutions passed by the State or

the Territorial legislatures; from acts passed by the national Congress, in so far as these acts pertain to land grants made to Iowa alone or to Iowa along with other States; from reports of the State Auditors, Treasurers, and Superintendents of Public Instruction in Iowa; and from several less extensive general and special reports pertaining to education in Iowa. The amount, care, and expenditure of the funds arising from the sale of these land grants are being worked out in another study which it is hoped will be published in the near future.

THE SIXTEENTH SECTION GRANT

In the foregoing pages it is shown how, during the period of the Confederation, the national government declared its policy of reserving the sixteenth section in each township for the support of schools. Sharing in this Federal aid, the State of Iowa received land for establishing and maintaining common schools. The grant to Iowa was made by an act of Congress, approved March 3, 1845—the act preliminary to Iowa's admission into the Union.[1] Therein certain propositions were laid down by the national government, which if accepted by the State legislature, were to become obligatory upon the United States. The first of these propositions was that "section numbered sixteen in every township of the public land, and, where such section has been sold or otherwise disposed of, other lands equivalent thereto, and as contiguous thereto as may be, shall be granted to the State for the use of schools."

This proposition, together with others laid down by the

[1] *United States Statutes at Large*, Vol. V, pp. 789-790; reprinted in Shambaugh's *Documentary Material Relating to the History of Iowa*, Vol. I, pp. 125-128.

act, was accepted by an act of the General Assembly approved January 15, 1849.[1]

Morever, the Constitution under which Iowa became a State declares that "the General Assembly shall encourage, by all suitable means, the promotion of intellectual, scientific, moral, and agricultural improvement. The proceeds of all lands that have been or hereafter may be granted by the United States to this State, for the support of schools, which shall hereafter be sold or disposed of, ... shall be and remain a perpetual fund, the interest of which, together with all the rents of the unsold lands, ... shall be inviolably appropriated to the support of common schools throughout the State."[2] Almost exactly these same words were also incorporated in Article IX (second part) section 3, of the new Constitution,[3] adopted by the Constitutional Convention, March 5, 1857, approved by vote of the people of the State, August 3, 1857, and announced as the supreme law of the Commonwealth by Governor Grimes in a proclamation issued September 3, 1857.[4] Thus Iowa accepted the Sixteenth Section Grant, and took upon itself the responsibility of wisely caring for and administering it to the purposes for which it had been made.

In southeastern Iowa, a tract of land containing about one hundred and thirteen thousand acres, and known as the Half-Breed Tract had been granted, in 1834, to half-breeds of the

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[1] *Laws of Iowa*, 1848, pp. 121-122; see also Shambaugh's *Documentary Material Relating to the History of Iowa*, Vol. I, pp. 131, 132.

[2] Article X, Sec. 2—See *Laws of Iowa*, 1846, p. 13.

[3] *Journal of the Constitutional Convention* [Appendix], p. 21.

[4] Shambaugh's *Messages and Proclamations of the Governors of Iowa*, Vol. II, p. 109.

Sac and Fox Indians. As this land had been granted to the Indians in fee-simple, the sixteenth section of the townships therein could not be reserved for school purposes. It was to make good to the State the loss of school lands in this tract that Congress enacted, August 23, 1842, a measure to authorize the selection of school lands in lieu of those granted to the half-breeds of the Sac and Fox Indians. By this act it was provided that "the commissioners of the county of Lee, in the Territory of Iowa, be, and they are hereby, authorized to select, of any of the public lands of the United States subject to private entry within the Iowa Territory, one section for each entire township of land in the 'half-breed tract,' in said county, and a proportional quantity for each fractional township in said county, under such rules and regulations as shall be prescribed by the Secretary of the Treasury; which land, when selected, shall be subject to the same rules and regulations as the sixteenth sections in all the townships of the public lands are subject."[1] Thus the State was compensated for what would have otherwise been a loss of some of its public school lands.

Furthermore, in some other parts of the Territory the sixteenth section had been settled, and so could not be devoted to the use of schools without great injustice to the settlers and almost endless litigation on the part of the government. To obviate this difficulty and still provide for the State's obtaining its full and just amount of land, Congress enacted, June 15, 1844, that "whenever the sixteenth section in said Territories [Iowa and Florida] either in whole or in part, are now, or may hereafter be, included

[1] *United States Statutes at Large*, Vol. V, p. 522.

in private claims held by titles confirmed or legally decided to be valid and sufficient, other lands equivalent thereto, within any land district in said Territories most adjacent to said lands so taken up by private claims, which have been offered at public sale, and remain unsold, may be selected in lieu thereof, under the direction of the Secretary of the Treasury, and the lands so selected shall be entered in the office of the register of the land district in which they may lie, and be by such register reported to the Commissioner of the General Land Office as school lands selected under this act."[1]

In consequence of the Sixteenth Section Grant there were turned over to the State of Iowa, to be used in support of the common schools, 1,014,331.05 acres of land. The location of this land, with the number of acres in each county, is shown by the following table:[2]

TABLE I

COUNTY	NO. OF ACRES	COUNTY	NO. OF ACRES
Adair	10,240.00	Butler	10,240.00
Adams	7,680.00	Calhoun	10,240.00
Allamakee	11,520.00	Carroll	10,240.00
Appanoose	10,240.00	Cass	10,240.00
Audubon	7,680.00	Cedar	10,240.00
Benton	12,800.00	Cerro Gordo	10,240.00
Black Hawk	10,240.00	Cherokee	10,240.00
Boone	10,240.00	Chickasaw	7,680.00
Bremer	7,680.00	Clarke	7,680.00
Buchanan	10,240.00	Clay	10,240.00
Buena Vista	10,240.00	Clayton	13,715.08

[1] *United States Statutes at Large*, Vol. V, p. 666.

[2] *Report of the Secretary of State* (Land Department), 1903, pp. 6-7.

COUNTY	NO. OF ACRES	COUNTY	NO. OF ACRES
Clinton . . .	13,016.77	Lee	9,904.45
Crawford . .	12,800.00	Linn . . .	12,800.00
Dallas . . .	10,240.00	Louisa . . .	7,438.35
Davis	10,240.00	Lucas . . .	7,680.00
Decatur . . .	10,240.00	Lyon . . .	11,520.00
Delaware . . .	10,240.00	Madison . .	10,240.00
Des Moines . .	7,392.81	Mahaska . .	10,240.00
Dickinson . .	7,680.00	Marion . .	10,240.00
Dubuque . . .	11,364.00	Marshall . .	10,240.00
Emmet . . .	7,680.00	Mills . . .	8,000.00
Fayette . . .	12,800.00	Mitchell . .	10,240.00
Floyd	7,680.00	Monona . .	13,228.74
Franklin . . .	10,240.00	Monroe . .	7,680.00
Fremont . . .	10,080.00	Montgomery .	7,680.00
Greene . . .	10,240.00	Muscatine .	7,936.83
Grundy . . .	8,960.00	O'Brien . .	10,240.00
Guthrie . . .	10,240.00	Osceola . .	7,680.00
Hamilton . .	10,240.00	Page . . .	10,240.00
Hancock . . .	10,240.00	Palo Alto . .	10,240.00
Hardin . . .	10,240.00	Plymouth .	15,322.65
Harrison . . .	12,234.17	Pocahontas .	10,240.00
Henry . . .	7,680.00	Polk . . .	10,240.00
Howard . . .	10,240.00	Pottawattamie	17,658.46
Humboldt . .	7,680.00	Poweshiek .	10,240.00
Ida	7,680.00	Ringgold . .	10,240.00
Iowa	10,240.00	Sac	10,240.00
Jackson . . .	11,143.22	Scott . . .	8,632.67
Jasper . . .	12,800.00	Shelby . .	10,240.00
Jefferson . . .	7,680.00	Sioux . . .	14,116.07
Johnson . . .	10,880.00	Story . . .	10,240.00
Jones	10,240.00	Tama . . .	12,800.00
Keokuk . . .	10,240.00	Taylor . .	10,240.00
Kossuth . . .	17,920.00	Union . . .	7,680.00

COUNTY	NO. OF ACRES	COUNTY	NO. OF ACRES
Van Buren . .	9,146.78	Winnebago .	7,680.00
Wapello . . .	7,680.00	Winneshiek .	12,800.00
Warren . . .	10,240.00	Woodbury .	15,680.00
Washington .	10,240.00	Worth . . .	7,680.00
Wayne . . .	10,240.00	Wright . .	10,240.00
Webster . . .	12,800.00	*Total* . .	1,014,331.05

Relative to the number of acres included and actually received by the State under the Sixteenth Section Grant, Frank D. Jackson, Secretary of State, in his report for the biennial period ending June 30, 1889, says: "The quantity received by the State under the sixteenth section grant has been given in the reports of the State land department, heretofore issued, as 1,013,614.21 acres. By a careful footing of the quantities of the sections and fractional sections received under the grant as they are given on the government plats in the office, I find that there are of the lands in place, 1,002,441.24 acres, and of the lands given in lieu, 11,889.81 acres, making in all, 1,014,331.05 acres. However, it appears that a considerable quantity of these lands has disappeared by encroachments of the Mississippi and Missouri rivers. In one instance a full half-section—320 acres—in Fremont county, has been washed away, so that the quantity, as originally given, is now, perhaps, very nearly the true quantity."[1]

This grant having been made, upon the State devolved the duty of caring for and disposing of the land thus granted, and of seeing that the funds accruing from it should be applied to the purposes set forth in the Congressional act

[1] *Report of the Secretary of State* (Land Department), 1889, p. 6.

making the grant. Accordingly, on February 25, 1847, an act of the legislature was approved to meet this requirement.[1] This act provided that the Trustees of the several townships in the counties of the State should examine in their respective townships the sixteenth section, or lands granted in lieu thereof, and allot this land into parcels such as they thought would best suit purchasers and would best advance the interests of the school fund, conforming as far as they thought best to the legal sub-divisions made by the United States surveys. They were to place upon each parcel a value, not to be less than one dollar and twenty-five cents per acre, if the parcel were not settled upon. But if any person should have settled and made improvements on the sixteenth section previous to its survey, he was to notify the County Fund Commissioner of that fact. The settler then was to select one appraiser, the Commissioner a second, and, if necessary to an agreement, these two might choose a third. These appraisers were to appraise first the land, exclusive of the improvements, and then the improvements by themselves. The occupant was to be permitted to purchase the land at its approved value, if he should do so within ten days after the appraisal. In the case of his failure to purchase it within ten days, the land was to be offered at public sale to the highest bidder, the selling price being not less than the appraised value. The purchaser was then to pay the former occupant cash for the improvements on the land to the amount of the appraised value of such improvements. In case the land thus offered for sale to the highest bidder was not sold, the former occupant could remain upon it by

[1] *Laws of Iowa*, 1847, pp. 160-164.

paying annually to the Superintendent of Public Instruction, for the use of the school fund, interest on the appraised value of the land and the improvements together at the rate of ten per cent per annum from the day the State of Iowa was admitted into the Union until the sale of land as provided above.

Lands not previously settled upon were by this act placed in the hands of the Fund Commissioners of the various counties. These Commissioners, having received from the Township Trustees the allotment and appraisement of any or all of the sixteenth sections within their respective counties, or land granted in lieu thereof, were to give thirty days' notice by written or printed advertisements in three of the most public places of the county, and one in the township in which the land was situated, and then sell the land to the highest and best bidder. One-fourth of the purchase money was to be paid in advance, and the balance could be paid on a credit not exceeding ten years, bearing interest at the rate of ten per cent per annum from date of sale until paid—the interest to be paid annually at the office of the Fund Commissioner. Or, if the purchaser so desired, he could pay the entire amount in advance. In case of the payment of the entire amount, the Commissioner was to give the purchaser a certificate of purchase, which entitled him to a patent to be issued by the Governor of the State. In the case of lands purchased upon a partial credit, a written contract signed by the parties was to be filed and recorded in the Commisioner's office, and during the continuance of such contract it should be lawful for the purchaser or his assignees to pay the principal and interest due on the contract, and receive a cer-

tificate of purchase entitling him to a patent from the Governor.

In order to make the date for the payment of interest the same in all cases, all contracts were to make January 1, following the purchase, the day for the first payment of interest, and payment was to be annual thereafter. If interest were not paid when due, the Commissioner could either declare the contract forfeited, or collect the interest by suit.

In the case of lands of which the chief value consisted in the timber thereon, or of which the value was in any way liable to be considerably reduced, it was made lawful for the Fund Commissioner to demand entire payment in advance, or to demand good collateral security for the payment of purchase money not paid in cash at the time of sale.

The act provided that the Fund Commissioner should keep a record of all his transactions.

Eleven months later, January 24, 1848, this law was amended by an act of the State legislature, providing that the rights and privileges conferred upon the settlers of the sixteenth sections of the public lands should also be enjoyed by the assignees or legal representatives of these settlers.[1] All persons who had settled or should thereafter settle upon the sixteenth sections, after they had been surveyed, should enjoy the same rights as those settling thereon before the survey, except that these latter settlers, claiming the right of preëmption, should pay an advance of fifty per cent over and above the appraised value of the land in its unimproved state.

On January 25, 1848, the original act for the manage-

[1] *Laws of Iowa* (Extra Session), 1848, pp. 59-60.

ment and disposal of the common school lands and fund was further amended, in that it was enacted that the ten per cent interest, payable on the unpaid portion of the valuation of lands sold partly on time, should be paid to the Fund Commissioner of the county rather than to the Superintendent of Public Instruction.[1]

In an act approved January 15, 1849, devoted chiefly to the selection and disposal of the Five Hundred Thousand Acre Grant, the Sixteenth Section Grant was also briefly considered.[2] It was there provided that if at any time it appeared to the Fund Commissioners that the school fund was liable to be injured by putting any portion of the sixteenth section on the market, they should have power to reserve the same. Provision was also made for the visiting of the several counties by the Superintendent of Public Instruction. Such visits were for the purpose of inspecting the books of the Fund Commissioners and making such adjustments of the school funds as were necessary to best carry out the desire of the General Assembly. The Superintendent, however, was not to have control of any of the funds in the hands of the Commissioners unless the General Assembly should specifically so enact.

Provision was also made by this act for resurveying school lands in case of such necessity. It was provided that no person should be allowed to preëmpt more than one hundred and sixty acres. The Fund Commissioner was required to report to the Prosecuting Attorney of the county the name of any person delinquent in the payment

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[1] *Laws of Iowa* (Extra Session), 1848, p. 62.

[2] *Laws of Iowa*, 1848, p. 151.

of interest due on any loan of a portion of the school fund, and the Prosecuting Attorney was to immediately begin action for collecting such interest.

The sixteenth section school lands remained under the control of the Fund Commissioners until the General Assembly abolished the office by an act approved March 23, 1858.[1] The lands were then placed in the hands of the County Judge and Township Trustees. A reappraisement of the sixteenth section lands was to place the true value upon each parcel, this value not to be less than two dollars and fifty cents per acre. This appraisement, made by the Township Trustees, was to be reported to the County Judge. He might either approve it or direct a new appraisal. Then the Judge and the Township Trustees were to meet and determine upon the advisability of selling part or all of the land. The manner of advertising and selling that which they should determine to sell was specified by this act. It differed but little in essential details from the plan formerly followed by the Fund Commissioner. The provision was made that no sale could be effected for less than the newly appraised valuation.

Another act, "providing for the management of the School Fund and the sale of the School Lands," was passed April 3, 1860, putting the control of the sixteenth section lands into the hands of the Boards of Supervisors of the several counties and the Township Trustees.[2] It provided for the appraisement of school lands by the Trustees, but did not specify any minimum valuation. It simply required

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[1] *Laws of Iowa*, 1858, pp. 393-396.

[2] *Laws of Iowa* (Revision of 1860), p. 350.

them to "appraise each tract at what they believe to be its true value."

In his annual report for 1863, J. A. Harvey, Register of the State Land Office, pointed out this shortcoming and suggested a remedy for it, saying: "I desire to call attention to the appraisement of this land. Never, under any of the previous laws, could either this or any School Land be valued or purchased at less than $1.25 per acre. But under the law now in force, the Township Trustees, in appraising the 16th section lands, 'shall appraise each tract at what they believe to be its true value,' etc. There is no minimum for the valuation. Under this law, some of the school lands in Butler county have been appraised and sold as low as twenty-five cents per acre. There is very little of the school lands in this State that is not worth at least $1.25 per acre, whilst the most of it is worth more; and the policy of permitting it to be sold for less, appears to me at least very doubtful."[1]

In response to this suggestion the legislature, by an act approved March 29, 1864, enacted that "hereafter no school lands shall be sold for less than one dollar and twenty-five cents per acre."[2]

During the next few years it became still more clearly evident that school land was being sold for less than its true value, and that some steps must be taken to stop it. Accordingly, on January 24, 1870, the legislature passed a joint resolution to the effect that all unsold school lands in the State of Iowa should be withdrawn from the market

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[1] *Report of the Register of the State Land Office*, 1863, p. 7.

[2] *Laws of Iowa*, 1864, p. 152.

until the first day of the following March, that is, March 1, 1870.[1] On March 21, 1870, a law was approved to the effect that no part of the sixteenth section, nor lands selected in lieu thereof, nor any part of the Five Hundred Thousand Acre Grant, nor any other school lands whatsoever should be sold for less than a minimum price of six dollars per acre. The act provided, however, that if the Board of Supervisors had offered for sale, according to law, any school lands, and had been unable to sell them for as much as six dollars per acre, and if the Board thought that it would be impossible to get as much as six dollars per acre for such lands, and thought that it would be to the best interests of the school fund to sell for less than that price, the Board could instruct the County Auditor to transmit to the Register of the State Land Office a copy of the proceedings of the Board relative to the lands in question. The Register of the State Land Office would then submit this transcript to the State Census Board, and a majority of that Board, including the Register of the Land Office, could allow and order the sale of such land for a price less than six dollars per acre. But under such circumstances no land was to be sold for a price less than one dollar and twenty-five cents per acre. This act also provided that no school lands should be sold in any Congressional township until there were at least twenty-five legal voters resident in such township, or in a fractional township, until there were legal voters residing in it, the number of whom was such a fraction of twenty-five as the number of sections was of thirty-six.[2]

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[1] *Laws of Iowa*, 1870, p. 241.

[2] *Laws of Iowa*, 1870, pp. 28-30.

Since the passage of this act no considerable change has been made in the manner of care or disposal of the sixteenth section lands. The County Board of Supervisors, with the coöperation and through the immediate agency of the Township Trustees, now have charge of the small quantity of this land which yet remains unsold or unpatented.

Of the lands received by Iowa under the Sixteenth Section Grant over a million acres have been sold and patented. Because of irregularities on the part of Fund Commissioners and others in the keeping of records, it is difficult to give exact figures as to the amounts of this land patented during the successive biennial periods. The biennial reports of the Register of the State Land Office give, perhaps, the most reliable records obtainable, although there are numerous inconsistencies in the figures presented in those reports. From this source have been gathered the data set forth in the following table:—

TABLE II

DATE OF REPORT	NO. OF ACRES PATENTED
May 14, 1855	121,922.70
November 14, 1856	50,044.64
December 1, 1857	36,463.20
January 1, 1859	26,526.47
November 7, 1859	19,164.35
November 6, 1861	35,528.70
November 15, 1863	61,036.55
November 16, 1865,	99,907.64
November 12, 1867	50,074.76
November 10, 1869	69,225.15
November 1, 1871	51,431.79
November 1, 1873	40,508.28

DATE OF REPORT	NO. OF ACRES PATENTED
November 1, 1875	53,134.77
October 1, 1877	44,558.38
October 1, 1879	40,421.48
October 1, 1881	33,400.70
July 1, 1883	28,234.76
July 1, 1885	22,258.81
July 1, 1887	20,464.00
July 1, 1889	22,313.90
June 30, 1891	27,133.10
June 30, 1893	20,172.02
July 1, 1895	10,191.79
July 1, 1897	7,208.46
July 1, 1899	5,962.105
July 1, 1901	7,676.30
June 30, 1903	1,566.00
June 30, 1905	1,100.28
Amount patented	1,007,631.085
Amount unpatented June 30, 1905	14,685.535
Total	1,022,316.62
Error or duplication	7,985.57
Total amount of grant	1,014,331.05

Although the number of acres unpatented is reported as 14,685.53, only 1,160 acres remained unsold at the date of the report of the State Land Office for 1905.

It would be almost if not quite impossible to ascertain just how much money has been received for the lands received by Iowa under the Sixteenth Section Grant. The price which generally prevailed before 1870 was one dollar and twenty-five cents per acre. Most of that sold since the law passed in March, 1870, has brought a higher price—but

comparatively little selling for less than the six dollars per acre there set down as a minimum price. But it is impossible to state the average or general price received for this land. Neither can the total amount received for sixteenth section land be determined exactly. The money received from this source was put in with money received from other sources and became a part of the Permanent School Fund of Iowa. It is not the province of this paper to discuss that fund. It suffices here to say that the original purpose of the grant has been and is being carried out in the encouragement and support of common schools throughout the State, albeit the lands were not always wisely and advantageously disposed of.

THE FIVE HUNDRED THOUSAND ACRE GRANT

The Five Hundred Thousand Acre Grant was not originally intended for educational purposes, but was made to aid the State in making certain internal improvements. Indeed, the act of Congress making this grant specifically stated that the proceeds derived from the lands thus granted should be used for "roads, railways, bridges, canals, and improvement of water courses, and drainage of swamps." But the makers of Iowa, with the wisdom which characterizes many of their acts, decided to use it for educational purposes. And so the Five Hundred Thousand Acre Grant became, in effect, an educational grant.

In an act to appropriate the proceeds of the sales of the public lands and to grant preëmption rights, Congress, on September 4, 1841, granted to Iowa, as well as to each of several other States, five hundred thousand acres of land for

purposes of internal improvements. This land was to be selected within the State, in such manner as the legislature should direct. It was to be in parcels of not less than three hundred and twenty acres in any one place, and these parcels were to conform to sectional divisions and sub-divisions. The act provided that this land should not be disposed of at a less price than one dollar and twenty-five cents per acre, unless afterward authorized by Federal law. As stated above, the net proceeds of the sale of this land were to be applied to objects of improvements within the State, namely; roads, railways, bridges, canals and improvement of water courses, and draining of swamps. These internal improvements were to be and remain free for the transportation of the United States mail, and munitions of war, and for the passage of their troops, without the payment of any tolls.[1]

The provisions of this act pertained to several States that were at that time (1841) in the Union, and were to apply to all which should enter the Union at a subsequent date. Consequently, Iowa upon her admission into the sisterhood of States in 1846 was entitled to receive this grant of five hundred thousand acres of land for internal improvements.

In the Constitution with which Iowa became a State was the proviso that the proceeds of this land should be diverted from the original purpose of internal improvements, and that such proceeds should "be and remain a perpetual fund, the interest of which, together with all the rents of the unsold lands, and such other means as the General Assem-

[1] *United States Statutes at Large*, Vol. V, p. 455.

bly may provide, shall be inviolably appropriated to the support of common schools throughout the State."[1]

In the act of Congress admitting Iowa into the Union December 28, 1846, consent was given to this diversion of the Five Hundred Thousand Acre Grant to educational purposes.[2]

There seems, however, to have been some question as to whether this diversion had been legally and conclusively made; for on March 2, 1849, Congress passed another act "declaratory of the Act for the Admission of the State of Iowa into the Union." In this measure it was declared that "by the act entitled 'An Act for the admission of the State of Iowa into the Union,' approved December Twenty-eighth, Eighteen Hundred and Forty-six, the United States assented to the application for the support of common schools ..... of the five hundred thousand acres of land granted to said State by the act of the fourth of September, Eighteen Hundred and Forty-one; said land to be selected in legal subdivisions of not less than three hundred and twenty acres."[3]

This land having been granted, the problem of selecting and locating the various tracts was taken up by the General Assembly. By an act approved February 25, 1847, the First General Assembly attempted to provide for the selection of the land constituting the Five Hundred Thousand Acre Grant. It was enacted that any person capable of contracting, who had settled upon any public lands, might sig

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[1] Constitution of Iowa, 1846, Article X, section 2—may be found in *Laws of Iowa*, 1846, pp. 1-17.

[2] *United States Statutes at Large*, Vol. IX, p. 117.

[3] *United States Statutes at Large*, Vol. IX, p. 349.

sinify in writing to the Fund Commissioner of the county in which the land was situated, his or her desire to have such land recognized as school land. Thereupon, a description of the land, not exceeding three hundred and twenty acres for any one person, together with the date of its selection, was to be returned by the Fund Commissioner to the Superintendent of Public Instruction, and by him be registered as land selected under the Five Hundred Thousand Acre Grant. Then the Fund Commissioner could contract with the settler for the sale of this land, one-fifth of the purchase money to be paid in advance, or within three months of the date of contracting, and the balance might be on a credit of not to exceed ten years, bearing interest at the rate of ten per cent per annum, payable annually at the Fund Commissioner's office. This law also directed that, from time to time, the Superintendent of Public Instruction should report all selections made in accordance with the above provisions, to the Secretary of the Treasury of the United States. As soon as the entire five hundred thousand acres should have been selected, he was to give notice to the Fund Commissioners, who would then stop receiving selections of land to be considered as part of this grant.

It was provided that if more than five hundred thousand acres should be selected in this way, those selections last made by the Fund Commissioners would be rejected. And upon receiving notice to this effect from the Superintendent of Public Instruction, it was to be the duty of the Fund Commissioners to so notify the persons whose selections were rejected.[1]

[1] *Laws of Iowa*, 1846, p. 162

The workings of this law were, however, unsatisfactory. After it had been in force and had been tried for about two years, it was supplemented by another law, approved January 15, 1849, by which John M. Whitaker, of Van Buren County, and Robert Brown, of Jefferson County, were appointed agents for the selection of the remainder of the Five Hundred Thousand Acre Grant lands. These agents were directed to select the land in accordance with the instructions of the Commissioner of the General Land Office and report the same to the Register of the Land Office in whose district the selection had been made. These agents were to keep a correct record of the selections by them, and estimate the value per acre of each quarter section, and make a full report on the first day of the following December.[1]

These men did the work for which they had been appointed, and on September 7, 1854, the Commissioner of the General Land Office certified that the entire amount of the Five Hundred Thousand Acre Grant had been selected.[2] The fact is, however, that, through the imperfect operation of the two laws under which the selections were made, five hundred thirty-five thousand, four hundred seventy-three and fifty-four hundredths acres were selected.[3]

The counties in which the land selected is situated, and the number of acres in each county, are shown in the following table. Fifty-one different counties contain some portion of this land—the quantities ranging from 51.81 acres in Shelby County to 70,219.53 acres in Allamakee County.

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[1] *Laws of Iowa*, 1848, pp. 149-151.

[2] *Senate Documents*, 1854–1855, Vol. I, p. 73.

[3] *Report of the Register of the State Land Office*, 1877, p. 5.

TABLE III[1]

NAME OF COUNTY	NO. OF ACRES THEREIN	NAME OF COUNTY	NO. OF ACRES THEREIN
Adair	2,391.89	Jackson . .	807.50
Adams . . .	1,920.00	Jasper . . .	1,674.94
Allamakee . .	70,219.53	Jones . . .	29,955.50
Appanoose . .	2,400.00	Keokuk . .	670.64
Benton . . .	11,791.80	Linn . . .	11,016.07
Black Hawk .	8,382.84	Louisa . . .	640.00
Boone . . .	1,052.12	Lucas . . .	640.00
Bremer . . .	12,159.84	Madison . .	9,386.02
Buchanan . .	2,485.44	Mahaska . .	9,227.75
Butler . . .	478.51	Marion . .	1,414.61
Cedar	6,812.44	Marshall . .	6,155.86
Chickasaw . .	3,279.26	Monroe . .	986.57
Clarke . . .	16,009.00	Muscatine .	357.33
Clayton . . .	22,764.40	Polk . . .	2,425.62
Clinton . . .	21,135.35	Poweshiek .	12,715.24
Dallas . . .	13,699.16	Ringgold . .	607.20
Davis	934.95	Shelby . . .	56.81
Decatur . . .	40,460.56	Story . . .	3,796.74
Delaware . .	11,417.19	Tama . . .	11,650.44
Dubuque . . .	16,114.77	Union . . .	10,738.07
Fayette . . .	30,260.21	Wapello . .	7,002.42
Floyd	3,481.68	Warren . .	5,643.97
Hamilton . .	10,314.40	Wayne . .	15,606.91
Hardin . . .	1,360.00	Webster . .	18,024.06
Harrison . . .	7,524.86	Winneshiek .	24,447.00
Iowa	23,976.07	*Total* . .	535,473.54

In view of the fact, already mentioned above, that in selecting the land under this grant 35,473.54 acres in excess of the intended amount was selected, the General Assembly,

[1] *Report of the Secretary of State* (Land Department), 1901, p. 13.

on March 22, 1862, passed an act authorizing the Governor to reconvey to the General Government this excess of land selected, and then to settle and adjust with the General Government for the conveyance back to the State of all of this excess which had been sold. This act stipulated for the payment by the State of the money to which the General Government might be entitled for such land conveyed back to the State.[1] This adjustment was effected by the State being permitted to retain the excess over the amount originally granted, upon the payment therefor of one dollar and twenty-five cents per acre. The amount, then, received under this grant, was 535,473.54 acres, for 35,473.54 acres of which Iowa paid one dollar and twenty-five cents per acre.

The act of January 15, 1849, by which agents were appointed for the selection of the remainder of the Five Hundred Thousand Acre Grant, also made provision for the sale of this land.[2] By this act the Superintendent of Public Instruction was given power to authorize the sale of any land which the School Fund Commissioner, in any organized county, should select under the provisions of this act. It was made the duty of the agents to estimate the value per acre of each quarter section selected by them. When the Superintendent of Public Instruction should authorize the sale of any of this land, he was to determine upon the rate per acre at which it was to be sold. But this rate was not to be less than the estimate made by the selecting agents. The terms of sale remained the same as those set down by the act to which this one was supplemental.

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[1] *Laws of Iowa*, 1862, p. 58.

[2] *Laws of Iowa*, 1849, p. 150.

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[1] *Laws of Iowa*, 1862, p. 58.

[2] *Laws of Iowa*, 1849, p. 150.

In an act approved March 23, 1858, for the management f the school fund and the sale of the school land, the eventh General Assembly provided that it should be the uty of the Register of the State Land Office to transmit to he County Judge of each county in which there was located ny part of the Five Hundred Thousand Acre Grant, a list f all such land in his county, together with the appraised alue of each tract. This list was to state what tracts or arts of tracts had been sold, and what remained unsold. he County Judge, upon receiving this list, was to immedi-ely furnish to the Trustees of the several townships in this unty correct lists of all the unsold lands of this grant in eir respective townships. Thereafter the care and sale of e Five Hundred Thousand Acre Grant lands were to be in e hands of the County Judge and the Township Trustees.[1]

This arrangement continued for only about two years. he law, approved April 13, 1860, which put the sixteenth ction lands in any county into the care of the Board of pervisors and the Township Trustees, also turned over to ese officers the Five Hundred Thousand Acre lands.[2] nce that date these lands have been subject to the same les and regulations as have the sixteenth section lands.

This brief sketch of the history of the Five Hundred housand Acre Grant would be incomplete without at least few words concerning the so-called "Des Moines River hool Lands." The lands thus spoken of formed part of 35,473.54 acres in excess of the 500,000 acres intended be carried by the Federal grant. As part of the Five Hun-

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[1] *Laws of Iowa*, 1858, p. 397.

[2] *Laws of Iowa, Revision of 1860*, p. 350.

dred Thousand Acre Grant, 12,813.51 acres of land lyi
in Hamilton and Webster counties were selected and we
approved by the Commissioner of the General Land Offi
on February 20, 1851.[1] When it was later decided that t
Des Moines River Grant extended above the mouth of t
Raccoon River, it was held that this land was a part
a grant made August 8, 1846, for the improvement of t
Des Moines River.[2] But in 1865, a later Secretary of t
Interior affirmed that this land was a part of the Five Hu
dred Thousand Acre Grant. Moreover, before the ruli
that this was Des Moines River land, three thousand ac
had been sold as school land. Upon the former ruling
the Secretary of the Interior, Governor Lowe deeded t
12,813.51 acres of land to the Des Moines Navigation a
Railroad Company.[3] To refund their outlay to the p
chasers of the three thousand acres sold as school land, t
legislature passed an act, April 2, 1860, providing that a
purchaser of this land who should make application a
proper showing, should be entitled to draw from the tre
ury of the State the amount of money paid to the Fu
Commissioner, with interest at the rate of ten per cent
annum.[4] The State made efforts to again get possession
this land after the affirmation of the Secretary of the
terior that it was a part of the school lands. But the Cou
sustained the claim of the Des Moines Navigation and R
road Company. Since this land constituted a part of
35,473.54 acres excess land for which the State paid one

[1] *Journal of the House of Representatives*, 1854, Appendix, p. 99.

[2] *Report of the Register of the State Land Office*, 1863, p. 17.

[3] *Report of the Register of the State Land Office*, 1861, pp. 34–35.

[4] *Laws of Iowa*, 1860, pp. 69–71.

lar and twenty-five cents per acre, this disputation and litigation do not have any real importance in their effect on the school fund. It is of interest as a point in the history of the lands granted, rather than in the history of the school fund.

The following table gives the number of acres of the Five Hundred Thousand Acre Grant which were patented during each biennial period, as reported in the successive biennial reports of the State Land Office:

TABLE IV

DATE OF REPORT	ACRES PATENTED DURING BIENNIUM
May 14, 1855	137,646.44
November 14, 1856	61,050.57
December 1, 1857	53,976.80
January 1, 1859	26,628.59
November 7, 1859	14,846.28
November 6, 1861	29,609.27
November 15, 1863	49,593.78
November 16, 1865	69,119.89
November 12, 1867	33,707.93[1]
November 10, 1869	15,853.71
November 1, 1871	10,735.57
November 1, 1873	5,701.40
November 1, 1875	6,474.57
October 1, 1877	3,034.22
October 1, 1879	2,892.50
October 1, 1881	1,817.06
July 1, 1883	1,062.94
July 1, 1885	1,289.12
July 1, 1887	382.62

[1] The number of acres here given for the biennium ending November 12, 1867, was obtained by subtracting the sum of the amounts sold up to November 16, 1865, from the total number sold at the given date.

DATE OF REPORT	ACRES PATENTED DURING BIENNIUM
July 1, 1889	1,165.27
June 30, 1891	817.72
June 30, 1893	891.21
July 1, 1895	523.57
July 1, 1897	1,265.65
July 1, 1899	640.00
July 1, 1901	400.00
June 30, 1903	845.04
June 30, 1905	170.00
Total	532,141.72
Amount unpatened	9,014.35
Grand total	541,156.07
Error or duplication	5,682.53
Amount of grant	535,473.54

There is none of this grant still remaining unsold; but t exact sum of money received therefrom cannot be given, n can the exact average price per acre at which it was sold stated. A very large part of it was sold at the minimu price allowed, namely, one dollar and twenty five cents p acre. The money as it came in was turned directly into t permanent school fund, and so at once began to be used f the purpose for which it had been diverted by the Sta Constitution.

THE UNIVERSITY GRANT

The policy of aiding State universities by grants of la has been carried out by the Federal government in most the western States. While Iowa was still a Territor Congress passed an act in July, 1840, "granting two tow ships of land for the use of a university in the Territory

Iowa." By this act the Secretary of the Treasury was authorized to set apart and reserve from sale out of any of the public lands within the Territory of Iowa to which the Indian title had been or might afterward be extinguished, a quantity of land not exceeding two entire townships. This land was to be for the use and support of a university within the Territory when it should become a State "and for no other use or purpose whatsoever." It was to be located in tracts of not less than entire sections, corresponding with any of the legal divisions into which the public lands were authorized to be surveyed.[1]

This act of Congress was followed by another, approved March 3, 1845, which specifically granted and conveyed to the State the seventy-two sections of land thus set apart and reserved for the use and support of a university. This act also stipulated that the land was to be appropriated solely to the use and support of such university in such manner as the legislature might prescribe.[2]

The Second General Assembly, by a measure approved January 15, 1849, enacted and ordained that the proposition of Congress making this grant be accepted by the State of Iowa.[3] Thus the land and the responsibility of its care and disposal and the proper application of the funds received therefor to the support of a university devolved upon the State.

In the Constitution under which Iowa was admitted into the Union the agreement of the State to the purpose for which the grant was made is expressed as follows: "The

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[1] *United States Statutes at Large*, Vol. VI, p. 810.

[2] *United States Statutes at Large*, Vol. V, pp. 789-790.

[3] *Laws of Iowa*, 1848, pp. 121-122.

General Assembly shall take measures for the protection improvement, or other disposition, of such lands as have been or may hereafter be reserved or granted by the United States, or any person or persons, to this State, for the use of a University; and the funds accruing from the rent or sale of such lands, or from any other source, for the purpose aforesaid, shall be and remain a permanent fund, the interest of which shall be applied to the support of said University, with such branches as the public convenience may hereafter demand, for the promotion of literature, the arts and sciences, as may be authorized by the terms of such grant. And it shall be the duty of the General Assembly, as soon as may be, to provide effectual means for the improvement and permanent security of the funds of said University."[1]

Thus the University Grant was accepted by the State. But there were some difficulties attendant upon the selection of the land. The act of Congress of July 20, 1840, provided that the land granted should be selected under the authority of the Secretary of the Treasury. In accordance with this act, the Secretary appointed William W. Dodge of Scott County to make the selection. Dodge, however, selected only one section of land and made return of it to the land office at Dubuque, after which he left Iowa Territory. Growing out of this fact, the Territorial Council and House of Representatives passed a joint resolution, approved February 16, 1844, calling upon Hon. Augustus C. Dodge, Delegate in Congress of the Territory of Iowa, to request the Secretary of the Treasury to appoint two suit-

[1] *Laws of Iowa*, 1846, p. 14.

able persons to select the remainder of the University Grant at as early a day as practicable. In the resolutions were suggested the names of L. Brown, of Dubuque County, and Uriah Briggs, of Van Buren County, as suitable persons to act as these sub-agents in the selection of the land. The joint resolution also described four small tracts, aggregating 760 acres, which the legislature desired to have included within the University Grant.[1]

This joint resolution did not, however, accomplish the desired results, and a second joint resolution was passed January 2, 1846, requesting the Delegate in Congress, Hon. A. C. Dodge, to use his influence for the appointment of a suitable person to select the two townships of land granted to the Territory of Iowa for a university.[2] But it was not until November 19, 1856, that a correct copy of the lists of lands selected and approved for university purposes was received from the General Land Office at Washington.[3]

The list of these lands, giving location by counties, is as follows:

TABLE V[4]

COUNTY	NO. OF ACRES	COUNTY	NO. OF ACRES
Appanoose . .	640.00	Iowa . . .	646.65
Boone . . .	2,613.48	Jasper . . .	4,611.35
Davis	1,297.36	Jefferson . .	1,280.00
Dallas . . .	572.07	Lucas . . .	4,545.44
Decatur . . .	2,560.00	Polk . . .	5,194.19
Hardin . . .	10,325.54	Scott . . .	645.16

[1] *Laws of Iowa*, 1843, p. 167.

[2] *Laws of Iowa*, 1845-1846, p. 133.

[3] *Report of the Register of the State Land Office*, 1857, p. 9.

[4] *Report of the Register of the State Land Office*, 1865, p. 23.

COUNTY	NO. OF ACRES	COUNTY	NO. OF ACRES
Story	5,221.40	To be added	
Union . . .	638.20	for fractional	
Wapello . . .	1,920.00	sections taken	
Warren . . .	3,218.00	as full sections	. . 29.10
Total . . .	45,928.84	*Total approved*	. 45,957.94

As the amount specified in the original act of July 20, 1840, was two townships, or 46,080 acres, there was still due to the State from the General Government the amount of 122.06 acres. Accordingly the legislature enacted a measure, April 7, 1862, requesting the Governor to take the necessary steps to obtain this remainder.[1] But nothing ever resulted from this action, and the actual number of acres received under the University Grant is 45,928.84.

In a law, approved February 25, 1847, establishing a State University, these two townships of land were donated to that institution, to become and remain a permanent fund, of which the interest was to be used for the support of the University. This act placed the land in the hands of the Board of Trustees of the University, to be disposed of by them in the same manner and under the same regulations as provided for the disposition of the sixteenth sections in the different townships.[2]

By another act, approved March 12, 1858, the State University was constituted a corporation possessing all common law powers of corporations, as well as certain special powers conferred upon it by this act. The two townships were specifically donated to the University, to constitute a per-

[1] *Laws of Iowa*, 1862, p. 139.

[2] *Laws of Iowa*, 1846, pp. 188-189.

petual fund, of which the interest only might be used for the support of the institution. The government of the University was to be vested in a Board of Trustees, consisting of the Chancellor of the University, the Governor of the State, the Superintendent of Public Instruction and twelve Trustees, to be elected by the General Assembly. One-third of these twelve Trustees—or four—were to be selected every two years, and the term of service was to be six years. The act provided that no sale of land should be made unless decided upon by the Board at a regular meeting, or one called for that purpose. The manner, length and form of notice, and terms of such sale were to be prescribed by the Board. No member of the Board was to be either directly or indirectly interested in any sale of this land. The Treasurer of the University was required to keep an accurate account of all transactions relative to the sale and disposal of University land. His books were to show what portions of the land had been sold, the price of each, to whom sold, how the proceeds had been invested, and on what securities, and the amount, situation, and value of any land remaining unsold.[1]

As pointed out above in the discussion of the Sixteenth Section Grant, certain parts of this act were declared unconstitutional, as the Board of Education and not the General Assembly alone had power to initiate legislation relative to educational institutions; while the legislature could only alter, amend, or repeal such enactments. In consequence of this declaration as to the unconstitutionality of the law, the Board of Education, on December 25, 1858, enacted a

[1] *Laws of Iowa*, 1858, pp. 83-87.

measure incorporating the same general features—in fact, in large measure the same words were used as in the law which had been declared void. The chief difference between this measure and the other was in the fact that it made the Board of Trustees to consist of seven persons, to be elected by the Board of Education. Three of these were to hold office for one year, and the other four for three years. Upon the conclusion of their respective terms their successors were to be selected by the Board of Education.[1]

In 1870, by an act approved April 11, the control and government of the University was placed in the hands of a Board of Regents. This Board was to consist of the Governor of the State, who was to be ex-officio President of the Board, the Superintendent of Public Instruction, the President of the University, and one person for each congressional district of the State to be elected by the General Assembly. The University lands were placed in the care of this Board of Regents under practically the same conditions as those under which they had previously been held while in the hands of the Board of Trustees.[2]

On April 14, 1886, an act became a law by which the President of the University was dropped from membership on the Board of Regents.[3] Since that date no change of importance has been made as to the manner of control or disposal of the University Grant.

The patenting of the lands comprising this grant has been as follows:

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[1] *Acts of the Board of Education*, 1858, pp. 30–34.

[2] *Laws of Iowa*, 1870, pp. 88–93.

[3] *Laws of Iowa*, 1886, p. 222.

TABLE VI[1]

DATE OF REPORT	ACRES PATENTED DURING BIENNIUM
May 14, 1855	1,535.16
November 14, 1856	3,093.38
December 1, 1857	1,021.36
January 1, 1859	400.00
November 7, 1859	360.00
November 6, 1861	727.42
November 15, 1863	2,373.92
November 16, 1865	13,381.28
November 12, 1867	2,640.95
November 10, 1869	2,378.07
November 1, 1871	2,355.70
November 1, 1873	1,680.00
November 1, 1875	4,993.08
October 1, 1877	2,275.70
October 1, 1879	1,347.91
October 1, 1881	366.07
July 1, 1883	200.00
July 1, 1885	46.02
July 1, 1887	160.00
July 1, 1889	229.35
June 30, 1891	403.83
June 30, 1893	360.26
July 1, 1895	684.85
July 1, 1897	209.02
July 1, 1899	0
July 1, 1901	0
July 1, 1903	0
June 30, 1905	74.49
Total	43,297.82
Amount unpatented	578.82
Amount of grant	43,876.64

[1] *Reports of the Register of the State Land Office*, 1858–1881; and *Reports of the ecretary of State* (Land Department), 1883–1905.

With considerable effort the writer has traced down the dates of the errors as a result of which 2,052.20 acres appear as unaccounted for in the above table. It was found that in the report for 1879 there was a shortage of 1,010.20 acres. In the report for 1881 there was another discrepancy of 927.89 acres. And again, in the report of 1897 the figures given do not produce the correct sum by 207.80 acres. But by the report of 1899 there seems to be a partial correction of this error by a counter error of 93.65 acres. These four errors sum up exactly the amount marked "not accounted for" in the table above, i. e., 2,052.20 acres. The writer has not been able to ascertain the cause of this apparent shrinkage in the amount of the grant. It may have been due to some shifts in the courses of rivers, or to irregularities in the sale of the land unaccounted for.

On June 30, 1906, there remained unsold of the University Grant 572.34 acres.[1]

It is impossible to say just how much per acre all the land of this grant has brought when sold. But a number of facts presented by Thomas H. Benton, Jr., in the annual commencement address at the State University, June 21, 1867, throw considerable light upon the price received for land sold prior to that date. He says that the first sale made was of a section in Scott County, containing 645.16 acres, for $3,257.80—an average of five dollars and five cents per acre. This was an unusually valuable tract, and so commanded this price—a high one for that day. The total number of acres sold up to January 1, 1853, was 685.16

[1] Data obtained in a letter received from the Clerk of the Iowa State Land Office, August 6, 1906.

acres, the amount received therefor being $3,457.80. During the year 1854, 9,792.83 acres were sold at public sale for $36,475.21. Some tracts also were sold at private sale at $3.64 per acre—the appraised valuation. Some 2,280 acres were sold at an average price of $2.50. Up to January 1, 1855, a total of 18,170.70 acres had been disposed of for $59,423.15, being an average of $3.27 per acre. A large public sale of University lands was held at Iowa City, Iowa, in June, 1855, at which the aggregate sales, exclusive of lands occupied by settlers, amounted to $74,878.92. October 25, 1859, the Board made an examination of the books of the Treasurer of the University and found that 31,411.36 acres had been sold, and that the amount of the fund was $110,582.75.[1]

The amount of the permanent land endowment fund of the State University, June 30, 1905, was $235,120.36, which included the proceeds not only of the University Land Grant but also of the Saline Land Grant treated in the next section of this paper.[2]

The following table includes the interest annually accruing on the receipts from both of these land grants, and shows the entire income of the State University from National endowment through rentals and interest:

TABLE VII[3]

YEAR	AMOUNT	YEAR	AMOUNT
861	13,496.87	1863 . . .	15,767.89
862		1864 . . .	23,416.75

[1] Benton's *Historical Sketch of the State University of Iowa*, pp. 22–25.

[2] Biennial *Report of the Board of Regents*, p. 109.

[3] *Census of Iowa*, 1900, pp. cxvii–cxviii.

YEAR	AMOUNT	YEAR	AMOUNT
1865	19,183.77	1886 . . .	15,639.4
1866		1887 . . .	17,146.3
1867	18,985.43	1888 . . .	16,299.8
1868		1889 . . .	15,028.7
1869	25,724.49	1890 . . .	20,282.4
1870	19,708.62	1891 . . .	16,892.8
1871	20,497.08	1892 . . .	16,561.1
1872	21,000.84	1893 . . .	15,792.9
1873	22,154.95	1894 . . .	19,101.7
1874	22,376.76	1895 . . .	16,631.8
1875	21,663.58	1896 . . .	16,233.9
1876	18,396.30	1897 . . .	16,015.9
1877	18,135.78	1898 . . .	17,759.9
1878	23,105.92	1899 . . .	14,988.2
1879	17,673.91	1900 . . .	18,335.7
1880	19,620.63	1901 . . .	14,405.0
1881	16,662.94	1902 . . .	12,610.8
1882	15,531.71	1903 . . .	15,245.7
1883	16,487.50	1904 . . .	13,465.7
1884	16,165.02	1905 . .	14,254.8
1885	16,405.73		744,855.9

As nearly all of the land composing both the Universi Grant and the Saline Land Grant has been sold, only small part of the above income now consists of rentals.

The question naturally comes to mind as to the wisdom the sale of this grant, as well as of the various other lan grant lands. Would it not have been wiser to lease suc lands, and use the rentals for current expenses, retainin ownership of the land and thus gain the benefit of its gre increase in value? Such a plan has been followed in sever States, and is now being pursued by some of them. The

are several points to be argued both for and against this proposition, and a discussion of these points will be taken up in the closing section of this paper on "Some Comparisons and Conclusions."

THE SALINE LAND GRANT

What is known in Iowa history as the Saline Land Grant was not intended by Congress to be used directly for educational purposes. By an act of Congress, approved March 3, 1845, the National government granted to the State of Iowa *for its use* all salt-springs within the limits of the State, not to exceed twelve in number, together with six sections of land adjoining or as nearly contiguous as possible to each. These springs and the adjoining land were to be selected by the legislature within one year after the admission of Iowa into the Union, and were then to be used on such terms and conditions, and under such regulations as the legislature should provide. One provision of the act was that the General Assembly should never lease or sell this land and the salt springs for a longer period than ten years at a time without the consent of Congress.[1]

On February 24, 1847, the General Assembly authorized the Governor to appoint an agent for the purpose of selecting these lands.[2] Governor Briggs appointed Mr. John Brophy, who made the selections and submitted them to the Governor, by whom they were approved.

Mr. Brophy selected seventy-two sections of these lands and submitted the list to the Secretary of the Interior. But

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[1] *United States Statutes at Large*, Vol. V, pp. 789–790.

[2] *Laws of Iowa*, 1846, pp. 126–127.

of this amount eleven and eleven-sixteenths sections w
either rejected or suspended. The rest was approved
the Secretary of the Interior August 27, 1852. The amo
approved at this date was sixty and five-sixteenths sectio

To supply the deficiencies resulting from the rejectio
suspension of a part of the seventy-two sections selec
Governor Hempstead appointed Mr. J. Keister, Saline L
Agent to make other selections in lieu of those suspen
or rejected. June 29, 1854, Mr. Keister reported to
Governor a list of his selections. This list was accept
both to the State and to the United States officers. T
the seventy-two sections (twelve springs, each with six
tions of land) were selected, and were approved by the S
retary of the Interior.

Some of the sections chosen were not perfect sectio
A few contained slightly more than 640 acres, and a f
contained less than that amount. The exact number
acres, as given by the Register of the State Land Office
46,202.53. The location of the saline lands by counties
as follows:

TABLE VIII[1]

COUNTY	NO. ACRES THEREIN
Appanoose	12,960.28
Davis	640.00
Decatur	2,560.00
Lucas	25,791.46
Monroe	1,120.00
Van Buren	640.00
Wayne	2,490.79
Total	46,202.53

[1] *Report of the Register of the State Land Office*, 1871, p. 13.

It was mentioned above that Congress, in granting the saline lands to the State, provided that the General Assembly should never lease or sell them at any one time for a longer period than ten years, without the consent of Congress. The General Assembly passed a joint resolution, January 24, 1851, requesting Iowa's Senators and Representatives in Congress to urge the passage of a law authorizing the General Assembly to sell and dispose of the saline lands belonging to the State in such manner and at such price, not to be less than $1.25 per acre, as the General Assembly might deem expedient.[1]

As a result of this action, Congress, by an act approved May 27, 1852, granted the twelve salt springs and six sections contiguous thereto to the State in fee simple to be disposed of, and the proceeds to be applied as the legislature might direct.[2]

Thus the saline grant became the property of the State, to be disposed of as directed by the legislature. During the next ten years seven different acts were passed relative to the disposal of this land. The first of these, passed February 5, 1851, provided that the saline lands should be sold by the same officer as though they were a part of those lands set aside for the improvement of the Des Moines River. The proceeds of the sales were to constitute a fund for founding and supporting a lunatic asylum, except that $5,000 of the principal was to be placed at the disposal of the Superintendent of Public Instruction[3] for the use of the

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[1] *Laws of Iowa*, 1850, p. 246.

[2] *United States Statutes at Large*, Vol. X, p. 7.

[3] *Laws of Iowa*, 1850, pp. 227–229.

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[1] *Laws of Iowa*, 1850, p. 246.
[2] *United States Statutes at Large*, Vol. X, p. 7.
[3] *Laws of Iowa*, 1850, pp. 227–229.

College of Physicians and Surgeons at Keokuk. The Register of the State Land Office reported, however, that there were no sales made under this act.

On January 22, 1853, an act of the General Assembly was approved, providing that the saline lands should be sold by the same officer and under the same regulations as though they formed a portion of the school lands of the State. The proceeds were to be paid into the State Treasury.[1]

The next law relative to this land was enacted January 25, 1855. It provided that from the time when it should take effect, all school, saline, and university land should be sold in accordance with a plan set forth in the act, which was practically the same as the plan for selling the sixteenth section land. The act also required the Board of Trustees of the University to elect a Treasurer, and to him the State Treasurer was to deliver over all moneys, books, notes, and other papers in his possession and belonging to the university or saline funds.[2]

The Fifth General Assembly, at an extra session, enacted July 14, 1856, that all money arising from the sale of the saline lands of the State, whether in the hands of the Treasurer of State or any other person, should be appropriated to the State Insane Asylum at Mount Pleasant.[3]

Two years later, March 23, 1858, an act was approved repealing the section of the act of July 14, 1856, which appropriated the proceeds from the sale of saline lands for the construction of the Insane Asylum.[4]

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[1] *Laws of Iowa*, 1852, pp. 126–127.

[2] *Laws of Iowa*, 1854, pp. 200–201.

[3] *Laws of Iowa*, Extra Session, 1856, pp. 90–91

[4] *Laws of Iowa*, 1858, p. 263.

An act passed March 26, 1860, authorized the County Judge and County Treasurer to sell the saline lands. The powers vested in the School Fund Commissioners by the act of January 25, 1855, relative to the sale of saline lands were to be vested in and exercised by the County Judge and County Treasurer.[1]

The final disposition of the Saline Land Grant was made by an act of the legislature passed April 2, 1860, and taking effect May 9, 1860. By this act the saline lands and funds were appropriated to the State University to become a part of the permanent fund of that institution. But from this disposal of the fund, reservation was made that the Board of Trustees of the University could expend out of the saline fund an amount not to exceed $5,000 for completing and furnishing a building erected for a "boarding hall", and a further amount not exceeding $5,000 in repairing and refitting the main building of the University, and in purchasing necessary apparatus for instruction in the institution.[2]

As a result of this law the Saline Land Grant was definitely and finally diverted by the legislature to the State University Fund. From this time it was in effect the same as if the Federal government had originally made it as an educational grant.

Soon afterward a question arose as to whether these lands were to be sold and certified by the Board of Trustees of the University or by the County Judges and Treasurers. This question was settled by the legislature in an act approved March 25, 1864. The saline lands were by it placed

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[1] *Laws of Iowa, Revision of 1860*, pp. 345–346.

[2] *Laws of Iowa, Revision of 1860*, pp. 346–347.

under the control and management of the Board of Trustees of the University "as fully as if the same were a part of the grant of lands known as the University Lands." They were to be sold by the Board in the same manner and under the same restrictions as the University Grant lands.[1]

When the Board of Trustees of the University was superseded by the Board of Regents, as above noted in the treatment of the University Grant, the rules and regulations applying to the care and sale of that grant also applied to the saline grant.

The following table shows the amounts of saline lands patented during the successive biennial periods:

TABLE NO. IX[1]

DATE OF REPORT	NO. ACRES PATENTED DURING BIENNIUM
May 14, 1855	5,620.48
November 14, 1856	5,061.34
December 1, 1857	2,504.48
November 7, 1859	1,811.10
November 6, 1861	1,280.00
November 16, 1863	8,681.51
November 16, 1865	10,827.38
November 12, 1867	2,632.29
November 10, 1869	1,145.69
November 1, 1871	1,120.00
November 1, 1873	640.00
November 1, 1875	880.00
October 1, 1877	880.00
October 1, 1879	433.52
October 1, 1881	760.00
July 1, 1883	0

[1] *Laws of Iowa*, 1864, pp. 84–86.

[2] *Report of the Register of the State Land Office*, 1857–1881, and *Report of the Secretary of State* (Land Department), 1883–1905.

DATE OF REPORT	NO. ACRES PATENTED DURING BIENNIUM
July 1, 1885	160.00
July 1, 1887	40.00
July 1, 1889	40.00
July 1, 1891	560.00
July 1, 1893	160.00
July 1, 1895	701.82
July 1, 1897	120.00
July 1, 1899	0
July 1, 1901	80.00
July 1, 1903	0
July 1, 1905	0
Total	46,139.61
Amount unpatented	1,815.68
	47,955.29
Error or duplication	1,752.76
Amount of grant	46,202.53

One should guard against believing that the entire amount of the saline lands was used for University support. It should be remembered that acts were passed providing for their use first for one purpose and then for another. It was not until 1860 that what was left of this grant was turned into the channel of University support. By that date, a large number of acres had been patented, and a much larger number had been sold. Thomas H. Benton, Jr., said in 1867 that "in the settlement made with the Board in the autumn of 1860, they received of the proceeds $9,064.64 in cash, and $20,507.10 in notes, making $29,571.74, including the $10,000 appropriated for buildings and apparatus, leaving a net balance of $19,571.74 and the unsold lands to be added to the University fund—the whole estimated by

the Board at the time at $31,017.81."[1] Mr. Benton stated that the amount of land unsold at that time and consequently turned over to the University was 4,578.43 acres.

According to a letter received from the Clerk of the Iowa State Land Office, August 6, 1906, there were at that date 1,409.99 acres of the saline grant lands unsold.

THE AGRICULTURAL COLLEGE GRANT

It has been the policy of the Federal government to encourage and aid in the establishment and maintenance of colleges of agriculture and the mechanic arts in the various States of the Union. This policy was first outlined in an act of Congress, approved July 2, 1862, which provided for donations of public lands to the several States and Territories which might found colleges for the teaching of branches of learning related to agriculture and the mechanic arts. It granted to the several States an amount of land such that each State should receive a quantity equal to 30,000 acres for each Senator and Representative in Congress to which the respective States were entitled under the census of 1860. There was a provision that no mineral lands should be selected or purchased under this act. The lands, after being surveyed, were to be apportioned to the several States in sections or subdivisions of not less than one-fourth of a section. The quantity of land to which any State was entitled was to be selected from any of the public lands in that State, subject to private entry at $1.25 per acre. Where there was not a sufficient quantity of such land in any State to furnish the number of acres to which the State was entitled under

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[1] Benton's *Historical Sketch of the State University of Iowa*, pp. 28-29.

this grant, the Secretary of the Interior was directed to issue sufficient land scrip to make up the deficiency of that State's share. This scrip was to be sold, and the proceeds from such sale were to be used for the purpose for which the grant was made.

All money derived from the sale of these lands, or scrip if such were issued, was to be invested in stocks of the United States, or of the States, or some other safe stocks, yielding not less than five per cent upon the par value of such stocks; and the money so invested was to constitute a permanent fund of which the capital should remain forever undiminished. The interest of this fund was to be inviolably appropriated "to the endowment, support, and maintenance of at least one college where the leading object shall be, without excluding other scientific and classical studies, and including military tactics, to teach such branches of learning as are related to agriculture and the mechanic arts, in such manner as the legislatures of the States may respectively prescribe, in order to promote the liberal and practical education of the industrial classes in the several pursuits and professions in life."[1]

To make sure that the entire proceeds from these lands should be applied, without any diminution whatever, to the purposes mentioned above, it was provided that all expenses of management, superintendence and taxes from the date of the selection of the lands until they should be sold, and all expenses incurred in the management and disbursement of the moneys received from such sales, should be paid out of the Treasuries of the States to which these lands should be-

[1] *United States Statutes at Large*, Vol. XII, pp. 503–505.

long. Further, if any part of the funds invested or any of the interest thereon should by any action or contingency be diminished or lost, it was to be replaced by the State, so that the capital might remain forever undiminished. The annual interest was to be regularly applied without diminution to the endowment, support, and maintenance of at least one agricultural college, except that a sum not exceeding ten per cent upon the amount received by a State under this act might be expended for the purchase of lands for sites or experimental farms, whenever the legislature of the State might authorize it. No portion of the permanent fund, nor the interest on it, was to be applied either directly or indirectly, under any pretense whatsoever to the purchase, erection, preservation, or repair of any building or buildings.

This grant was to inure to any State only in case such State should provide at least one agricultural college within five years after claiming the benefits of the provisions of the act.

Under the conditions laid down in this act, Iowa according to the census of 1860, being entitled to eight Senators and Representatives in Congress, was entitled to two hundred and forty thousand acres of land, upon complying with the requirements under which the grant was made. An act of the legislature making provision for the founding of a State Agricultural College had already been passed (March 22, 1858),[1] so Iowa was ready to immediately take advantage of this grant from the Federal government. Accordingly, the General Assembly, being convened in extra session, passed an act, approved September 11, 1862, accepting the lands,

[1] *Laws of Iowa*, 1858, pp. 173–179.

rights, powers, and privileges granted to and conferred upon the State of Iowa by the act of Congress discussed above, and upon the terms, conditions, and restrictions contained in that act. The Governor was authorized and required to appoint a Commissioner to select and locate this land under such restrictions as the Governor should direct. But only so many acres were to be selected in any county as there might be in such county subject to entry at $1.25 per acre, over and above the number of acres of swamp lands selected in such county; and no lands selected as swamp lands were to be selected by this Commissioner.

The list of selections so made by this Commissioner was to be reported to the Governor and by him laid before the Board of Trustees of the Iowa State Agricultural College and Farm. When approved by them, measures were to be taken to have the lands selected certified to the State by the Secretary of the Interior. This act appropriated one thousand dollars, or so much of that amount as might be necessary, to meet the expense of carrying out its provisions.[1]

Under this act, Peter Melendy, of Blackhawk County, was appointed to select and locate the lands. He made the selections in the latter part of the year 1863, and they were approved by the Secretary of the Interior, December 13, 1864. Land selected within railroad limits was approved at double the value of other land; 35,691.66 acres of these "double minimum" lands were selected, and being credited at double value, were accepted by the State as 71,383.32 acres. When these lands are thus considered, the total quantity of land received under this grant is 240,000.96 acres.

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[1] *Laws of Iowa*, Extra Session, 1862, pp. 25–26.

The following table gives the location of this land by counties, stating the number of acres within and without the railroad limits, and the total amount:

TABLE NO. X[1]

COUNTY	AMT. IN R. R. LIMITS	OUTSIDE R. R. LIMITS	TOTAL
Beuna Vista	1,765.33	4,072.25	5,837.58
Calhoun	3,068.00		3,068.00
Cherokee	2,249.62		2,249.62
Clay		8,719.42	8,719.42
Dickinson		5,159.67	5,159.67
Emmet		16,648.99	16,648.99
Greene	4,178.65		4,178.65
Hamilton	2,481.50		2,481.50
Humboldt		3,063.13	3,063.13
Ida	5,212.32	3,426.55	8,638.87
Kossuth		84,198.29	84,198.29
Lyon		1,120.00	1,120.00
O'Brien		1,600.00	1,600.00
Palo Alto		27,718.14	27,718.14
Pocahontas	3,549.04		3,549.04
Plymouth	1,760.00	2,082.60	3,842.60
Sac	320.00		320.00
Sioux		1,280.00	1,280.00
Webster	3,249.72		3,249.72
Winnebago		2,429.75	2,429.75
Woodbury	3,201.17	6,902.29	10,103.46
Worth		196.56	196.56
Wright	4,645.45		4,645 45
Error	10.86		10.86
Total	35,691.66	168,617.64	204,309.30

[1] *Report of the Register of the State Land Office*, 1865, pp. 129–130.

On March 29, 1864, there was approved an act of the General Assembly which formally granted to the Iowa State Agricultural College, situated on the Agricultural Farm in Story County, Iowa, the lands carried by the grant of July 2, 1862. By this act the interests on the proceeds arising from the sale of these lands, or any part thereof, and the rents accruing from the lease of any of such lands, were appropriated to the endowment, support and maintenance of the college, upon the terms, conditions, and restrictions contained in the act of Congress making the grant, and subject to such conditions and restrictions as future legislatures of Iowa might impose. The Board of Trustees of the Agricultural College were authorized to sell all of these lands in such tracts or parcels, and to such party or parties, and upon such terms of payment as they might deem proper and for the best interests of the institution. To the purchaser of any part of these lands, the President of the College and Farm was to issue a certificate, countersigned by the Secretary of the Board of Trustees, stating the fact of purchase, to whom sold, description of the land, terms of sale, and the amount paid for it. Upon the proper presentation of this certificate, properly endorsed, to the Register of the State Land Office, if full payment of the purchase money had been made, the Register was to issue a patent for the land.

Not more than ten per cent of the entire grant was to be sold in this manner by the Board of Trustees previous to the first day of April 1866, and none of it was to be sold by the Board for less than one dollar per acre.[1]

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[1] *Laws of Iowa*, 1864, pp. 148–151.

This act also authorized the Trustees to lease for a term of ten or more years, any of these lands. The lessee of such lands was to pay six per cent per annum interest on the appraised value of the lands leased, with the privilege of purchasing the same at the expiration of the lease at the appraised value at the date of the lease. This appraised value was not to be less than $1.25 per acre. In case the lessee should fail to pay the interest on his lease within six months after it became due he was to forfeit his lease, with all the improvements thereon, to the College.

All the proceeds of the lands thus sold, except ten per cent thereof, were to be invested in stocks of the United States, or of Iowa, or other safe stocks, yielding not less than five per cent upon the par value of such stocks. The interest or increase arising from such investment, or so much of it as might be necessary, was to be applied to the support and maintenance of the College and Farm.

The Register of the State Land Office reported, November 16, 1865, that none of the lands had been sold absolutely, but that 45,504.82 acres had been leased, of which the appraised valuation was $89,558.77[1]

Exactly two years after the approval of the act discussed above, the Eleventh General Assembly passed another act, approved March 29, 1866, regulating the sale and lease of lands belonging to the Iowa State Agricultural College. It was provided that none of these lands should be sold for a less sum than fifty per cent above the prices at which each piece respectively had been appraised in the year 1865. But any land could be sold by the purchaser paying one-fourth

[1] *Report of the Register of the State Land Office*, 1865, p. 130.

t the time of the sale, and the balance at any time within
en years from the day of sale, the purchaser to pay eight
er cent interest, payable annually in advance, on the defer-
ed payment. Any failure to pay interest or principal with-
a sixty days after it became due was to cause the purchaser
o forfeit all claim to the land, as well as that portion of
rincipal and interest already paid on the purchase.

Any of the lands could under this act be leased, in amounts
ot to exceed one hundred and sixty acres to any one man,
or a term not to exceed ten years. The lessee was to pay
a advance interest at the rate of eight per cent per annum
pon the price of the land, the price of which was made
fty per cent additional to the price at which it had been
ppraised in 1865. The lessee failing to pay the interest on
is lease within sixty days from the time it was due, was to
orfeit his lease together with all interest already paid and
ne improvements on the land.[1]

The Trustees were empowered to appoint agents to carry
ut the provisions of this act, and those of the act of March
9, 1864, which were not repealed by this one. Hon. G.
V. Bassett was appointed such agent. In a report which
e made in 1869, he gave the total number of acres leased
o September 30, 1869, as 204,056.69. The appraised val-
ation of this land was $487,608.59, or $2.39 per acre.[2]

On March 19, 1874, an act of the General Assembly was
pproved, which authorized the Board of Trustees to renew
eases, for a term not exceeding ten years from the date of

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[1] *Laws of Iowa*, 1866, pp. 62–64.

[2] *Report of the State Agricultural College and Farm*, 1870, pp. 70–71, in *Legisla-
ve Documents*, 1870, Vol. II.

renewal, and making such lands subject to assessment for taxation at the end of ten years from the date of the original lease.[1]

Ten years later, March 27, 1884, an act of the legislature was approved, differing but little from that of March 19, 1874. The Trustees were empowered to still further extend leases, and to continue selling Agricultural College lands, on practically the same terms and conditions as had been previously the case.[2]

On March 28, 1884, there was approved an act which provided that the Board of Trustees should consist of one person from each congressional district of the State, elected by the General Assembly, to serve for a term of six years. Neither the President nor any other officer or employee of the College and Farm nor any member of the General Assembly was to be eligible to the office of Trustee.[3]

By an act approved March 28, 1898, the Governor and Superintendent of Public Instruction were made ex-officio members of the Board of Trustees.[4]

The following table shows the number of acres of this grant patented during each biennial period:

TABLE NO. XI[5]

DATE OF REPORT	ACRES PATENTED DURING BIENNIUM
November 10, 1869	160.00
November 1, 1871	3,242.69
November 1, 1873	2,085.16

[1] *Laws of Iowa*, 1874, p. 93.

[2] *Laws of Iowa*, 1884, pp. 80–82.

[3] *Laws of Iowa*, 1884, pp. 84–85.

[4] *Laws of Iowa*, 1898, p. 45.

[5] *Report of the Register of the State Land Office*, 1869–1881, and *Report of the Secretary of State* (Land Department), 1883–1905.

DATE OF REPORT	ACRES PATENTED DURING BIENNIUM
November 1, 1875	13,418.54
October 1, 1877	10,775.61
October 1, 1879	1,440.00
October 1, 1881	5,753.57
July 1, 1883	6,580.97
July 1, 1885	35,424.78
July 1, 1887	24,534.67
July 1, 1889	14,321.07
June 30, 1891	32,344.20
June 30, 1893	18,256.51
July 1, 1895	11,409.91
July 1, 1897	11,919.66
July 1, 1899	4,888.51
July 1, 1901	4,649.75
June 30, 1903	1,480.00
June 30, 1905	680.00
Total	203,365.60
Amount unpatented	336.02
Not accounted for	607.68
Amount of grant	204,309.30

Of the 607.68 acres which appear on the above table as "not accounted for", 102.94 acres are accounted for by Geo. W. Bassett, Agent for Iowa Agricultural College, in his report for 1870. He says "the number of acres in the grant was reported to be 204,309.30, whereas the actual number of acres is 204,206.36, a difference of 102.94 acres."[1] Not any of the Agricultural College Grant land remains unsold at the present time.

The following table shows the income of the Agricultural College from rentals and interest on the National endowment.

[1] *Legislative Documents*, 1870, Vol. II, *Report of State Agricultural College and Farm*, p. 71.

TABLE NO. XII[1]

YEAR	AMOUNT	YEAR	AMOUNT
1865	$4,914.55	1886	$45,355.43
1866	4,923.27	1887	49,669.94
1867	30,840.81	1888	46,239.01
1868	23,241.75	1889	47,891.87
1869	31,735.03	1890	44,145.14
1870	32,460.42	1891	49,371.22
1871	33,826.62	1892	44,417.73
1872	29,061.78	1893	43,928.73
1873	33,390.15	1894	51,159.55
1874	30,779.32	1895	43,291.25
1875	35,886.18	1896	46,596.05
1876	34,936.17	1897	47,729.75
1877	37,833.98	1898*	16,609.62
1878	38,200.36	1899	47,178.42
1879	40,304.36	1900	41,819.27
1880	41,791.24	1901	43,801.05
1881	44,384.20	1902	38,253.93
1882	48,135.77	1903	36,728.51
1883	45,949.73	1904	36,295.73
1884	46,721.89	1905	35,265.03
1885	39,122.53	*Total*	$1,564,176.34

THE FIVE SECTION GRANT

Another body of land which, like the Five Hundred Thousand Acre Grant, the Federal government gave to Iowa for purposes other than education, and which was diverted by the State into educational channels, was that known as the

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[1] *Census of Iowa*, 1905, pp. cxix–cxx.

*Partial year—November 11, 1897 to June 30, 1898. Change in ending of fiscal year.

Five Section Grant. The land conveyed by this grant became a part of the Agricultural College lands and therefore should be considered in a treatment of the sources of our educational funds.

In an act supplemental to that for the admission of the States of Florida and Iowa into the Union, approved March 3, 1845, Congress provided that five entire sections of land, in legal divisions of not less than a quarter section, be granted to the State of Iowa. The purpose for which the proceeds of this land were to be used was that of completing the public buildings of the State, or for the erection of public buildings at the seat of government of the State, as the legislature might determine and direct. These five sections were to be selected and located under direction of the legislature, and might consist of any of the unappropriated lands of the United States within the State of Iowa.[1]

The State legislature accepted this grant, and, in order to carry out the provisions of the act by which it was made, passed an act February 22, 1847, in which John Brown of Lee County, Joseph D. Hoag, of Henry County, and John Taylor, of Jones County, were appointed Commissioners to locate the permanent seat of government of the State, and to select the lands granted by Congress to aid in erecting public buildings.[2] These Commissioners chose the entire 3,200 acres in Jasper County. The selections, described by section, township, and range, are shown in the following table:

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[1] *United States Statutes at Large*, Vol. V, p. 790.

[2] *Laws of Iowa*, 1846, p. 85.

TABLE NO. XIII[1]

SECTION	TWP.	RANGE	ACRES
Lots 5 & 8, and the S. W. ¼ of 3	78 N	20 W	320
Lots 5, 6, 7, & 8, and S. E. & S. W. ¼ of 4	78	20	640
Lots 5, 6, 7, & 8, and S. E. & S. W. ¼ of 5	78	20	640
Sec. 8	78	20	640
Sec. 9	78	20	640
W. ½ of 10	78	20	320
Total			3,200

In an act approved March 22, 1858, the General Assembly provided for the establishment of a State Agricultural College and Farm. Of this act, section eleven stated that "There is hereby appropriated the proceeds of the sale of five sections of land heretofore granted to the State of Iowa by Congress for the erection of Capitol buildings, for the use and benefit of the college herein established: Provided Congress diverts the same for this purpose."[2]

On the following day, March 23, 1858, there was approved an unpublished resolution asking Congress for a diversion of these five section lands from their originally intended use in the erection of public buildings. This resolution instructed Iowa's Senators in Congress and requested her Representatives to endeavor to obtain the passage of an act of Congress authorizing the use of the five sections of land for the benefit of the Agricultural College and Model Farm.[3]

In response to this request, Congress passed an act July 11, 1862, in which it was enacted that the five sections of land granted to the State of Iowa should be released and discharged from the limitation contained in the granting act.

[1] *Report of the Register of the State Land Office*, 1857, p. 25.

[2] *Laws of Iowa*, 1858, p. 174.

[3] *Report of the Register of the State Land Office*, 1859, p. 30.

Permission was given to the General Assembly of Iowa to make such disposition of this land as it might deem best for the interests of the State.[1]

This act of Congress having given approval to the act of the State legislature, the Trustees of the Agricultural College took over the control and management of the five section lands.

The Register of the State Land Office in his report dated November 16, 1865, said that 2,560 acres of this land had been sold, 1,120 acres having been patented. In his report two years later—November 12, 1867—he stated that the entire 3,200 acres had been sold and patented.

The Secretary of the Agricultural College and Farm in his report of January 1, 1866, gave a table of the receipts of the College for each of the successive years up to that date. In the tables of receipts for the years 1864 and 1865, he includes the following items:[2]

1864—Jasper County Lands . .	$16,000.00
1865—Jasper County Lands . .	1,453.79
Total	$17,453.79

This amount of $17,453.79 became a part of the permanent fund of the State Agricultural College and from that time any treatment of the proceeds of the Five Section Grant lands as separate from the rest of that fund is impossible.

In considering the Swamp Land Grant, no attempt will be made in this paper to follow out in detail every line of this

[1] *United States Statutes at Large*, Vol. XII, p. 536.

[2] *Legislative Documents*, 1866, Vol. II; *Report of Agricultural College and Farm*, pp. 13–14.

complicated and badly mixed affair. Herein a treatment of the more fundamental features and the more important details of the Swamp Land Grant and its disposal in Iowa will suffice.

The method of selecting and determining what was or was not to be considered swamp land caused much of the difficulty and complication referred to. Many hundred thousand acres have been selected and claimed to be swamp land which agents of the Federal government have refused to recognize as such. In many cases the selecting agents were doubtless either intentionally or unintentionally wrong in their judgment as to the swampy nature of certain tracts. They were also in some cases careless in reporting and describing such selections.

Another cause of irregularity is the fact that some land selected as swamp land, and so due to the State under the Swamp Land Grant, was also included in one or more of the various grants made to aid in the construction of railroads. In this way complications arose many in number and almost impossible of disentanglement.

Again, many tracts of land swampy in their nature had been located and filed upon by settlers before the Swamp Land Grant was made, and so could not well pass to the State. It was this fact that led to the system of indemnifying the State either by other land in the place of such tracts or by cash indemnity.

A still further cause of complications is found in the fact that certain years during the selection of swamp lands—notably 1854 and 1855—were very wet years. This period was followed by a time of unusual drouth. Accordingly many

tracts selected during the wet years were not approved by the agents of the Federal government during the later dry years. During the dry period one could have been easily persuaded that fraud had been practiced in the selection of good land under the claim that it was of a swampy character. It was, indeed, sometimes asserted that the National government was being held up and robbed in this manner.

The facts above mentioned are sufficient to convince the reader that a complete discussion of the Swamp Land Grant would demand the consideration of many complicated questions. As stated above, in this chapter we shall content ourselves with making a somewhat general and less detailed study of this grant.

By an act of Congress, approved September 28, 1850, entitled "An act to enable the State of Arkansas and other States to reclaim the 'Swamp Lands' within their limits", the so-called Swamp Land Grant was made.[1] By this act it was provided that to enable the State of Arkansas to construct the necessary levees and drains to reclaim the swamp and overflowed lands therein, the whole of those swamps and overflowed lands, made unfit thereby for cultivation, which should remain unsold at the passage of this act, should be and the same were thereby, granted to said State. The Secretary of the Interior, as soon as practicable after the passage of this act, was to make out an accurate list and plats of such swamps and overflowed lands, and transmit this list to the Governor of Arkansas, and at the request of said Governor, cause a patent to be issued to the State therefor. Upon the granting of this patent, the fee simple to said lands

[1] *United States Statutes at Large*, Vol. IX, pp. 519–520.

was to vest in the State of Arkansas, subject to the disposal of the legislature thereof. The proceeds of these lands were to be used, exclusively, as far as necessary, for the purpose of reclaiming them by means of levees and drains.

In making out the list and plats of these swamp lands, all legal subdivisions, the greater part of which was "wet and unfit for cultivation", were to be included in such lists and plats. If the greater part of such subdivisions was not of that character, the entire parcel of land was to be excluded from the list and plats.

The part of this act of most importance in a consideration of Iowa land grants, is section four, by which it was enacted that the provisions of this act should be extended to, and their benefits be conferred upon, each of the other States of the Union in which such swamp and overflowed lands might be situated.[1]

Another act of Congress, approved March 2, 1855, provided that the President of the United States should issue patents to purchasers or locators of lands claimed as swamp lands prior to the issue of patents to the State or States as provided in the law of September 28, 1850, discussed above. Upon due proof, by the authorized agent of the State or States, before the Commissioner of the General Land Office, that any of the lands purchased were swamp lands within the true intent and meaning of the act of September 28, 1850, the purchase money was to be paid over to the said State or States. Where the lands had been located by warrant or scrip, the said State was to be authorized to locate a quantity of like amount upon any of the public lands subject

[1] *United States Statutes at Large*, Vol. IX, pp. 519–520.

to entry at one dollar and a quarter per acre or less, and patents were to be issued therefor upon the terms and conditions enumerated in the act of 1850. Such decisions of the Commissioner of the General Land Office were to be approved by the Secretary of the Interior.[1]

An act confirming to the several States lands selected as swamp lands was approved March 3, 1857. This act provided that the selection of swamp lands made in conformity with the above acts, and reported to the Commissioner of the General Land Office prior to the passage of this act, so far as the same should remain vacant and unappropriated, and not interfered with by actual settlement under any existing law of the United States, was thereby confirmed and should be approved and patented to the said several States as soon as practicable.[2]

The Fourth General Assembly of the State of Iowa passed an act, approved January 13, 1853, for the disposal of the swamp and overflowed lands in Iowa and to pay the expense of selecting and surveying the same. By this act all the swamp and overflowed lands granted by the act of Congress of September 28, 1850, were granted to the counties in which they were respectively situated, for the purpose of constructing the necessary levees and drains to reclaim the same. Any lands remaining after the expenses of reclamation had been met, were to be used for the building of roads and bridges, when necessary, through or across these lands. If all should not be needed for these purposes, the remainder was to be expended in building roads and bridges within

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[1] *United States Statutes at Large*, Vol. X, pp. 634–635.

[2] *United States Statutes at Large*, Vol. XI, p. 251.

the county. A minimum selling price of twenty cents per acre was placed upon this land.[1]

January 27, 1858, a measure was enacted authorizing the Governor to appoint an agent to proceed to Washington to effect an adjustment and settlement for the different counties in the State of their swamp land business. The Governor was also authorized to appoint one or more agents to have the swamp and overflowed lands selected in the new and unorganized counties of the State.[2]

Provision was also made that when the General government had issued the scrip and refunded the money to the State, as contemplated by the act of Congress of March 2, 1855, and patented to the State the lands accruing by virtue of the act of Congress of September 28, 1850, the Governor, Register of the State Land Office, and the agent of the county, if any, should constitute a board to ascertain what amount of said land, money, and scrip should be due the different counties of the State and when so ascertained the same should be subject to the order of the County Judges, or other proper authorities in the county.[3]

By another law, enacted March 22, 1858, it was provided that it should be competent and lawful for counties owning swamp and overflowed lands, to devote the same, or the proceeds thereof, either in whole or in part to the erection of public buildings for the purpose of education, the building of bridges, roads and highways, for building institutions of learning or for making railroads through the county or

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[1] *Laws of Iowa*, 1852, pp. 29–37.

[2] *Laws of Iowa*, 1858, pp. 3–4.

[3] *Laws of Iowa*, 1858, pp. 3–4.

counties to which such lands belonged. But before any such lands or money could be used for any or all of these purposes, it was necessary that the question whether it be done or not should be submitted to the people at some general or special election of the county.[1]

At an extra session of the Eighth General Assembly an act was passed, approved May 28, 1861, by which the swamp lands in the various counties of the State were placed under the control of the respective county Boards of Supervisors. All previous acts of the county Boards of Supervisors relative to the swamp lands were legalized.[2]

The following year an amendatory act was passed, becoming a law without the Governor's signature, March 31, 1862, by which it was made possible for the counties to use their swamp lands, or the proceeds thereof, for any or all of the following purposes: (a) the erection of public buildings for the purpose of education; (b) the building of bridges, roads, and highways; (c) for building institutions of learning; (d) for a permanent school fund for the use of the county to which such lands belong; (e) for building of county buildings; or (f) for making railroads through the county or counties to which such lands belonged. But no county was to be released from its obligations to make the necessary drains and levees as contemplated in the original act of Congress by which the grant was made.[3]

Another act by this same General Assembly, approved April 8, 1862, again authorized the Governor to appoint an

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[1] *Laws of Iowa*, 1858, pp. 256–257.

[2] *Laws of Iowa*, Extra Session, 1861, p. 7.

[3] *Laws of Iowa*, 1862, pp. 78–79.

agent or agents to settle the entire matter of the swamp lands with the Commissioner of the General Land Office at Washington. This act also made many provisions as to the methods to be pursued in such settlement and as to the distributions of the lands or proceeds thereof to the several counties.[1] A number of general agents were appointed; and one of these, Samuel Townsend, went to Washington and accomplished something toward straightening out the swamp land affairs. A great many details, however, remained unsettled.

At the next session of the legislature an act, approved March 22, 1864, provided that the Boards of Supervisors in the several counties might appoint three citizens to make a careful examination of the swamp lands in their respective counties, "lying in, along or contiguous to navigable streams; such lands being subject to periodical overflow during any of the summer months". Upon this land a value was to be appraised. Upon all other of the swamp lands of the county, not situated as described above a value was to be appraised, not to be less than one dollar per acre. After such appraisal, the Board of Supervisors was to have power to sell such lands at public or private sale, at a price not lower than that at which it had been appraised.[2]

By an act approved March 30, 1866, J. A. Harvey was appointed a Commissioner on behalf of the State of Iowa to adjust with the General government several matters relative to grants of land to the State. Among these matters was that of settling the claims of Iowa against the United

[1] *Laws of Iowa*, 1862, pp. 186–190.

[2] *Laws of Iowa*, 1864, pp. 74–75.

States arising under the Swamp Land Grant.[1] Mr. Harvey did not complete this work, and on January 12, 1872, Hon. John Cleghorn was appointed as Commissioner. He went to Washington, D. C., and entered upon his duties May 28, 1872. October 28, 1873, he made a report to Hon. Aaron Brown, Register of the State Land Office, in which he noted much progress in the accurate adjustment of the claims of the State, although many vexatious questions in connection with the swamp lands remained unsettled.[2]

At the adjourned session of the Fourteenth General Assembly, Joint Resolution No. 15, passed January 25, 1873, authorized and required the Governor and the Register of the State Land Office to procure as soon as practicable from the Commissioner of the General Land Office at Washington, and also when deemed necessary from the several local land offices, certified lists of the lands on which there were conflicting claims under the several railroad and swamp land grants, together with lists of all cancelled preëmption entries and homestead claims or settlements. These lists were to be filed and recorded in the office of the Register of the State Land Office. The necessary expenses of this work were to be paid out of the general contingent fund of the State.[3]

The Governor appointed Mr. P. S. Brown as an agent to do this work and the Register of the State Land Office in his annual report of November 1, 1875, indicates that the duty was performed and that the lists made out were on file at the Land Office.

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[1] *Laws of Iowa*, 1866, pp. 71–73.

[2] *Report of the Register of the State Land Office*, 1873, pp. 164–176.

[3] *Laws of Iowa*, Adjourned Session, 1873, p. 27.

Mr. Cleghorn held this office until it was abolished by an act of the legislature, approved March 18, 1874.[1]

The question was raised in the case of the *American Emigrant Company* vs. *Adams County* whether the swamp lands could be legitimately used for any purpose except that of reclaiming such land, as contemplated in the act of Congress making the grant. The case was transferred from the District Court of Adams County, Iowa, to the Circuit Court of the United States. It was appealed from the Circuit Court to the Supreme Court of the United States. The Supreme Court first decided that any other use was a violation of the act of Congress and so was unlawful. But upon reconsideration this opinion was reversed and the grant by the State of its swamp and overflow lands to the several counties for general county purposes was held to be valid.[2]

The act of April 8, 1862, mentioned above, granting to the Governor power to appoint agents to receive and locate swamp land scrip, fixed as compensation for such agents four dollars per day, the money to be paid by the counties. The Treasurer of the State, instead of distributing among the several counties all the money received as swamp land indemnity, kept out a percentage of the swamp land funds passing through his hands. This money was to be used in paying the swamp land agents. The full amount retained thus by the Treasurer was not needed for this purpose; and accordingly, on March 25, 1878, an act of the legislature was approved, instructing the Treasurer to distribute these accumulated funds to the several counties from which such

[1] *Laws of Iowa*, 1874, p. 18.

[2] *Report of the Secretary of State* (Land Department), 1883, p. 80.

funds had been held back. After the passage of this act all money received from the United States in payment of cash indemnity for swamp lands was to be paid over to the proper counties, the State Treasurer not retaining any part of it.[1]

An act of the Nineteenth General Assembly, approved March 25, 1882, authorized the sale and conveyance of the so called "Indemnity Swamp-Land". Any such land belonging to any county of the State was to be sold by the Board of Supervisors of that county. After being appraised by three disinterested persons, notice was to be published for three successive weeks in some newspaper of the county. In response to such notice sealed bids were to be made. If any such bid equaled the appraised value of the land, the Board of Supervisors could accept the highest bid, and upon proper payments being made by the bidder, the County Auditor was to execute a deed of conveyance to the land.[2] This act was amended by another, approved February 25, 1892, by which it was made possible for the Board of Supervisors to sell this land at public outcry. The same notice as to such public sale was to be made as was provided in the act to which this one was amendatory. No land was to be thus sold at less than its appraised value.[3]

In cases where swamp land had been located by warrant or scrip previous to its selection as swamp land, the act of March 2, 1855, had stipulated that the State should be authorized to locate a like quantity upon any of the public

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[1] *Laws of Iowa*, 1878, p. 122.

[2] *Laws of Iowa*, 1882, pp. 162–164.

[3] *Laws of Iowa*, 1892, p. 66.

lands subject to entry at one dollar and a quarter per acre or less. The ruling was made that such land due in lieu of swamp land could be located only within the State.[1] The Registers of the State Land Office in several successive reports called the attention of the legislature to the fact that a number of the counties still had such land due them, but that there was no government land remaining not entered within the State of Iowa. To try to make it possible for these counties to get the land rightly due them, the General Assembly, March 17, 1880, passed a joint resolution and memorial in which the Senators and Representatives of Iowa in Congress were requested and urged to use all lawful means to procure an act of Congress authorizing the location of such land scrip upon any government lands open to public entry in any other State or Territory of the United States.[2]

This desired result not being accomplished, the General Assembly in 1884 again passed a joint resolution instructing Iowa's Senators and requesting her Representatives in Congress to use all proper and lawful means within their power to secure the enactment of a bill allowing the location of swamp land scrip outside of the State of Iowa.[3]

This resolution likewise failing to bring about the desired act of Congress, still a third call upon Iowa's delegation in Congress was made by the Twenty-second General Assembly. A concurrent resolution of this Assembly once more urged the Senators and Representatives of the State in Con-

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[1] *United States Statutes at Large*, Vol. X, pp. 634–635.

[2] *Laws of Iowa*, 1880, p. 215.

[3] *Laws of Iowa*, 1884, pp. 238–239.

gress to use their influence to effect the passage of an act enabling the counties to locate their swamp land scrip in some other State or Territory.[1]

Nothing has come of this request; and at the present time there still remain in the State Land Office, four certificates for lands not located, and which cannot be located unless some relief act be passed by Congress. The counties to which these certificates belong, and the number of acres carried by each certificate are set forth in the following table.

TABLE NO. XIV[2]

COUNTY	NO. OF ACRES
Greene County, (Certificate No. 91)	10,658.22
Guthrie County, (Certificate No. 94)	1,840.00
Marion County, (Certificate No. 16)	120.00
Chickasaw County, (Supplemental Certificate No. 33)	109.00
Total	12,727.22

As is stated in the report from which this table is taken, if the Federal government does not make it possible to locate this land in some more western State still having public lands, it should pay cash indemnity therefor.

As noted above in the act of March 2, 1855, it was provided that if upon due proof, by the authorized agent of the State before the Commissioner of the General Land Office, any of the lands which had before that date been purchased by settlers were swamp lands in the true meaning and intent of the act making the swamp land grant, the purchase money should be paid over to the State.[3] From time to time payments of such indemnity money have been

[1] *Laws of Iowa*, 1888, pp. 240–241.

[2] *Report of the Secretary of State* (Land Department), 1903, p. 22.

[3] *United States Statutes at Large*, Vol. X, pp. 634–635.

made. The total amount of cash indemnity paid to Iowa up to June 30, 1904, is $584,284.53.[1]

The amounts of swamp land patented to this State during the successive biennial periods are shown by the following table:

TABLE NO. XV[2]

DATE OF REPORT	NO. ACRES PATENTED
November 7, 1859	23,611.49
November 6, 1861	430,462.99
November 15, 1863	142,330.64
November 16, 1865	
November 12, 1867	325,106.30
November 10, 1869	188,383.69
November 1, 1871	35,408.21
November 1, 1873	4,099.29
November 1, 1875	16,274.76
October 1, 1877	2,209.97
October 1, 1879	6,078.40
October 1, 1881	1,516.06
July 1, 1883	711.89
July 1, 1885	2,365.00
July 1, 1887	3,249.54
July 1, 1889	1,436.97
June 30, 1891	1,045.13
June 30, 1893	667.16
July 1, 1895	1,120.00
July 1, 1897	2,385.40
July 1, 1899	1,069.56
July 1, 1901	938.56
June 30, 1903	1,179.61
June 30, 1905	393.70
Total	1,192,044.32

[1] *Report of Commissioner of General Land Office*, 1904, p. 536.

[2] *Census of Iowa*, 1905, p. ix.

This table includes patents for the lands granted by both the original act of September 28, 1850, and the indemnity act of March 2, 1855. Of the above total—1,192,044.32 acres—870,189.09 acres are of "lands in place", and 321,-855.23 acres are of "indemnity lands".

The cash indemnity of $584,284.53 was on a basis of 468,521.71 acres of land. So, the entire quantity of land inuring to Iowa under the Swamp Land Grant up to the present time is 1,660,556.03 acres. There is yet a considerable quantity both of lands in place and of indemnity lands that has been selected, but has not been either approved or rejected by the general government. During the past few years a large number of acres have been rejected, and it is probable that the larger part of present claims will be treated in the same manner.

THE FIVE PER CENT FUND

Attention has already been called to the fact that various methods have been used by the Federal government in aiding public education. As was stated above the greater part of such aid has been extended by means of land grants. The seven grants by which aid has been given to Iowa have now been presented and briefly discussed. The three sections which follow are devoted to a brief discussion of Federal aid to education in Iowa extended by means other than land grants. The topics thus to be taken up are: (1) the Five Per Cent Fund, (2) the Second Morrill Act Fund, and (3) Federal Aid to Experiment Stations.

Of these three topics the first to be presented in this paper is that of the Five Per Cent Fund. This method which

in Iowa has been used in extending Federal aid to public school education should possibly be treated under the head of land grants, as the money was received from the sale of public lands and as its amount depended upon the price at which such lands were sold. As was the case with two or three of the land grants, mentioned and discussed above, the original purpose of the Five Per Cent Fund was not that of aid to education. But, as the result of action by the State, this money, intended by the Federal government for other purposes, was diverted into educational channels. Hence, it is treated here under the head of Federal aid to education in Iowa.

In section six of an act of Congress, approved March 3, 1845, and entitled "An act supplemental to an act for the admission of the States of Iowa and Florida into the Union", there is a statement of the original intent in the establishing of the Five Per Cent Fund. This section provides that "five per cent of the net proceeds of sales of all public lands lying within the said State [Iowa], which have been, or shall be sold by Congress, from and after the admission of said State, after deducting all the expenses incident to the same, shall be appropriated for making public roads and canals within said State, as the legislature may direct."[1]

In article X, section 2, of the Constitution under which Iowa was admitted into the Union, it was provided that such per cent as Congress might grant, on the sale of public lands in the State, should enter into and become a part of the permanent fund, of which the interest should be used for

[1] *United States Statutes at Large*, Vol. V, p. 790.

support of the common schools.[1] By an act of Congress of December 28, 1846, Iowa was admitted into the Union. This act stated that all the provisions of the act of March 3, 1845, should be in force.[2] The State was admitted, however, under the Constitution above mentioned. The act of Congress provided that the Five Per Cent Fund must be used for certain internal improvements, while the Constitution stated that it should be used to increase the permanent school fund.

By an act approved February 25, 1847, the General Assembly provided that the five per cent upon the net proceeds of the sales of the public lands, granted to Iowa by the United States, should be paid into the hands of the Superintendent of Public Instruction to be disposed of by him according to law.[3] Acting upon this legislation the Superintendent, in November 1848, made application for this money. But the Comptroller of the Treasury replied to him that it could not be paid until official advice should be received that a law had been passed appropriating it for the purposes of internal improvements, as contemplated in the act of Congress of March 3, 1845. The attention of the Iowa delegation in Congress was called to the difficulty, and they procured the passage of an act of Congress, March 2, 1849, by which the controversy was settled. By this act it was declared that the act by which Iowa was admitted into the Union should be interpreted as giving assent to the application of the Five Per Cent Fund for the support of com-

[1] This Constitution may be found in *Laws of Iowa*, 1846. The section here referred to is on page 13.

[2] *United States Statutes at Large*, Vol. IX, p. 117.

[3] *Laws of Iowa*, 1846–'47, pp. 160–164.

mon schools as provided by the Constitution of Iowa.[1] Thus the matter was satisfactorily settled.

Up to and including the year 1856 this money was paid to the Superintendent of Public Instruction and by him disposed of according to law. After that time it was paid into the State Treasury, and in this way became part of the permanent school fund.

The amounts of money received from the Five Per Cent Fund have been as follows:[2]

DATE RECEIVED	LAND SOLD	AMOUNT
in 1849	1847	$ 16,442.05
1850	1848	9,105.52
1851	1849	5,708.46
1852	1850	6,471.36
1853	1851	11,901.90
1854	1852	1,697.68
1855	1853	54,241.58
1856	1854	226,800.86
Jan. 1, 1857		185,785.32
Sept. 21, 1857		34,219.34
Oct. 2, 1858		28,101.41
Total		$580,475.48

THE SECOND MORRILL ACT FUND

By an act of Congress, approved August 30, 1890, it was provided that there should be annually appropriated out of any money in the Treasury not otherwise appropriated, arising from the sales of public lands, to each State and Territory a sum of money for the more complete endowment

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[1] *United States Statutes at Large*, Vol. IX, p. 349.

[2] *Reports of the Superintendents of Public Instruction*, and *Reports of the State Treasurers.*

and maintenance of colleges for the benefit of agriculture and the mechanic arts. For the year ending June 30, 1890, this sum was to be $15,000, and there was to be an annual increase of the amount of such appropriation thereafter for ten years by an additional sum of $1,000 over the preceding year. The annual amount to be paid after the expiration of these ten years was $25,000.

This money was to be applied only to instruction in agriculture, the mechanic arts, the English language, and the various branches of mathematical, physical, natural, and economic science, with special reference to their applications in the industries of life, and to the facilities for such instruction. The sums appropriated by this act were to be paid annually on or before July 31 of each year, to the various State or Territorial Treasurers or to any other officer so designated by the legislature. Upon the order of the trustees of the various agricultural colleges, these officers were to pay over this money to the treasurers of the respective institutions entitled to it. These treasurers were to be required to report to the Secretary of Agriculture and the Secretary of the Interior annually on or before September 1, a detailed statement of the amount so received and of its disbursement.

A further provision of the act was that if any portion of the money granted by this act should, by any action or contingency, be diminished or lost, or be misapplied, it should be replaced by the State or Territory to which it belonged; and until such replacement no subsequent appropriation should be apportioned or paid to such State or Territory. No portion of this money was to be applied, directly or in-

directly, under any pretense whatever, to the purchase, erection, preservation, or repair of any building or buildings.

The president of each such college was to make an annual report to the Secretary of Agriculture and to the Secretary of the Interior regarding the condition and progress of the college, including statistical information as to its receipts and expenditures, its library, the number of its students and professors, and also as to any improvements and experiments made under the direction of any experiment stations attached to said colleges, with their cost and results, and such other industrial and economical statistics as might be regarded as useful.[1]

The grants of money authorized by this act were made subject to the legislative assent of the several States and Territories to the purposes of the grants, as set down above.

The first installment of this fund, known as the Morrill Fund because the act of Congress making the grant was called the second Morrill act, was for the year 1889. The Treasurer of the Agricultural College reports receipts from this source of revenue as follows:[2]

1889	$15,000	1898	$23,000
1890	16,000	1899	24,000
1891	17,000	1900	25,000
1892	18,000	1901	25,000
1893	19,000	1902	25,000
1894	20,000	1903	25,000
1895	21,000	1904	25,000
1896	22,000	1905	25,000
1897*	15,000	*Total*	$360,000

[1] *United States Statutes at Large*, Vol. XXVI, pp. 417–419.

[2] *Census of Iowa*, 1905, pp. cxix–cxx.

*Change made in the ending of fiscal year.

FEDERAL AID TO EXPERIMENT STATIONS

By an act of Congress, approved March 2, 1887, it was provided that, in each State or Territory which had established or which might afterward establish an Agricultural College receiving aid from Federal land grants, an experiment station should be established as a department of such College. The purpose of this experiment station, as stated in the act, was "to aid in acquiring and diffusing among the people of the United States useful and practical information on subjects connected with agriculture, and to promote scientific investigation and experiment respecting the principles and applications of agricultural science." The law goes into considerable detail in enumerating specific lines of investigation and information to be pursued at such experiment stations, but these details are not of direct interest to us in this discussion.[1]

For the purpose of paying the necessary expenses of conducting investigations and experiments and printing and distributing results of such work, the law appropriated to each State and Territory complying with the provisions of the law, the sum of fifteen thousand dollars per annum. This sum was to be paid in four equal quarterly installments, on the first day of January, April, July, and October in each year, to the treasurer or other officer duly appointed by the governing boards of said colleges to receive the same, the first payment to be made October 1, 1887. Out of the first annual appropriation arising from this act, it was permitted that any station might expend an amount not exceeding one-fifth of that appropriation in the erection, enlargement, or re-

[1] *United States Statutes at Large*, Vol. XXIV, pp. 440–442.

pair of a building or buildings necessary for carrying on the work of such station. After the first year, an amount not exceeding five per cent of the annual appropriation could be expended for these purposes.

The act provided further that if any part of the annual appropriation should remain unexpended at the end of the year the amount unexpended should be deducted from the next annual appropriation, in order that the amount of money appropriated to any station should not exceed the amount actually and necessarily required for its maintenance and support.

The grants of money authorized by this act were made subject to the legislative assent of the several States and Territories to the purposes of such grants. Accordingly, at the next session of the General Assembly of Iowa an act was passed and approved March 1, 1888, giving such legislative assent to the uses of the money specified in the act of Congress by which the grant was made. By this law the State agreed to devote the money thus received to the establishment and support of an agricultural experiment station as a department of the Iowa Agricultural College, as provided by the act of Congress.[1] The money thus appropriated for the Iowa Experiment Station has been and is being used in conducting experiments and investigations along the lines of agriculture, horticulture, and kindred research. A considerable number of bulletins have already been published and distributed.

The amounts received by the State Agricultural College as a result of this law have been as follows:[2]

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[1] *Laws of Iowa*, 1888, p. 215.

[2] *Census of Iowa*, 1905, pp. cxix–cxx.

1887	$ 3,750.00	1897	15,000.00
1888	15,000.00	1898*	7,500.00
1889	15,000.00	1899	15,000.00
1890	18,750.00	1900	15,000.00
1891	15,000.00	1901	15,000.00
1892	15,000.00	1902	15,000.00
1893	15,000.00	1903	15,000.00
1894	15,000.00	1904	15,000.00
1895	15,000.00	1905	15,000.00
1896	15,000.00	*Total*	$270,000.00

This money has been expended at Ames in accordance with the provisions of the act granting it. The work done at the experiment station is of considerable importance to agricultural and industrial education in Iowa. Results have proved and are proving that the granting of Federal aid to experiment stations is a wise and profitable policy.

*From November 11, 1897, to June 30, 1898. Change made in ending of fiscal year.

PART II

STATE AID TO EDUCATION IN IOWA

Two methods of State aid for the State educational institutions have been made use of in Iowa. One of these methods is that of legislative appropriations; the other is the levying of a special tax of a certain number of mills upon each dollar of assessed valuation of the taxable property of the State. In the following pages it is proposed to treat first of these two methods of aid as extended to The State University of Iowa, which is located at Iowa City. By far the larger part of the State support of the State University has been extended by legislative appropriations. Beginning in 1858, and next after that date in 1864, and biennially since then, except in 1880, the legislature has made appropriations for the use of this institution of higher learning.

STATE APPROPRIATIONS FOR THE UNIVERSITY

By an act approved March 11, 1858, the General Assembly took a step which was the first one in Iowa entering upon the pathway of State support for the University by means of State appropriations. By this act there was appropriated, out of any money in the State treasury not otherwise appropriated, the sum of three thousand dollars. This money was to be used for repairing and modifying the building (The Old Stone Capitol) occupied at that time by the University, and for fitting up one or more of its rooms and cer-

tain cabinets for holding geological specimens. The act also appropriated ten thousand dollars for erecting a boarding hall and dormitory. This money was to be expended under the direction of the Board of Trustees, and under the supervision of a person chosen by the Board for that purpose.[1]

March 24, 1864, an act was approved appropriating twenty thousand dollars "for the purpose of erecting and constructing on the grounds of the State University, an additional building, with a tower, suitable for an astronomical observatory, which building shall contain one large room for a chapel, rooms suitable for a chemical laboratory, and such other rooms as may be deemed necessary by the Board of Trustees of said University."[2]

March 31, 1866, an act was passed making several appropriations for the University, as follows:—(*a*) For completing the chapel building, including the heating apparatus, thirteen thousand dollars. (*b*) For putting a slate roof on the main University building, three thousand dollars. (*c*) For putting a heating apparatus in the main building, two thousand dollars. (*d*) For putting a heating apparatus in the south building, fifteen hundred dollars. (*e*) For repairing and repainting the University buildings, fifteen hundred dollars.[3]

March 9, 1868, an act was approved, appropriating twenty thousand dollars for making necessary repairs on buildings, "and giving such aid to the scientific and such other depart-

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[1] *Laws of Iowa*, 1858, pp. 48–49.

[2] *Laws of Iowa*, 1864, p. 80.

[3] *Laws of Iowa*, 1866, pp. 77–78.

ments as the trustees may deem proper to establish, and increase their efficiency."[1]

March 24, 1870, the legislature appropriated the sum of twenty-five thousand dollars, for the use and support of the University for the two years to follow. One-half of this amount was to be paid to the Treasurer of the Board of Trustees each of the two years.[2]

April 6, 1872, an act was approved appropriating fifty-two thousand three hundred dollars, to be used for purposes as follows:—(*a*) Increase in salaries of president, professors, and teachers in the academical departments, for two years, from June 20, 1872, five thousand five hundred dollars. (*b*) Salaries for two years, of professors and teachers in the professional schools, twenty thousand six hundred dollars. (*c*) Contingent and incidental funds, eight thousand eight hundred and fifty dollars. (*d*) Salaries of secretary, treasurer, and janitor for two years, three thousand dollars. (*e*) Iron fence around the University grounds, and new roof on the south hall, six thousand three hundred and fifty dollars. (*f*) Law library, one thousand dollars. (*g*) General library, twenty-five hundred dollars. (*h*) Medical library, five hundred dollars. (*i*) Printing, two thousand dollars. (*j*) Fuel, two thousand dollars.[3]

The act appropriating money for aid and maintenance of the University for the next biennial period was approved March 18, 1874. By it forty-six thousand dollars was appropriated, to be used in the support of the University in all its

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[1] *Laws of Iowa*, 1868, pp. 27–28.

[2] *Laws of Iowa*, 1870, p. 36.

[3] *Laws of Iowa*, 1872, pp. 44–45.

chairs and departments, and the expenses necessary and incident to its maintenance. One-eighth of this amount was to be drawn from the State Treasury on April 1, 1874, and one-eighth every three months thereafter until the entire appropriation should be drawn.[1]

March 17, 1876, was the date of the approval of the next act for the biennial support of the University. The amount appropriated was forty-seven thousand four hundred and fifty-seven dollars. This sum was for the maintenance of the institution for the ensuing biennial period, and was to be drawn from the treasury in eight equal quarterly installments, commencing July 1, 1876, or as soon after such periods as the money in the treasury might allow. This act also authorized the Board of Regents to establish a Department of Homeopathy to consist of two chairs, and to use four thousand one hundred dollars of the money carried by this act for the salaries of the two professors and the necessary appurtenances of the two chairs. It also authorized the expenditure of three thousand two hundred dollars to employ Curator Woodman, as the Board of Regents had recommended. Any part of the money appropriated not needed for the purposes mentioned above, the Board could use in making any repairs and additions to the buildings as they might deem expedient and for the best interests of the institution.[2]

March 22, 1878, the legislature passed an act making an endowment appropriation for the University. By this act twenty thousand dollars annually was appropriated as an endowment fund for the institution. This *annual* appropria-

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[1] *Laws of Iowa*, 1874, p. 54.

[2] *Laws of Iowa*, 1876, pp. 168–169.

tion was to be drawn in four quarterly installments of five thousand dollars each, the first payment to be drawn July 1, 1878. There was also appropriated ten thousand dollars for repairs on buildings and for fencing and walks.[1]

No additional appropriation was made by the legislature at its session in 1880.

On March 14, 1882, an act was approved appropriating to the University the sum of fifty thousand dollars to be used for the following purposes:—(*a*) For a new building, thirty thousand dollars. (*b*) For two boilers for steam heating, and a house for fuel, twenty-two hundred and seventy-five dollars. (*c*) For laying and completing stone walk, four hundred and twenty-five dollars. (*d*) For removing and changing the general library and law library, and supplying steam heating in the chapel and the libraries thus changed, four thousand dollars. (*e*) For furniture for the new rooms and the libraries and general lecture rooms, two thousand one hundred dollars. (*f*) For repairs to buildings, one thousand two hundred dollars. (*g*) For better support and further development of the institution, ten thousand dollars. Not more than half of the amount appropriated by this act was to be drawn out during the year 1882.[2]

April 1, 1884, an act was approved appropriating the sum of sixty-four thousand five hundred dollars for the University, to be used for the following purposes:—(*a*) For a new building for the school of science, forty-five thousand dollars. (*b*) For steam heating, plumbing and gas fitting in this building, five thousand six hundred dollars. (*c*) For operat-

[1] *Laws of Iowa*, 1878, p. 66.

[2] *Laws of Iowa*, 1882, pp. 82–83.

ing tables and fixtures, two thousand dollars. (*d*) For cases, apparatus, and collections of specimens, two thousand dollars. (*e*) For working apparatus and special appliances, five thousand dollars. (*f*) For refrigerator for medical department, one thousand dollars. (*g*) For water closet, building sewerage, water and heating connected therewith, fifteen hundred dollars. (*h*) For purchasing furniture for the collegiate lecture rooms and fitting the same, one thousand five hundred dollars. (*i*) For supplying water connections by laying supply pipes from the mains to the buildings, four hundred dollars. (*j*) For the better equipment of the dental department, five hundred dollars. Not more than half of the sum of the above amounts was to be drawn from the State Treasury during the year 1884.[1]

Another act, approved on the same day (April 1, 1884), appropriated eight thousand dollars *annually* "for the support of the state university in the several departments and chairs, and in aid of the income fund and for the development of the institution." This made the *annual support* appropriation twenty-eight thousand dollars.[2]

April 15, 1886, an act was approved appropriating for the aid and support of the University the sum of fifty-two thousand dollars to be used as follows:—(*a*) To supply deficiency or immediate wants of the University for the current year, twenty thousand dollars. (*b*) To supplement endowment fund from June 30, 1886, to June 30, 1888, thirty thousand dollars. (*c*) For equipment of dental department, two thousand dollars.[3]

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[1] *Laws of Iowa*, 1884, pp. 114–115.

[2] *Laws of Iowa*, 1884, p. 118.

[3] *Laws of Iowa*, 1886, pp. 86–87.

An act making an appropriation for the better support of the University was approved April 11, 1888. The amounts appropriated and their purposes were:—(*a*) For the general support fund, twenty thousand dollars *annually* for the biennial period ending June 30, 1890. (*b*) To supplement endowment fund from June 30, 1888, to June 30, 1890, as follows:—Aid to chair of engineering, one thousand dollars; repairs and contingent fund, eighty-five hundred dollars; chemical and physical apparatus, two thousand five hundred dollars.[1]

The appropriation for the biennial period from June 30, 1890, to June 30, 1892, was in the amount of one hundred and twenty-five thousand dollars. The date of the approval of the act making this appropriation was April 19, 1890. The purposes for which the money was to be used were:—(*a*) Additional general support, forty-five thousand dollars. (*b*) Vapor gas plant for laboratory use, one thousand dollars. (*c*) Additional equipment of natural science department, four thousand dollars. (*d*) Additional equipment of department in engineering, four thousand dollars. (*e*) Physical laboratory apparatus, four thousand dollars. (*f*) Erection of a chemical laboratory building and equipment for same, fifty thousand dollars. (*g*) Enlargement of boiler house and additional heating apparatus, two thousand dollars. (*h*) Library, five thousand dollars. (*i*) Repairs and contingent fund, ten thousand dollars. Of this entire sum, not more than one-third was to be drawn in 1890, and the balance in two equal installments, the first on or after May 15, 1891, and the second on or after October 15, 1891.[2]

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[1] *Laws of Iowa*, 1888, p. 169.

[2] *Laws of Iowa*, 1890, pp. 108-109.

The appropriation for the next biennial period, made by an act approved April 8, 1892, was for the amount of seventy-eight thousand dollars. This money was to be used for the following purposes:—(*a*) Repairs and equipment for dental department, two thousand five hundred dollars. (*b*) Natural science department—botanical $1,200, zoölogical $1,200, geological $1,100—three thousand five hundred dollars. (*c*) Physical laboratory, two thousand five hundred dollars. (*d*) General library, five thousand dollars. (*e*) Additional equipment for chemical laboratory, two thousand five hundred dollars. (*f*) Law library, two thousand five hundred dollars. (*g*) Additional equipment for department of pharmacy, two thousand five hundred dollars. (*h*) Pathological and bacteriological laboratory, one thousand dollars. (*i*) Histological laboratory, one thousand dollars. (*j*) Repairs and contingent, ten thousand dollars. (*k*) Additional support, $22,500 annually—forty-five thousand dollars.[1]

March 29, 1894, an act was approved appropriating for general support and for the development of the institution, twenty-five thousand dollars *annually thereafter*, payable in quarterly installments, the first installment to be payable September 1, 1894. In addition to this *annual* appropriation, the act appropriated twenty-five thousand dollars to be used for purposes as follows:—(*a*) Dental department, infirmary and laboratory, five hundred dollars. (*b*) General library, four thousand dollars. (*c*) Law library, one thousand dollars. (*d*) Physical laboratory, one thousand five hundred dollars. (*e*) Engineering equipment, five hundred dollars. (*f*) Botany, one thousand dollars. (*g*) Zoölogy,

[1] *Laws of Iowa*, 1892, pp. 133–134.

one thousand dollars. (*h*) Geology, one thousand dollars. (*i*) Chemistry, one thousand dollars. (*j*) Pharmacy, one thousand dollars. (*k*) Histology, five hundred dollars. (*l*) Pathology and bacteriology, one thousand dollars. (*m*) Repair and contingent fund, eleven thousand dollars. This act further appropriated the sum of twenty-five thousand dollars for a dental department, building and equipment. It also appropriated fifteen thousand dollars for a Homeopathic hospital and building.[1]

The act making appropriations for the next biennial period was approved April 17, 1896. By this act an appropriation was made of twelve thousand five hundred dollars *annually thereafter* for further support. In addition to this amount, the act carried twenty-one thousand dollars for the following purposes:—(*a*) General library, two thousand five hundred dollars. (*b*) Law library, one thousand dollars. (*c*) Physical laboratory, one thousand dollars. (*d*) Repair and contingent fund, ten thousand dollars. (*e*) Completion and equipment of Homeopathic medical building, four thousand dollars. (*f*) Completion and equipment of dental buildings, two thousand five hundred dollars.[2]

Before the next meeting of the legislature the University was receiving for building purposes the proceeds of the special tax levy (treated below) and so the legislature abandoned its former policy of making special appropriations for buildings. April 7, 1898, an act was approved appropriating for further support of the University ten thousand dollars *annually thereafter*. The act also appropriated eleven

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[1] *Laws of Iowa*, 1894, pp. 147–149.

[2] *Laws of Iowa*, 1896, pp. 151–152.

thousand dollars for special purposes as follows:—(*a*) Law library, one thousand dollars. (*b*) Repair and contingent fund, ten thousand dollars.[1]

By an act approved April 6, 1900, the following appropriations for the University were made:—(*a*) For further and additional support fund, fifty thousand dollars *annually thereafter*. (*b*) For repair and contingent fund, ten thousand dollars.[2]

The University support act passed by the Twenty-Eighth General Assembly was approved April 12, 1902. By this act there was appropriated:—(*a*) For additional support, thirty-five thousand dollars *annually thereafter*. (*b*) For land, twenty-three thousand dollars. (*c*) For the commencement of a medical building, fifty thousand dollars. (*d*) For repair and contingent fund, five thousand dollars. (*e*) Equipment for medical building (the amount to be temporarily used for building purposes but later to be replaced from building fund coming from the special tax levy)—thirty-five thousand dollars. (*f*) Repair and contingent fund, five thousand dollars. (*g*) Funds to be used in 1904 for purchase of land, twenty-seven thousand dollars.[3]

On April 13, 1904, there was approved an act making appropriations for the ensuing biennial period as follows:—(*a*) For additional support, twenty-five thousand dollars *annually thereafter*. (*b*) For repair and contingent fund, seven thousand five hundred dollars *annually thereafter*. (*c*) For library, twenty thousand dollars. (*d*) For equip-

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[1] *Laws of Iowa*, 1898, p. 92.

[2] *Laws of Iowa*, 1900, p. 112.

[3] *Laws of Iowa*, 1902, p. 141.

ment and supplies, twenty thousand dollars. (*e*) For paving and sidewalks, eight thousand dollars. (*f*) For tunnel and extension, ten thousand dollars. (*g*) For land, twenty-five thousand dollars. (*h*) For engineering building, fifty thousand dollars. (*i*) For dam and water power; ten thousand dollars.[1]

A bacteriological laboratory was established in connection with the medical college of the University in 1904. The act establishing this laboratory was approved April 12, 1904. It provided that for the support of this work the following appropriations be made:—(*a*) For better equipment of the bacteriological laboratory already at the State University, one thousand dollars. (*b*) For salaries and other expenses, five thousand dollars *biennially*.[2]

The last appropriation, herein listed, was made by an act approved April 9, 1906. This act added twenty thousand dollars *annually* to the general support fund. It also made appropriations as follows:—(*a*) For purchase of additional land, twenty-four thousand dollars. (*b*) Additional wing for University hospital, twenty thousand dollars. (*c*) Engineering shops, hydraulic power house, power connections with dam, and equipment, thirty thousand dollars. (*d*) Equipment of natural science building, sixteen thousand dollars. (*e*) General equipment and supplies, eight thousand dollars. (*f*) Paving and sidewalks, two thousand five hundred dollars. (*g*) Support of libraries, five thousand dollars. (*h*) New boiler, three thousand five hundred dollars.[3]

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[1] *Laws of Iowa*, 1904, p. 146.

[2] *Laws of Iowa*, 1904, p. 105.

[3] *Laws of Iowa*, 1906, p. 139.

MILLAGE TAX FOR THE STATE UNIVERSITY

March 17, 1896, the legislature enacted a law levying a special tax of one-tenth of a mill on each dollar of assessed valuation of the taxable property of the State, for the State University. The amount thus raised, up to fifty-five thousand dollars from any one levy, was to be used for the erection, improvement and equipment of such buildings for the University as the Board of Regents might determine upon. This levy was to commence with the regular levy next following the passage of the act, and continue for the four successive following years. The money was to be held by the State Treasurer, to be by him paid out in the same manner as the special University appropriations. Any amount over fifty-five thousand dollars raised by this special tax in any year was to go into the State Treasury to become part of the general revenue of the State.[1]

The next General Assembly, on April 7, 1898, passed an act amending this measure so as to provide for the levy of the one-tenth mill tax for six years, instead of five, as called for by the original law. Of the fifty-five thousand dollars to be raised by the sixth year levy, forty-one thousand nine hundred dollars was to be used in restoring the burned library building and repairing and replacing apparatus injured and destroyed, and in preserving damaged books and property.[2] The levies provided for in these two acts were made in the years 1896, 1897, 1898, 1899, 1900, and 1901.

March 2, 1900, an act of the legislature was approved

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[1] *Laws of Iowa*, 1896, p. 117.

[2] *Laws of Iowa*, 1898, p. 45.

providing for a continuation of this levy for a further five years, beginning with 1902.[1] But before this levy was made (i. e., April 7, 1902), the legislature enacted a measure repealing the former act, and as a substitute for the levy of one-tenth mill providing for a levy of one-fifth mill on the dollar of assessed valuation upon the taxable property of the State. This levy, like the former one, was for the erection, repair and improvement of such necessary buildings as the Board of Regents should decide upon. The first levy was to be made in 1902, and successive levies in each of the following four years.[2]

The Thirty-First General Assembly continued this fifth of a mill tax for University buildings by an act approved April 10, 1906. This special tax will continue up to and including the levy for the year 1911. One feature of the act of 1906 is the provision that the legislature is to have an oversight of the expenditure of the funds raised by the levy. It provides that no part of such money shall be expended for buildings until estimates of cost, plans and specifications of such buildings have been submitted to the General Assembly for its approval. An exception to this provision lies in the further provision that any deviation from these plans and specifications (such deviation not costing more than twenty-five thousand dollars, or any emergency building, the need for which may arise between the sessions of the General Assembly), shall be approved by a majority of the Executive Council of the State.[3]

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[1] *Laws of Iowa*, 1900, p. 74.

[2] *Laws of Iowa*, 1902, p. 122.

[3] *Laws of Iowa*, 1906, p. 140.

The millage tax now places in the hands of the Board of Regents of the University about one hundred twenty-five thousand dollars annually for the erection of buildings.

The receipts for the University from this millage tax during the successive biennial periods have been as follows:

TABLE NO. XVI[1]

June 30, 1897, ($\frac{1}{10}$ mill) . . .	27,583.72
June 30, 1899, ...	111,494.47
June 30, 1901, ...	108,713.28
June 30, 1903, ($\frac{1}{10}$ mill, '01, $\frac{1}{8}$, '02) .	145,697.06
June 30, 1905, ...	247,826.87
Total to June 30, 1905, . .	$641,315.40

The following table shows in condensed and tabulated form the total amount of State support granted to the State University, dividing this total under the heads of general support, special appropriations, and building appropriations.

TABLE NO. XVII[2]

STATE AID TO THE STATE UNIVERSITY

EAR	GEN. SUPPORT	SPECIAL AP'NS	BUILDING AP'NS	TOTAL STATE AID
858		3,000.00	10,000.00	13,000.00
859				
860				
861				
862				
863				
864				
865				
866		8,000.00	13,000.00	21,000.00
867				
868				

[1] See *Reports of the State Treasurers*.

[2] *Census of Iowa*, 1905, pp. cxvii–cxviii.

YEAR	GEN. SUPPORT	SPECIAL APN'S	BUILDING APN'S	TOTAL STATE AID
1869	8,287.83			8,287.83
1870	5,156.08			5,156.08
1871	17,656.09			17,656.09
1872	7,750.00			7,750.00
1873	45,950.00			45,950.00
1874	5,750.00			5,750.00
1875	23,000.00			23,000.00
1876	17,250.00			17,250.00
1877	11,864.24			11,864.24
1878	35,592.76			35,592.76
1879	25,000.00			25,000.00
1880	25,000.00			25,000.00
1881	20,000.00			20,000.00
1882	25,000.00		20,000.00	45,000.00
1883	25,000.00		20,000.00	45,000.00
1884	20,000.00	2,450.00	29,800.00	52,250.00
1885	28,000.00	2,450.00	29,800.00	60,250.00
1886	28,000.00	24,000.00		52,000.00
1887	28,000.00	24,000.00		52,000.00
1888	28,000.00	4,000.00		32,000.00
1889	48,000.00	6,000.00		54,000.00
1890	48,000.00	6,000.00		54,000.00
1891	49,949.14	14,632.75	24,387.93	88,969.82
1892	45,580.64	11,720,43	19,534,04	76,835.11
1893	55,410.13	19,773.41	5,455.69	80,639.23
1894	50,657.82	16,605.22	175.36	67,438.40
1895	53,402.28	14,956.11	20,446.98	88,805.37
1896	53,000.00	12,320.78	20,000.00	85,320.78
1897	65,500.00	12,113.74	16,500.00	94,113.74
1898	65,500.00	9,331.29	45,400.00	120,231.29
1899	75,500.00	34,298.00	27,000.00	136,798.00
1900	75,500.00	19,750.00	80,000.00	175,250.00
1901	125,500.00	16,000.02	77,375.00	218,875.02

YEAR	GEN. SUPPORT	SPECIAL AP'NS	BUILDING AP'NS	TOTAL STATE AID
1902	$125,500.00	$37,999.98	$ 25,275.00	$188,774.98
1903	160,500.00	10,900.00	113,000.00	284,400.00
1904	160,500.00	67,000.00	96,080.64	323,580.64
1905	168,624.99	51,877.14	124,000.00	344,502.13
Totals	$1,856,882.00	$429,178.87	$817,230,64	$3,103,291.51

STATE APPROPRIATIONS FOR THE AGRICULTURAL COLLEGE

We have seen in the preceding pages how the State has made and is making use of two methods of granting State aid to the University—legislative appropriations and a special millage tax. These two methods are also used in supporting the Iowa State College of Agriculture and Mechanic Arts, which is located at Ames.

As was noted above in the discussion of land grants, Iowa in accepting the Federal land grant for agricultural colleges agreed to found and maintain such an institution. To carry out the terms of this agreement, the General Assembly enacted a law, March 22, 1858, providing for the establishment and support of an Agricultural College and Farm. By this law was created all the machinery for supporting and governing the College. Not only were the proceeds of the Five Section Grant and the Agricultural College Grant appropriated for the benefit of the College, but the policy was entered upon of making special appropriations from the State Treasury for this purpose. By section 12, there was appropriated out of any moneys in the treasury of the State, not otherwise appropriated, the sum of ten thousand dollars for the purchase and improvement of land for the College and Farm.[1]

[1] *Laws of Iowa*, 1858, pp. 173-179.

The next State appropriation for the Agricultural College was made by an act approved March 22, 1864. By it the sum of twenty thousand dollars was appropriated to aid in the erection of a permanent building for the College. This money was for the commencement of a building the entire cost of which was not to exceed fifty thousand dollars.[1]

At its next meeting the General Assembly, by an act approved April 2, 1866, provided for carrying on the work of constructing a permanent building for the Agricultural College. This act appropriated the sum of ninety-one thousand dollars "for the purpose of completing the Agricultural College buildings, and for the payment of the indebtedness against the same." This money was to be expended under the direction of the Board of Trustees of the College, and was to be drawn from the State Treasury from time to time upon their order, in sums not exceeding ten thousand dollars. Each amount so drawn was to be expended before any additional sum should be drawn. One section of the act was to the effect that "neither the Trustees, Building Committee, nor any member of the same, nor the Superintendent, shall be interested, directly or indirectly, in any contract for labor or material on the College building."[2]

The appropriation for the next biennial period was made by an act approved April 3, 1868. By it the amounts appropriated and their purposes were as follows:—(*a*) For procuring and placing a heating apparatus, cooking range, and the necessary fixtures belonging thereto, ten thousand dollars. (*b*) For the purpose of erecting three dwelling

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[1] *Laws of Iowa*, 1864, pp. 69–71.

[2] *Laws of Iowa*, 1866, pp. 120–121.

houses for the use and occupancy of the professors employed in the College, said buildings to be erected on the College Farm under direction of the building committee elected by the Board of Trustees, twelve thousand dollars. (*c*) For procuring water, constructing cisterns, and providing clocks and bell, two thousand dollars. (*d*) For grading and laying out grounds, procuring and planting trees, and erecting the necessary outbuildings, one thousand dollars. (*e*) To pay for extra work on the college building and expenses therewith connected, three thousand dollars. (*f*) For the use of the College Farm, to be expended by the Board of Trustees, for the following named purposes, to-wit: (1) For tile draining of farms, one thousand dollars; (2) for hog-house, corn-crib, and hen-house, eight hundred dollars; (3) for stable, granary, and tool-house, twenty-five hundred dollars; (4) for shed for farm machinery, and cellar for roots, seven hundred and fifty dollars; (5) for furniture for farm house, fifteen hundred dollars; (6) for horses and harness, five hundred dollars; (7) for safe to preserve books and records, etc., twelve hundred dollars; (8) for farm implements, repairing, fencing, etc., twelve hundred dollars; (9) for procuring road on south side of farm, three hundred dollars. The total amount carried by the act was thirty-five thousand seven hundred and fifty dollars. Provision was made that if the amount appropriated for any of the objects named should be insufficient for such object, the surplus remaining from any other object might be used to supply such deficiency. The money was to be expended under direction of the Board of Trustees of the College, drawn from the State Treasury upon warrants issued by the Auditor of State, upon the re-

quisition of the President of the Board of Trustees. It was required of the Trustees that they should make a full report to the next General Assembly, showing in detail the manner in which this money had been expended.[1]

At this same meeting of the legislature another act was passed, approved April 8, 1868, by which the sum of ten thousand dollars was appropriated to complete the Iowa State Agricultural College building.[2]

At the next session of the General Assembly a law was enacted, approved April 13, 1870, by which appropriations for the Agricultural College were made as follows:—(*a*) For extending and completing the wings of the College building, the sum of fifty thousand dollars. (*b*) For building and completing a laboratory, five thousand dollars. (*c*) For the erection and completion of a workshop for the students, five thousand dollars. (*d*) For the erection of a building over the gasometer, five hundred dollars. (*e*) For farm improvements, two thousand dollars. (*f*) For purchasing seeds and plants for experimental grounds, five hundred dollars. (*g*) For the purpose of tile-draining, one thousand dollars. (*h*) For professors' dwelling houses, four thousand five hundred dollars. The total amount appropriated by this act was $68,500. It was to be drawn from the State Treasury and expended in the same manner as that appropriated by the preceding legislature.[3]

The appropriation for the next biennial period was made by an act approved April 17, 1872. The amounts and pur-

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[1] *Laws of Iowa*, 1868, pp. 107–109.

[2] *Laws of Iowa*, 1868, pp. 259–260.

[3] *Laws of Iowa*, 1870, pp. 156–157.

poses for which they were to be used were the following:— (*a*) For supplying the College building with water, five thousand dollars. (*b*) For fixtures for the new wing, five hundred dollars. (*c*) For the main laboratory building, twenty-five thousand dollars. (*d*) For improvement of orchard, vineyard, and nursery, one thousand dollars. (*e*) For farm, barns, stock, and other farm improvements, seven thousand dollars. The total of these several sums was $38,500.[1]

A special act for the relief of the Agricultural College was passed by the next legislature and approved February 17, 1874. By it five thousand five hundred dollars was set aside "to protect the interests of the agricultural college and the state" in certain lands known as the Rankin property in Polk County.[2] Certain liens upon this real estate were thus removed. An appropriation of twenty-five thousand dollars was also made by an act approved March 19, 1874, for the erection of a physical laboratory building.[3]

Other appropriations by this legislature, made March 17, 1874, were in the sum of thirty-five hundred dollars, for the purpose of making certain repairs on the Agricultural College and farm house, and supplying furniture for the same, as set forth in the report of a visiting committee which had been appointed to visit the institution.[4]

The next act making appropriations for the Agricultural College was under date of March 17, 1876. The total

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[1] *Laws of Iowa*, 1872, pp. 68–69.

[2] *Laws of Iowa*, 1874, pp. 5–6.

[3] *Laws of Iowa*, 1874, pp. 67–68.

[4] *Laws of Iowa*, 1874, p. 37.

amount carried by it was $24,820, divided as follows:—(*a*) For engine house and air ducts, five thousand dollars. (*b*) For heating apparatus complete, fifteen thousand dollars. (*c*) For rebuilding brick walls, one thousand four hundred dollars. (*d*) For repainting building exterior, five hundred dollars. (*e*) For changes and repairs to water closets, six hundred dollars. (*f*) For repairs to interior woodwork, four hundred dollars. (*g*) For painting interior woodwork, five hundred dollars. (*h*) For new gutters and conductors, four hundred twenty dollars. (*i*) For repairs to plastering, one thousand dollars.[1]

The next act making appropriations for the Agricultural College, approved March 23, 1878, provided for the following sums:—(*a*) For constructing a sewer for the use of the College building, one thousand four hundred seventy-two dollars and twenty-five cents. (*b*) For horticultural laboratory, two thousand five hundred dollars. The total amount appropriated was $3,972.25.[2]

The next General Assembly enacted a law, March 20, 1880, by which appropriations were made as follows:—(*a*) For a building to be occupied by the schools in agriculture and veterinary science and the botanical department, six thousand dollars. (*b*) For buildings to be used as feeding barns by the professor of experimental farming, eight hundred dollars. (*c*) For swine-houses, corn-cribs, and poultry-houses, one thousand two hundred dollars. (*d*) For two boarding cottages, three thousand five hundred dollars. (*e*) For needed repairs upon College buildings and for necessary

[1] *Laws of Iowa*, 1876, pp. 113–114.

[2] *Laws of Iowa*, 1878, p. 86.

expenses incurred in the management of College lands, the sum of one thousand dollars *annually thereafter*. (*f*) For fitting the building vacated by the schools in veterinary science and the botanical department, so that such building could be used for a boarding-hall and for the department of domestic economy, five hundred dollars.[1] The entire sum carried by this act was thirteen thousand dollars. This act deserves especial attention in that it first provides for an *annual* appropriation for the Agricultural College.

An act making appropriations for the next biennial period was approved March 14, 1882. The purposes for which the various amounts were to be used were as follows:—(*a*) For two professors' residences, five thousand dollars. (*b*) For a boarding cottage and an addition to one already erected, six thousand five hundred dollars. (*c*) For a building to be occupied by the mechanical and civil engineering department, five thousand dollars. (*d*) For sheep barns, six hundred dollars. (*e*) For experimental creamery, with ice-house and cold storage room, one thousand dollars. (*f*) For three cottages for farm foreman, foreman in horticulture, and for farm laborer, two thousand one hundred dollars. (*g*) For repairs on highway to Ames, provided citizens contribute as much, three hundred dollars. (*h*) For a hospital for veterinary department, five hundred dollars. (*i*) For experimentation in agriculture and horticulture, an *annual* appropriation of one thousand five hundred dollars. The total amount appropriated by this act was $31,000.[2]

The appropriations for the next biennial period, made by

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[1] *Laws of Iowa*, 1880, pp. 57–58.

[2] *Laws of Iowa*, 1882, pp. 77–78.

an act approved April 5, 1884, were as follows:—(*a*) For building to be occupied by the mechanical and civil engineering departments, with proper fixtures, seven thousand five hundred dollars. (*b*) For two buildings for the school of veterinary science, ten thousand dollars. (*c*) For gasometer and repairs of gas works or electric lights, thirty-five hundred dollars. (*d*) For house and barn on north farm, fifteen hundred dollars. (*e*) For pump house and water supply, eight hundred dollars. (*f*) For purchase of house occupied by Professor Budd, and addition to same, twenty-eight hundred dollars. (*g*) For building to contain fire-proof vaults and office of treasurer, secretary and president, three thousand dollars. (*h*) For one professor's residence, three thousand dollars. The sums total $32,100.[1]

The next General Assembly appropriated, by an act of April 5, 1886, five thousand three hundred dollars, to be used as follows:—(*a*) For engine for electric light system and improvement thereof, twenty-three hundred dollars. (*b*) For renewing gas supply and for laboratory extension, five hundred dollars. (*c*) For general repairs and contingent fund—not more than one-half to be drawn during the year 1886— twenty-five hundred dollars.[2]

The next act, approved April 9, 1888, appropriated funds for the following purposes:—(*a*) For removing privies and water closets from main building and placing the same in outside towers, three thousand five hundred dollars. (*b*) For water supply for college hospital and professors' houses on college grounds, one thousand dollars. (*c*) For repair-

[1] *Laws of Iowa*, 1884, p. 173.

[2] *Laws of Iowa*, 1886, p. 86.

ing boiler and machinery in electric light and mechanical departments, five hundred dollars. (*d*) For repairs and improvement, one thousand dollars *annually*, added to the already existing appropriation of one thousand dollars, making two thousand dollars. The total of these sums was $7,000.[1]

The next General Assembly in 1890—April 24th—appropriated fifty thousand dollars for the Agricultural College. This amount was to be used for the following purposes:—(*a*) For repairs on main College building and the two boarding halls, five thousand dollars. (*b*) For boiler, boiler and engine house, and steam heating apparatus for engineering hall, five thousand dollars. (*c*) For enlargement and repair of the chemical and physical laboratory building, two thousand dollars. (*d*) For the repair and improvement of farm buildings, including erection of swine house and corn cribs, wo thousand dollars. (*e*) For appliances for protecting College building against fire, one thousand dollars. (*f*) For building for museum, library, chapel and recitation rooms, and remodeling main building, thirty-five thousand dollars. Not more than one-third of this money was to be drawn during 1890, and the balance in two equal installments, the first on or after May 15, 1891, and the second on or after October 15, 1891.[2]

At the next meeting of the General Assembly a law was enacted, making appropriations as follows:—(*a*) For an assembly room and for repairs and improvements, twelve thousand five hundred dollars. (*b*) For completion of cream-

[1] *Laws of Iowa*, 1888, p. 164.

[2] *Laws of Iowa*, 1890, pp. 109–110.

ery and repair of barns, five thousand dollars. (*c*) For building for agriculture, horticulture, veterinary science and agricultural chemistry, thirty-five thousand dollars. (*d*) For repairing an extension of steam heating and electric light plant, three thousand dollars. (*e*) For repairing an extension of water works, one thousand dollars. This act was approved April 8, 1892.[1]

The twenty-fifth General Assembly entered more fully upon the plan of appropriating a certain and considerable amount not only for one biennial period, but as an *annual* appropriation. By an act approved March 29, 1894, this General Assembly enacted that the sum of fifteen thousand dollars be appropriated *annually thereafter* for repairs, general improvements, and current expenses at the Iowa State Agricultural College. The first of these annual payments was to be made September 1, 1894. This act further appropriated the following sums:—(*a*) For an experimental barn, four thousand dollars, not more than one-half to be drawn before October 15, 1894. (*b*) For a ladies' hall, forty-five thousand dollars, the first half not to be drawn until on or after April 15, 1895, and the second half not to be drawn until on or after October 15, 1895.[2] At the next meeting of the legislature, the act, approved April 10, 1896, making appropriations for the Agricultural College carried the following amounts:—(*a*) Emergency fund for deep well, fifteen thousand dollars. (*b*) Equipment of water works, twenty-one thousand dollars. (*c*) Greenhouse, six thousand dollars. (*d*) Forge shops and foundry with fixtures, five

[1] *Laws of Iowa*, 1892, pp. 117–118.

[2] *Laws of Iowa*, 1894, pp. 142–143.

thousand dollars. (*e*) Farm barns, four thousand dollars. (*f*) Sewerage disposal system, thirty-five hundred dollars. The total amount thus appropriated, in addition to the annual appropriation made by the preceding General Assembly, was $54,500.[1]

An act was approved two years later, April 6, 1898, by which the sum of five thousand dollars was appropriated to be used for building a carpenter shop on the Agricultural College grounds.[2]

The Twenty-Eighth General Assembly, by an act approved April 6, 1900, increased the amount of the *annual* appropriation, by the addition of twenty-five thousand dollars *annually thereafter*, for repairs, general improvements, and current expenses. This sum was to be paid in quarterly installments, the first installment being paid July 1, 1900. By this act further appropriations were made, as follows:—(*a*) For president's residence, ten thousand dollars. (*b*) For horse barn and stock pavilion, twelve thousand dollars. (*c*) For purchase of pure bred stock, ten thousand dollars. (*d*) For general engineering hall, eighty-five thousand dollars. Twenty-five thousand dollars of the sum for "general engineering hall" was not to be available before November 1, 1901. At the next session of the legislature, April 12, 1902, there was added to the general support fund the sum of thirty-five thousand dollars *annually thereafter*; also ten thousand dollars *annually thereafter* for the support of the experiment station. Further appropriations, to the amount of forty-five thousand dollars, were made for the following

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[1] *Laws of Iowa*, 1896, pp. 137–138.

[2] *Laws of Iowa*, 1898, p. 89.

purposes:—(*a*) For commencing barn, five thousand dollars. (*b*) For the purchase of live stock, five thousand dollars. (*c*) For commencement of a central building, thirty-five thousand dollars.[1]

April 13, 1904, there was approved an act making appropriations for the Agricultural College. There was added to the general support fund the sum of fifty thousand dollars *annually thereafter*, and for the support of the experiment station, fifteen thousand dollars *annually thereafter*. Further appropriations made by this act were:—(*a*) For the central building, ninety-five thousand dollars, to be used (1) for restoring dome, twenty-two thousand dollars, (2) for restoration of granite for base and steps, twelve thousand dollars, (3) for heating, lighting, plumbing and fixtures, twenty-nine thousand dollars, and (4) for furnishings, thirty-two thousand dollars. (*b*) The sum of fifty-four thousand five hundred dollars, to be used (1) for central heating plant and chimney, twenty-five thousand dollars, and (2) for equipment for central heating plant, tunnel to central building and Morrill hall, and for wreckage of old building and transfering boilers to new building, twenty-nine thousand five hundred dollars. (*c*) The sum of eighty-four thousand five hundred dollars, to be used (1) for dairy building, forty-five thousand dollars, (2) for equipment of dairy building, ten thousand dollars, (3) for land, twenty-two thousand dollars, (4) for herd, equipment of dairy farm, seven thousand dollars, and (5) for poultry and equipment of dairy farm, five hundred dollars. (*d*) The sum of seven thousand dollars to be used for good roads experimentation. (*e*) The

[1] *Laws of Iowa*, 1902, p. 141.

sum of six thousand dollars for the benefit of the engineering department. (*f*) The sum of four thousand five hundred dollars *annually thereafter* for the additional support of the repair fund.[1]

The appropriation for the Agricultural College for the present biennial period was made by an act approved April 9, 1906. It added to the *annual* endowment fund the sum of thirty-five thousand nine hundred dollars, to be divided as follows:—(*a*) For general support, twenty-five thousand dollars. (*b*) Support of engineering department station, three thousand five hundred dollars. (*c*) Purchase of books and periodicals, two thousand four hundred dollars. (*d*) Good roads experimentation, five thousand dollars. This bill also appropriated twenty-six thousand six hundred dollars for the following purposes:—(*a*) Equipment of college departments, five thousand dollars. (*b*) Buildings and equipment of dairy farm and poultry plant, ten thousand dollars. (*c*) Purchase of additional land, eleven thousand dollars. (*d*) Cataloger for five years, per year six hundred dollars.[2]

MILLAGE TAX FOR AGRICULTURAL COLLEGE

The millage tax for the State University proved to be so satisfactory as a means of raising funds for the erection of buildings for that institution that the Twenty-Eighth General Assembly, February 28, 1900, enacted a law establishing a similar millage tax for the Iowa State College of Agriculture and Mechanic Arts. By this law it was enacted that there should be levied upon the assessed valuation of the

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[1] *Laws of Iowa*, 1904, pp. 145–146.

[2] *Laws of Iowa*, 1906, pp. 138–139.

taxable property of the State a special tax of one-tenth of a mill on the dollar of such valuation. The money thus raised was to be used for the erection, improvement, and equipment of buildings for the Iowa State College of Agriculture and the Mechanic Arts. The Board of Trustees of that college was given power to say as to what buildings were to be erected with these funds. This levy was to commence with the first general levy after the passage of the act, and should continue for four successive years thereafter. The proceeds of the tax, to the amount of fifty-five thousand dollars in any one year, were to be carried into the State Treasury to the credit of the Agricultural College. Any amount above such a sum was to go into the State Treasury for general purposes.[1] It was the intention that the money thus raised should be in lieu of any and all appropriations for erection, improvement, and equipment of necessary buildings for the College during the five year period, except such as were provided for in section 1 of chapter 152 of the acts of this same General Assembly.

When the next Assembly met it seemed that the amount of money raised by this special tax was not sufficient to meet the needs of the institution, and consequently, on April 7, 1902, a law was enacted which repealed the law of February 28, 1900. Instead of the former levy of one-tenth mill, this act provided for a levy of one-fifth mill on the dollar of assessed valuation of the taxable property of the State to be collected, cared for, and expended in the same way and for the same purposes as were set down in the previous law.

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[1] *Laws of Iowa*, 1900, p. 75.

This one-fifth mill levy was to be first made in the year 1902, and in the four successive years thereafter.[1]

The Thirty-first General Assembly, by an act approved April 10, 1906, continued the levy of one-fifth mill on the dollar of taxable property of Iowa for a further five year period. The first levy under this new law is to be that for the year 1907. The General Assembly established the same limiting restrictions as to the expenditure of the funds arising from this special tax as was established in regard to the University special tax. No part of such funds was to be expended without first submitting to the General Assembly for its approval estimates of costs, plans, and specifications of the building contemplated. Provision was made, however, that there might be deviation from the estimated cost of an approved building, or any emergency building, not exceeding twenty-five thousand dollars, if such deviation should be necessary between sessions of the legislature. Such expenditure must have first secured a majority vote of the Executive Council of Iowa. This act also authorized the erection at Ames of a new building, to be known as the Hall of Agriculture, and to cost including heating, lighting and plumbing, not to exceed two hundred and fifty thousand dollars. Estimates of cost, plans and specifications of this building were to be approved by a majority of the Executive Council.[2]

The following table shows the amounts raised during the successive biennial periods by the millage tax for the Iowa State College of Agriculture and the Mechanic Arts.

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[1] *Laws of Iowa*, 1902, p. 123.

[2] *Laws of Iowa*, 1906, pp. 140–141.

TABLE NO. XVIII[1]

June 30, 1901, ($\frac{1}{5}$ mill) . . .	$ 30,498.91
June 30, 1903	143,964.61
June 30, 1905	247,688.16
Total to June 30, 1905 . .	$422,151.68

Following is a table showing the entire amounts of State aid to the Iowa State College of Agriculture and the Mechanic Arts since 1858. The amounts for each year and the total amounts are shown for each of the following items; viz. (*a*) general support, (*b*) buildings, improvements, repair, etc., (*c*) experiment station, and (*d*) total.

TABLE NO. XIX[2]

STATE AID TO AGRICULTURAL COLLEGE

YEAR	GEN. SUPPORT	BUILDINGS, IMPROVEMENTS, REPAIR, ETC.	EXP. STATION	TOTAL
1858		$27,000.00		$27,000.00
1859				
1860				
1861				
1862				
1863				
1864		20,000.00		20,000.00
1865				
1866		91,000.00		91,000.00
1867				
1868		47,750.00		47,750.00
1869				
1870		68,500.00		68,500.00
1871				
1872		38,500.00		38,500.00
1873				

[1] *Biennial Reports of State Treasurers.*

[2] *Census of Iowa*, 1905, pp. cxix–cxx.

YEAR	GEN. SUPPORT	BUILDINGS, IMPROVEMENTS, REPAIR, ETC.	EXP. STATION	TOTAL
1874		$ 14,742.36		$ 14,742.36
1875		13,597.64		13,597.64
1876		20,995.00		20,995.00
1877		3,925.00		3,925.00
1878				
1879		3,972.25		3,972.25
1880		10,937.98		10,937.98
1881		3,276.50		3,276.50
1882		13,549.12		13,549.12
1883		13,087.34		13,087.34
1884		14,707.86		14,707.86
1885		28,295.36		28,295.36
1886		5,150.00		5,150.00
1887		5,150.00		5,150.00
1888		6,000.00		6,000.00
1889		6,000.00		6,000.00
1890		10,918.73		19,918.73
1891		38,672.04		38,672.04
1892		39,989.33		39,989.33
1893		30,419.38		30,419.38
1894		28,588.45		28,588.45
1895		46,278.12		46,278.12
1896		36,912.63		36,912.63
1897		37,232.10		37,232.10
1898		20,039.86		20,039.86
1899		30,202.69		30,202.69
1900		25,243.78		25,243.78
1901	$ 25,000.00	100,625.28		125,625.28
1902	25,000.00	113,088.77		138,088.77
1903	60,000.00	140,924.06	$10,000.00	210,924.06
1904	80,000.00	142,017.51	13,125.00	235,142.51
1905	100,416.66	241,693.14	25,000.00	367,109.80
Totals	$290,416.66	$1,538,982.28	$48,125.00	$1,877,523.94

STATE APPROPRIATIONS FOR THE STATE NORMAL SCHOOL

The act by which a State Normal School was established, approved March 17, 1876, provided for legislative appropriations for such Normal School. The sum of fourteen thousand five hundred dollars was set aside for the establishment and maintenance of the institution. This sum was divided as follows:—(*a*) For necessary improvement and repairs, three thousand dollars. (*b*) For salaries of teachers and employes, ten thousand dollars. (*c*) For contingent expenses, fifteen hundred dollars. Beside this money, the State turned over to the State Normal School the buildings at Cedar Falls which had been used for a soldiers' orphans' home.[1]

At the next meeting of the General Assembly a law was enacted, March 25, 1878, which appropriated the sum of thirteen thousand five hundred dollars for the maintenance of the School for the next biennial period. This money was to be paid in eight quarterly installments, the first one to be made July 1, 1878.[2]

The amount of the appropriation for the next two years was twenty-seven thousand seven hundred dollars. The act making it was approved March 20, 1880. The amount specified was to be used for the following purposes:—(*a*) For the payment of teachers, thirteen thousand seven hundred dollars, to be paid in eight equal quarterly payments commencing July 1, 1880. (*b*) For repairs and improvements, two thousand dollars, to be paid in two equal annual payments to be made July 1, 1880, and July 1, 1881. (*c*) For library

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[1] *Laws of Iowa*, 1876, pp. 118–120.

[2] *Laws of Iowa*, 1878, pp. 129–130.

and apparatus, one thousand dollars to be paid July 1, 1880. (*d*) For contingencies, one thousand dollars.[1]

The next General Assembly enacted a measure, March 14, 1882, by which forty-nine thousand five hundred dollars was appropriated for the State Normal School. The items for which this money was to be used were as follows:—(*a*) For teachers' salaries, fifteen thousand five hundred dollars. (*b*) For repairs and improvements, two thousand dollars. (*c*) For library and apparatus, one thousand dollars. (*d*) For contingent expenses, one thousand dollars. (*e*) For a new building, the plans and specifications to be approved by the Executive Council, thirty thousand dollars. Not more than one-half of the total amount appropriated was to be drawn during the year 1882.[2]

The legislative appropriations for the next biennial period, made by an act approved April 1, 1884, fixed twenty-seven thousand dollars as the amount to be expended for the Normal School as follows:—(*a*) For teachers' salaries, nineteen thousand dollars. (*b*) For repairing boilers, three thousand dollars. (*c*) For general repairs and improvements, twenty-eight hundred dollars. (*d*) For school furniture, one thousand dollars. (*e*) For library and apparatus, one thousand dollars. (*f*) For contingent fund, one thousand dollars. The act specified the dates at or after which these several amounts were to be drawn from the treasury.[3]

The next legislature, by an act approved April 9, 1886, made appropriations for the State Normal School for the

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[1] *Laws of Iowa*, 1880, pp. 60–61.

[2] *Laws of Iowa*, 1882, pp. 83–84.

[3] *Laws of Iowa*, 1884, pp. 123–124.

following purposes:—(*a*) For salaries, twenty-one thousand six hundred dollars. (*b*) For apparatus, one hundred dollars. (*c*) For steam-heating, two hundred dollars. (*d*) For repairs and fire escapes, one thousand dollars. (*e*) For coal sheds, two hundred dollars. (*f*) For sewerage, one hundred and fifty dollars. (*g*) For contingent fund, one thousand dollars. The entire sum appropriated was $25,200.[1]

The act making the next biennial appropriations for the Normal School was approved April 11, 1888. The amount appropriated was thirty thousand two hundred dollars. This was to be used for purposes as follows:—(*a*) For teachers' fund, twenty-three thousand dollars. (*b*) For a regular contingent fund, two thousand three hundred dollars. (*c*) For library and chemical apparatus, one thousand dollars. (*d*) For a new piano, four hundred dollars. (*e*) For repairs to steam heating apparatus, five hundred dollars. (*f*) For repairs of old building, two thousand dollars. (*g*) For sewerage and ventilation, one thousand dollars. Not more than half of this money was to be drawn during 1888, and the balance in two equal installments, the first on or after April 1, 1889, and the second on or after July 1, 1889.[2]

By another act, approved the same date, the directors of the Normal School were directed to contract with the City of Cedar Falls for water supply, and to provide necessary apparatus and means for using such water. For these purposes, the sum of seven thousand one hundred dollars was appropriated from the State Treasury.[3]

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[1] *Laws of Iowa*, 1886, p. 133.

[2] *Laws of Iowa*, 1888, p. 162.

[3] *Laws of Iowa*, 1888, p. 163.

In 1890, by an act approved April 16, the legislature first made use of the plan of making appropriations *annually thereafter* for the Normal School. At this time there was appropriated the sum of fifteen thousand dollars *annually* as endowment fund for the payment of teachers, and twenty-five hundred dollars *annually* for a regular contingent fund. The money of both these funds was to be drawn quarterly. In addition to these funds, this act appropriated seventeen thousand six hundred dollars for the following purposes:—(*a*) For library and apparatus, four thousand dollars. (*b*) For repairs on buildings and for boilers and steam heating, five thousand dollars. (*c*) For platform scales, one hundred dollars. (*d*) For President's cottage and furnishing same, six thousand dollars. (*e*) For cold storage room, five hundred dollars. (*f*) For laundry and appliances, one thousand dollars. (*g*) For water rents and water, one thousand dollars.[1]

A law enacted by the next General Assembly, April 9, 1892, added two thousand five hundred dollars to the *annual* fund for the payment of teachers, and five hundred dollars *annually* to the contingent fund. Additional special appropriations, amounting to seventeen thousand seven hundred dollars, were as follows:—(*a*) For library and apparatus, fifteen hundred dollars. (*b*) For repairs and steam heating, nine thousand dollars. (*c*) For water rents, twelve hundred dollars. (*d*) For military instruction, one thousand dollars. (*e*) For sewerage, five thousand dollars.[2]

Special appropriations for the next biennium, made by an

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[1] *Laws of Iowa*, 1890, pp. 110–111.

[2] *Laws of Iowa*, 1892, pp. 132–133.

act approved March 30, 1894, were as follows:—(*a*) For librarian, one thousand dollars. (*b*) For military instruction, one thousand dollars. (*c*) For additional repair and contingent fund, five thousand dollars. (*d*) For teachers' fund, additional, ten thousand dollars. (*e*) For library and apparatus, three thousand dollars; and for a new building, thirty thousand dollars. The total sum specially provided was fifty thousand dollars.[1]

The law making appropriations for the next biennial period, approved April 17, 1896, carried with it forty-eight thousand dollars for the State Normal School. The uses and amounts of the various sums were:—(*a*) Additional for teachers' fund, twenty-two thousand dollars. (*b*) Additional contingent fund, twelve thousand dollars. (*c*) Library, one thousand dollars. (*d*) For repairs, two thousand dollars. (*e*) Librarian and assistant, one thousand dollars. (*f*) Military instruction, one thousand dollars. (*g*) Addition to boiler house, new boilers and steam heating, three thousand dollars. (*h*) Sewer, five thousand dollars. (*i*) Library furniture, five hundred dollars. (*j*) Biological laboratory and apparatus, five hundred dollars.[2]

For support and maintenance of the Normal School during the next biennium, the following appropriations were made by an act approved April 7, 1898.—(*a*) For repairs, two thousand dollars. (*b*) For library, one thousand dollars. (*c*) For librarian and assistant, one thousand dollars. (*d*) For military instructor, one thousand dollars. (*e*) For additional teachers' fund, nine thousand dollars. The total

[1] *Laws of Iowa*, 1894, pp. 144–145.

[2] *Laws of Iowa*, 1896, pp. 145–146.

amount of these special appropriations was fourteen thousand dollars.[1]

The next General Assembly made further additions to the *annual* appropriations, for the payment of teachers, sixteen thousand five hundred dollars additional *annually*, and for contingent expenses, five thousand dollars additional *annually*. Special appropriations were made to the amount of one hundred twenty-four thousand eight hundred dollars, for the following purposes:—(*a*) For other expenses, three thousand dollars. (*b*) For repairs, three thousand dollars. (*c*) For library, three thousand dollars. (*d*) For military instruction, sixteen hundred dollars. (*e*) For librarian and assistant, twenty-two hundred dollars. (*f*) For summer term, twelve thousand dollars. (*g*) For a new building, one hundred thousand dollars. The law making such provisions was of the date April 6, 1900.[2]

The next legislature, by an act approved April 12, 1902, made further *annual* appropriations for the Normal School, to the amount of twelve thousand five hundred dollars. This sum included for the payment of teachers, seven thousand five hundred dollars additional *annually*, and for contingent expenses, five thousand dollars *annually*. An *annual* appropriation of seven thousand dollars for summer term was also made. This act also made special appropriations amounting to $45,269.35, to be expended as follows:—(*a*) For repairs, three thousand dollars. (*b*) For library, three thousand dollars. (*c*) For military instruction, sixteen hundred dollars. (*d*) For librarian and assistants, four thousand dol-

[1] *Laws of Iowa*, 1898, p. 91.

[2] *Laws of Iowa*, 1900, pp. 112–113.

lars. (*e*) For repairs on buildings, three thousand dollars. (*f*) For grading and improvement of grounds, five hundred dollars. (*g*) For street paving, three thousand dollars. (*h*) For extension of heating plant, seven thousand seventy-three dollars and twenty-nine cents. (*i*) For extension of water mains and fire protection, one thousand ninety-six dollars and six cents. (*j*) For furnishing buildings, ten thousand dollars. (*k*) For janitors, firemen, and fuel, two thousand dollars. (*l*) For additional boilers and heating capacity, seven thousand dollars.[1]

The next legislature added thirty-five thousand dollars to the *annual* appropriation for the Normal School. As specified in the appropriating act, approved April 13, 1904, twenty thousand dollars of this amount was for the payment of teachers, and fifteen thousand dollars for contingent expenses. The special appropriations were in the sum of eighteen thousand dollars, for the following purposes:—(*a*) For librarian and two assistants, five thousand dollars. (*b*) For library, five thousand dollars. (*c*) For improvement of grounds, three thousand dollars. (*d*) For fuel, three thousand seven hundred fifty dollars. (*e*) For engineer, firemen, and night watchman, one thousand two hundred fifty dollars. As had been the case with several preceding appropriations, part of these sums were immediately available, while part were to be drawn only on or after some specified future date.[2]

At the last meeting of the legislature an act was passed and approved April 9, 1906, as a result of which the *annual* appropriation for the State Normal School was increased

[1] *Laws of Iowa*, 1902, pp. 140–142.

[2] *Laws of Iowa*, 1904, pp. 145–147.

by six thousand dollars. This amount was to be divided (*a*) for payment of teachers, five thousand dollars, and (*b*) for summer term, one thousand dollars. The same act also made special appropriations to the amount of six thousand dollars. The division of this sum was to be as follows:— (*a*) For librarian and two assistants, two thousand dollars. (*b*) For library, twenty-five hundred dollars. (*c*) For paving, permanent walks, and improvement of grounds, fifteen hundred dollars.[1]

MILLAGE TAX FOR NORMAL SCHOOL

Four years after the millage tax was first used for the State University, two years after the law was passed establishing such a tax for the Agricultural College, the General Assembly, April 9, 1902, enacted a law providing a similar tax for the State Normal School at Cedar Falls. By this act one-tenth of a mill tax was to be levied upon each dollar of assessed valuation of the taxable property of the State, the money to be used for the erection, repair and improvement, and equipment of such necessary buildings as the Board of Trustees should decide upon. This levy was to be made first with the levy for State purposes in 1902, and for four successive years thereafter. This money was to be held by the Treasurer of the State, to be drawn upon requisition of the Board of Trustees of the Normal School.[2]

The special millage tax had proved very satisfactory in the cases of all three of the State educational institutions, and at the expiration of the five years for which it had been established for the Normal School the General Assembly

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[1] *Laws of Iowa*, 1906, pp. 138–139.

[2] *Laws of Iowa*, 1902, pp. 72–73.

renewed it for a second period of five years. This was done by an act approved April 10, 1906. The first levy under this new law will be in 1907. The same conditions as to approval by the General Assembly of estimates of cost, plans and specifications of buildings to be erected were established as before noted in the cases of the millage taxes for the State University and the Agricultural College.[1] The millage tax now brings into the Normal School treasury approximately one hundred twenty-five thousand dollars biennially for building purposes.

The amounts raised for the State Normal School by this special levy are shown, by biennial periods, by the following table:

TABLE NO. XX[2]

June 30, 1903	$ 32,645.78
June 30, 1905	123,272.08
Total to June 30, 1905, . .	$155,917.86

The following table shows the amount of support received by the Iowa State Normal School during each biennial period, the various columns of the table showing the amounts received (*a*) for general support, (*b*) as special miscellaneous funds, (*c*) as special building funds, and (*d*) the total State appropriations received.

TABLE NO. XXI[3]

STATE AID TO NORMAL SCHOOL

BIENNIUM	SUPPORT	SPECIAL MISC. FUNDS	SPECIAL BUILDING FUNDS	TOTAL
1876–'77	$ 5,750.00	$ 3,000.00		$ 8,750.00
1877–'79				

[1] *Laws of Iowa*, 1906, p. 142.

[2] *Biennial Reports of State Treasurers.*

[3] *Census of Iowa*, 1905, p. cxxi.

BIENNIUM	SUPPORT	SPECIAL MISC. FUNDS	SPECIAL BUILDING FUNDS	TOTAL
1879–'81	$ 14,600.00	$ 2,000.00		$ 16,600.00
1881–'83	15,598.50	4,000.00	$ 29,972.62	49,571.12
1883–'85	22,750.00	4,800.00		27,550.00
1885–'87	22,800.00	1,650.00		24,450.00
1887–'89	28,550.00	12,000.00		40,550.00
1889–'91	25,675.00	11,833.31		37,508.31
1891–'93	52,191.51	15,566.69		67.758.20
1893–'95	61,097.23	5,059.40	13,700.00	79,856.63
1895–'97	89,159.52	10,763.52	24,986.97	124,910.01
1897–'99	106,180.06	11,200.00		117,380.06
1899–'01	133,827.36	10,615.40	56,839.07	201,281.83
1901–'03	184,498.73	50,323.53	79,859.48	314,681.74
1903–'05	233,013.74	17,423.48	139,233.70	389,670.92
Totals	$995,691.65	$160,235.33	$344,591.84	$1,500,578.82

AID TO COUNTY INSTITUTES

The Seventh General Assembly passed an act, approved March 12, 1858, reorganizing the system of public instruction in Iowa. In this act it was provided that whenever not less than thirty teachers should desire to assemble to hold a teachers' institute of not less than six working days duration, the State Superintendent should appoint a time and place for holding such meeting. For procuring teachers and lecturers for such institute, the Superintendent was to receive from the State Treasury a sum not exceeding one hundred dollars for any one institute. This was to be transmitted to the County Superintendent of the county in which any such institute might be held, to be paid out as the institute might direct. This act appropriated one thousand dollars per annum for meeting the expense of teachers' institute.[1]

[1] *Laws of Iowa*, 1858, pp. 57–88.

This was an act passed by the State legislature. But the new Constitution, adopted August 3, 1857, had stipulated that the Board of Education should have full power and authority to legislate and make all needful rules and regulations in relation to common schools and all other educational institutions receiving aid from the school or university fund. There was reserved to the legislature only the power to alter, amend, or repeal such acts, rules and regulations.[1] Hence the Supreme Court of the State decided, December 9, 1858, that, as the General Assembly possessed no primary power to pass laws providing for the public instruction of the State until the Board of Education was elected and organized, this act, in so far as it provided for a system of education for the State, was unconstitutional, and therefore void.[2]

When, however, the Board of Education met on December 24, 1858, they enacted this same act in most of its essential features, except that the duties set down in the former act as devolving upon the Superintendent of Public Instruction should devolve upon the Secretary of the Board of Education.[3] The annual appropriation of one thousand dollars for institutes stood, as made by the act of the legislature of March 12, 1858.

On March 19, 1864, the legislature abolished the Board of Education. Provision was then made that, whenever the County Superintendent of any county should give reasonable assurance to the Superintendent of Public Instruction that twenty teachers desired to assemble to hold an institute

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[1] *Constitution of 1857*, Art. ix, Part first, Sec. 8.

[2] *Iowa Reports*, Vol. VII, pp. 262–287.

[3] *Journal of the Board of Education*, 1st Session, p. 29.

in such county, to be not less than six working days in duration, a time and place for such a meeting should be appointed. There was appropriated by this act a sum not to exceed fifty dollars annually for one such institute in each county. This money was to be used by the County Superintendent to defray the expenses of the institute. If any balance remained it was to be paid into the county treasury, and be credited to the Teachers' Fund.[1]

In 1874, March 19, it was provided that each County Superintendent should hold annually a normal institute for the instruction of teachers and those who might desire to teach. It was to be held at such time as most of the schools in the county were closed. To defray the expenses of the institute, one dollar was to be paid for each certificate issued, and one dollar registration fee for each person attending. It was further provided that the County Superintendent should monthly, and at the close of each institute, transmit to the County Treasurer all moneys so received, including the State appropriation, to be designated the "institute fund." Furthermore, power was given to the Board of Supervisors to appropriate any additional sum which they might deem necessary for the further support of such institute. All disbursements from this fund were to be only for services rendered or for expenses incurred in connection with the normal institute, and could be made only upon the order of the County Superintendent.[2] This is the law relative to county institutes which is in force at the present time. Under its provisions an annual institute is held in each of the

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[1] *Laws of Iowa*, 1864, pp. 53–56.

[2] *Laws of Iowa*, 1874, p. 45.

ninety-nine counties of the State. The numbers of institutes held in Iowa under these various laws are as follows:—

TABLE NO. XXII

1858—20	1874—92; 1 did not get $50	1890—99
1859—14	1875—99; 2 did not get $50	1891—99
1860—34	1876—98; 2 did not get $50	1892—99
1861—43	1877—99	1893—99
1862—44	1878—99	1894—99
1863—62	1879—99	1895—99
1864—63	1880—99	1896—99
1865—59	1881—98	1897—99
1866—67	1882—99	1898—99
1867—67	1883—99	1899—99
1868—65	1884—99	1900—99
1869—74	1885—99	1901—99
1870—78	1886—99	1902—99
1871—78	1887—99	1903—99
1872—83	1888—99	1904—99
1873—85	1889—99	1905—99

The following table, compiled from the reports of the Auditor of State, gives the amounts of money expended by the State for the support of county institutes during the successive biennial periods:

TABLE NO. XXIII

November 6, 1859	$ 1,799.60
November 3, 1861	3,400.00
November 1, 1863	4,850.00
November 4, 1865	6,250.00
November 2, 1867	6,650.00
November 1, 1869	6,550.00
November 4, 1871	8,600.00
November 1, 1873	8,150.00

October 30, 1875	10,250.00
September 30, 1877	9,950.00
September 30, 1879	9,850.00
September 30, 1881	9,900.00
June 30, 1883	5,500.00
June 30, 1885	9,700.00
June 30, 1887	10,450.00
June 30, 1889	9,250.00
June 30, 1891	10,650.00
June 30, 1893	10,900.00
June 30, 1895	8,650.00
June 30, 1897	9,900.00
June 30, 1899	10,300.00
June 30, 1901	10,100.00
June 30, 1903	10,250.00
June 30, 1905	10,200.00
Total	$202,049.60

It would be interesting and of considerable value to investigate the expenditure of the money granted by the State to county institutes, but it is not the function of this paper to discuss the expenditure of educational money. The county institute in Iowa is reaching more or less efficiently a large number of rural teachers who perhaps would not otherwise receive any special educational training for their teaching work.

PART III

SOME COMPARISONS WITH OTHER STATES

There are many problems which arise in any considerable study of Federal and State aid to education; and there are numerous and important differences in the administration of funds granted for educational purposes by the National and the State governments. In a brief discussion such as is contemplated in the present paper it is possible to consider only a few of the many interesting questions arising from a comparison of conditions in Iowa with those of other States. These conditions vary in many respects. In the handling of some of her educational problems Iowa profited by the experience of States that had previously struggled with similar difficulties. Not in all respects, however, have the actions of this State been based upon sound wisdom. In some of the newer States it is not yet too late to profit by some of Iowa's mistakes. Nor is it too late for Iowa herself to rectify some of the mistakes of youth and inexperience; for when future generations shall look back two or three centuries to the present time they will recognize the fact that now at the beginning of the twentieth century we are only laying the foundations of a great public educational system.

It is the purpose of this paper to discuss briefly some conditions in other States as compared or contrasted with the same class of conditions in Iowa. Some States have received

and used for educational purposes larger or smaller Federal grants of land than has Iowa. Grants of land diverted to education by Iowa have not been so diverted in some of the other States; while other grants of land or money have been so used. In some cases land granted has not been offered for sale, but has been leased or rented for a number of years, the school funds thus gaining the "unearned increment" in the value of the land. In other cases a minimum selling price has been fixed considerably higher, or lower, than that in Iowa. Several States give direct aid to the high schools. Some maintain several normal schools. Some have organized the State University and the State Agricultural College as one institution. Different methods of supporting the State institutions of higher learning are made use of by the various States. Aid to county institutes differs in amount and in the means used for extending such aid. Only a few of the numerous problems which are suggested by a study of Federal and State aid to education will be considered in this paper, and these will be discussed in only a general way.

THE FEDERAL LAND GRANTS

As has been previously mentioned, the grant of land for the support of common schools consisted of the sixteenth section in each township in each State admitted into the Union previous to August 14, 1848; while to each State admitted since that date the sixteenth and thirty-sixth sections have been donated. Some of the newer States still retain a part or all of this land. They will thus realize from it a much larger sum of money than if it had been offered for sale at an earlier date. Iowa's Sixteenth Section Grant lands were chiefly sold at the price of one dollar and

twenty-five cents per acre. Had these lands not been sold until the present time the fund arising from their sale would have been much larger. But there is another point to be considered. The wealth of the people of the State was so small at an early day that any considerable development of the public schools would have been impossible without the money received from the sale of these lands. Accordingly, they were sold. It was a case where the law-makers and educational administrators considered that the immediate need more than balanced the advantage of waiting for a larger sum at a subsequent time. However, when viewed from the standpoint of the ultimate future, it would seem that those States are pursuing a wiser policy which are holding their school lands by putting upon them a minimum selling price so high as to prohibit their immediate sale.

Federal land grants for State Universities have been made to the Western and Southern States. The amounts of land received under these grants vary from one township (46,080 acres) to nearly 250,000 acres. As a result of these grants, there have sprung up all over our land the State Universities, which seem to many people to be destined to become the really great and lasting institutions of higher learning in America. Some of these universities are yet small and weak, but with proper support from the State they are sure to become the strong bulwarks of our republican institutions.

AMOUNT OF FEDERAL AID TO AGRICULTURAL COLLEGES

As was stated in the discussion of the Agricultural College Land Grant, Iowa under the Act of Congress of July 2, 1862, received 240,000 acres of land for the founding and support of an Agricultural College. This act granted to

each State an amount of land equal to thirty thousand acres for each Senator and Representative of that State in the Federal Congress. Under the Act of 1862 land has been granted to forty-five States. The following table shows the number of acres granted to each of these States under this act.[1] It also gives the approximate values of the lands thus obtained, as these values are set forth in the *Report of the Commissioner of Education* for 1903.[2]

TABLE NO. XXIV

	NO. OF ACRES	VALUE
Alabama	240,000	$253,500
Arkansas	150,000	130,000
California	150,000	741,452
Colorado	90,000	240,145
Connecticut	180,000	135,000
Delaware	90,000	83,000
Florida	90,000	154,300
Georgia	270,000	242,202
Idaho	90,000	900,000
Illinois	480,000	613,427
Indiana	390,000	340,000
Iowa	240,000	594,488
Kansas	90,000	492,381
Kentucky	330,000	165,000
Louisiana	210,000	182,313
Maine	210,000	118,300
Maryland	210,000	118,000
Massachusetts	360,000	219,000
Michigan	240,000	1,069,454
Minnesota	120,000	570,576

[1] *Report of the Commissioner of Education*, 1896–1897, Vol. II, pp. 1137–1264.

[2] *Report of the Commissioner of Education*, 1903, Vol. I, p. 1179.

	NO. OF ACRES	VALUE
Mississippi	210,000	449,659
Missouri	330,000	409,881
Montana	90,000	192,500
Nebraska	90,000	318,000
Nevada	90,000	93,000
New Hampshire	150,000	80,000
New Jersey	210,000	116,000
New York	990,000	688,576
North Carolina	270,000	125,000
North Dakota	130,000	1,059,482
Ohio	630,000	524,146
Oregon	90,000	131,556
Pennsylvania	780,000	427,291
Rhode Island	120,000	50,000
South Carolina	180,000	191,800
South Dakota	160,000	804,585
Tennessee	300,000	396,000
Texas	180,000	209,000
Utah	200,000	269,696
Vermont	150,000	135,500
Virginia	300,000	516,468
Washington	90,000	900,000
West Virginia	150,000	90,000
Wisconsin	240,000	303,460
Wyoming	90,000	111,450

It will be seen from this table that the price received for or put upon the Agricultural College Grant lands has varied from a minimum of 41⅔ cents per acre in Rhode Island to a maximum of $10.00 per acre in Idaho. The price received in Iowa compares favorably with that received in other States, being approximately $2.50 per acre. Several of the States have fixed a minimum selling price for this land.

Among them is Nebraska where by constitutional provision a minimum price of $7.00 per acre is established.

There are some striking differences in the plans adopted in the various States for the expenditure of the funds coming from the Agricultural College Grant. In many cases a College of Agriculture and the Mechanic Arts has been established as a separate and distinct institution. This is true of Iowa. In other cases the funds have been used to develop a department or school of agriculture in connection with or as a part of the State University. Minnesota may be mentioned as an illustration of this plan. In a few instances a part or all of the grant was turned to the support of such a department or school in an institution not regularly supported by the State. Such is true of Cornell University, in New York. Of course, such bestowal of this aid upon the private or denominational institution carries with it a certain amount of State supervision. In several of the Southern States the land granted has been divided, part of it going to an agricultural and industrial school for Negroes and the remainder being used for a school for White students.

Under the first of the plans just mentioned Iowa has developed a great college for training the youth of the State along the lines of agriculture, veterinary science, the several kinds of engineering, and other fields of activity important to the welfare of the people of a prairie State such as Iowa.

FEDERAL LAND GRANTS FOR STATE UNIVERSITIES

The Federal government granted to Iowa for the use of a State University one township of land. There was also diverted to University uses a portion of the land constituting the Saline Grant. About one-tenth of that land was so

diverted. The Federal government has done equally well, and in many instances much better, for most of the States of the Union. The quantities of land thus granted range from 46,080 acres—the amount granted Iowa—to 246,080 acres—the amount granted Utah. This land has been more or less intelligently disposed of by several States. The nature of the land varies in the different States, and its value of course varies accordingly. The following table, compiled from the *Report of the Commissioner of Education*, shows the quantity and, in a number of the States, the actual or estimated value to the Universities of the lands provided for higher education by the United States:—

TABLE NO. XXV[1]

	NO. OF ACRES	VALUE
Alabama	92,160	828,740
Arizona	46,080	
Arkansas	46,080	276,000
California	52,480	100,000
Colorado	46,080	
Florida	92,160	130,000
Idaho	196,080	
Illinois	46,080	60,000
Indiana	72,662	231,231
Iowa	50,080	300,000
Kansas	46,080	135,000
Louisiana	46,080	
Michigan	48,080	575,000
Minnesota	92,160	800,000
Mississippi	69,120	
Missouri	46,080	108,700
Montana	196,080	

[1] *Report of the Commissioner of Education*, 1896–1897, Vol. II, pp. 1137–1164.

	NO. OF ACRES	VALUE
Nebraska	46,080	322,560
Nevada	46,080	38,000
New Mexico	46,080	
North Dakota	126,080	
Ohio	69,120	
Oklahoma	59,520	
Oregon	46,080	80,000
South Dakota	126,080	
Tennesse	100,000	
Utah	246,080	
Washington	146,080	
Wisconsin	92,160	333,778
Wyoming	46,080	

As was true of the Agricultural College Grant lands above discussed, the price of the University Grant lands varies greatly with different States, from about 82 cents per acre in Nevada to $11.96 per acre in Michigan. Iowa's price, approximately $6.00 per acre, ranks well up in the list.

In some of the States more than one Federal grant was used for universities. In Illinois one-half of one per cent of all proceeds derived from the sale of the United States land within the State was used for higher education. In Iowa, as noted above, about one-tenth of the lands granted to the State as saline became University lands.

The sale of University lands was not strikingly different from the sale of other lands granted for common or higher or technical education. In most States it was thrown on the market in competition with other lands still held by the United States, and so was frequently sold at the same uniform price of $1.25 per acre. However, some States profited by the experience of others and so realized much more from

their University lands. This was true, for example, of Minnesota and Nebraska. Although in no case perhaps have the lands been so disposed of as to bring the largest possible returns, yet the Federal grants have been and now are of great value to higher and common education throughout the United States.

NUMBER OF NORMAL SCHOOLS

Another respect in which there is considerable difference as to procedure in the different States is the number of normal schools supported wholly or in part by State aid. In Iowa there is only one State Normal School, located at Cedar Falls, some distance northeast of the center of the State. In other States the number of normal schools aided or supported varies from one to thirteen. The following table gives the number of State normal schools in each of the States of the Union supporting such normal schools:

TABLE NO. XXVI

Alabama	5	Iowa	1
Arizona	2	Kansas[2]	3
Arkansas	1	Kentucky[3]	4
California	5	Louisiana	1
Colorado	1	Maine	5
Connecticut	4	Maryland	2
Florida[1]	2	Massachusetts	10
Georgia	2	Michigan	4
Idaho	2	Minnesota	5
Illinois	6	Mississippi	2
Indiana	1	Missouri[4]	6

[1] 1 for colored teachers

[2] 1 central school and 2 branches

[3] 1 for colored teachers

[4] 1 for colored teachers.

Montana	1	Rhode Island	1
Nebraska	2	South Carolina	1
New Hampshire	1	South Dakota	4
New Jersey	1	Tennesse	1
New Mexico	2	Texas[1]	4
New York	12	Utah	1
North Carolina	1	Vermont	3
North Dakota	2	Virginia[2]	4
Ohio	2	Washington	3
Oklahoma	3	West Virginia[3]	6
Oregon	3	Wisconsin	7
Pennsylvania	13		

In several of the States in the above list one or more of the normal schools have been established within the past few years. In some States there is now agitation for the establishment of a still larger number. The question to be decided in each case is as to whether it is better to have only one State normal school and make it a large and strong one, or to have several smaller normal schools. In Iowa the former plan has been followed; and there is much truth in the claim that there is no State normal school in the United States which is the superior of the Iowa State Normal School. This fact is a matter of pride to many people in Iowa; and so any movement calculated to bring about the establishment of more normal schools in Iowa is viewed by some with considerable trepidation. On the other hand, there is a great call in this State for more normal schools. It is believed by many that at least three more such institutions are needed.

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[1] 1 includes colored school

[2] 2 for colored teachers

[3] 1 for colored teachers

They believe that there would be an abundance of students to furnish a large attendance for a normal in each corner of the State without seriously (perhaps without at all) cutting into the attendance at Cedar Falls. Upon several occasions resolutions have been passed at the meeting of the Iowa State Teachers' Association to the effect that it is the sentiment of that body that at least three more normal schools should be established. The fear that Iowa is financially unable to support adequately such institutions is, of course, absurd and unfounded. If the educational welfare of the people would be better promoted by such a policy there is no room to question its possibility and feasibility. In the writer's judgment it is only a question of a few years at most until Iowa will have several normal schools, intended primarly for the training of grade teachers.

STATE AID TO HIGHER EDUCATION

The statesmen who first extended Federal aid to education in the United States were justified in their belief that the central government would thus be stimulating State and local support of education. After the universities and colleges have been founded as a result of Federal aid, the legislatures of the various States have not been willing to see such universities and colleges die. Accordingly, legislative appropriations have been made to provide funds for extending their usefulness. In Iowa the State has encouraged higher education not only by these legislative appropriations but also by the levying of a "millage tax" for buildings for this purpose. Several other States are also granting aid by these two methods.

A glance at the amount of the legislative appropriations

in Iowa will disclose the fact that during the past few years there has been manifested an ever-growing appreciation of the value and function of the institutions of higher education. But several of the other States have shown a still larger realization of the importance and the need of these institutions. From the *Report of the Commissioner of Education* for the year 1904 the portion of the income of institutions of higher education which was received from States and municipalities was $9,922,903.[1] This *Report* also shows that nine States and two Territories at that time made use of some form of the general property tax for the support of higher learning. No interests of the people of Iowa rank higher than those of the educational institutions; the people of the State are prosperous enough to develop to the utmost point of efficiency their State University, State College of Agriculture and the Mechanic Arts, and the State Normal School. It is to be hoped that future legislatures will see this fact even more clearly than have past legislatures.

At its second session the Fifty-ninth Federal Congress manifested its recognition of the desirability and importance of continuing and increasing aid to higher technical education. By it a law was enacted increasing the annual Federal appropriation for each experiment station from fifteen thousand to thirty thousand dollars. It also increased the amount of the annual appropriation for agricultural colleges from twenty-five thousand to fifty thousand dollars.

STATE AID TO HIGH SCHOOLS

The granting of State aid to public high schools by a direct cash bonus or by certain other helpful means is a fea-

[1] *Report of the Commissioner of Education*, 1904, Vol. I, p. xvi.

ture of educational administration in several States. An article on *Special State Aid to High Schools*, written by Professor Frederick E. Bolton, and published in *Educational Review*, sets forth many important facts bearing on this subject.[1] Professor Bolton shows that several States appropriate State money according to various plans for the maintenance of high schools. Among these States are Massachusetts, Maine, Wisconsin, Minnesota, California, Connecticut, Florida, North Dakota, New Hampshire, New York, Pennsylvania, Rhode Island, and Washington.

The machinery by which State aid to high schools is administered differs in the different cases. The amount depends in some instances on the standard of the high school aided, and in other cases on the attendance at the school, or the amount of money raised for the support of the school by local taxation.

A few of the States granting direct aid to high schools provide amounts as follows:—Pennsylvania grants aid to three classes of high schools. These schools are classified as two-year, three-year, and four-year high schools. The third grade schools receive $400 annually, the second grade $600 annually, and the first grade $800 annually. North Dakota makes a like classification of schools, granting $200, $300, and $400 respectively to the three grades. Certain high schools in Wisconsin receive annually from the general funds of the State one-half of the amount actually expended for instruction. Wisconsin also grants aid upon the basis of a classification of the schools. In Massachusetts, the amount of aid given to schools depends upon the number of

[1] *Educational Review*, Vol. XXXI (February, 1906), pp. 141–166.

families resident in the town and the value of property there owned. California follows a plan different from those mentioned, as the State aid there is to the amount of fifteen dollars per pupil in average daily attendance at the properly established high schools. In Rhode Island the State grants annually for the first twenty-five pupils twenty dollars per pupil, and for the second twenty-five pupils ten dollars per pupil.

Under whichever one of these various plans State aid is being granted its results are proving very beneficial to the cause of education. Iowa has no provision at present for State aid or support to high schools.

There has been recently considerable agitation favorable to State aid to high schools in Iowa, but up to the present time no legislation has been enacted. At the last meeting of the Iowa State Teachers' Association (December, 1906) there was presented a report of a special committee of twenty-two Iowa educators who had been appointed to investigate the question of State aid to high schools. This report, presented by Professor F. C. Ensign, the chairman of the committee, was divided into three parts. Part one reviewed the present status of State aid; part two was a discussion of such aid; and part three was in the form of a bill embodying the ideas of the members of the committee relative to State aid to high schools in Iowa. This report recommended the enactment of a law granting aid to Iowa high schools, chiefly upon the basis of a classification of the schools of the State into two grades, namely; four-year high schools, and three-year high schools. Further State aid was recommended through the reimbursement by the State of money used

to pay tuition under certain circumstances. This is one of the lines along which much good work may be done for education in Iowa. It is sincerely to be hoped that in the near future the General Assembly may deem it wise and expedient to provide for State aid to Iowa high schools.

CONCLUSION

In conclusion it is clear that the granting of Federal and State aid to encourage and build up educational agencies has been and is being abundantly justified. From the lowest grade of the common schools to the most highly specialized research work of the Graduate College of the University, a great stimulus has been given to educational activity. It is a truism to say that in a Democracy national stability and advancement depend upon the intelligence and character of its citizens. But this is so profoundly true that its importance should be deeply impressed in our minds. The Federal government has done much in laying foundations; the State also has done much in building wisely and well; but much more yet remains to be done in Iowa before our common schools and higher institutions will be up to the standard which is to be desired. Already our school system, with the Graduate College of the State University as its cap sheaf, has arisen to large proportions; but it remains to the future to see reared in Iowa a most magnificent educational system dedicated to truth and to the manhood best prepared to render real service to Iowa and humanity.

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