

## THE IOWA BOARD OF EDUCATION.

BY HON. T. B. PERRY.

The Board of Education of the State of Iowa was created by Article 9 of the New Constitution of 1857. It was composed of one member from each of the eleven judicial districts in the State, and the governor ex-officio, the lieutenant-governor being the presiding officer and entitled to give the casting vote in case of a tie. The first election occurred on the 12th day of October, 1858, and the following members were chosen:

- 1st District, Charles Mason, four years.
- 2nd District, T. B. Perry, four years.
- 3rd District, George P. Kimball, two years.
- 4th District, D. E. Brainerd, four years.
- 5th District, Dan Mills, four years.
- 6th District, S. F. Cooper, two years.
- 7th District, T. N. Canfield, two years.
- 8th District, F. M. Connelly, four years.
- 9th District, O. H. P. Roszelle, two years.
- 10th District, A. B. F. Hildreth, four years.
- 11th District, I. J. Mitchell, two years.

The number of years service as indicated above was determined by lot. Judge Ralph P. Lowe, of Lee county, was the first governor elected under the New Constitution, on the 13th day of October, 1857, and his term of official service commenced in January, 1858, ending January, 1860. He was ex-officio the twelfth member. Oran Faville of Mitchell county was lieutenant-governor for the same period, and the presiding officer.

The first session was convened on Monday, the 6th day of December, 1858, in the senate chamber of what we now term the old capitol building, but what at that time was the new capitol, and continued in session until Saturday, December 25th. The principal work of the session was an ef-



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fort to adopt the township district system instead of independent districts. The township system was, in the main, the conception of Horace Mann. In pursuance of the Act of July 14th, 1856, Governor Grimes appointed a commission of three to revise the school laws of Iowa, consisting of Horace Mann, of Ohio, Amos Dean, Chancellor of the State University of Iowa, and F. E. Bissell, who was afterwards Attorney General of the State; but on account of ill health Mr. Bissell did not take any part in the report made to the general assembly. The commission prepared a bill embracing the township system, and in an able report urged its adoption. On the 12th of March, 1858, the general assembly passed the bill as recommended by the commission. On the 9th day of December following, the supreme court in the case of the District Township of the City of Dubuque vs. The City of Dubuque, 7 Iowa 262, decided that this act was unconstitutional, for the reason that this power belonged to the Board of Education. The Board had only been in session three days when this decision was announced. It was not long in passing such a curative statute as would save the law to the people, and secure to them all rights under it so far as its authority extended.

There was more or less conflict of opinion among the members of the Board as between the township and the independent system. Judge Mason and I favored the independent, he being the more conservative in this respect. The other members were more or less friendly to the township system. A bill for an act entitled "An Act to provide a system of Common Schools," was passed at that session. It was drafted by Judge Mason as a compromise of more than one bill which had been introduced and discussed during the session. While it set forth the township system, it was a modification in this respect of the Horace Mann idea as expressed in the Act of March 12th, 1858. Though it has undergone many changes since that time, it is nevertheless the substance or ground work of what we still have of the township system. The most important change of the law since the passage of this Act, was that enabling the people

to organize independent districts, and to come out from under the township system, as they might determine. As a result, a large per cent of our school district organizations now are independent. While the township system has much to recommend it as applied to rural settlements, the independent district plan will doubtless continue to be preferred in many localities, more especially in cities and towns. I am aware that some of our ablest and most influential educators are still earnest advocates of the township system in all its fullness; but so long as the subject is left to be determined by those directly and most interested, the principle of self-government so firmly lodged in the affections of the people, will incline them to stand by independent local organizations, as being more direct, and better calculated to subserve their own immediate interests.

As to the membership of the first Board, a large per cent were teachers, which peculiarly fitted and qualified them as useful legislators on the subject of education and schools. Lieutenant-Governor Oran Faville was an intellectual and finely educated man, a successful teacher, a good parliamentarian, a superior presiding officer, and was highly esteemed by all. Dan Mills was the father of the Mills brothers so well known in Des Moines as enterprising publishers and prominent business men. D. E. Brainerd was the oldest member, and I the youngest. Mr. Brainerd was the humorist of the body, and could tell a good story. S. F. Cooper was a useful member. He had a good education and considerable experience in teaching, and was active and efficient in all that pertained to his duties as a member of the Board. T. H. Canfield was a Congregational clergyman, strong in his political convictions but of good intentions and kind impulses. Still, he was always satisfied to keep in line with his party in all its movements. F. M. Connelly was a young man who had just entered upon the practice of law. He was regarded by all as honorable and upright in every way, and one whose desire was to do right, fearlessly, and at all times. O. H. P. Roszelle had been a teacher, and, as I now recollect, county superintendent of Buchanan county. He was

an honest, earnest, unassuming man, and made a useful member. He was one of the most zealous advocates of the township system. A. B. F. Hildreth, then, and still, a resident of Charles City, was a thoroughbred Massachusetts Yankee, and never afraid to express himself in advocacy of what he believed to be right. He was a newspaper editor, but, from his manner and conversation, I always suspected that he had had a large experience as a teacher. He was not subject to any embarrassment while occupying the floor in advocating the township system. In fact, I do not call to mind now that I ever saw him laboring under what might be called embarrassment. But he was one of the most active, and a very useful member of the Board. I. J. Mitchell of Boone was an excellent young man. There was no more conscientious, fair-minded or worthy member of the Board. He had a red head, and when occupying the floor seemed to be terribly in earnest; and no man ever doubted his sincerity. Gov. Lowe was so well known in Iowa for his high character and useful life as not to require special notice at my hands, further than to say that he gave the subject of education his heartiest support, and was an active member of the Board. George P. Kimball was a teacher and very much in earnest in all his undertakings, which rendered him quite a useful member. He was a warm friend of the township system and gave it his hearty support. In conclusion of what I have to say of my personal recollections of the membership of the Board the first session, I shall speak of Judge Mason. He was clearly the ablest member. Besides his great intellect, he had the benefit of superior opportunities and advantages over most men. His education was of the first order. He graduated at West Point at the head of the class of 1829. In the same class Robert E. Lee was second and Joseph E. Johnston thirteenth. Jefferson Davis was twenty-third in the class of 1828. Charles Mason was Chief Justice of the Territorial Supreme Court of Iowa from 1838 to 1847, principal author of the code of 1851, and commissioner of patents under Franklin Pierce. He was favored with an excellent memory, was a first-rate lawyer, an able

jurist, upright and just in all things, and was not excelled in most attributes that make men great, excepting that he was not much of a public speaker. He enjoyed the most perfect confidence and respect of all the members.

Judge Mason undertook to make the trip from Keokuk to Des Moines via steamboat on the Des Moines river. I was at Ottumwa when the "Badger State" hove in sight, on which he was a passenger. This was the afternoon of Saturday, the 4th day of December, 1858. A cold wind was blowing from the northwest, and the boat stopped only a few minutes, and passed up the river; but it was not able to ascend higher than Eddyville, where it landed its passengers, unloaded its cargo, and at once returned down the river to escape the threatened "freeze up." Judge Mason completed his journey from Eddyville by stage coach, and I from Ottumwa in the same way. During the first session we roomed together at Dr. Shaw's, whose residence occupied the present site of the Catholic church across the street and immediately west of the old capitol building. I shall always appreciate the benefits resulting from being thus associated with Charles Mason.

The second session of the Board convened in the senate chamber of the capitol building on Monday, December 5th, 1859, and continued in session until its adjournment on Friday, December 24th. We had the same membership and officers as those of the first session, excepting that Judge Mason did not attend, and Josiah T. Tubby was secretary of the first and Thomas H. Benton of the second session. Toward the close of the first session the Board, for reasons supposed to be political, passed an act abolishing the office of Superintendent of Public Instruction which was then elective by the people, and quite ably filled by Maturin L. Fisher of Clayton county, and conferred the duties of the office upon the secretary of the Board of Education. It then became an appointive office. As will be seen, Mr. Fisher was legislated out of office and disposed of in short order to furnish a place for another. But as soon as it was discovered that he was fairly dead to the office, it was revived, and we ever since

have had the office of Superintendent of Public Instruction elective by the people ; however, Mr. Benton was well qualified and made an excellent officer as secretary of the Board as well as in the discharge of the duties of Superintendent of Public Instruction.

The subject under consideration would be incomplete, without appropriate reference to some of the leading school journalists of the State, who were conspicuous as reporters during the sessions of the Board. Samuel Storrs Howe, an aged Yankee teacher, well known in those days by all the public men of the State, was editor and proprietor of the *Literary Advertiser and Public School Advocate*. J. H. Sanders, of Sigourney, was publisher of the *Iowa Instructor*. He was a teacher of experience, and one among the brightest of the young educators of the State. Mills & Co., of Des Moines, were publishing the *Iowa School Journal*. Theirs was at that time one of the foremost publishing houses of the State. Frank M. Mills, of that firm, afterwards became state printer and state binder. C. C. Nestlerode, of Cedar Rapids, like some of the school journalists named, was agent for a school-book publishing house, and was present most of the time during the session in the interest of his house. He was a young man of more than ordinary intelligence and worth. In this connection, the name of General William Duane Wilson, Secretary of the Agricultural Bureau at that time, should not, by any means, be omitted. He was an old man of more than seventy years, whose face was ornamented on both sides by quite a rich growth of gray whiskers. He manifested an unbounded interest in agriculture, and never could understand why the Board should not make extensive provision for his favorite subject, among the first and foremost of its enactments. He continually labored for the founding of the "Agricultural College and Farm", and never would tire in conversation upon his favorite topic. He was a kind-hearted, good-natured old gentleman, and always enjoyed the friendship and esteem of the members of the Board.

The third session of the Board met Monday, December 2d, 1861, and adjourned Friday, the 20th day of the same

month. The new members were Philip Viele, successor of Judge Mason; D. C. Bloomer, successor of George P. Kimball; S. F. Cooper, re-elected; D. W. Ellis, successor of T. H. Canfield; Lyman N. Ingalls, successor of O. H. P. Roszelle; Daniel D. Chase, successor of I. J. Mitchell; Gov. S. J. Kirkwood, ex-officio; N. J. Rusch, president, ex-officio. All the other members were present the third session whose terms were for four years. Governor Kirkwood was quite an active and interested member. He was a man of sound judgment, and rather conservative in his views. He had been a member of the general assembly of the State of Ohio and of this State, and was well known as a legislator before becoming a member of the Board. Enough is known of his successful public career in this State not to require any further mention in that direction on this occasion. Lieutenant-Governor Nicholas J. Rusch, of Scott county, had not been in this country many years when he was elected to the state senate in 1857, for four years. He was a fair representative of the large German element we had in Iowa at that time. He was a man of intelligence, a good German scholar, and had succeeded in acquiring a pretty fair knowledge of the English language, considering the short time he had been a citizen of this country. He was impartial and just in his official action, and well regarded by all the members; but certainly was not the superior of Oran Faville as an educator and presiding officer.

Of the new members at this session I shall speak briefly. Philip Viele of Lee county was the Republican candidate, who opposed Augustus C. Hall for congress in 1856, the second time he was elected. He was quite an old man, a native of Holland as I now recollect, and died shortly after the close of the session of 1861. D. C. Bloomer of Council Bluffs, the successor of George P. Kimball, was the husband of Mrs. Amelia Bloomer, an estimable lady from whom the name "Bloomer Costume" was derived, and which was more prominently mentioned then than at the present time. He was a very excellent gentleman, indeed, alive to the cause of education, and an active and useful member of the



Board. D. W. Ellis of Clinton was a brother of the present State Senator Ellis of that place, and the successor of T. H. Canfield. He was a young man of commendable habits, of fair qualifications, and gave promise of a successful career in the life before him. D. D. Chase of Webster City, the successor of I. J. Mitchell, of Boone, afterwards judge of the district court for several years, was a young lawyer just starting out in life, and gave every promise of succeeding well as a public man, which afterwards was fully verified.

The last State Census Report sets forth that the third session of the Board was held in December, 1862. This is a mistake; it was in 1861, as I have hereinbefore fully shown. While it is true that there was an election of members of the Board in October, 1862, to succeed those elected in October, 1858, whose terms were for four years, still they did not meet in December, 1862, and a fourth session was not held. The cause of this failure, as I now recollect, was that the legislature failed to make an appropriation to defray the expense of the session. In March, 1864, the general assembly, in the exercise of a special power given it by the Constitution, discontinued the Board of Education, and no session ever was held since its final adjournment at the third session, December 20th, 1861.

Of the members I met during these three sessions, I only know of the following as still living, viz: Col. S. F. Cooper of Grinnell (now of California); D. C. Bloomer, of Council Bluffs; A. B. F. Hildreth, of Charles City; D. W. Ellis, of Minneapolis. My best information is that the others, including all who in any way served as officers of the Board, have passed away. I shall always cherish their memory with becoming reverence.

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