
The First Decade of Educational Governance in Kansas, 1855–1865

by A. Kenneth Stern and Janelle L. Wagner

Common school education has played a significant role in the history of this country in spite of the fact that provisions for the establishment and maintenance of a common school system were not legislated by the federal government. Although territorial governments were established by guidelines provided for in the Northwest Ordinance of 1787 and land was set aside for the purpose of education, whatever public education system was formed was done so at the discretion of the territories and states.¹

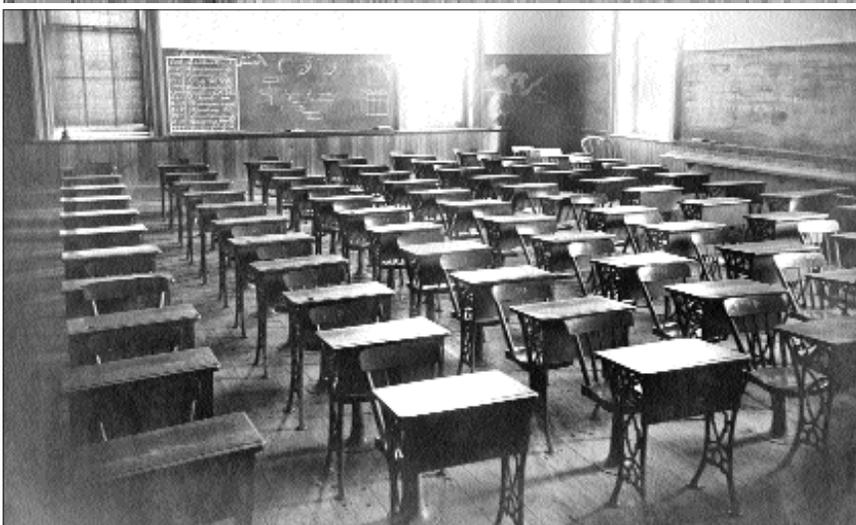
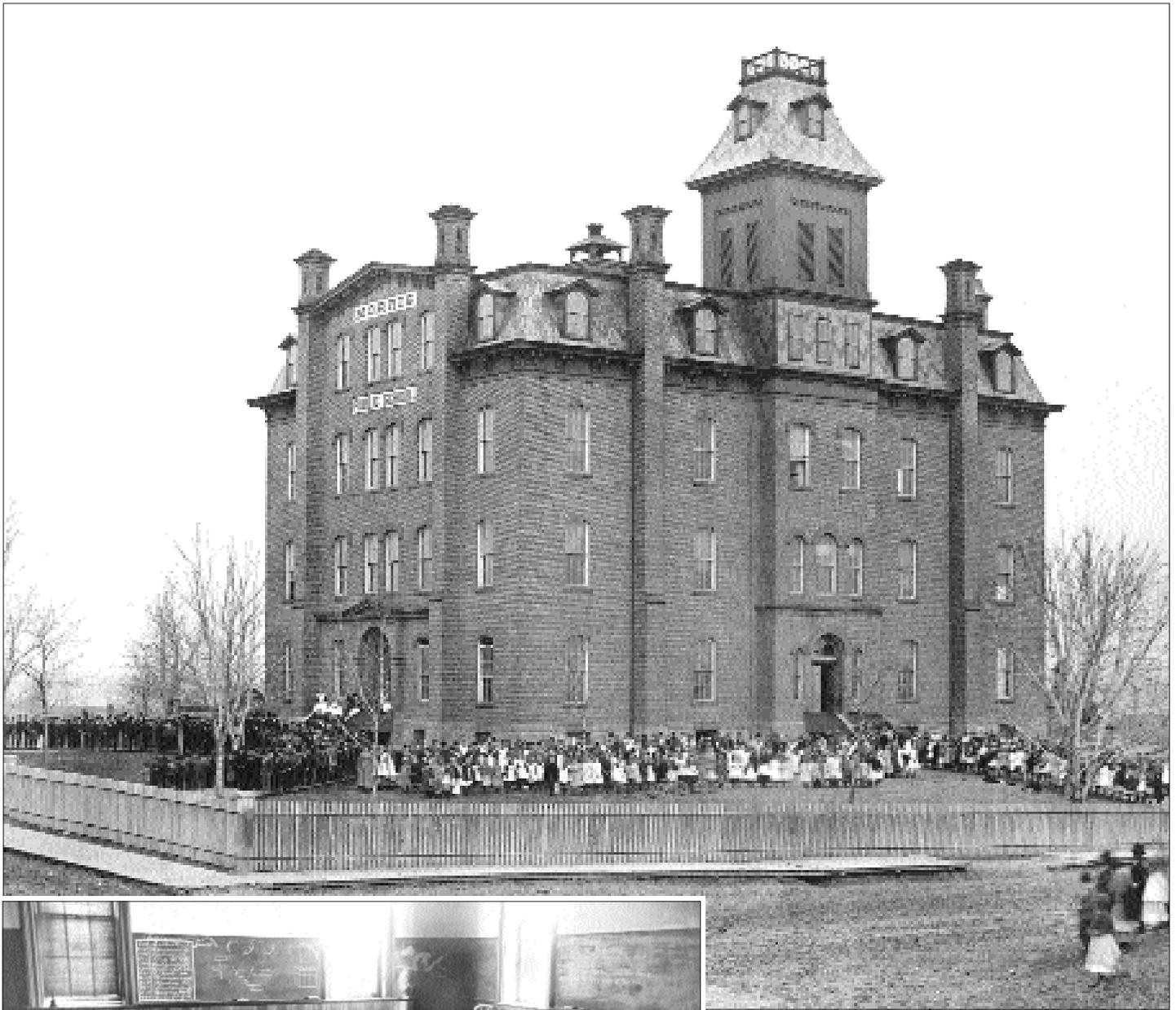
Following the early education efforts in the United States, in which private schools were funded through subscriptions, Horace Mann, Henry Barnard, and other reformers in the East and Midwest were convinced of the need to establish schools for serving the general population. Believing that schools could be used for regenerating their evangelical ideal of a moral and spiritual American society, these reformers reflected the dominant culture and religion of the country. Most were white, Anglo-Saxon, Protestants with ties to New England and the East; some were educated for the ministry. Traveling through the Midwest (states such as Ohio, Michigan, and Indiana), they communicated their message with almost a religious fervor.²

Mann and Barnard argued for the standardization and systematization of public education's structure and content with state and territorial government officials setting up systems of education to include local schools funded by taxes and some form of territorial/state governance. Although these two ideas ultimately were incorporated into almost every state educational system in this country, the pattern of adoption differed and was

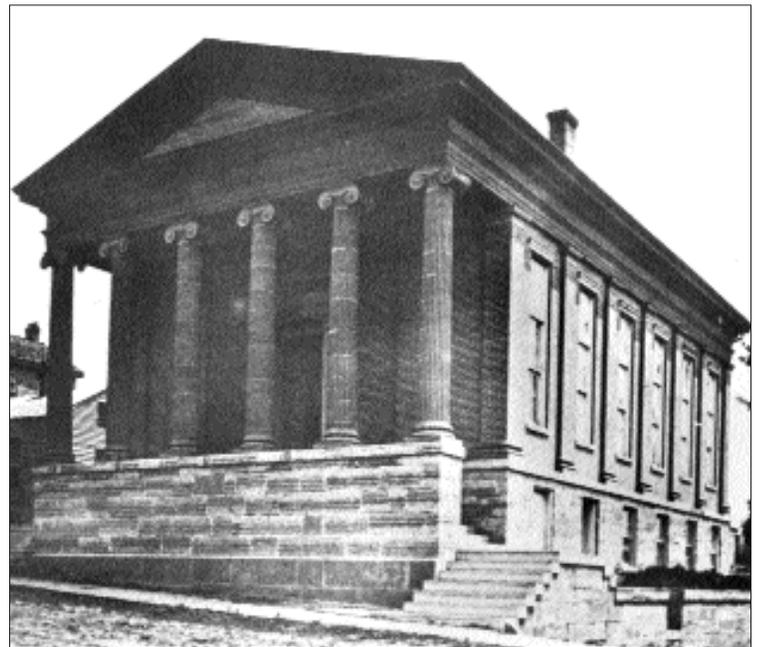
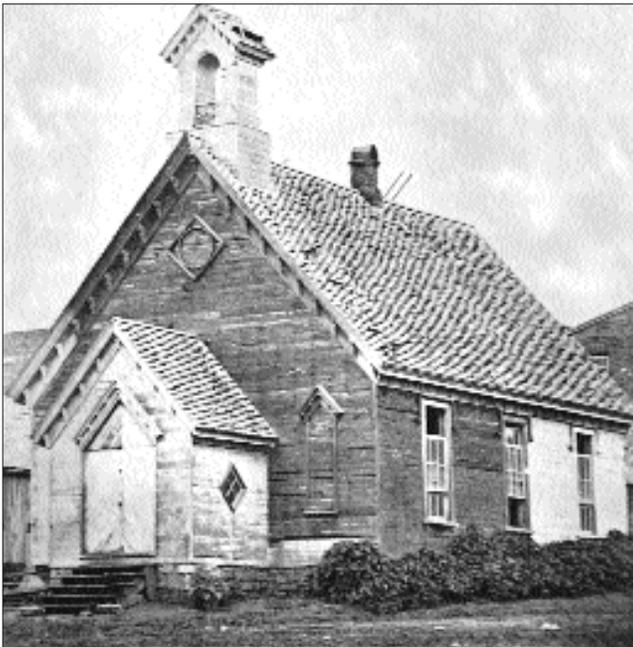
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1. U.S. Constitution, amend. 10.

2. Priscilla F. Clement, *Growing Pains: Children in the Industrial Age, 1850–1890* (New York: Twayne Publishers, 1997), 82–83; Michael B. Katz, *Reconstructing American Education* (Cambridge: Harvard University Press, 1987), 50.



Education was an important issue in Kansas, beginning with the first territorial legislature. Shown here is Morris Public School in Leavenworth, one of the earliest schools built in the state.



Before school buildings could be constructed, churches and private homes often provided rooms for educational purposes. Both the First Methodist Church in Lawrence (left), built in 1857, and the First Christian Church in Leavenworth (right), built in 1860, were utilized by schoolchildren.

shaped by politics, social structure, resources, and demographics of each geographic area. Essentially, two patterns of incorporation emerged—one in which democratic localism competed with an evolving superimposed, potential state and county level bureaucracy that would request information and data and issue mandates; and one in which localism and centralism occurred simultaneously.³

For example, during the latter half of the century, particularly in the western territories, measures to centralize control proceeded along parallel lines by creating and consolidating districts into larger systems and developing a mechanism for state supervision and regulation. On the other hand, the midwestern states that evolved from territories during 1800–1850 created systems of public education with supervision at the local level. Establishment of a territorial superintendent of public instruction, followed by the establishment of the county superintendency, took longer to accomplish and was a frequently debated issue. In newly formed Kansas Territory, initial efforts were to

3. Clement, *Growing Pains*, 82–83; Katz, *Reconstructing American Education*, 32–37, 41–49.

form school districts and then, three years later, the territorial superintendency. Any efforts toward consolidation would come later.⁴

Occurring simultaneously and also affecting education efforts of the 1850s was the debate over slavery. Congress was embroiled in the controversy, which became even more intense with the formation of territories that soon would petition to become states. Leaders in Kansas and Nebraska Territories, for example, were required to write constitutions to enable their states to join the Union. Antislavery and proslavery sympathizers watched with anticipation, ready to become involved with intentions of furthering their interests. Most Northerners supported public education by the 1850s, but many white Southerners came to identify common schools with Northern abolitionism and industrial capitalism. This coupling of public education with abolitionist views made it difficult for Southerners to accept public schooling for all children.⁵

4. Carl F. Kaestle, *Pillars of the Republic: Common Schools and American Society, 1780–1860* (New York: Hill and Wang, 1983), 112–15; Katz, *Reconstructing American Education*, 44.

5. Katz, *Reconstructing American Education*, 214–15; Clement, *Growing Pains*, 97.

Issues pertaining to slavery, public education development, and westward migration were significant in the country when Congress passed, and then on May 30, 1854, President Franklin Pierce signed, the Kansas–Nebraska bill, creating Kansas Territory. The first governor was appointed and the process to form a legislature began. Immediately chaos and confusion arose. Missourians sympathetic to slavery, and called “border ruffians,” crossed over the boundary into the territory of Kansas without actually moving there to influence the direction of the new territorial government. They, and immigrants from other Southern and border states intent on making Kansas a slave state, controlled the federally recognized institution of government in Kansas from 1854 to 1857. Adding to the confusion was the fact that Congress had not dealt with the more than ten thousand Indians living in the territory when the first white settlers arrived and had not opened up land legally to these new settlers.⁶

To typical Kansans of the mid-1850s, however, anti- and proslavery ideals influenced their lives to a lesser extent than the desire for material advantages, land, patronage, and party advancement. The preponderance of settlers by early 1856 were westerners who wished to see Kansas become a free-soil state. In truth, they were not interested in freedom for Negro slaves or in welcoming African Americans to Kansas. Free soil for white men was a dominant cry.⁷

Education was important enough to the initial Kansas territorial legislature that it provided for the organization of school districts, their governance, and the eligibility requirements for student attendance. But it was not to serve everyone, for the educational system created was based on a “Southern model” that disenfranchised Negroes and slaves. In its first session in 1855 the legislature assigned to the county tribunal (board of commissioners) the responsibility of coordinating the process for establishing school districts. As established, the county tribunal was to call a meeting of the citizens to determine the boundaries of a school district, select a school house site, devise a method of raising financial support, and do anything else needed.⁸

6. William Hiddleston Andrews, “A Study of the Educational Legislation and the Administration of the Public School System of Kansas” (Ph.D. diss., University of Chicago, 1923), 3; Elmer LeRoy Craik, “Southern Interest in Territorial Kansas 1854–1858,” *Kansas Historical Collections*, 1919–1922 15 (1923): 342–46; James A. Rawley, *Race and Politics: “Bleeding Kansas” and the Coming of the Civil War* (Philadelphia: J. B. Lippincott, 1969), 82–83.

7. Rawley, *Race and Politics*, 98.

8. Kansas Territory *Laws* (1855), ch. 144, sec. 1.

Once this step was accomplished, the operation of the school district was to be under the supervision of four officers—three trustees and an inspector—who were to be elected by the citizens of the district. Persons interested in teaching were to be examined by the inspector and those who were then “certified” were to be eligible for employment. To help in the collection of the warrants for assessment for school purposes, the board was to hire a collector.⁹

Responsibility for providing education to children lay with the local school district. One or more schools were to be organized in each county, and the only connection with the territorial government involved the submission of the annual report. Each local district was to report annually to the secretary of the territory the number of white children between five and twenty-one years of age residing in the district, the number taught during the year, the length of time taught, the total amount paid for teachers’ wages and what proportion of it was public money, and any other information needed by the secretary for a report to the legislature.¹⁰

Although proslavery lawmakers were opposed to public education for all, the education of the eligible white citizens was desired and thus provided for, albeit in a rather unrefined way. These lawmakers believed education should be offered at the local level without higher governmental interference and support. A taxation structure to support local government was enacted, but it was implemented irregularly, and thus schools were left with insufficient financial support.¹¹

When the territorial legislature met in 1857 it added an intermediate level between the district and the territorial secretary by amending the earlier act. Now, each school district reported the condition of its district to the county clerk, who compiled a report of all school districts in the county and submitted it to the county board of commissioners and the secretary of the territory. The county board also became responsible for school funds, apportioning them to the several school districts based on the number of children in each district.¹²

Although most of the pioneers in the spring of 1857 were aspiring farmers and freesoilers, not abolitionists, the number of abolitionists increased as time passed and the

9. *Ibid.*

10. *Ibid.*

11. Glenn W. Fisher, “Property Taxation in the Kansas Territory,” *Kansas History: A Journal of the Central Plains* 11 (Autumn 1988): 191, 196.

12. Kansas Territory *Laws* (1857), 86–87.

immigrant aid societies encouraged and assisted easterners in their move to Kansas. These immigrants, many of whom were cultured and quite well educated, made up an increasing tide of supporters of free labor who believed that slavery created a backward and stagnant society. Northerners, by the 1850s, believed their social order was superior to the South's, and this consensus extended beyond simply denouncing slavery. According to historian Eric Foner, "It was an affirmation of the superiority of the social system of the North—a dynamic expanding capitalist society whose achievements and destiny were almost wholly the result of the dignity and opportunities which it offered the average laboring man."¹³

The enactments of 1855, known as the "bogus statutes" because of the nature of some of the laws and the questionable elections in which legislators were selected, and the revisions by the 1857 legislature were not uniformly accepted or followed, especially in free-state towns and communities. While the freestaters were more interested in education than was the proslavery faction, they did not begin organizing many school districts until near the end of 1858. During 1856–1858 a large influx of freestaters came to Kansas. With a larger population and legislation more favorable to their cause, the freestaters began organizing school districts at a more rapid pace. For example, the citizens in Douglas County organized only five districts under the bogus statutes, but they quickly added twenty-five more within a few months' passage of the free-state legislation.¹⁴

Achieving a majority in the 1858 legislature, the freestaters repealed all previous legislation and enacted new laws that included a more extensive school code providing for a complete organizational and supervisory public school system open to all children ages five to twenty-one. This model was based upon the style of education

heavily influenced by Horace Mann and found in New England. Responsibilities were differentiated and assigned at the various levels (territorial, county, and local districts) of administration with more curriculum and textbook decision making occurring at the local district level, and clerical duties and statistical compilation and reporting assigned to the county and territorial levels.¹⁵

What did the future hold for the governance of public education in the large geographical, but sparsely populated, territory? Would some level of county supervision emerge as a dominant force in local governance of schools? Would a position at the territorial level wield considerable influence over the common schools or would that role be minimized? Would the initial efforts transfer to the soon-to-be state? What sort of individuals would serve in the top educational position?

Following the lead of several midwestern states (such as Ohio in 1844, Michigan in 1837, Wisconsin in 1848, and Iowa in 1847), the Kansas territorial legislature in 1858 provided for the organization, supervision, and maintenance of schools. A part of that legislation provided: "That there shall be appointed by the Governor, during the present session of the Legislative Assembly, by and with the advice and consent of the Council, a Territorial Superintendent of Common Schools, whose term of office shall commence on the first day of March succeeding his appointment, and continue until the next general election, and until his successor is duly elected and qualified."¹⁶

By adopting the provisions of other states' education laws, Kansas patterned its superintendent duties after them. Generally, the territorial superintendent (Table 1) was to obtain information about improvements needed in instruction and in operation of the schools, visit every county, recommend textbooks commonly used in other states, contact education officials in other states to learn about the status and improvements of their educational systems, prepare forms for making reports, disseminate copies of the education laws, and hear appeals from local districts or county superintendents on forming or altering school districts or on any other matter under the school law.¹⁷

13. Rawley, *Race and Politics*, 212; Bill Cecil-Fronsman, "'Advocate the Freedom of White Men, as Well as That of the Negroes': The Kansas Free State and Antislavery Westerners in Territorial Kansas," *Kansas History: A Journal of the Central Plains* 20 (Summer 1997): 105–6; Eric Foner, *Free Soil, Free Labor, Free Men: The Ideology of the Republican Party Before the Civil War*, 2d ed., rev. (New York: Oxford University Press, 1995), 11.

14. Paul E. Wilson, "How the Law Came to Kansas," *Kansas History: A Journal of the Central Plains* 15 (Spring 1992): 25; Emmett Leslie Bennett, "A History of the Administration of Education in Kansas" (master's thesis, University of Kansas, 1914), 4; Frank W. Blackmar, *Kansas: A Cyclopaedia of State History*, vol. 1 (Chicago: Standard Publishing Co., 1912), 564; Lloyd C. Smith, "A Historical Outline of the Territorial Common Schools in the State of Kansas," *Kansas State Teachers College of Emporia, Bulletin of Information* 22 (February 1942): 24–29; C. L. Edwards, "Douglas County Report for the Year 1859," *Kansas Territory House Journal* (1860): 63–64.

15. Katz, *Restructuring American Education*, 41–49; Kaestle, *Pillars of the Republic*, 112–15; *Kansas Territory Laws* (1858), ch. 8, secs. 1–12, 15–75.

16. A. D. Mayo, "The Development of the Common School in the Western States from 1830 to 1865," *Commissioner of Education, Annual Report 1899–1900* (Washington, D.C.: Government Printing Office, 1900), 361, 391, 413, 432; *Kansas Territory Laws* (1858), ch. 8, sec. 1.

17. *Kansas Territory Laws* (1858), ch. 8, secs. 4–7.

TABLE 1
DUTIES OF THE TERRITORIAL/STATE SUPERINTENDENT

<u>DUTY</u>	<u>1858</u>	<u>1859</u>	<u>1861</u>	<u>1864</u>	<u>1865</u>
1. General supervision over the common schools in the territory	X	X	X	X	X
2. Visit every county in the territory at least once each year	X	X	X	X	X
3. Recommend the introduction of the most approved textbooks	X	X	X	X	X
4. As far as practicable secure a uniformity in the use of textbooks in the common schools	X	X			
5. Discourage the use of sectarian books and sectarian instruction in the schools	X	X			
6. Correspond with educators in other states to obtain information relative to the system of common schools	X	X	X	X	X
7. Prepare suitable forms for making reports and conducting all necessary proceedings	X	X	X	X	X
8. Print and distribute copies of the laws, rules, and regulations relating to the common schools	X	X	X	X	X
9. Examine and determine all appeals from the decisions of any school district meeting or from the county superintendent relating to district boundaries or concerning any other common school law matter	X	X			
10. Prepare a report to be submitted to the legislature annually bearing the date of the 31st of December	X	X	X	X	
11. Apportion the money annually to be distributed to the several counties of the territory by February 10th	X	X	X	X	X
12. Certify such apportionment to the treasurer of the territory	X	X	X	X	X
13. Deposit all of the papers and documents relating to his office in his office at the seat of government	X	X	X	X	X
14. Serve as a member of a board of commissioners for the management and investment of the state school funds and university funds			X	X	X
15. Serve as the custodian of all books, papers, bonds, notes, mortgages, and evidences of debt relating to the management and investment of the state school funds and university funds			X	X	X
16. Deliver to his successor within ten days after the expiration of his term in office all books, papers, and documents and other property belonging to the office			X	X	X
17. Jointly with the county superintendent organize and hold a teachers' institute in each senatorial district				X	X
18. Prepare an annual report submitted to the legislature by December 15th which shall mention all of the apparent defects, inconsistencies, omissions, unequal or oppressive laws which he has discovered.					X*

Sources: Kansas Territory *Laws* (1858), (1859); Kansas *Laws* (1861); Kansas *Laws* (1865).

* Replaced the report required in number 10 above.



James H. Noteware, appointed in 1858, became Kansas's first territorial superintendent of common schools.

This last duty gave the superintendent extensive authority to render interpretations and decisions on a variety of issues or problems presented to him. His decision was final with no opportunity to appeal. Annually, the territorial superintendent reported to the legislature an abstract of the county clerks' reports, a statement on the status of the schools, an accounting of the school money, and plans for the improvement and management of the common school fund. And lastly, the superintendent was to apportion the money to the schools according to the number of children. Specifically, the territorial superintendent had clerical and statistical duties while representing the territory in carrying out its educational purpose. The expectation for the position was that the territorial superintendent would exhort the citizens to support the public schools by enrolling their children and paying taxes to operate the schools.¹⁸

Nearing the twelfth hour of the first legislative session, and with the requirement that a superintendent be named before the session's end, on February 12, 1858, Acting Governor James Denver signed legislation creating the position of territorial superintendent of common schools. Before

18. *Ibid.*, secs. 8–9; Ellwood P. Cubberley, *Public School Administration* (Boston: Houghton Mifflin, 1929), 34, 46–47; Bennett, "A History of the Administration of Education in Kansas," 10.

that day ended, he nominated James H. Noteware to the position and the council confirmed Denver's nomination.¹⁹ (For a chronology of events from 1854 to 1867, see Table 2.)

Prior to becoming the first territorial superintendent, Noteware arrived in Kansas Territory in early 1855 and settled in Leavenworth City on April 26. Little is known of his background and qualifications for the position since the record is sketchy. However, he was politically involved, serving as a delegate to the Free-State Convention in Lawrence in December 1857, which was held to protest the Lecompton Constitution.²⁰

The statutory deadline left little time for Noteware to prepare for the office. Only eighteen days separated his appointment and first day to assume duties. In his nine months in office, he wrote letters to education officials in other states requesting information on the operation of their schools. Believing that it was important for him to observe first hand educational operations in other states, he requested permission from the governor, and was granted approval by him, to travel to the eastern part of the United States. Such a request and approval were significant given the tenuous financial conditions in the territory and the lack of a statutory requirement for travel by the superintendent to points outside the territory.²¹

By June 1 Noteware returned from his eastern travels and convened a meeting of educators in Leavenworth for their input on school organization. Here, textbooks were examined by a committee that prepared a recommended list for the schools. Resolutions were adopted including the importance of employing teachers of good moral and intellectual qualifications and of the daily reading of the Bible in the schools.²²

Beyond these few activities, little else is known of Noteware's time in office. What is known is that he an-

19. *Kansas Territory Council Journal, Extra Session* (1857): 343.

20. "Delegate Convention in Lawrence," *Kansas Herald of Freedom* (Lawrence), December 26, 1857.

21. J. H. Noteware to Governor Denver, March 5, 1858, James W. Denver Collection, Library and Archives Division, Kansas State Historical Society.

22. *Leavenworth Journal*, May 13, 1858; "Educational Convention," *Kansas Weekly Herald* (Leavenworth), May 15, 1858; "Territorial Educational Convention," *Kansas Herald of Freedom* (Lawrence), June 12, 1858.

nounced in September that he was not a candidate for the October elections for the territorial superintendent position. Thus, his term ended in December 1858.²³

Noteware was responsible for encouraging the development of the Kansas territorial system of education through ideas borrowed from other states. He was able to prioritize his activities realizing that he did not need to accomplish all of the statutory duties at once. The legislature had created the position and now the superintendent had to decide how to fulfill the duties. Gaining information, choosing textbooks, and informing the public about public education was more important in these first few months than visiting all the schools for inspection purposes. After all, only a few schools existed, and they were in session only a few months of the year. Noteware's time was limited, and his influence is relatively unknown. Because December 2 was his last day in office, he left it up to his successor to file the annual report of 1858, which was due at the end of December.²⁴

Samuel Greer, the first elected territorial superintendent of common schools, inherited the responsibility for filing the annual report. This superintendent, born in Pennsylvania on June 2, 1826, moved to Leavenworth in October 1856 and two years later, on October 4, garnered 2,856 votes, or 62 percent of the 4,624 votes cast for superintendent. Six other candidates received the other 38 percent of the votes. In the first month of his term, Greer compiled information for the statutorily required annual report and submitted it to the legislature. This first report, in narrative form only, began with Greer's expression of concern that he had to file a report after only one month in office. Nevertheless, the statutory requirement was met, and Greer's tenure as superintendent was under way.²⁵

Greer was the only territorial superintendent of common schools to file an annual report, and he completed three of them.²⁶ These reports show that he traveled across

the territory promoting the cause of public education and meeting, or trying to meet, with county superintendents. He noted that, "When I can find the county superintendent, I obtain from him a statement of what he has been doing, his success in organizing districts, and in managing his department, etc."²⁷

For his second report in 1859, Greer developed a statistical abstract table in which he displayed incomplete data provided by sixteen counties. Data reported were: number of districts organized, number of youths between the ages of five and twenty-one, number of children enrolled in the schools, number of months taught in the year, number of districts in which schools were taught, amount of money raised to build schoolhouses, amount of money raised by private subscription, and number of district reports submitted to county superintendents. Such data were requested by Greer in forms sent to county superintendents for dissemination to school districts.

No similar statistical abstract tables were included in the report Greer filed in 1860 (or in the 1861 report filed by William Riley Griffith, the first state superintendent) because the county superintendency, initially established in 1858, was abolished in 1860 and re-established later in 1861. The superintendent was able to obtain some statistical information, but it was not organized in table format in the 1860 or 1861 reports.²⁸

The inconsistency in the existence of the county superintendency position caused Greer to write of his frustration with the legislature:

The failure of the Legislature to appoint any county officers to report to me, has left me without means for furnishing you with any fuller report in this department. The necessity of having an officer in every county, whose duty it shall be to furnish the Territorial Superintendent with a full and complete report of all of the schools in the county, is indispensable to any well regulated system of public schools.²⁹

23. *Freedom's Champion*, September 25, 1858.

24. *Kansas Territory House Journal* (1859): 103.

25. *Winfield Courier*, October 5, 1882; D. W. Wilder, *The Annals of Kansas* (Topeka: G. W. Martin, 1875), 188–90. Those candidates and their votes were: W. F. M. Arny, 520; John Bayless, 211; Perry Fuller, 548; Isaac Goodnow, 92; Mr. Hill, 194; and J. H. Noteware, 203. *Kansas Territory House Journal* (1859): 102–6.

26. Much of what is described here about the growth and accomplishments in the territorial and county governance of education from 1858 to 1865 is gleaned from a review of the annual reports submitted to the legislature by the territorial and state superintendents. Their reports were compiled from information provided, in part, by county superin-

tendents, and thus the degree of completeness was reflective of the organization and cooperation of the county superintendents. How the information was presented in the annual reports was determined by the territorial and state superintendents. Likewise, any information provided in addition to that required by law was the prerogative of the superintendent. Throughout the eight-year period, the longer a superintendent served in office, the more substantial the report.

27. *Kansas Territory House Journal* (1859): 102–6; *ibid.* (1860): 34–82; *Kansas Territory Council Journal* (1861): 24–41; *Kansas Territory House Journal* (1860): 38.

28. *Kansas Territory House Journal* (1860): 69; *Kansas Territory Council Journal* (1861): 25–26.

29. *Kansas Territory Council Journal* (1861): 27.

He chided the legislature by expressing dismay that, when it eliminated the county superintendency, it had gone against the will of the people who, in 1859, adopted the Wyandotte Constitution providing for the superintendency. Greer believed that support for elimination of the county superintendency came primarily from those who experienced difficulties with the school officers over district lines and other topics; however, the educational system did not come to a standstill because of this situation. He wrote that many new districts were organized in 1860 by county superintendents who had continued in their positions, either in ignorance of the legislative changes or in doubt about the revised law.

Greer's comment about the elimination of the county superintendency seems to contradict his comment in the previous year's report regarding the difficulty of even finding some of the county superintendents during his travels. Even so, Greer thought it more difficult to satisfy the territorial superintendent's duties, without the assistance of the county superintendents, than locating the county superintendents the previous year.³⁰

In addition to the statistical report in 1859, Greer wrote narrative reports from 1858 to 1860. These narratives were statements of opinions on a fairly lengthy list of topics. Some of these topics were required by law (such as private schools, management and improvement of the common schools, and branches taught) while many others (including moral education, teacher certification, territorial superintendent's compensation, and office expenses) were the choice of the superintendent.³¹

Greer wrote in both the 1859 and 1860 reports of his strongly held beliefs and convictions about whom the public schools should serve. In his 1859 report he urged that provision be made in every town in the territory with a sufficient population to organize free graded schools for all those eligible. He wrote also that the establishment of common schools free to all the inhabitants was the cradle of liberty. The next year's report reflected again his opinion that every government was obligated to educate all its youth at the public's expense. Greer singled out the American Indian for special comment: "I would suggest that inquiry be made concerning the wants of this class of our people, and when the means can be furnished

and the opportunity presented to open up schools for their education, that provisions be made by law for their education, separately or with others."³²

Education—particularly physical, moral, and intellectual—reflecting Greer's philosophy covered one-sixth of the 1859 report. This section reflected the prevailing pervasiveness of the protestant influence on society. While the public school was to be nonsectarian, it did not need to be free of religious influence. In fact, according to Greer, "A man unacquainted with the laws of nature, morality, and religion, that knows nothing of the harmony and regularity with which the different parts of creation act, the relation of cause and effect, cannot have any very exalted conception of the Divine character." And, "The truth as contained in the Bible, is the foundation on which society is builded [*sic*]. . . . Are we afraid to have the word of God read to children, or to have them read it? . . . We do not ask for a comment on the Scriptures, but that such portions be selected as the pupil may understand, scripture to suit the unlearned and the learned." There was no doubt in Greer's mind of the religious context in which the schools should operate.³³

Greer took advantage of the opportunity to suggest to the legislature how the education code should be amended to facilitate the operation of the public school system. The law required him as superintendent to include in his annual reports plans for improving and managing schools. His three annual reports tended to be commentaries and of a suggestive nature rather than specific examples of statutory changes. For example, he indicated that normal schools and teachers institutes needed to be established and qualifications for teaching certificates should be increased. In addition, he reported that school libraries were necessary and should be funded. Greer recommended that confusion be cleared up over school districts organized under city charters.³⁴

Greer's reports reflect his definite interest in education and a desire that the legislature give more attention and funding to the public schools. His position, with its emphasis on clerical and statutory functions, was to represent the territory in fulfilling its educational mission. While the problems attendant to the inconsistency in the county superintendency position affected his ability to compile an-

30. *Ibid.*, 34, 36, 29.

31. *Kansas Territory House Journal* (1859): 102–6; *ibid.* (1860): 34–82; *ibid.* (1861): 24–41.

32. *Ibid.* (1860): 49, 52; *Kansas Territory Council Journal* (1861): 36; *Kansas Territory House Journal* (1860): 52–53.

33. *Kansas Territory House Journal* (1860): 61–62.

34. *Ibid.*, 40–46; *ibid.* (1859): 103.

nual reports, he also was hampered by these same problems in his efforts to communicate with local district educators on topics such as statutory changes, teaching standards, and textbook selection and usage.³⁵

Economic times were difficult for the fledgling school system as with all of the territory's governmental functions and operations. Drought exacerbated the problem. Greer served at considerable financial hardship as his pay was delayed for months and was received only after considerable pleading.³⁶

Greer did not seek re-election in the fall of 1860. Although his term was scheduled to end in December, he continued in office until early January when his successor, John C. Douglass, was sworn in on January 2, 1861.

Douglass was the third and last territorial superintendent in Kansas. Born on December 13, 1824, in Greenfield, Ohio, he earned a bachelor of laws degree and moved to Kansas Territory in November 1856. He eschewed a rather prestigious job offer at a Cincinnati law firm to move to Kansas to help make it a free state. Active politically, beginning in 1857, he sought the nomination for superintendent of common schools in the fall of 1860 and was elected. His term lasted only a few weeks when it ended abruptly as a result of the achievement of statehood. He left no records of any official acts of his service in office.³⁷

Little changed legislatively for the superintendent during the territorial period. Under the original legislation of 1858, the first superintendent began serving on March 1 and continued serving until the fall of

35. *Kansas Territory Council Journal* (1861): 27–31.

36. *Ibid.*, 27–28, 33.

37. William G. Cutler and A. T. Andreas, *History of the State of Kansas*, vol. 1 (Chicago: A. T. Andreas, 1883), 442–43; H. Miles Moore, *Early History of Leavenworth City and County* (Leavenworth: Sam'l Dodsworth Book, 1906), 292; *Daily Times* (Leavenworth), October 19, November 23, 1860.

TABLE 2

<u>DATE</u>	<u>EVENT</u>
May 30, 1854	Congress passed the Kansas–Nebraska bill
August 30, 1855	Territorial legislature provided for school districts and their governance
February 12, 1858	School code written with provisions for territorial superintendent and county superintendent
March 1, 1858	James Noteware's term began
October 4, 1858	Samuel Greer elected to territorial superintendency
December 2, 1858	Samuel Greer's term began
October 4, 1859	Kansas adopted its constitution
December 6, 1859	William Griffith elected as the first state superintendent
Early 1860	Territorial legislature abolished county superintendency
November 6, 1860	John Douglass elected to territorial superintendency
January 2, 1861	John Douglass' term began
January 29, 1861	Kansas entered the Union
January 29, 1861	County superintendency re-created via the state constitution
February 9, 1861	William Griffith's term began
February 12, 1862	William Griffith died unexpectedly
March 4, 1862	Simeon Thorp appointed state superintendent by Governor Robinson
November 4, 1862	Isaac Goodnow elected state superintendent
January 12, 1863– January 14, 1867	Isaac Goodnow's tenure as state superintendent

that year when a superintendent was elected for a two-year term. Subsequent legislation in 1859 provided that the term, beginning at the general election in 1860, was one year. No changes were made in the superintendent's duties during this time.

With the adoption of the Kansas Constitution on July 29, 1859, at the Wyandotte Constitutional Convention, came the provision that established the state superintendent's position, set out the selection process and term of office, and designated the date when the superintendent



Samuel W. Greer was the first elected territorial superintendent of common schools.

ANNUAL REPORT
 — — —
TERRITORIAL SUPERINTENDENT
 — — —
COMMON SCHOOLS.

ORDER OF THE SUPERINTENDENT OF COMMON SCHOOLS, }
 Lawrenceville City, December 31st, 1860. }
 To the Members of the Legislature of Kansas Territory :
 GENTLEMEN :—According to section eight of the "Act for the
 organization, supervision and maintenance of Common Schools,"
 approved February 11th, 1859, it is made the duty of the Ter-
 ritorial Superintendent of Common Schools "to submit to the
 Legislature a report, bearing date on the last day of December,
 in each year, containing: First, an abstract of all the Common
 School reports received by him, from the clerks of the several
 counties in the Territory. Second, a statement of the condition
 of Common Schools, in the Territory. Third, estimates and ac-
 counts of the expenditures of the School money. Fourth, plans
 for the improvement and management of the Common School
 fund, and for the better organization of the Common Schools.
 And fifth, all such matters relating to his office and the Common
 Schools of this Territory, as he shall deem expedient to commu-
 nicate." In compliance with this regulation, I have the honor
 to lay before you the following report :

The opening page of the 1860 Annual Report, prepared by Samuel Greer.

would assume office. The Kansas constitutional document was not much different than those of other states that were created at about the same time. By 1861 the constitutions of eight states, including Kansas, specified that the state superintendent be selected by popular vote. Terms ranged from two to four years with two states setting four-year terms, one state setting a three-year term, and four states setting two-year terms. The eighth state, Wisconsin, left it to the legislature to determine the length of the term.³⁸

Only one state, Louisiana, established any criteria for eligibility for office and only then required the person to be a state resident. However, within five years, several states began establishing age, gender, and residency requirements. Quite possibly no requirements, professional or otherwise, were written into the constitution during this period for at least two reasons. First, it is possible that the constitutional framers thought it best to allow the legislature to address any requirements according to the state's

38. Kansas Constitution (1859), art. 1, schedule. Those states were Michigan, Louisiana, Wisconsin, California, Kentucky, Indiana, and Oregon. See John Mathiason Matzen, *State Constitutional Provisions for Education* (New York: Teachers College, 1931), 36-41.

needs. And, secondly, since the early assigned duties were essentially clerical in nature, it perhaps was thought no special educational qualifications were necessary or that the delegates could just leave it up to voters. In most instances, the duties of the state superintendent were prescribed by law.³⁹

Article I of the Kansas Constitution established the Executive Department, including the superintendent of public instruction, who was elected for a two-year term beginning the second Monday in January. No age, gender, residency, or professional requirements were written into the constitution for any of the executive offices. Article VI, Section I, was patterned after the Michigan Constitution and assigned general supervision of the common school funds and educational interests of the state to the superintendent; moreover, it required him to perform any other duties prescribed by law.⁴⁰

39. Matzen, *State Constitutional Provisions for Education*, 36-41, 66-69; Cubberley, *Public School Administration*, 46-47.

40. Kansas Constitution (1859), art. 1, sec. 1, art. 6, sec. 1; Rosa M. Perdue, "The Sources of the Constitution of Kansas," *Kansas Historical Collection*, 1901-1902 7 (1902): 130-51.



John C. Douglass was the third and last territorial superintendent in Kansas. His term lasted only a few weeks.

Although the provisions were established in 1859 with the ratification of the constitution, the duties were determined by the first state legislature, which met in March 1861. The new state legislature repealed all previous educational provisions enacted by the territorial legislature and enacted a new set of education laws or code. This new code was similar in fact to the repealed territorial code.⁴¹

While the state superintendent's duties essentially remained unchanged from those of the territorial superintendent, two notable exceptions were the apportionment of annual monies derived from the income of the permanent fund to the counties and the elimination of the superintendent's judicial responsibility to hear appeals from county superintendents or local district officials. Since the county superintendency was reinstated in 1861, the annual reports from these superintendents were used by the state superintendent as a basis for apportioning state school money to county schools. Failure of a county superintendent to submit a report resulted in no money being apportioned to the county and the superintendent being held liable to the county for the amount that would have

41. Kansas Constitution (1859), art. 1, sec. 4, schedule, states that all territorial laws would remain in effect until repealed by the legislature. *Kansas Laws* (1861), ch. 76, arts. 1–9.

been apportioned plus any accrued interest. Thus, the state superintendent had some leverage over the county superintendents to submit their reports on time.⁴²

Under the provisions of the newly adopted constitution, William Riley Griffith was elected as the first state superintendent on December 6, 1859. However, he, along with all the other "state" officials, had to wait fifteen months until statehood before he took the oath of office on February 9, 1861. Griffith was born near Lafayette, Indiana, on May 8, 1820, the son of a minister. He graduated from Asbury University in 1847, and by the spring of 1855, with the lure of Kansas Territory, he moved his family to Bourbon County, five miles from Fort Scott. Shortly thereafter, and continuing for several years, his life and the lives of his family were frequently in danger because of his outspoken position against slavery.⁴³

Griffith's combination of education, upbringing, political acumen, and strong antislavery position garnered him several political positions from 1857 to 1859. For example, in 1859 he was elected a delegate to the Wyandotte Constitutional Convention where he chaired the Committee on Education.⁴⁴

In his one year in office (he died suddenly on February 12, 1862) Griffith traveled sparingly in his work and visited only a few schools because of the nation's war troubles. His only annual report, which was brief, included these topics for legislative changes: timelines for reports, tax levies, apportionment of funds, and graded schools.⁴⁵

With Griffith's death, Charles Robinson, the first state governor, needed to appoint someone to complete the unexpired term. He chose Simeon Thorp, a graduate of the Alfred Academy in New York and of Union College, who began serving as a principal in the Lawrence schools in 1860 and who continued in that position until his appoint-

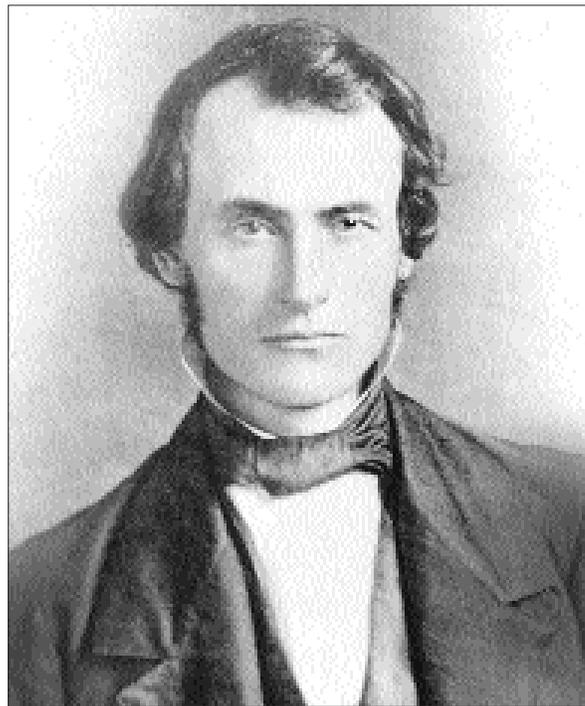
42. *Kansas Laws* (1861), ch. 76, art. 9, sec. 4.

43. Blackmar, *Kansas: A Cyclopaedia of State History*, vol. 2, 592; Cutler and Andreas, *History of the State of Kansas*, 564.

44. Cutler and Andreas, *History of the State of Kansas*, 564.

45. Kansas State Superintendent of Public Instruction, *Report 1861* (N.P.: n.d.), 27, 30–32.

William Riley Griffith was elected the first state superintendent of public instruction for Kansas, taking office in 1861.



ment on March 4, 1862, as state superintendent. During his tenure of approximately ten months he was elected to the Kansas Senate.⁴⁶

Thorp filed one annual report (1862), and it was brief. However, he improved the reporting process by adding a set of categories to those Greer had developed. Now that the county superintendency was re-instated, obtaining statistical data was more feasible. The new categories were: gender of resident students and enrolled students; gender, number, and average salary of the teachers employed; amount of expenses for repairs; money received from the county treasurer; amount raised by district taxes for schools; and the value of schoolhouses.⁴⁷

A connection can be found in Thorp's annual report between the statistical data collection and compilation and his recommendations for statutory changes. His desire to increase the kinds, amount, and accuracy of data collected could be accomplished only through the development, timely distribution, and timely submission of more sophisticated forms. He sought the legislature's assistance on this matter. Additionally, Thorp asked for a clerk to attend to the office in the absence of the state superintendent.⁴⁸

Thorp was an educator holding the role of principal before assuming the superintendent's duties. Yet his aspirations were not to continue in education but rather to become a state senator. His success in obtaining the latter position in the fall of 1862 resulted in the absence of an incumbent running for the state superintendent position.⁴⁹

The lack of an incumbent provided Isaac Goodnow an opportunity to run for the position. Goodnow, who was

born in Whittingham, Vermont, moved to Riley County, Kansas Territory, on March 20, 1855, at the age of forty-one. He desired an adventure and wanted to become involved in land transactions and ownership as well as in the abolition effort. The Emigrant Aid Society supported his move to Kansas. Quickly, he established himself in the education arena. He was one of the founders of the town of Manhattan, Bluemont Central College (a Methodist school), and the state agricultural college (now Kansas State University). In the fall of 1861 he was elected to the state senate where he was appointed to the education committee. His position allowed him to exert his influence to establish the agricultural college. Additionally, he served as an ex officio member of the Board of Regents for the State Normal School. The Kansas State Teachers Association elected him as its president for one year beginning October 1, 1863.⁵⁰

Goodnow's interest in the state superintendency surfaced in 1862 when misfortune befell William Griffith,

46. *Daily Times*, March 29, 1862; Board of Directors of the Kansas Educational Exhibit, *Columbian History of Education in Kansas* (Topeka: State Printer, 1893), 131; Wilder, *Annals of Kansas*, 316.

47. Kansas State Superintendent of Public Instruction, *Report 1862* (N.p.: n.d.), 151.

48. *Ibid.*, 151–54.

49. Kansas Secretary of State, *Election Results as Certified by Board of Canvassers, 1861–1893*, Library and Archives Division, Kansas State Historical Society.

50. Board of Directors of the Kansas Educational Exhibit, *Columbian History of Education in Kansas*, 7–8; C. O. Wright, "100 Years in Kansas Education," *Kansas Teacher* 71 (January 1963), 15–17; Isaac Goodnow, "Personal Reminiscences and Kansas Emigration, 1855," *Kansas Historical Collections, 1886–1888* 4 (1890): 245; Kansas Secretary of State, *Report 1862* (N.p.: n.d.), 17; Kansas State Superintendent of Public Instruction, *Fourth Annual Report, 1864* (Topeka: State Record Office, 1865), 69.

Thorp's predecessor. Goodnow, then a state senator, entertained the thought of being appointed to complete the unexpired term, even to the extent of writing his wife to inform her of the position and to seek her opinion. With Thorp's appointment by Governor Robinson, Goodnow's hopes would not materialize until November 1862, when he became a candidate and was elected as the third state superintendent. He began his tenure in January 1863 and ended it in the same month in 1867, having been re-elected in 1864. Of the first six territorial/state superintendents, Goodnow served the longest.⁵¹

Goodnow's annual reports continued the statistical apparatus of his predecessor while expanding upon the narrative section and recommendations for statutory changes. He discussed teacher qualifications, examinations, and certificates, areas that in just a few years came within the domain of the state superintendent. He also wrote of the preference of hiring women teachers and securing the cooperation of the parents in the education of their children.⁵²

Missing no opportunity to suggest changes and improvements in the education code, Goodnow offered eleven, eight, and twelve topics respectively for improvements in the years of 1863, 1864, and 1865. Quite possibly his lists were specific in part because of his experience as a senator who knew how the legislative process worked and because of his experience as an educator and land sales manager. His recommendations reflected his concern that the schools receive money earmarked for them through federal land grants, sections 16 and 36 in each township on an Indian reservation as soon as the Indian titles became extinguished; income derived from criminal penalties; and military duty exemptions. Other suggestions were that school districts had the right of eminent domain so they could purchase land on which to build schoolhouses, that school officers be paid for their efforts, and that county superintendents' compensation be increased. In a preferred shift of authority from the local level, Goodnow wanted the state superintendent to select the textbooks and be able to refuse to apportion state funds to districts that refused

to use them. He urged greater authority be given to local school districts in raising taxes, paying teachers, constructing buildings, and issuing bonds. In general, he supported increasing local prerogatives with minimal increase in the state superintendent's authority.⁵³

The six territorial/state superintendents of Kansas who served during this first decade shared both similarities and differences. Four of the six superintendents had short tenures of less than a year each, with one serving only slightly more than a month. Greer served a little more than two years and Goodnow served almost twice that long. All six were born in states east of Illinois and were representative of the better educated citizens of their day. Predictably, they were all white, Anglo-Saxon males with protestant affiliations. They moved to Kansas for various reasons but predominantly to assist the territory in becoming a free state. Abolition of slavery was a major motivating factor, and political involvement and government service were avenues to achieve that end. Yet, only Superintendent Greer wrote about including all children in the public schools. In fact, in all of the superintendents' reports during this decade, no specific reference is made to black children and their education. And, for two superintendents—Greer and Goodnow—public schools were a proper venue for passing on to the next generation basic Christian principles and values even though the focus of these schools was a basic academic curriculum.⁵⁴

All six superintendents were similar to the midwestern reformers in their support of a public education system that included local, county, and territorial/state levels of governance. Evidence of the superintendents' tenure and perspective of the position and its duties is found in their annual reports, considering that the substance of these reports was based, in part, on the sufficiency of the county superintendents' reports.

With the legislation of 1858 and the execution of the Wyandotte Constitution at statehood, the county superintendent's role was created for the territory and state, respectively. The county superintendent was responsible for dividing the county into school districts and describing

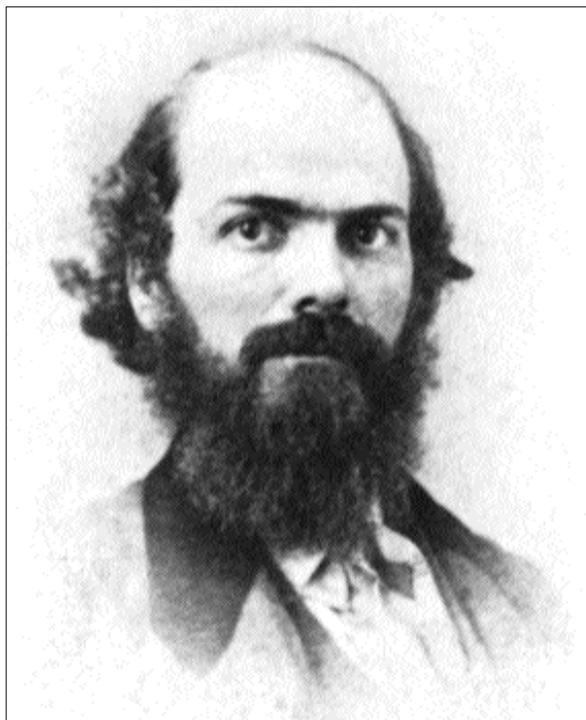
51. Isaac T. Goodnow to Ellen Goodnow, February 16, 1862, Goodnow Collection, Library and Archives Division, Kansas State Historical Society; Wilder, *Annals of Kansas*, 356, 399.

52. Kansas State Superintendent of Public Instruction, *Third Annual Report, 1863* (Lawrence: Kansas Daily Tribune Book and Job Printing Office, 1864), 3–34, 40–41, table I; *ibid.*, *Fourth Annual Report, 1864*, 3–30, table I; *ibid.* [*Fifth Annual Report, 1865*] (Topeka: Speer and Ross, 1866), 3–34, table II.

53. *Ibid.*, *Third Annual Report, 1863*, 40–41; *ibid.*, *Fourth Annual Report, 1864*, 26–27; *ibid.* [*Fifth Annual Report, 1865*], 32–33.

54. Griffith was a delegate to the constitutional conventions in Topeka, Leavenworth, and Wyandotte in 1855, 1858, and 1859, respectively. Douglass and Goodnow also were delegates to the Leavenworth convention. See Blackmar, *Kansas: A Cyclopaedia of State History*, vol. 1, 409–15.

Upon the death of Griffith, Simeon Thorp (right) was appointed state superintendent in 1862 by Governor Charles Robinson.



and numbering them, applying to and receiving from the county treasurer all monies in proportion to the number of eligible students in each district, receiving the districts' annual reports from the clerks so that he could compile an annual report for the territorial superintendent, annually examining all persons desiring to teach and presenting a certificate to those who qualified, and visiting all of the schools in the county (Table 3.)⁵⁵

Thus, the territorial legislature deemed that many of the significant educational decisions were made at the local level. Although the county superintendents' duties were mostly statistical and clerical in nature, they also were responsible for school district boundaries and for approving individuals to serve as teachers. These latter duties were clearly important issues for the districts involved. Local district complaints against the county superintendent over boundaries were appealable to the territorial superintendent. Under the state laws, the appeal went to the county commissioners. While they had some important duties and some prerogative, territorial county superintendents exercised circumspection since the county tribunal (later called commissioners) granted them their compensation. In other words, the county superintendents received their compensation from the county tribunal so they could ill afford to displease that group.⁵⁶

The county superintendency did not share the same stability during the territorial period as did the territorial superintendency. Created, then abolished, it was re-established by the Wyandotte Constitution in 1859 and became effective at statehood. Kansas became the first state to provide constitutionally for the county superintendency

through Article VI, Section I: "A Superintendent of Public Instruction shall be elected in each county, whose term of office shall be two years, and whose duties and compensation shall be prescribed by law." As with the elected state officials, there were no eligibility requirements.⁵⁷

Once elected, compensation of the county superintendent depended on the generosity of the county commissioners and the wealth of the county. It was not unusual for the county commissioners to suggest to the county superintendent that he do as little as possible so they would not have to pay him much.⁵⁸

Longevity in office was uncharacteristic of county officials, especially the superintendent, during the territorial period. Initially, the superintendency was only a one-year term and soon it was abolished. Improvement was made via the constitution when the position was established as a two-year term. However, even in the first two or three years of statehood, turnover was frequent among officeholders. For example, Douglas County had five different

55. Kansas Territory *Laws* (1858), ch. 8, secs. 13, 15, 16, 26, 30.

56. *Ibid.*, sec. 78; Kansas *Laws* (1861), ch. 76, art. 5, sec. 2; Bennett, *A History of the Administration of Education*, 10.

57. Matzen, *State Constitutional Provisions*, 77.

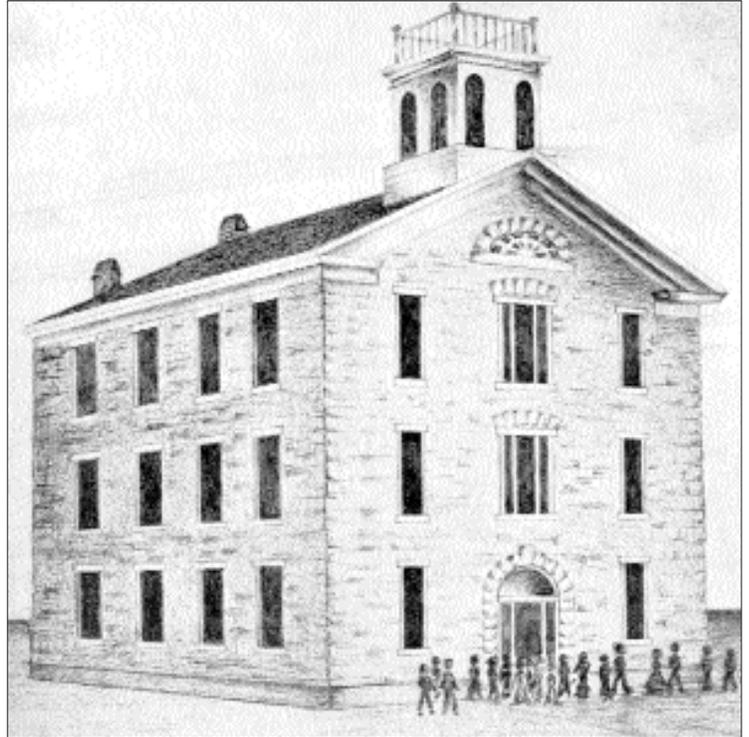
58. Kansas State Superintendent of Public Instruction, *Third Annual Report*, 1863, 18, 51.

TABLE 3
DUTIES OF THE COUNTY SUPERINTENDENT

<u>DUTY</u>	<u>1858</u>	<u>1859</u>	<u>1861</u>	<u>1864</u>	<u>1865</u>
1. Execute a bond double the amount of money held by the county superintendent to the chairman of the Board of County Commissioners	X	X			
2. Divide the county into school districts and regulate and alter such school districts	X	X	X	X	X
3. Describe and number the school districts and file the description of them	X	X	X	X	X
4. Apply for, and receive, from the County Treasurer all moneys apportioned to the schools	X	X	X	X	X
5. Apportion the school moneys to the districts according to the number of children	X	X			
6. See that the annual reports are made correctly by the school district clerks	X	X	X	X	X
7. Sue for and collect all penalties and forfeitures imposed by law	X	X			
8. Transmit to the territorial superintendent an annual report between October 1 and 15	X	X	X*	X	X
9. Keep an accurate record of receipts and expenditures of his office	X	X			
10. Within ten days after termination of his office, render to his successor a record of preceding year's receipts and expenditures	X	X	X	X	X
11. Examine annually all persons applying to be teachers in the county schools and present those eligible with a certificate good for one year	X	X	X	X	X
12. Visit annually all the common schools within the county in which he holds office to examine the state and condition of the schools and give advice and direction to the board of directors and the teachers regarding the governance and course of studies	X	X	X	X	X
13. Determine the value of school houses and property whenever new districts are formed from existing districts	X	X	X	X	X
14. Charge of the common school interests of the county			X	X	X
15. Take and subscribe an oath or affirmation before assuming the duties of his office			X	X	X
16. Designate a particular time and place in the spring and autumn of each year for a general examination of teachers				X	X
17. Cooperate with the state superintendent of public instruction to organize and hold a teachers' institute each year in each senatorial district				X	X

Sources: Kansas Territory *Laws* (1858), (1859); Kansas *Laws* (1861); Kansas *Laws* (1865).

* Changed to November 1–20.



Isaac T. Goodnow (left), founder of Bluemont Central College in Manhattan (right), was elected the third state superintendent, serving from 1863 to 1867.

superintendents from 1858 to 1864. Rapid changes in county positions were not unique to the superintendency for some of the problems, such as lack of funds, that plagued the superintendency also affected other government positions.⁵⁹

By 1864 and 1865 thirty-five counties had superintendents. Of these counties, twenty-four had superintendents who completed their two-year terms. Stability in the office was on the increase with less turnover. Generally, those who served full terms would know the administrative routines and presumably would be more likely to submit reports on time. Rapport with county commissioners would enhance the operation of the county schools. Successful completion of the annual report submitted to the state superintendent depended on the county superintendent's ability to obtain information. As an elective position, the

county superintendent had to respect the wishes of the people without alienating the county commissioners. He was at the mercy of the school district clerks to receive the information and data necessary for him to file an annual report. He was responsible for determining boundaries for school districts, usually not a popular duty.⁶⁰

Typically, the narrative component of the county superintendents' reports was brief, optimistic about the future, and explained why the report and/or required visits to schools were incomplete. Incomplete reports and/or visits were caused, for example, by Quantrill's Raid, sickness, service in the army, high river levels, lack of incentives for district clerks to complete forms and to submit them, and county commissioners' refusal to pay sufficient wages to accomplish the task.⁶¹

The level of education and devotion to responsibilities varied greatly among the state's early county superinten-

59. *Ibid.*; see also *Kansas Territory House Journal* (1859), 102–6; *ibid.* (1860), 34–82; *Kansas Territorial Superintendent of Common Schools, Annual Report, 1860* (N.p.: n.d.); *Kansas State Superintendent of Public Instruction, Report, 1861*; *ibid.*, 1862; *ibid.*, *Third Annual Report, 1863*; *ibid.*, *Fourth Annual Report, 1864*; *ibid.*, *[Fifth Annual] Report, 1865*.

60. *Ibid.*, *Fourth Annual Report, 1864*; *ibid.*, *[Fifth Annual] Report, 1865*.
61. *Kansas Territory House Journal* (1859), 102–6; *Kansas State Superintendent of Public Instruction, Third Annual Report, 1863*, 47–65; *ibid.*, *Fourth Annual Report, 1864*, 37–66; *ibid.*, *[Fifth Annual] Report, 1865*, 29–50.



An act of the 1862 Kansas legislature authorized the construction of school buildings. Here students gather outside the Third Avenue School, built in Leavenworth in 1862.

dents. The duties required little of their time and most, if not all, were engaged in other occupations. At least one-fourth or more of the superintendents in 1863 were ministers. No doubt it was possible and convenient to be a religious leader and supplement one's usually meager income by fulfilling the county superintendent's obligations. Nor was it unusual to engage bivocationally in other areas. Examples of two superintendents working in other areas simultaneously were B. F. Mudge of Wyandotte County and R. K. McCartney of Jefferson County. Mudge, a college graduate, served as the state geologist from 1863 to 1879. McCartney started a graded school, was editor of the *Jefferson Republican*, and assisted in the formation of the Kansas State Teachers Association and the *Kansas Educational Journal*.⁶²

The county superintendent position was well entrenched by 1865. It existed by constitutional edict but the duties were prescribed by statute. The position's authority was being restricted somewhat by the latitude given to city school districts through the city charters. Supervision of the rural school was now the major responsibility of the county superintendent, a shift from ten years previously when the proslavery-influenced legislature created schools and school districts with no intermediate or territorial governance.

The Kansas educational governance system in 1865

was in a city or a rural area.

Opposition to the creation of the county and state superintendencies was present in Kansas as it was in other states. Democracy at the local level, as established in 1855, had to compete with state- and county-level bureaucracy after 1858. Taxpayer support of a public educational system was not universal, obligating government officials to persuade the general public to be enthusiastic about its schools.

For Kansas, the overriding factor was the slavery issue. It impacted all aspects of the government and the people. The immense struggle over proslavery control of the government initially resulted in an educational system of local school districts that admitted white children only. Time and sheer fortitude were the allies of the Kansans who advocated free-state politics. Thus, by 1858 county and territorial governance of a public educational system was under way, and schools were opening to all children regardless of race. Kansans wanted their educational system to reflect the best of educational practices and governance. Their constitution embodied those interests, which were reflected in the provisions for state, county, and local governance.

The first decade witnessed political unrest, financial instability, drought, the nation's civil war, and a large influx of immigrants. Yet, within this context, the Kansas educational system began to sprout roots.

62. Cutler and Andreas, *History of the State of Kansas*, 302, 510.