IMPLEMENTATION AND ADMINISTRATION OF RADICAL EDUCATION IN TEXAS: POLITICS OR REFORM IN EDUCATION FROM 1870-1873

DISSERTATION

Presented to the Graduate Council of the North Texas State University in Partial Fulfillment of the Requirements

For the Degree of

DOCTOR OF PHILOSOPHY

By

Michael E. McClellan, B. A., M. Ed.
Denton, Texas
August, 1976
McClellan, Michael E., *Implementation and Administration of Radical Education in Texas: Politics or Reform in Education from 1870-1873*. Doctor of Philosophy (Education), August, 1976, 111 pp., bibliography, 82 titles.

This study examines the efforts of Radicals (Republicans) to establish a state-wide public school system in Texas between 1870 and 1873. Primary sources cover the chronological fringes of the period being examined. Record Group 105, Bureau of Refugees Freedmen and Abandoned Lands, Reports of the Assistant Commissioners for Texas, is an important source of information regarding the state of education in Texas prior to implementation of Radical Republican education. By and large, the richest source of information concerning the implementation and early demise of the state public school system is in documents and manuscripts deposited in the University of Texas (at Austin) Archive collection and the Archives of the Texas State Library (Austin).

The first and second annual reports submitted by Jacob C. De Gress, the state superintendent of public instruction for the state of Texas 1870-1873, provide an excellent view of his educational philosophy and goals for the school system in Texas. A large amount of official and private correspondence presented a problem in terms of sheer numbers of letters, but the most useful source of correspondence were the Official Correspondence of the Superintendent of Public
Instruction and the Report of the Special Joint Committee of the Thirteenth Legislature for Investigation of the Superintendent of Public Instruction and His Subordinates.

Jacob Carl De Gress, who was the Radicals' only state superintendent of schools, became the central figure in a controversy over the Radical school system. To him fell the burden of administering a complex educational system of a new design. Although the school system duplicated many northern states' public education efforts, Conservative Texans were appalled by educational innovations such as compulsory school attendance, property taxes for support of schools and strong central administrative authority based in Austin.

De Gress, with impressive constitutional and political authority behind him, executed his policies and philosophies in a strong definitive manner. In most respects, the Radical education system was what its first superintendent made it.

This study follows a chronological narrative with the four chapters examining first, educational trends in the southern states and Texas prior to Reconstruction, followed by examination of the Radical system in Texas, and, finally, its destruction by Conservative Texans. The final chapter focuses on immediate and long range results of Radical education.

In examining the Radical educational program, an attempt has been made to dispell ideas popularly held by present-day Texans who believe that the Radical school program was simply
another "carpetbagger" scheme for raiding the state treasury and building Radical patronage. This paper contends that the Radicals established as good a public school system as could be created at the time, and that it was administered in an honest and efficient manner. The system was destroyed by politicians and a grass roots revolt of taxpayers who had no faith in its methods, goals, or administrators.
# TABLE OF CONTENTS

<table>
<thead>
<tr>
<th>Chapter</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>I. SOUTHERN PUBLIC SCHOOLS PRIOR TO RECONSTRUCTION</td>
<td>1</td>
</tr>
<tr>
<td>II. THE DEVELOPMENT OF THE RADICAL SCHOOL SYSTEM</td>
<td>25</td>
</tr>
<tr>
<td>III. COLLAPSE OF THE RADICAL SYSTEM</td>
<td>66</td>
</tr>
<tr>
<td>IV. EVALUATION OF RADICAL EDUCATION</td>
<td>92</td>
</tr>
<tr>
<td>APPENDIX</td>
<td>101</td>
</tr>
<tr>
<td>BIBLIOGRAPHY</td>
<td>106</td>
</tr>
</tbody>
</table>
CHAPTER I

Southern Public Schools Prior to Reconstruction

During the mid-nineteenth century, education in Texas was a reflection of school systems in other southern states. Most Texans came from the southern and southwestern United States; northern educational ideas had little influence. Frontier Texas, with its small population and vast distances presented special problems, however, immigrants generally implemented the educational ideals of their native states.¹

Several factors had operated to produce a unique educational system in the southern colonies before the American Revolution, and after the successful completion of the Revolution, advancement of southerners into the trans-Mississippi region and the Louisiana Purchase assured spread of the system. Englishmen with conservative educational ideas had colonized the South; rural feudalism dominated the South, and, finally, southerners firmly supported limited government.²

The English aristocracy had traditionally regarded education as a family responsibility, and the Church of England promoted this attitude. Provision was made for education of paupers and dependents in a parish apprenticeship system, but

²Ibid., p. 397.
the Church saw little need for anything other than this "farming out" of the children. Frederick Eby, in *The Development of Education in Texas*, argues that the "aristocratic attitude towards education" received further reinforcement from the nature of southern society.3

Rural isolation and slavery served to produce a feudal society. Typical of a feudal system, the South functioned as a pyramid with the planter class at the apex, the white artisans and laborers underneath, but the foundation was built on slavery.4

Charles W. Dabney, author of *Universal Education in the South*, suggests that southern affinity for "laissez faire" local government made development of free public schools nearly impossible. "People must have a certain measure of education before they are willing to tax themselves for schools and are competent to conduct them."5

In general it can be said that the white southerners appreciated the need for education, although they believed strongly that it was a familial obligation. A large number of one- or two-room private schools of varying quality dotted the South by the early nineteenth century. These simple

---

4Ibid.
5Dabney, *Universal Education*, p. 47.
schools, with a sprinkling of the more advanced "academies," attempted to fulfill the educational needs of the region.\(^6\)

It should be understood that the term "academy" was, in the South of this period, used to denote a secondary school of sorts.\(^7\) It was not, however, unusual to find institutions titled "academies" that offered primary instruction in basic reading, writing and mathematics. The term "academy" in actuality was more of an indication of the upper limits of instruction offered by the institution.\(^8\) Academies began where the one-room schools left off and offered more challenging curriculum, such as the classic languages and geometry. College preparatory courses were also offered.\(^9\)

Financing of the average southern school, one-room or academy, was fairly simple. As a rule, parents of the students paid tuition and purchased books, with the school providing the necessary facilities and furnishings. Furnishings consisted of desk and chairs in the better schools and simple reciting benches in the less fortunate institutions.\(^10\) Blackboards of real slate, maps and books strained even the

---

\(^6\)Ibid., pp. 48-49.


\(^8\)Dabney, Universal Education, pp. 47-50.


\(^10\)Ibid.
most prosperous institutions, since they would have to send north for them. A burden of high freight charges existed even as late as the 1870's in some frontier states such as Texas.11

Southern society made one provision for education of the youthful indigent through a special fund given to individual academies. Such groups, called "literaries," assisted the education of the poor by offering funds to the children of those families declaring themselves destitute.12 This step was quite difficult for an individual to make because of public opinion or recognition of his community image.13

A second method existed for educating the indigent. From the end of the War of 1812 until the start of the Civil War in 1861, individual southern states attempted various types of pauper education programs, none of which achieved notable success. Pauper education in the South operated from a "relief tax" on property, which the state collected and distributed to individual schools to reimburse them for teaching the children of indigents.14

---

11Report of the Special Joint Committee of the Thirteenth Legislature for Investigation into the Official Conduct and Accounts of the Superintendent of Public Instruction and of His Subordinates, Testimony of A.S. Mair, January 20, 1873, (Austin: John Cardwell, 1873), pp. 28-29.


14Ibid., pp. 106-07.
Tennessee, Florida and Texas, for example, had pauper education plans that differed some in their details but attempted to use existing private schools and their facilities. Free public schools remained antithetical to southern ideals, although developments did occur which took southern schools in the direction of free public education.

According to Eby, most state governments by the 1850's had increased their funding to local private schools to assist students other than paupers. Some states, including Texas, had terms like "free Public Education" written into their constitutions and included tax provisions to furnish financial support. However, these terms in actual fact had different meanings for the Texans of the 1840's and 1850's as, indeed, they had different meanings for citizens of other states. Hatred of local taxation worked to check the development of free public education in Texas and the rest of the South.

Schools of the antebellum period, both North and South, had as a rule only bare necessities in the way of equipment, supplies and textbooks. Institutions of learning stressed methods that cut costs and simplified instruction. Rough-hewn


16Eby, Development of Education, pp. 108-09.

log furniture, classes packed with students, poorly prepared teachers, in addition to mind-dulling memory work, served to discourage the most enthusiastic scholar. Reformers such as Horace Mann, state school superintendent of Massachusetts during the 1840's, were regarded with suspicion and had a near impossible task to convince the populace that public schools needed more innovations and better financing.\(^{18}\)

In the South, as in other areas, the diversity of the backgrounds of individual teachers produced equally varied instructional methods. Little criteria existed for determining the most effective teachers or even to determine what constituted good teaching. With instructors emphasizing mental discipline and memorization, an individual student's progress in a factual subject field was related directly to the knowledge of his schoolmaster.\(^{19}\) "Each teacher taught what he wished and carried the pupils as far as he could."\(^{20}\)

Crowded conditions produced monumental discipline problems. Published works on schools of the period contain numerous references to pedagogs who employed both rod and cane to good advantage.\(^{21}\) One teacher in a Texas boarding


\(^{20}\)Eby, *Development of Education*, p. 103.

academy found himself forced to regulate students' firearms by the process of confiscation.  

In contrast to other southern states, North Carolina and New Orleans had progressive school systems. North Carolina appointed a state superintendent of schools in 1852 and produced a centralized education system that other states lacked. Calvin H. Wiley, North Carolina's only school superintendent from 1852 to 1866, was a charismatic figure and a zealous reformer. Spending heavily from his own funds, Wiley traveled extensively through the state to determine urban and rural educational needs.  

By 1860 increasing sectional strife slowed further progress in North Carolina schools, but Wiley had achieved much in eight years. North Carolina had a three year college level teacher training program at a state normal school. Additional improvements included relatively high teachers' salaries and over 70 per cent enrollment of the school age population. A regularly published teachers' magazine and an active state teachers' association indicated improved standards in the teaching profession. Unfortunately, North

---

22 Eby, Development of Education, p. 139.

Carolina remained along with New Orleans an isolated example of educational progress in the South.\textsuperscript{24}

What transpired in New Orleans could only have happened in a trading port that had New England influence affecting the mercantile life of the city and its educational system. Using methods employed and developed in his native Massachusetts, John Shaw developed in antebellum New Orleans a school system that enjoyed the admiration of even visiting New Englanders. With staff and materials both imported from the North Shaw managed to construct an excellent system which, like North Carolina's efforts, remained a shining but isolated example in the South.\textsuperscript{25}

With poor training and with no real standards of excellence to guide them, with dirt floored schools often the most adequate buildings available, southern teachers produced the best students they could under trying circumstances.\textsuperscript{26} The amount of education the students received in the schools could never have been high, but changes in the thinking and nature of southern society would be needed to create conditions favorable for a progressive state system of schools such as existed in Massachusetts.

Mexican authorities in 1823 reconfirmed the Texas land grant of Stephen F. Austin which they had originally issued

\textsuperscript{24}Knight, \textit{Public Education}, pp. 237-38.

\textsuperscript{25}Vaughn, \textit{Schools for All}, pp. 50-51.

\textsuperscript{26}Eby, \textit{Development of Education}, p. 103.
to his late father, Moses Austin. In doing this, the Republic of Mexico encouraged aggressive, land-hungry Americans desiring fertile Texas lands for plantations to settle in Mexico's most lightly-settled and weakest province. Barely eleven years later, Austin's colony had some 20,000 whites, or almost four times the Mexican population.  

Frederick Eby, in The Development of Education in Texas, sketches a dismal picture of the Mexican school system that existed in Texas during the formative period of the Austin colony. Prior to the successful revolt from Spain in 1821, Mexico had existed for years as a backwater of the once-powerful Spanish empire. The Mexican state of Texas and Coahuilla, with its scattered population and poor lines of communication, ranked low in importance to the Mexican Republic. That the Mexican government allowed the North Americans, whom they suspected of coveting Mexican territory, to settle in Texas, might indicate what value it placed on the state.  

The educational deficiencies of the state of Texas and Coahuilla corresponded to the status it enjoyed in the Mexican Republic. Whereas Spain had made little real effort to establish a school system until the end of her rule in 1820, the Mexican Republic immediately made constitutional

28 Eby, Development of Education, p. 66.
provision for an extensive system of education throughout the nation. Schools were to be administered by provinces. It proved to be a poor system.

The state of Texas and Coahuilla made constitutional provisions for an extensive school system in 1827. These created, on paper, primary schools and higher level institutions that corresponded roughly to the academies of American schools. The first school law created no funding or financial machinery, therefore, the state government passed legislation that made the "ayuntamientos" responsible for the funding and supervision of local schools. "Ayuntamientos," or municipal governments, being placed in charge of schools, created a precedent for the Mexicans to assign school responsibilities to those individuals who headed Anglo colonies. Thus, Stephen F. Austin and other colonizers became responsible for the establishment of schools for their colonies by virtue of the Mexican requirement that they set aside land for school sites.

Despite provisions of land, nominal government support and the assignment of supervision duties to the "ayuntamientos," the Mexican school system never flourished and local institutions floundered along from year to year. By 1834 Anglos and Mexicans alike had protested to the authorities of

---

29 Ibid., pp. 66-67.

30 Ibid.
the Mexican Republic about the shortcomings of the educational system of Texas and Coahuilla.  

The American settlements in fact had basically the same educational system that most frontier areas possessed in the United States, and this system continued until the Texas Revolution brought about a change in 1836.  

By 1836 those American settlers who desired independence from Mexico had succeeded in launching a fullscale revolt. Antonio Lopez de Santa Ana's rise to power in Mexico City and his subsequent efforts to tighten control of Texas government had provided the necessary impetus for revolution. The revolt succeeded, after relatively little time or involvement of large numbers of troops by either side, with the capture of Santa Ana at San Jacinto on April 21, 1836, being the deciding factor.  

The leaders of the new Republic of Texas had referred in their declaration of independence to the educational deficiencies of Mexican rule. Yet, during the period of Texas independence, 1836-1845, schools in Texas had to struggle along with little real help from the government in Austin.  

Of course politicians in Austin paid the usual lip service to public education. Nor could it be said that men of position and leadership ignored the educational needs of

31 Ibid., pp. 70-73.  
32 Ibid., pp. 75-79.  
33 Ibid., p. 81.  
the Republic. Texas simply did not create a system that would support and develop the schools of the country.  

Not until the election of Mirabeau B. Lamar as the second president of the Republic in 1838 did the executive branch of the Texas government push for a comprehensive educational program. Following Lamar's impassioned plea of 1836 for educational support, a congressional education committee reported in 1838 that the president of Texas had not exaggerated the need for support of public education.

The first bill to result from the education committee's report dealt primarily with the time-honored system of setting aside land for the support of schools. This approach had proven valuable in the establishment of schools in the states formed from the Northwest Territory.

The lack of any established structure or assignment of responsibility for school administration was supposedly cured by a subsequent piece of legislation in 1840. A bill which Andrew J. Yates, Lamar's educational consultant, had helped to formulate provided an additional league (4,428 acres) of land in each county for school support. Besides bringing the total of county school lands up to four leagues, the 1840 law made the "chief justice" or county judge and his associates the members of the school board. Their

---

35 Eby, Development of Education, pp. 91-93.
36 Ibid., pp. 87-88.
37 Ibid., p. 89.
duties consisted of drawing school district boundaries, examination of prospective teachers and direct supervision of the schools.\textsuperscript{38}

Unfortunately for children of school age, the acts of 1839 and 1840 were worded in language so vague as to leave in doubt the real intent and design of the Republic's lawmakers. Eby contends that the expression "establishment of a general system of education" used by the Texas Congress had no implications for a broad-based system of totally free public education.\textsuperscript{39} Additionally, public attitudes supported the conservative idea of holding on to school lands until a larger population would serve to increase land values.\textsuperscript{40} Texas still suffered from underpopulation and vast distances. The infant republic also incurred, during the 1840's, increasing military expenses brought on by Mexican border incursions and frontier Indian raids.\textsuperscript{41}

The admission of Texas to the Union and the United States' unyielding position on the Texas-Mexico border dispute led to the Mexican War of 1846-1848. Some years after the war's successful conclusion Texas in 1856 gave the United States land in the northwest part of the state in exchange


\textsuperscript{39}Eby, Development of Education, pp. 90-91.

\textsuperscript{40}Ibid., p. 94.

\textsuperscript{41}Ibid., p. 110.
for federal assumption of Texas' debts incurred during the nine years of the Republic of Texas.42

By 1850 Texas had grown to a population of some 212,000 people, and four years later the Texas legislature passed a school law which Eby has called "a clear compromise of divergent policies." The compromise involved resolving Texas' needs for both schools and railroads.43

First, the school law of 1854 created a permanent school fund of some two million dollars titled "The Special School Fund:" only interest generated by the fund could be spent. Second, the system had a loose organization based on the existing county government and placed the burden of administration of the schools on the local officials. Third, a pauper system was adopted whereby the state reimbursed private schools for the educational expenses of indigent children. Finally, the school law of 1854 made it possible to use primary grades of private schools as a means to educate the young children of a community, providing their parents voted approval.44

The public school fund with the state treasurer as "ex officio" superintendent of schools, was to be used as a reservoir of cash for loans to railroads interested in building

44Ibid., pp. 116-18.
in Texas. The reasoning was that railroads could only serve to increase the growth of Texas and, subsequently, the value of school lands.45

By 1856 some additional modification of the 1854 act was deemed necessary to revamp school organization. The 1856 statute allowed almost any interested body or group to create a school district. The passage of a revenue provision on February 4, 1865, permitted one tenth of all state revenues "arising from direct taxation" to be used for educational purposes.46 An additional school law passed in 1858 gave parents with average means the right to claim compensation from the state for expense of their children's education. Under the new law, county courts (administrative courts) reimbursed the parents for tuition "not to exceed ten cents a day for each scholar."47 With the major portions of the school law of 1854 still intact and more funds made available for non-paupered students, the state superintendent of schools found himself, during the 1850's, allocating more and more funds for the tuition of a broader group of the scholastic population. Yet, public schools still were not functioning in most Texas towns by the Civil War.48

---

48 Eby, Development of Education, p. 121.
Eby credits the existence of any schools in a Texas town to unusual community spirit as personified by the San Antonio public free schools organized in 1853. Other factors influencing the establishment of schools were religious leadership, ethnic spirit and fraternal organizations such as the Masons and Odd Fellows.\textsuperscript{49}

The Catholic church, supported by the Spanish colonial government, established schools at all major settlements in Texas. One goal of the missions in Texas was the conversion of the Indians through preaching and teaching. Although the Mexican government continued to operate the schools after the revolt from Spain, they were secular in character with the Catholic catechism a required subject.\textsuperscript{50} Anglos did not encourage the Mexican schools to continue after Texas became independent. Catholic schools were quickly reestablished, however, as Anglo and German settlers of the Roman faith poured into the Republic of Texas in the late 1830's and early 1840's.\textsuperscript{51}

The Anglos who came to Texas in the late 1820's and early 1830's brought the Protestant faith and Protestant-oriented education to Texas for the first time. Many Protestant schools were missionary efforts taught by men of the

\textsuperscript{49}Ibid., p. 127.  
\textsuperscript{50}Ibid., pp. 66-67.  
\textsuperscript{51}Ibid., pp. 121-28.
cloth, trying to supplement meager incomes. In general, the evangelical Methodists, Baptists and Presbyterians dominated Protestant education in Texas.\textsuperscript{52}

The German immigrants, Catholic or Protestant, who settled central Texas in the 1840's and 1850's, placed great value on education. Comal County, settled almost exclusively by Germans, was the only county that the legislature granted permission to collect property taxes for public school support.\textsuperscript{53} As provided by the education act of 1854, local taxpayers had to vote approval of school tax districts. That they voted school taxes in a time when most citizens regarded taxes in general as a form of governmental confiscation indicates the value they assigned to education.

Eby credits the Masonic Lodge with creating the best schools sponsored by a fraternal organization. The Masonic system even had a state superintendent of schools who supervised all the lodge schools in Texas. In addition, the Grand Lodge of Texas granted construction loans to local lodges only on the condition that the building would house a local school.\textsuperscript{54}

Similarities between the Masonic antebellum state school system and the system eventually adopted by Texas in the late

\textsuperscript{52}Ibid., p. 127.


\textsuperscript{54}Eby, Development of Education, p. 129.
19th century are pronounced. The Masons proved the value of a state school superintendent and the assignment of a fixed percentage of revenue for schools—two concepts the Texas government adopted years later. 55

Texas gave limited financial support to the schools and, as a result, schools struggled along. The lack of a central authority or assignment of responsibility retarded the development of Texas education. Someone other than a state treasurer who acted as "ex officio" state school superintendent was needed. Before there could be significant progress, Texas schools required leadership, organization and funding.

Texans voted 44,317 to 13,020 in a state-wide referendum on 23 February 1861 to approve an ordinance of secession that would withdraw the state from the Union on the second of March. The melodramatic choice of the second day of March, the 25th anniversary of Texas' Declaration of Independence, reflected the high state of emotions prevailing among the secessionists. 56

Not all politicians had supported the secessionist cause. Despite the wild excitement and floods of anti-Union rhetoric

55Ibid., p. 129; Carter, Education and Masonry, p. 627.

that followed Abraham Lincoln's election in November 1860, cooler heads and Union supporters had attempted to stop Texas' impulsive rush to withdraw from the United States. One secession convention delegate, James W. Throckmorton, who later became governor of Texas, cast one of the seven dissenting votes against presentation of the secession ordinance to the people of Texas. Throckmorton, best described as a moderate Unionist, joined with Governor Sam Houston in opposition to secession. Houston, after being forced by the Texas legislature to recognize the authority of the secession convention which met on 28 January 1861, tried in vain to frustrate its efforts.57

Unfortunately for Houston, by 2 March 1861 not only had the secession convention secured approval of the ordinance, but the provisional Congress created by that ordinance had seated secession convention delegates as members. The resulting legislative body, heavily dominated by the triumphant anti-Union forces, quickly passed a loyalty oath to eliminate all officeholders unwilling to swear allegiance to the Confederacy. On the 16th of March the provisional Congress declared the governor's office vacant after Houston refused to take the oath. Faced with a fait accompli, Houston left

57 Ramsdell, Reconstruction in Texas, pp. 16-20.
public office, but not before making a spirited and prophetic speech on what he considered the state's perilous course of action.58

Houston, declaring his resolve to leave the Union with the rest of the people of Texas, remarked, "I see only gloom before me."59 Relevant to the effect of secession on the educational system existing in Texas, he said:

I may not be sustained now, but when millions of debt press upon you, when the United States Bonds forming your School Fund have been squandered and the money upon which your present school system is based is gone, when your public domain is wasted, and taxes are ground out of you, some, at least will remember that I have attempted to save you from these consequences.60

The ex-governor's prophecy of the destruction of Texas' public school funds and heavy burden of taxes proved accurate five years later.

Others of Houston's persuasion simply fled the state when it became part of the Confederacy. Edmund J. Davis, later to be Texas' only elected Republican governor, left the state and eventually led Yankee troops as commander of an expedition against Laredo.61 Andrew J. Hamilton, a congressman from

58Ibid., p. 20.


60Ibid., p. 275.

Texas at the time of secession, also took a Union Army command. Davis and Hamilton were but two of many Unionists who left Texas during the War and returned afterwards to exercise great influence on the reconstruction of their state. Texas had many citizens who believed as Davis, Hamilton and Houston did, and strong Union sentiment prevailed in isolated areas throughout the Civil War, particularly in German settlements in the Hill Country.

Despite scattered areas of Union sympathy, Texas joined the Confederacy with as much enthusiasm as other southern states. Although some Texans felt as Houston did, most of the population paid at least lip service to the Confederate cause and the increasingly frequent calls for sacrifice that their leaders made. Not only were individuals called on to make sacrifices in their personal lifestyle, but the leadership surrendered the funds of state supported institutions in order to shore up the crumbling southern economy. Texas public school funds were quickly employed in this manner.

The public school fund offered a great temptation to hard-pressed state financiers because of its size and the negotiable character of its resources. The fund contained in

---


64 Eby, *Development of Education*, p.
1861 some $2,592,533.14 in United States Treasury bonds, actual currency and other negotiable bonds and coupons.\textsuperscript{65} Beginning in 1861, the military board of Texas, with legislative approval, made extensive demands on the public school funds to purchase military supplies.\textsuperscript{66} The actual process of conversion of the public school fund for war use became suspect when a post-war investigation revealed that former Governor Pendleton Murrah, as head of the military board, had personally sold some bonds owned by the Public School Fund. Not only had he sold them, he had taken a commission of $1133.50 for the sale of $49,750 in bonds.\textsuperscript{67} Sale of its bonds and use of its cash reserves dissipated the public school fund. Additional losses of revenue occurred when public school land revenues were diverted for protection against Indians and defense against Yankee invasion.\textsuperscript{68}

As the war progressed and the economy of Texas weakened, the state's railroad system started a similar decline which directly affected the public school fund. Since Texas


railroads, with the state's blessing, had borrowed heavily from the public school fund to finance new construction, it was essential for the fund that the rail systems make enough profit to repay the loan. Unfortunately, by 1864 Texas railroads had reached the point of almost total collapse. Shortages of iron and steel, coupled with a complete lack of replacement parts for rolling stock, brought the Texas lines to a virtual standstill by early 1865. In addition, essential repairs had not been made on road beds because of a shortage of trained laborers. By the end of the war, Texas railroads, which were once encouraged to borrow from the Public School Fund, had become one of the Fund's greatest burdens because of their numerous defaulted loans.69

In addition to the misappropriation and deterioration of the Public School Fund, Texas schools suffered a steady physical erosion as attendance dropped and a teacher shortage closed many institutions. Attendance fell in some cases because the absence of fathers made it a luxury to send able-bodied sons or daughters to school when crops needed tending.70

Indian incursions in the frontier counties became more numerous as the red marauders realized how feeble the state's western defenses were. The subsequent raids by Kiowas,


Commanches and other tribes had depopulated whole counties by 1865 as settlers fled to the East for safety, leaving behind abandoned homes and schools.\textsuperscript{71}

The war ended for Texas when General Kirby Smith surrendered his Confederate troops 2 June 1865 at Galveston. Occupying Union troops moved quickly inland from Galveston, finding few public schools in operation and an increasing lawlessness as Texas government collapsed. Federal troops occupied Texas to assure its reconstruction and hasten its readmission to the Union.\textsuperscript{72} Early action taken by the military command and attached organizations such as the Bureau of Refugees, Freedmen and Abandoned Lands, were to have far-reaching effects on Texas society and schools, particularly when federal officials began dealing with the freed slave's legal and social status.

\textsuperscript{71}Ramsdell, \textit{Reconstruction in Texas}, pp. 84-85.

\textsuperscript{72}John P. Carrier, "A Political History of Texas During The Reconstruction, 1865-1874," (Ph.D. Dissertation, Vanderbilt University, 1971), pp. 4-5.
CHAPTER II

The Development of the Radical School System

From the spring of 1865 when the Civil War ended until 1866, when a constitutional convention drafted a new state charter, Texas citizens gave little consideration to public education. Although Texas schools were in a state of collapse, more pressing problems such as rampant crime, a shattered economy and the need for frontier defense against Indians claimed the attention and energies of the public.¹

By 1866 Provisional Governor Andrew Jackson Hamilton and the citizens of the state had stabilized the political situation to the point that qualified candidates had been elected for a constitutional convention. Under President Andrew Johnson's requirements, reconstruction of Texas would be accomplished once the state's constitution was rewritten to repudiate the right of secession and recognize the abolition of slavery.²

Governor Hamilton also insisted that the convention repudiate the Confederate debt of Texas, which he regarded as


²Carrier, "Political History of Texas," p. 51.
equivalent to rejection of the doctrine of secession.

Secondly, the governor, who delivered the constitutional convention's opening address, requested that the delegates work to clarify the status of the freedman. He underlined his request with the observation that a constitution denying blacks de facto and de jure enfranchisement would bring down the wrath of a Radical Congress on the state.³

The efforts of the convention of 1866 produced a new state constitution that made no provisions for black suffrage and contained only a single oblique provision for black education. The legislature, under the new constitution, could levy a tax on "Africans" to use for black education, but few Texas politicians of the period expressed any interest in education for ex-slaves.⁴ Additionally, the constitution made provision for "indigent white children . . . of the state" only. At every turn the constitution operated to thwart black chances of obtaining state aid for their education.⁵

With the proposed constitution of 1866 before them, and eager prospective state-officeholders-to-be soliciting their votes, Texas voters were about to pass judgment on presidential

³Ibid., pp. 51-52.


reconstruction. The Conservative Unionist Party, a combination of ex-rebel conservatives and Union men originally opposed to Texas secession, headed by gubernatorial candidate James W. Throckmorton, triumphed in the 25 June 1866 election and carried the new constitution with them. The election was a resounding endorsement of President Johnson's reconstruction program. In Texas and other ex-Confederate states whose citizens "voted as they shot," the overwhelming number of ex-Confederates elected that summer as congressmen caused Radicals to wonder aloud who indeed had won the war.

However, the congressional elections in November 1866 signaled a triumph for the Radicals, and the South fell on hard times. As the Radicals seized control of reconstruction, Johnson's comparatively forgiving and lenient policies were scrapped and more stringent measures replaced them.

The initial steps of congressional reconstruction confirmed the worst fears of Texas politicians, such as Andrew J. Hamilton, who had warned that a conservative constitution in 1866 would prompt congressional excesses. Texas' failure to provide for complete black enfranchisement and even minimal black educational facilities helped convince Radical congressional leaders that the Texas constitution of 1866 and others

---

6 Carrier, "Political History of Texas," p. 86.
7 Ibid., pp. 104-05.
8 Ibid., p. 156.
like it would not construct a new society but would serve to perpetuate a system of white conservative domination.  

The status of freedmen became a main focus of reconstruction after Congress took the initiative. Southern unwillingness to accept total *de jure* black enfranchisement was a moot point after the reconstruction acts of March 1867 declared existing state governments to be strictly provisional. Embittered Texans such as Governor Throckmorton compared the congressional reconstruction plan and the 14th amendment, which would give blacks suffrage, to an act of rape forced on a victim.  

In addition to division of ten former Confederate states into military districts, the March reconstruction Acts defined manhood suffrage to exclude those banned by the officeholding provisions of the 14th Amendment. They further stated that the 1866 Constitution and the Texas state government did not conform to the United States Constitution. Therefore, a convention would be elected by the new suffrage standards and a new constitution written. After the new Texas constitution had appeared, the state legislature needed only to approve the fourteenth amendment to have the state totally reconstructed. Until that time, Texas would have a provisional government subject to military supervision.  

---

9Ibid., pp. 146-47.  
10Ibid., pp. 156-57.  
As congressional reconstruction continued apace, Congress passed two supplementary reconstruction acts. These laws of 23 March and 19 July 1867 added more clout to previous acts. The first supplementary reconstruction act created initiative devices for calling a constitutional convention, while the second act gave military commanders of the states power to remove disloyal public officials and appoint their successors. On 30 July 1867, General Philip Sheridan removed Governor Throckmorton from office for impeding reconstruction and replaced him with Elisha M. Pease. Congressional reconstruction was under way in Texas.¹²

An integral part of congressional reconstruction was the division of ten southern states into military districts, excluding Tennessee. From the military units stationed in the South would come the power to enforce congressional plans. Texas and Louisiana formed the fifth military district with General Sheridan appointed as commander. The War Department assigned General Charles Griffin to command the Texas subdistrict. Griffin proved a strict interpreter of the reconstruction acts of 1867.¹³

With the Union Army an integral part of congressional reconstruction, the South witnessed a revival of the Bureau of Refugees Freedmen and Abandoned Lands, an organization

¹²Ibid., pp. 168-69.
¹³Ibid., p. 158.
previously established by Congress on 3 March 1865 to aid freed slaves in the occupied South. While the Bureau had declined in influence during presidential reconstruction, Congress used it now to assist in implementing the reconstruction acts of 1867. At the height of its power in Texas, the Freedmen's Bureau ran schools, supervised black labor contracts and adjudicated criminal cases in areas of the state where the Bureau distrusted local justice.

The Freedmen's Bureau in Texas was tied inexorably with the Union Army, not just in a bureaucratic chain of command, but also in the sense that the Union Army supplied most of the lower and middle management personnel in the form of discharged officers and enlisted men. The practice of hiring officers discharged from Union garrisons to man local offices of the Freedmen's Bureau filled several needs at once for the understaffed organization.

Sheer scarcity of educated loyal administrators in unreconstructed frontier Texas made hiring ex-Union enlisted men and officers a necessity. Many junior grade officers—those from the rank of captain and lower—had commanded small

---

14 Vaughn, Schools for All, p. 9.

15 Ramsdell, Reconstruction in Texas, pp. 75-76.

16 Records of the Assistant Commissioner for the State of Texas; Bureau of Refugees, Freedmen and Abandoned Lands, 1865-1869 (hereinafter cited as Texas Documents BRFAL). Applications for positions in the Texas Bureau reveal almost all applicants were commissioned officers recently discharged.
garrisons or filled staff positions requiring them to deal with some aspect of the freedmen's problems. Union garrison commanders, for instance, as early as December 1866 had to send monthly reports to the Bureau regarding the amount of crime committed by blacks and whites and to list what efforts they had made to provide black education.\footnote{Requirements of Circular Letter in Message from Freedmen's Bureau headquarters 31 December 1866, requirements discussed in Letter from Capt. Thompson, U.S. 4th Cavalry, Fort Mason, Texas, 9 September 1867 to Lt. J.T. Kirkman, Acting Adjutant General, Bureau of Refugees, Freedmen and Abandoned Lands, Texas Documents BRFAL. See Appendix A.}

As a result of the reconstruction acts of 1867, the Freedmen's Bureau of Texas from its Galveston headquarters issued Circular No. 4 on 29 March 1867. This circular dealt exclusively with education and revealed that the Bureau intended the creation of a large statewide school system for the education of Texas' black children.\footnote{Circular No. 4, 29 March 1867, Headquarters of Bureau of Refugees, Freedmen and Abandoned Lands State of Texas, Galveston, Texas.}

Sub-assistant commissioners of the bureau, who were generally salaried at one hundred to one hundred fifty dollars a month and who were at the bottom of the Freedmen's Bureau's managerial ladder, became responsible for carrying out the education program. These men, many of them ex-Union soldiers discharged from the diminishing federal garrisons in Texas,
were appointed ex-officio superintendents of schools in
their districts.\textsuperscript{19}

The superintendents received quite specific instructions
from "Circular No. 4" as to their administrative duties.
Through personal initiative and with the authority of the
powerful Bureau, they would secure school buildings by rent
or construction. Additionally, the sub-assistant commis-
ioners were to start new schools if needed and to secure boarding
places for teachers.\textsuperscript{20}

Once the school superintendent had established the needed
physical facilities, "Circular No. 4" added the additional
obligations of a minor government official in the Freedmen's
Bureau. He was required to forward teachers' reports, send
in descriptions of schools and instructional techniques, in
addition to preparing pay vouchers for individual teachers
and clerical staff.\textsuperscript{21}

The sub-assistant commissioners had a formidable task in
supplying physical facilities for the schools. The attitude
of most Texans toward black enfranchisement made it difficult
to secure rental property at reasonable rates, and constructing
school buildings proved extremely time-consuming.\textsuperscript{22} An

\textsuperscript{19}Numerous applications and signed employment contracts
contained in Texas Documents, BRFAL indicate type of persons
employed as sub-assistant commissioners and the salary paid
them.

\textsuperscript{20}Circular No. 4, Texas Documents, BRFAL.  \textsuperscript{21}Ibid.

\textsuperscript{22}Ramsdell, Reconstruction in Texas, pp. 75-76; J. Alex-
ander Wright to Oliver O. Howard, 22 April 1868, Texas Documents,
BRFAL.
additional reason that white citizens proved reluctant to rent their buildings for schools was the numerous disastrous fires that occurred in black schools. Bureau correspondence contains frequent references to arson in Bureau schools, as for instance happened at Circleville, Williamson County, in July of 1868.23

In addition to acquisition of buildings, Bureau superintendents faced a Herculean task in finding teachers to staff the buildings. Teachers, black or white, who would teach in Bureau schools were hard to locate because of threats and actual acts of violence against them and the schools.24 The numbers of ex-slaves in Texas presented possibly the greatest problem. There were simply not enough teachers available, although the American Missionary Association and other benevolent associations did their best to supply the Bureau's needs. The Bureau never did overcome the shortage of black instructors. In some schools Bureau sub-district agents would use only black teachers, and these were in short supply.25

Finances, fortunately, produced few problems for the Bureau sub-assistant commissioners. As early as November 1866 Washington had given permission to Elisha M. Wheelock,

23Joseph W. Talbort to Major Reynolds, 7 July 1868, Texas Documents, BRFAL.

24Ibid.; J. Alexander Wright to Oliver O. Howard, 22 April 1868.

Bureau Superintendent of Education in Texas, to use fines and rents collected by the Bureau to fund teachers' salaries. This step and the rather liberal, flexible tuition schedule established by Circular No. 2, issued on 7 February 1867 made the Bureau schools in effect tuition-free to certain groups of scholars.

The fee schedules by the standards of the time were reasonable. In an era of large families in predominantly rural Texas, the maximum tuition would be one dollar a month with a fifty cent monthly fee for a single scholar and seventy-five cents a month for two students from the same family. Additionally, the Bureau schools charged no tuition for children classified as orphans or identified as offspring of a widow.

The substantial turnover in Freedmen's Bureau agents was not surprising given the extensive teacher recruitment problems, threats of violence and frustration in dealing with the unreconstructed white Texans. Bureau records show that agents also left the organization for a variety of other reasons. At least one agent, George F. Eber, was murdered before he could even assume his duties as Bureau agent at Dallas.

---


27 Ibid.; Circular No. 2, Headquarters BRFAL, Galveston, Texas, 7 February 1867.

28 Ibid.

29 Ibid.; J.J. Reynolds to Oliver O. Howard, 18 April 1868.
The Bureau also dismissed agents if circumstances so warranted. One individual who turned to alcohol for solace was dismissed from his post for being "addicted to intemperance." Yet another individual left when superiors discovered that he had been a candidate for a minor post in the Confederate government. In one incident the Bureau headquarters in Galveston issued orders for the dismissal of six agents, although revoking sub-assistant commissioners' contracts was rarely done in such numbers.

During 1867 the process of congressional reconstruction upset the political structure of Texas. Whereas previously moderate Democrats and conservatives had controlled the state, Radicals—native and migrants—now held power at the state level with the support of Unionist Texans and recently-enfranchised blacks. Of great importance, however, was the continued control of local politics, county and municipal, by officials elected under the constitution of 1866. The lack of Radical strength state-wide at local levels and the presence of the moderate provisional governor, Elisha M. Pease, proved crippling to Radical hopes.

---


31Ibid.; J.J. Reynolds to Oliver O. Howard, 2 June 1868.

32Ibid.

33The term Radicals is used to denote citizens who attempted to advance the Republican party. Conservatives refers to those who opposed the Radicals and promoted white supremacy. Vaughn, *Schools for All*, p. 22, n. 46.
Neutralization of traditional Texas political leadership and removal of conservative officials in Austin by the federal military commanders proved to be the main theme of Texas politics from 1868 to 1872. Repugnant to ex-Confederates was the presence of blacks in Texas society and government posts. The role of blacks as citizens struck at the very foundation of antebellum southern society. Radical migrants to Texas from other states received mixed receptions. Some would later become permanent fixtures in Texas politics long after reconstruction ended. In the four crucial years between 1868 and 1872 these three groups banded together out of necessity and survived in power as long as their tenuous coalition endured.34

Elisha M. Pease, Sheridan's choice to replace the recalcitrant Throckmorton, assumed the role of provisional governor of Texas on 8 August 1867. Having formed his state party organization a month before in Houston, Pease was able to move quickly to replace officeholders who were hostile to congressional reconstruction. All major executive positions—state comptroller, treasurer, secretary of state—were filled with loyal party members, but a scarcity of qualified Radicals made it possible to fill only a part of the county offices and just a handful of the major municipal offices. The Radicals still remained weak at the grass roots level.35


General Griffin, sub-district commander of Texas, died of yellow fever in 1867, but his replacement, General Josiah J. Reynolds, continued official military support of Pease's efforts to purge ex-Rebels from Texas government. Only when General Winfield S. Hancock succeeded Phillip Sheridan as Commander of District Five on 29 November 1867 did Pease abate his replacement of Texas officials. Hancock, a staunch Democrat who would later run unsuccessfully in 1868 as his party's presidential candidate, took a dim view of Republican efforts in Texas. His politics and his wife's southern ancestry caused Hancock to see the political situation in Texas as needing a restraining hand, and he pressured Pease accordingly, but not before the governor had completed voter registration. With registration accomplished under his party's direct supervision, Pease had created in effect his own constituency. With many Conservatives boycotting the registration process entirely, the Radicals were able to elect their delegates to the constitutional convention of 1868, and only twelve Conservatives were seated.

When the constitutional convention met on 1 June 1868, the main conflict was not between the outnumbered Conservatives and the dominant Radicals, but between two factions of the Radicals. Andrew Jackson Hamilton, who had served as

---

36 Ibid.

37 Ramsdell, Reconstruction in Texas, pp. 200-01.
provisional governor of Texas at the end of the Civil War, represented the more moderate group. Edmund J. Davis, elected president of the convention, headed a group known as the "ab initio" party, which most Texas newspapers soon labeled as "Radical." 38

The convention proved a veritable battleground for the two opposing Radical factions. After ninety-two days of this struggle the convention adjourned on 31 August with plans to meet on the first of December. Upon reconvening in early December 1868, the constitutional convention struggled along, torn by the bitter infighting of the Radicals. 39

While the 1868 electoral triumph of General Ulysses S. Grant and the Radicals produced party harmony at the national level, Texas Radicals floundered at the state's constitutional convention. Only after appeals to Washington by both Radical groups and a decision by the national Republican Party to recognize the Davis faction as the Republican Party in Texas did the situation really stabilize. 40

The convention submitted the proposed constitution to the voters for approval in the November 1869 state election. The voters approved the constitution and elected Edmund J. Davis as governor. Josiah J. Reynolds, military commander of

38Ibid., pp. 200-01.
39Ibid., pp. 200-30.
the sub-district of Texas, gave his official approval to the results of the November election.41

The Texas legislature had only to approve the Fourteenth and Fifteenth Amendments to the United States Constitution to complete the reconstruction process and be readmitted to the Union. Texas, along with three other southern states, had refused since 1866 to approve the Fourteenth Amendment. The four articles of the amendment granted blacks citizenship, repudiated the Confederate debt, eliminated presidential pardons and penalized states that denied citizens the right to vote, unless those citizens disenfranchised were ex-rebels or criminals. All four articles had been too offensive to previous Texas legislators.42

The Fifteenth Amendment, which the Radicals passed in Congress in 1869, declared that no government, state or federal, could "deny or abridge" a citizen's right to vote because of "race color or previous condition of servitude." The newly-elected Texas legislature ratified the Fourteenth and Fifteenth Amendments on 11 February 1870, and Texas was officially reconstructed and readmitted to the Union.43

Governor Davis now turned to the task of finding qualified men to fill appointive positions, and by 1871, he had

41Ibid., pp. 288-92.
43Ibid., pp. 141-45; Ramsdell, Reconstruction in Texas, p. 290.
filled all major positions with exception of the state school superintendency. The constitution of 1869 had created the office of state school superintendent, but providing for the actual structure of the system—its financing, regulations and operation—proved repugnant to the people of Texas. Yet, reinforcing legislation passed by the Twelfth Legislature in August 1870 and 1871 served to consolidate the administrative structure of the state school system and concentrate more authority in Austin. Focusing power in Austin, the Radicals believed, would help circumvent conservative grass roots resistance to their education program and would simplify implementation of the school system.

Frederick Eby, in The Development of Education in Texas, enumerates the basic regulations, operations, and financing provisions of the new Texas school system in an accurate synthesis. A state board of education, to consist of the superintendent of public instruction, attorney general and the governor was authorized to replace the legislature in school matters and were obligated

1) To adopt all necessary rules and regulations for the

---

44 Ramsdell, Reconstruction in Texas, pp. 299-300.


46 Eby, Development of Education, pp. 159-60.
The state school superintendent had additional tasks:

1) To gather school statistics and disseminate educational information among the teachers and patrons.
2) To have charge of the investment of the permanent school fund and distribution of the available fund.
3) To appoint a district supervisor for each of the thirty-five judicial districts.
4) To approve all accounts for the payment of teachers for school books, for apparatus.
5) To approve all district school directors or trustees appointed by the thirty-five supervisors.
6) To approve all plans and specifications for school buildings.
7) To approve all contracts for school buildings.
8) To rent rooms or buildings for school purposes anywhere in the state where local officers fail to act.

The thirty-five district supervisors were required

1) To divide the counties under their charge into convenient school districts.
2) To appoint five members to act as a board of directors in each school district.
3) To enforce rules and regulations adopted by the state board of education.
4) To report pupils who were delinquent in fulfilling the compulsory school attendance law.
5) Examine (interview) teachers.

District boards of directors had the following obligations:

1) To decide upon the question of separate schools for the two races.

2) To levy a tax of 1 per cent.
3) To select sites for the school houses.
4) To enforce attendance upon the public schools.48

The Twelfth Legislature gave the state school superintendent or "Superintendent of Public Instruction," complete control of the entire educational program. His management of funds, approval of salary payments, approval of building contracts and, most importantly, appointment of the thirty-five district supervisors placed as much actual authority in the state superintendent's hands as he could desire. In addition to this power, the first school superintendent would be appointed by Governor Davis to a four year term and would automatically enjoy the backing of the state's highest elective office.49

In both a political and constitutional sense, the new school superintendent would exercise as much authority as the hard-pressed Radicals could create at the state level. Whether or not the Radical education program would attract grass roots support would depend in large part on the qualities of the first man chosen as Superintendent of Public Instruction.

Governor Edmund J. Davis, although a native Texan, had served in the Union Army, attaining the rank of Brevet Major General, and he had participated in several campaigns against

---


49 Ibid.
Confederate forces in Arkansas, Texas and Louisiana. As did many politicians who had fought in the Civil War, Davis turned to former comrades to fill appointive positions under his authority. Former federal soldiers seemed to the Radical governor to be well qualified to fill positions on the political firing line that constituted Texas politics in the early 1870's.

On 5 May 1871 the Texas legislature confirmed Jacob Carl De Gress as Superintendent of Public Instruction. De Gress, who had retired 31 December 1870 as a captain in the Regular Army, soon became a controversial figure as Conservatives challenged his qualifications for the job.50

The De Gress family—Jacob, his parents and seven other children—came to the United States from Prussia in 1845 as a result of the nationwide conservative reaction to reformers. Carl De Gress, Jacob's father, was a minor Prussian nobleman with an army commission and a desire to reform his autocratic country. His position as Grand Master of the Masonic Lodge of Prussia and his continued interest in liberal causes led to government confiscation of his lands in the 1840's. The De Gress family settled in 1852 at Cape Girardeau, Missouri, where the elder De Gress died in 1856. At his father's death, Jacob began working in the store of a family friend to earn

---

money for his family and to supplement his eight years of formal education.\textsuperscript{51}

At the onset of the Civil War, Jacob De Gress organized a small group of local young men into a cavalry unit which later became part of "E" Company of Vernon's Rangers. His unit was mustered into the Union Army as K Company, 6th Missouri Cavalry on 18 March 1862.\textsuperscript{52}

Jacob De Gress advanced rapidly in rank during the War. High attrition rates from combat doubtless accounted for some of this advance by the young officer, but three of the orders for promotion gave "gallantry in action" as the reason for the increase in rank. By 1864 De Gress had advanced to the rank of Brevet Lieutenant Colonel and had received two wounds in as many battles. His last wound, at Yellow Bayou, Louisiana, in 1864, resulted in an injury so severe that he had to leave field service.\textsuperscript{53}

In early 1865 De Gress was assigned as an aide to General James A. Mower, Union commander of East Texas. The twenty-two year old Colonel from Missouri acted as an inspector general, had charge of the amnesty office in East Texas after the war ended and held the position of Assistant Commissioner of Freedmen's Bureau for the eastern district of Texas. His responsibilities at the Bureau included supervision of black education, a minor goal of the organization during the war, but after the war its primary focus.\textsuperscript{54}

\textsuperscript{51}Ibid. \textsuperscript{52}Ibid., pp. 7-8. \textsuperscript{53}Ibid., p. 9. \textsuperscript{54}Ibid.
In 1866 De Gress applied for a Regular Army commission, but, when his application was rejected, he took a position as sub-assistant commissioner of the Freedmen's Bureau in Houston, Texas. On 1 January 1867 De Gress married the widow of a Confederate officer and took the opportunity during his honeymoon to travel to Washington, D. C., to secure his desired Regular Army Commission. On being commissioned a First Lieutenant, he again received assignment to Mower's command in Louisiana, where he became Secretary of Civil Affairs, Inspector General of the Freedmen's Bureau for the Louisiana Sub-district of the Fifth Military district. Lieutenant De Gress had received an appointment in which his major duties consisted of supervision and direction of the Freedmen's Bureau at a time when that organization's primary emphasis remained to uplift the freedmen through education and other supportive services such as negotiation of labor contracts.

On 31 July 1867 the Army promoted De Gress to Captain and assigned him to the Ninth Cavalry to command Fort Duncan, a temporary post on the Rio Grande north of El Paso, Texas. Contemporary accounts of garrison life in frontier Texas indicate such a post would be a tedious assignment. The

---

55 Ibid., p. 39
56 Ibid., pp. 39-40.
57 Circular No. 4, 29 March 1867, Headquarters of Bureau of Refugees, Freedmen and Abandoned Lands State of Texas, Galveston, Texas, Texas Documents BRFAL.
frequent shifting of the fort's location and minor skirmishes with the Apache probably provided the only break in the tiresome but dangerous routine of patrolling and escort duty that was the lot of cavalry units in far west Texas.\(^5^8\)

De Gress resigned his commission effective as of 31 December 1870 and journeyed to Austin during the last part of December. He received appointment as State Superintendent of Public Instruction on 5 May 1871. His quick confirmation by the Texas Senate served to get the public school program underway.\(^5^9\) Superintendent De Gress' first report to the United States Commissioner of Education detailed prevailing conditions.

I regret that I am compelled to make so short and unsatisfactory a report of the schools in Texas. Until the present year we have been without any kind of an organized system.

Numerous school laws have been passed by the different legislatures, but by far the greater part of them for the purpose chiefly of directing the bountiful school fund into other channels than that of educating the youths of Texas.

The public free schools opened on the 4th ultimo, for the first time in the history of Texas; hence I have no report for the scholastic year ending August 31, 1871. I send you a copy of the new school law, and the rules and regulations adopted by the board of education for the government of public free schools, which contain full information relative to the manner of conducting the schools.

As there was no superintendent for a long time previous to my appointment in April last, I found nothing, save the law passed this year by the legislature, as a


nucleus upon which to organize a system. Owing to the vast territory of the State, with its poor mail facilities, I have received reports from but a small number of the supervisors, and it is impossible to give the number of school teachers and pupils in the State. I have, however, sufficient returns to know that the system promises to be a success, notwithstanding the prejudice and strong opposition of a large portion of the people.

It is with great difficulty that houses can be procured for the colored schools in the State, on account of the great opposition to the education of the blacks, and it has been even more difficult to find persons willing to teach such schools, as they have in all cases been ostracized from society. I am in hopes that the prejudice will die out, but fear it will not, until the people who fought to keep the colored race in slavery are made to know that the rights of the colored people will be permanently protected by the strong arm of the Government.

The scholastic population (between six and eighteen) of this State, is about 235,000. The legislature has made an appropriation of $504,000 for school purposes, for the scholastic year ending August 31, 1872, of which appropriation the sum of $450,000 is for the support of teachers and employes. In addition to this, the levy of an ad valorem tax on all real and personal property had been authorized for the same year, from which the sum of $2,000,000 is anticipated, 'for the purpose of building school-houses and maintaining schools.'

The permanent school fund consists of $1,457,517 railroad bonds, bearing 6 per cent interest in gold; $61,000, 6 per cent. registered United States bonds, and $49,000 in United States 5 per cent. bonds, together with the accumulated arrears of interest due by railroads; $320,367.13, 5 per cent. State bonds; $82,168.82, 6 per cent. State bonds, the proceeds of the sale of the public domain of the State, and all sums arising from fines and forfeitures, set apart by law for school purposes. A large portion of the lands of the State has also been surveyed, and set apart for school purposes.

The available school fund consists of interest on the securities above mentioned; one-fourth of the annual revenue derived from taxation; the 1 per cent. tax hereafter referred to, and the State annual poll-tax of $1, levied on every male person above twenty-one years of age.

By the school law of August 13, 1870, each organized county was constituted a school district, and the county courts—composed of the five justices of the peace in each county—were, ex-officio, boards of school directors for their respective counties.
... As soon as better influences prevail, and the hearts of the people shall have been turned toward that education which they have neglected, it will be time enough to concede to a heartfelt interest an amount of local authority which has been refused to a spirit of apathy or contempt.60

De Gress moved quickly to improve his department's financial status. Two factors, railroad defaults on money loaned from the Permanent School Fund before the war and United States Treasury Bonds that the Confederate Texas government cashed in 1862, claimed his attention.61 Recovery of the Permanent School Fund occupied much of the new superintendent's interest and energy.

Texas railroads which had taken advantage of the state government's willingness to loan Permanent School Fund money for construction of rail lines had defaulted in one of two ways; either the rail companies had run out of money and gone bankrupt, or they had repaid their loan during the war with worthless state treasury warrants. De Gress argued that since the state treasury warrants issued during the war were almost worthless, the railroads should not be allowed to claim that a payment had been made to the Permanent School Fund.62

The amount ($320,367.13) given in statement H, as part of the permanent school fund, is the interest and principal paid in by railroad companies during and at the close of the rebellion in the State warrants that had been issued during the war, or at its close, and represented so much


money that had been applied to unlawful purposes by the rebellious State government. The pretended payments have never been recognized, rightly considering that these roads are liable for the above amount and expecting them to meet their obligations which were executed in good faith, and through which they have derived immense advantages. 63

Recovery of money from the railroads proved easy compared to the procedures employed to regain the United States Treasury bonds cashed by the Confederate government of Texas. Determining if the bonds had been cashed presented no problem as this could be confirmed in Washington. Some bonds found their way to Great Britain and into the hands of the firms of John M. Swisher and Company, London, and Droege and Company, Manchester. The former held Permanent School Fund bonds valued at $27,000, and the latter held bonds in the amount of $75,000. De Gress, in his first Annual School Report, stated that the law suits currently pending would secure the return of these school funds. 64

In a suit that eventually reached the United States Supreme Court, Texas recovered school bonds that the state had given to George White and John Chiles who had operated as Confederate gun runners out of Cuba. The original transaction occurred on 12 January 1865. The contract for military supplies at this late date seemed to De Gress to be nothing more than a raid on the state's rapidly evaporating funds "with a hope that the contracting parties might be personally

63Ibid. 64Ibid., p. 14
benefitted thereby." Regardless of motive and a vigorous defense by White and Chiles before the Supreme Court, Chief Justice Salmon B. Chase ruled in favor of Texas and ordered the bonds returned.65

In his efforts to locate those Treasury bonds pilfered from the School Fund, De Gress discovered that Provisional Governor Hamilton had received a commission of $10,750 to assure that White and Chiles retained possession of the $156,275 they had received from the Texas government during the war. The evidence of Hamilton's transgressions appeared in the transcript of Texas vs. Chiles, White, et al., which contained an indiscreet letter by Hamilton revealing the details of the scheme.66

Working continually to clarify the muddled condition of the School Fund, De Gress still had to focus his energies on the actual operation and supervision of the state school system. De Gress, in accordance with the statute of 24 April 1871, "to organize and maintain a system of free public schools in the State of Texas" had to submit annual reports of the workings of his office.67 Although only two complete annual reports were ever compiled by the Radical Superintendent, they reveal a great deal about the day-to-day problems encountered in establishing Texas' first free public school system and the abilities and intentions of its administrator.

65Ibid., pp. 14-15. 66Ibid. 67Ibid., "Prologue."
De Gress' annual reports, which ran from sixty to seventy pages in length, were organized and methodical, revealing a logical and orderly mind. He appeared convinced of the correctness of the Radical education program in Texas and vigorously defended its basic tenets—compulsory school attendance, tax-supported schools, centralized state level control and quality education for children of all races.  

De Gress, as evidenced by the material in the first and second annual reports, investigated school systems in other states and was aware of contemporary educational trends in America. He sought to apply the more promising innovations of other states to Texas. For instance, Texas paid higher teacher salaries than most northern states and paid equal salaries to teachers of both sexes with equal responsibilities. Indeed, De Gress expressed a personal desire to see more women teachers in the lower grades feeling that "... female teachers are preferable to males." This was an opinion popular with those educators who supported the German "Kindergarten" movement, but a bold, innovative idea for frontier Texas.

Other indications of De Gress' wide perspective of the educational scene can be found in his synopsis of education in Europe and knowledge of the leading pedagogos on the continent.

68Ibid., pp. 17-20.  69Ibid., pp. 45-46.  
70Ibid., pp. 58-61.
The defense of compulsory education contained in his first annual report indicates his grasp of educational progress in Europe and his awareness of educational needs in his adopted state.\textsuperscript{71} The Texas superintendent of public instruction had more than just a provincial view of education.

De Gress in his attempts to institute curriculum innovations encountered several difficulties. Curriculum or courses of study that went beyond the basic reading, writing and math skills met resistance from citizens in the hustings. In more populated areas where academies or even colleges existed people were more supportive of new subject offerings.\textsuperscript{72}

Ironically enough, the population patterns of frontier Texas served to assure that the less settled areas could seldom offer anything except basic courses to young scholars. Schools with small enrollments did not rate a teacher whose level of certification qualified them for teaching the frills such as elocution and "the rudiments of Latin."\textsuperscript{73}

Selection of textbooks created additional problems for De Gress who found die-hard Confederates a perpetual thorn in his side. Ex-rebels saw many texts selected by De Gress as critical of the Confederacy. Impassioned rhetoric from

\textsuperscript{71}Ibid., pp. 58-61.
\textsuperscript{72}First Annual Report, pp. 1-4.
\textsuperscript{73}Teaching certificate of Augusta Palm, Jacob C. De Gress Collection, Austin Public Library Archives, Austin, Texas. See Appendix B.
conservative orators claimed that the school books of the period were teaching children to be ashamed of the sacrifices of their fathers and brothers during the Civil War.  

Typical of the demogogary associated with the textbook and curriculum issue was an inflammatory speech by ex-Confederate General John B. Gordon on 24 April 1873. In a speech made before the Thirteenth Legislature Gordon attacked the schools and textbooks as being anti-southern. The text of Gordon's remarks received enthusiastic coverage and endorsement at the hands of the local conservative *Austin Democratic Statesman*. Interestingly enough, a follow-up article which appeared on 1 May 1873 in the same paper mentioned that John B. Gordon's brother, George W. Gordon, was also in Austin representing University Publishing Company of Memphis, Tennessee, in an attempt to secure a state textbook contract.  

The Gordons obviously represented a unique breed of textbook critic, but there did exist in Texas "stump speakers" who toured the state and spoke to large audiences on the general theme that the Radical school system was inefficient and was teaching the children improperly. One speaker, identified only as Major C. S. West, left no oratorical stone unturned.

---

74 *Austin Democratic Statesman*, 29 July 1871; 29 May 1873.

75 Ibid., 24 May 1873.
in his efforts to expose what he believed were the Radical system's shortcomings.

The loquacious West opened his rhetorical efforts with the familiar charge that the Radicals were guilty of a "deep-laid scheme to squander the school fund" and ventured the prediction "that in ten years there would be none of it left unless these men were driven from power." 76

In an obvious reference to textbooks published in the North, West spoke in specific terms, accusing the schools of teaching the young people to "spit on the graves of our honored dead," an obvious blast at the subject matter contained in textbooks and the curriculum. He concluded, "It is for this purpose you are taxed beyond the power of endurance and you are fined and punished if you don't have them [children] thus taught." The latter remarks were aimed at compulsory school attendance and taxation, two vital parts of Radical education which West regarded as punitive and coercive measures and not necessary for the operation of a state-wide public education system. 77

Although some Conservative critics were reluctant to admit it, the process of a state-wide adoption system of textbooks did work one advantage for parents who had to purchase them. Publishers and distributors who contracted to furnish the texts gave as much as a 30 per cent discount for large

76Ibid., 29 July 1871. 77Ibid.
book orders. The discount was in most cases passed on to the local level where the village merchants, the last step in textbook distribution, charged what the market would bear. Unfortunately for De Gress and the school system, much speculation and rumor centered around this procedure. The conservative press continually charged that northern publishing companies had more success in securing state textbook contracts with bribery. The vast—by the standards of the time—sums involved led Texas Conservatives whose suspicions were already aroused by other Radical innovations to assume that textbook contracts in which little state money was actually spent represented a raid on the state public school funds. Innovation and introduction of new methods again served to excite Conservative opinion about Radical intentions.

Teachers of the first class, or those qualified to teach all the subjects offered in Texas schools, had to pass an examination in eighteen different subject areas including in some cases foreign languages. It was the teaching of foreign languages that created a minor curriculum problem for Texas schools. Texas had since its earliest days as a republic tried with great success to attract immigrants to the state. Germans composed one of the largest groups of non-English speakers and the indigenous Mexican population provided another

---

78 Report of the Special Joint Committee of the 13th Legislature for Investigation into the Official Conduct and Accounts of the Superintendent of Public Instruction and of His Subordinates, (Austin: John Cardwell, 1873), pp. 59-69.
substantial body. De Gress hired what qualified teachers he could, but those teachers who could speak Spanish or German demanded salaries that he could not pay. 79

Of all the obstacles to maintenance of the public school system, collection of school taxes proved the most frustrating for Austin authorities. With resistance to the Radical education program entrenched at the local level, county tax officials who did try to collect met all manner of obstructions and often outright refusals to pay. 80 Although De Gress reported initially that he believed the people in the hustings would quickly see the errors of their resistance to school taxes, he eventually came to the point of view that only severe penalties, if anything, would extract compliance with the law. 81

Those who chose to defy collection of the school taxes cited a variety of reasons. Being taxed to educate the children of others was a traditional objection. A group of recalcitrant citizens in Waco expressed doubts about the legality of the school tax law and voiced even greater doubts about

79 First Annual Report, pp. 48-49.


81 First Annual Report, p. 52; Second Annual Report, pp. 29-32.
the honesty of those who collected the tax.  

Texans who distrusted the Radicals also suspected state agencies in any form, even though that agency might profess to offer free public education.

Another criticism of the Radical school program was the sincere efforts of De Gress and his department to educate blacks. The Texas Constitution of 1867 had provisions for creating black schools, but the process of implementing such a system was so structured as to cause serious doubts about the sincerity of those who wrote the provision into the Constitution. De Gress, however, seized on the letter of the law in the Constitution of 1869 and the supplementary school legislation passed by the predominantly Twelfth Texas Legislature, which required that blacks also be educated at public expense, but not in integrated classrooms.

Texas Conservatives, who still had difficulty accepting black enfranchisement in general and black voting and office-holding in particular, often reacted with violence to black schools and those who staffed them. De Gress' personal correspondence and annual reports make numerous references to fires that destroyed black schools. These fires generally

---

82 Jacob C. De Gress Scrapbook, unidentified newspaper printing petition of Waco citizens dated 14 February 1872; Letters Received in Office of Superintendent of Public Instruction, State of Texas, 1:174-75 (hereinafter cited as Letters OSPI, Texas).

83 First Annual Report, pp. 50-51; Article Nine, Section 1 of the Constitution of 1869.
followed thinly disguised threats against the teaching staff and others such as local school board members or citizens in the community who supported black education.84

Texans' attitudes toward black education and black teachers might best be revealed by the laconic remark of a native of Denton County in North Texas. The Denton resident, in a letter to an Arkansas friend, summed up in one sentence his feelings on education of the freedmen. "A Negro school has been established near McKinney and is presided over by a big black Negro man who ten years ago would have brought $1500."85

Superintendent De Gress and the Texas Department of Education operated the public schools on a segregated basis, but made stringent efforts to see that black students had every advantage that white pupils enjoyed. No Radicals in Texas, with the exception of the most extreme elements, wanted an integrated educational system. Texas Radicals quickly realized the liabilities of such a political position and the need to mollify the suspicions of Texas citizens, who feared academic integration would precede total integration of Texas society.86

The General Laws of the 12th Legislature, First Session, 1871

84Reward Poster, Executive Correspondence of Edmond J. Davis (1870-74), Archives, Texas State Library, Austin, p. 706.


86Huntsville Union Republican, 28 December 1871.
contained a strong indicator of Radical feelings on school segregation by making it illegal for school authorities to integrate students.87

Despite high salaries for teachers and numerous applications from prospective out-of-state instructors, De Gress had difficulty staffing the state school system. Geography accounted for some of the problems, as thinly settled, more primitive sections of Texas found it difficult to attract teachers. Black schools also had difficulties in recruiting local staffs. Widely published accounts of violence and rumors of violence served to dissuade some applicants. The policy of trying to place black teachers in black schools also made it extremely difficult to fill teaching vacancies as educated, capable blacks were a scarcity.88

Inefficient disbursement of salaries also served to damage teacher morale. One teacher, Augustine Loomis, simply closed up her one room school and left town after having gone some six months without pay.89 In addition to actual failure to pay, rumors continually circulated that public school

87 General Laws of the Twelfth Legislature, First Session, 1871, Article L, Section 3.

88 General Correspondence, Letters, OSPI, Texas; First Annual Report, p. 5.

89 John Shafter to Jacob De Gress, n.d., Texas Department of Education Correspondence, Archives, Texas State Library, Austin.
funds were exhausted and the entire system of public education was about to collapse.90

The amount of salary a teacher received depended on the grade level taught and the number of scholars enrolled in the individual teacher's class. Teachers whose scholastic enrollment fell off found their salaries automatically decreased. District supervisors of the thirty-five (later reduced to twelve) educational districts certified the pay vouchers of teachers in the smaller isolated schools, while the "master" or "principal" teachers assumed that responsibility in the large schools. State school officials in Austin frequently returned pay vouchers because of errors in filling them out or because a change in the school's scholastic population placed the instructor in another salary bracket. Often heated exchanges of correspondence occurred, and vigorous letters of protest arose from those teachers whom the state asked to return over-payments.91

Another problem also related to salaries was the process of teacher certification by examiners in Austin. School authorities in Texas had never certified teachers before, and many native pedagogues saw little need for what they regarded as arbitrary and unfair restraints on their right to earn a living. Superintendent De Gress, however, stoutly defended

90Second Annual Report, p. 5.

91E. A. Blanton to E. J. Davis, 25 November 1872, Texas Department of Education Correspondence.
the practice and argued that only through such a process would
the teachers in the classroom be upgraded. He believed that
the better pay should go to teachers who mastered the most
academic subjects. The certification process extended into
parochial schools with apparently little results other than
to prompt inquiries from various schools wanting to know what
steps they needed to take to be in compliance. Conservatives
regarded this procedure as another means for Austin Radicals
to keep local schools under a tight rein and build a political
constituency.\textsuperscript{92}

Of all the allegedly objectionable aspects of the Radical
educational program, compulsory school attendance elicited
the most vehement protest from parents and politicians. In a
southern state where frontier freedoms received great acclaim,
compulsory school laws appeared to undermine not only the
traditional freedoms but also the foundation of the Texas
family. Although schools attempted to schedule classes to
coincide with slack agricultural seasons, and authorities
gave exemption for illness, Indian raids and excessive dis-
tances, De Gress still received criticism in his correspondence
and in the Conservative press for taking children from their
homes.\textsuperscript{93}

That compulsory school attendance never really operated
successfully in Texas is evidenced by the realization that

\textsuperscript{92}First Annual Report, p. 5.

\textsuperscript{93}Second Annual Report, p. 31.
authorities never enrolled more than 56 per cent of the state's six-to-fourteen-year-olds in public schools during any year. As with examination of teachers and classifying them at certain levels of competency, the Texas school superintendent vigorously defended his compulsory attendance law as a cornerstone of the entire free public education system.94

An excellent synopsis of De Gress' educational philosophy and goals for Texas schools can be found in a response he made to an editorial critical of his efforts to establish an educational system. In a letter to the editor of the (Galveston) Flakes Daily Bulletin, De Gress used the Radical Republican paper to advance his views of the course of Texas education, past, present, and future:

If the people would but examine their children and see how they progress at the different schools, I have no fears for the result. But if parents will still entrust the education of their children to the private confederacy of quacks and dunces who peddle out bad mathematics and worse grammar at 50 cents a week, more or less, they must be content to see them grow up with debilitated minds reckless habits and blighted prospects.

In conclusion, Mr. Editor, although the schools are not as well supplied in the matter of furniture and other requisites as could be wished, still I think the people, especially of the poorer classes, owe a debt of gratitude to the brave men, who in spite of so much obloquy have engineered the system thus far.95

In spite of the superintendent's enthusiasm and efforts, Texas voters dealt Radical education a near fatal blow in


95 Flakes Daily Bulletin, 7 January 1872.
the elections of 1872 by sending a Conservative majority to the Thirteenth Legislature. Although the governor, lieutenant governor and other state officials were to serve for four years, according to the 1869 constitution, the election of an opposition legislature proved an effective means of hamstringing the Radical legislative efforts, including its controversial education program. The Thirteenth legislature took the expediency of writing the state school laws in such a manner as to eliminate the extensive powers of the Superintendent of Public Instruction and the Austin government. Authority would now be invested in county school boards composed of five directors.\(^6\) Not surprisingly, the re-emerging Conservatives wanted authority placed in the hands of local leaders, for it was here at the grass roots level that Texas Democrats enjoyed their greatest power.

The Thirteenth Legislature, not content with eliminating the legal authority of Superintendent De Gress, launched an emotion-charged investigation into his conduct in office.\(^7\) The majority opinion of the Report of the Special Joint Committee of the Thirteenth Legislature of Investigation into


\(^7\)Austin Democratic Statesman, 25 February 1873.
the Official Conduct and Accounts of the Superintendent of Public Instruction and of His Subordinates reflected Conservative domination of the special committee. In a vitriolic summation, the Conservative members accused De Gress of "the most palpable abuse of his official position," being additionally guilty of an "exercise of power has been such as is peculiar to tyrants only and his expenditures of the public money reckless and extravagant beyond all precedent." As damaging as these remarks appeared, a previous paragraph stated that the special committee had considered only uncontested charges and further implied that "other facts contained in evidence" established additional criminality.98

Weakened by removal of his powers by the Legislature and assailed with mounting charges of malfeasance in office, De Gress was rapidly becoming a liability to his party. The spirited defense he made in testimony before the special committee during its investigation from 22 April to 9 May 1873, mattered little in the pragmatic world of politics, and his party replaced him as their candidate for superintendent of public instruction in the 1873 election.99 De Gress proved so controversial a figure that the Radicals substituted Andrew B. Norton for him on their 1874 ticket of state officials.100

98 Report of the Special Committee, pp. 9-10.
99 Ibid., pp. 20-22, 50-54.
This and other maneuvers by the Texas Radicals had little effect, however, for the Conservatives captured the governor's mansion and all other major state offices in the 1874 election. Fruitless attempts by incumbent Edmund J. Davis to declare the election of 1874 fraudulent, added a ludicrous note to the Radical disaster. The Conservatives had now regained control of the state to include the election of Orlando N. Hollingsworth as superintendent of public instruction.¹⁰¹

The Thirteenth Legislature had hamstrung the efforts of the Radicals to maintain an education program in Texas. The state elections of 1874 served to produce the total and complete demise of the public school system of Texas as developed by the Radicals.

CHAPTER III

Collapse of the Radical System

When the Conservative election triumph resulted in re-capture of most state and local offices, the party initiated a systematic dismantling of Radical legislation to include the education program—a program that from its inception had been a target of Conservative criticism. This wholesale elimination of laws passed by the Radical Twelfth Legislature was begun by the Thirteenth Legislature early in its opening session of 14 January 1873.¹

Conservative solons focused their energies on what they considered to be the three most odious portions of Radical education: compulsory attendance, a 1 per cent school tax, and a centralized, powerful state school superintendent. The measure of their success is best revealed by Governor Edmund G. Davis' reaction to Conservative efforts. After a futile veto of the Conservative sponsored education bill of 22 May 1873, the governor enumerated his objections in Annual Reports of the United States Commissioner of Education 1874. His criticisms, which focused primarily on constitutional

considerations, were seconded by correspondence from William G. Alexander, the state attorney general and Jacob De Gress, the state superintendent of public instruction.²

Davis' first objection was to the eighteenth section of the new school law of May 1873, a section which he claimed destroyed the possibility of a state administered public education program. This section gave county governments the authority to appoint trustees and teachers, secure school facilities, books and other educational materials.³

The Radical governor's second criticism dealt with the Conservatives' elimination of the state school board. This, he believed, was the major thrust by Conservatives against the office of school superintendent and control of the state schools from Austin. Davis, in a telling argument, pointed out that even the Conservative constitution of 1866 provided for a state school board.⁴

It [the new school law] further strikes a uniformity of system by dispensing with the board of education for the state. Such or a similar board, having supervisory control and direction of the schools, has been found essential to their success in all states, both American and foreign, where the public schools have reached their greatest perfection. A board of education with powers analogous to those created by the law in force is not a

³Ibid.
⁴Ibid., pp. 383-84.
new thing in this state. It was provided for in the provisional constitution of 1866, Article X Section 10.\(^5\)

A final argument employed by Davis dealt with the effects of the shortened school term on Texas' public school teachers. Limiting the school year to four months would cause some instructors to abandon the teaching profession, the governor argued. He observed further, "As a consequence, professional and competent teachers who remain in the state will be driven to take private schools, and the public schools, now so creditable in their results, must soon from inefficiency, lose the respect and patronage of the people and fall into disuse."\(^6\)

Although the governor's defense of the Radical education program contained empassioned political rhetoric, Attorney General Alexander's legal arguments supported one of the governor's major contentions that the Conservatives had operated in an unconstitutional manner. Not only had the May 1873 school law disregarded the state constitution, but Alexander further declared in a written opinion on 19 September 1873 that the Conservatives had violated United States Statutes by attempting to deny Texans their "school rights and privileges secured by the constitution of said state."\(^7\)

\(^5\)Ibid., p. 383, The Constitution of 1866 was a conservative document.


\(^7\)Ibid.; William A. Alexander to Edmund G. Davis, 19 September 1873.
Unfortunately, protests of the governor and attorney general served only to convince Texans and observers from outside the state of the unsettled nature of public education in Texas. One philanthropic organization, the Peabody Fund, was concerned about the future of the state's public schools and hesitated to become a benefactor of Texas schools. The Peabody Fund, an organization endowed by George Peabody in 1866 to upgrade southern education after the Civil War, had been prepared to make substantial grants to Texas schools in 1873. Barnas Sears, general agent (administrator) of the fund, expressed in a letter 13 May 1873 his reluctance to provide Texas with funds because of the "unsettled political situation." The Peabody Fund also believed Texas' new four month school term was too short.\(^8\)

The changes produced by the Conservative-dominated Thirteenth Legislature in the Texas public school law had been made primarily on the basis of views held by the Texas whites that the Radicals had created their education program as a source of political patronage and a not-too-subtle means of raiding the state treasury. Texas newspapers of the years 1871-1873 provided the average citizen with most of his information about the Radical school system. Both political factions had enthusiastic supporters among the fourth estate,

---

\(^8\)Ibid., p. 385; Barnas Sears to William Carey Crane, 13 Many 1873, Austin Democratic Statesman, 29 August 1873; William P. Vaughn, Schools for All: The Blacks and Public Education in the South, 1865-1877, (Lexington: University of Kentucky Press, 1974), pp. 141-43.
but a majority of Texas newspapers identified themselves editorially as Conservative.\(^9\)

In a period when Texas editors prided themselves on their ability to use lurid prose to advance party fortunes, the spectacular charge rather than the accurate one was often the order of the day. Newspapers of both parties indulged in irresponsible rhetoric and emotionalism to attack opponents, but the Texas papers did air the extreme points of view held by the state's citizens.\(^10\)

An example of the two extremes to be found in the Texas press were articles that appeared in the *Austin Democratic Statesman* and the *Paris Vindicator*. The first article charges a local school administrator with "duping the Negro school board president" out of six thousand dollars. The *Democratic Statesman* further asserts that De Gress knew about it and tried to get his share.\(^11\)

The *Paris Vindicator* 's article concerned De Gress' removal of an unpopular school official, S. A. Waldron, from office. The paper applauded the superintendent's firing of


\(^10\)Evidence of such rhetoric may be found in most Texas newspapers. Church newspapers, such as the *Christian Advocate*, were generally less vitriolic than their secular counterparts.

\(^11\)*Austin Democratic Statesman*, February 1873.
the incompetent Waldron and passed complimentary remarks about a speech De Gress made in a local Presbyterian Church.  

In Conservative newspapers the editors reinforced their stream of vitriol against Radical education by printing letters from citizens, politicians and educators. The charges against De Gress and his subordinates fell into four general categories: misuse of funds, favoritism in hiring, using the office as a political base and inefficient operation of the system.  

Since Conservatives dominated the membership of the Special Joint Committee of the Thirteenth Legislature, their majority report declaring Jacob De Gress guilty of all charges was no surprise to most Texans. The investigation did provide the superintendent of schools a chance to confront and cross-examine witnesses against him, an opportunity largely denied when his foes made their accusations in the press.  

Minor state bureaucrats, politicians and businessmen who had dealings with the Radical school system formed the bulk

---

12 Paris Vindicator, September 1871.  
13 Report of the Special Joint Committee of the Thirteenth Legislature for Investigation into the Official Conduct and Accounts of the Superintendent of Public Instruction and of His Subordinates, (Austin: John Cardwell State Printer, 1873), pp. 3-10. (Hereafter cited as Report of Special Committee.)  
14 Ibid., pp. 1-25; The Special Joint Committee had held three weeks of its investigation in secret and taken some of its evidence ex parte. De Gress, in a scathing letter to Joseph D. Sayers, the Committee chairman, observed that even "thieves and murderers" were allowed to face their accusers and attempt to refute their testimony and produced a change in the committee's approach.
of the accusers. It is of interest to note that only seven of more than 1500 teachers and administrators appeared to testify against De Gress. Given the large numbers of instructors employed in the state system, it seems that the Radical education program enjoyed a certain measure of support from the ranks of classroom instructors.\footnote{15} 

For the most part specific charges against De Gress' subordinates were ignored. The Special Joint Committee left the impression that it wanted to deal with charges against employees of the state schools system only if those employees had done something which would expose De Gress. With the crucial state election of November 1873 approaching, Conservatives on the special committee believed they could aid their cause by mere accusations against De Gress. They reasoned that Texas whites, largely sympathetic to the Conservative cause, would make little distinction between accusation and guilt.\footnote{16}

Since its expenditures were second only to those of frontier defense, Conservative Texans regarded Radical education programs as a major source of Radical graft. Texans, who had little exposure to the operation of a state public school program designed to educate children for ten months at public expense, lacked a realistic grasp of financial needs. That the Radical system started with almost no physical

\footnote{15}{Ibid., pp. 3-20.} \footnote{16}{Ibid., pp. 3-10.}
facilities and that many expenditures were one time invest-
ments made no impression on opponents. To Conservative
detractors of the public school system, only the existence of
large scale graft could account for the consumption of such
vast amounts of state funds.\textsuperscript{17}

One of the most widely published accusations against
De Gress in connection with misuse of public school funds
dealt with the purchase of slate for blackboards delivered at
Jefferson and Galveston. The $8,275 price paid for the slate
attracted wide attention in Texas, because, traditionally
young scholars had bought their own slates, and antebellum
schools did not have the financial resources to purchase such
visual aids.\textsuperscript{18} The \textit{Waco Semi-Weekly Examiner} commented in
doggerel about the slate scandal by writing a satirical epi-
taph for De Gress' tombstone: "Here lies De Gress the man who
was of late; School Superintendent of this great state; With
the profits on slates, while he lived, he lived high; and
now being dead under slates let him lie."\textsuperscript{19}

De Gress was able, during his cross examination of op-
posing witnesses, to clarify the circumstances surrounding
his handling of the controversial slate purchase. He

\textsuperscript{17}Report of the Special Committee, pp. 28-33; Eby,
\textit{Development of Education}, pp. 157-68.

\textsuperscript{18}Report of the Special Committee, pp. 28-29.

\textsuperscript{19}T.M.E. to editor, \textit{Waco Semi-Weekly Examiner}, 5 December
1871; 3 December 1871.
presented public school financial records which revealed the exact nature of the transaction and demonstrated conclusively that the superintendent did not profit by the purchase. His move disarmed his foes on the special committee, and De Gress followed this victory with another telling blow. By his questioning of Andrew J. Mair, the agent dealing with the slate firm, Eagle Quarries, De Gress established additional credence to facts brought out during the examination of state school financial records.\textsuperscript{20}

In De Gress' questioning of Mair and in the subsequent majority report of the special committee, two facts became evident. First, Mair had received a healthy commission of $2,830.76 for arranging the slate purchase, but De Gress had no idea of the cost of the slate to Mair. Also, as high as the commission had been, nothing illegal or unethical had taken place. A second fact which developed as a result of the inquiry was that the Conservatives were justified in criticizing De Gress for failure to advertise public bids for the slates. Although the Eagle Quarries in Maine had the only equipment that permitted production of proper-sized slates, Conservatives claimed that public bids might have avoided the 34 per cent commission of Mair and Associates.\textsuperscript{21}

\textsuperscript{20}Report of the Special Committee, pp. 6, 28-33.
\textsuperscript{21}Ibid., pp. 28-33.
The minority report of the Thirteenth Legislature's Special Joint Committee explained one rather petty charge of financial malfeasance against De Gress. The Conservatives had faulted the superintendent for accepting travel pay for trips he made on the Central Railroad which had issued him a free pass. Although De Gress was violating not the letter but the spirit of the law, the minority report pointed out with heavy sarcasm, "we have yet to learn that any member of the legislature holding a free pass, has ever refused to accept his mileage."\(^{22}\)

The pay of public school teachers under the Radical school system had attracted criticism in its amount and method of payment. The average Texas citizen did not believe that school teachers should draw salaries of $75-100 a month, and he failed to appreciate that teachers received pay according to a four-tiered system of certification. The certification, which resulted from a performance-based exam administered by school inspectors, generally from other towns, proved hard to explain in the hustings where local citizens often accepted literacy as the only necessary qualification for teachers.

The practice of paying teachers with identical certification

\(^{22}\)Ibid., pp. 8, 17.
smaller salaries if their scholastic enrollment dropped served to confuse the public further.\textsuperscript{23}

In addition to public suspicions about teacher salary schedules, Conservatives charged that teachers from the North and those who taught in black schools received salaries sooner and were paid more than other instructors. Accusations that the Radical system favored certain groups of teachers appeared during the Thirteenth Legislature's investigation of De Gress, but upon examination they were either explained or refuted outright.\textsuperscript{24}

During testimony by James T. Fleming, treasurer of the Red River County board of school directors, it was suggested that teachers who had taught only in Texas found the voucher pay system confusing. Although common in northern schools, the voucher system presented difficulties to novice teachers or those unfamiliar with its accounting system. The voucher system linked the keeping of school records directly to an instructor's salary, because it allowed the state to lower or raise salaries dependent upon radical fluctuations in school enrollment. It proved to be a fairly equitable system, for the little time it was in use, but the necessity for keeping accurate and legible records to substantiate pay vouchers


\textsuperscript{24}Report of Special Committee, pp. 21-158.
caused much grief for the teacher who might make minor errors of omission or mistakes in his calculations. Teachers from the North, as Fleming said, "knew how to get the vouchers fixed up and were, on that account, paid first, and not because of any preference for them by me."\(^{25}\)

One factor that explained the higher salaries drawn by many northern teachers was their educational level. Many states in the North had state or private normal schools designed specifically to train teachers. The graduate of such an institution would have a distinct advantage over less adequately trained Texas teachers when taking the certification examination.\(^{26}\)

As early as 1825 articles had appeared in the *Connecticut Observer* advocating the establishment of "teaching seminaries" in the state of Connecticut. Detailed plans were outlined in such pamphlets as Reverend Thomas H. Gallandet's "Plan of a Seminary for the Education of Instructors of Youth" and James G. Carter's "Essays on Popular Education" which appeared in 1826 in Boston, Massachusetts.\(^{27}\)

By 1850 some seven normal schools existed in the United States with all seven located in the New England and middle

\(^{25}\)Ibid., pp. 78-79.

\(^{26}\)Eby, *Education in Texas*, p. 184.

states with the exception of one such teacher training institution in Ypsilanti, Michigan. Massachusetts led all states with three normal schools, and the other states having a single normal school were New York, Pennsylvania and Connecticut.\textsuperscript{28}

Reports from these normal schools indicate that their curriculum offerings approximated the requirements of a first class Texas teaching certificate while De Gress was state superintendent. The northern normal schools of the 1850's were heavily oriented toward subject matter, and, although methodology of instruction was offered, a prospective teacher had to know his subject matter first.\textsuperscript{29}

Duties of the teacher in a class setting were, in one instance, broken down into some fifty-eight areas. These fifty-eight factors became part of Henry Barnard's work on normal schools published in 1851. Record keeping, an integral part of the voucher-pay system in the northern schools, accounted for four points of the fifty-eight items, which also included such interesting topics as "the use and abuse of corporal punishment" and "modes of interesting and bringing forward dull, or backward scholars."\textsuperscript{30}

Early in the development of their educational program, Radical legislators and other officials had realized that the system had to be racially segregated if it were to have a

\begin{itemize}
  \item \textsuperscript{28}Ibid., p. 9.
  \item \textsuperscript{29}Ibid., pp. 35-36.
  \item \textsuperscript{30}Ibid., pp. 43-45.
\end{itemize}
chance of acceptance by the majority of Texans. Unfortunately, it proved impossible to find enough qualified teachers to staff the all-black schools. Counties such as Wharton in south Texas never did secure sufficient teachers.\textsuperscript{31}

Recruitment of local white teachers was next to impossible. Community and social pressure, in addition to oversized classes housed in poor facilities, served to discourage most aspirants. The results were desperate attempts to recruit literate blacks and import teachers from outside the state. The assignment of a large number of students per teacher in black schools resulted in a higher salary schedule for most of them, and, again, those teachers recruited from the North often received higher levels of certification and better pay.\textsuperscript{32}

Although the major purpose of the voucher system was to insure an accurate and honest means of paying members of the state schools, some ingenious methods were invented to circumvent the intent and the letter of public school law. Some practices involved merely unethical behavior and could not be taken into a criminal court. On the other hand, some unscrupulous individuals employed falsification of records, forgeries and other less subtle means to perpetuate their fraud. Like much white collar crime of the 1970's, the authorities made


\textsuperscript{32}First Annual Report, pp. 50-51; Second Annual Report, pp. 70-71.
little effort to prosecute even when they could not recover funds. Public scandal had to be avoided if possible.\textsuperscript{33}

The Thirteenth Legislature's Joint Committee investigation did reveal that abuses of the voucher system fell into one of two categories. Either individuals speculated in pay vouchers or they resorted to falsifying records and claims. The speculation scheme enjoyed the most popularity because it was not actually illegal, and it took advantage of teacher fears about the state's willingness and ability to pay for public education.\textsuperscript{34}

One individual who speculated in pay vouchers on a grand scale was B. A. Strange of Navasota. Strange, whose initial testimony contained several snide remarks about various personalities, including De Gress, revealed interesting facts in the cross examination by the superintendent. Strange, who was treasurer of the Board of School Directors of Grimes County, was actively engaged in buying up pay vouchers from teachers at a marked discount before he became treasurer. On taking his position on the Board of School Directors, Strange then redeemed the vouchers at face value, turning a 10 to 20 per cent profit in the process. It proved easy for Strange to accumulate the vouchers, since he was also the town banker. His testimony indicated that he may have benefited doubly, as

\begin{footnotes}
\item[33] Report of Special Committee, pp. 3-10.
\item[34] Ibid., pp. 3-10, 50-85.
\end{footnotes}
he had discounted pay vouchers from local merchants who had already discounted them first from local teachers, hard-pressed for cash.\textsuperscript{35}

Strange's continuing testimony further disturbed Conservatives who had charged De Gress with encouraging speculation in pay vouchers. The Navasota school board treasurer revealed on cross examination by De Gress that he had been "prohibited by the Superintendent of Education from speculating in school vouchers and accounts while I was treasurer." De Gress, with telling cross examination, had undercut the Conservative's line of attack—a circumstance that was to occur quite often during the lengthy investigation.\textsuperscript{36}

Thomas H. Young of Clarksville, Red River County, committed a profitable fraud in connection with falsified pay vouchers. Young, who served as president of the Board of School Directors for Red River County, had in his employ Harriett Scott, a nurse. Scott had received two checks of $150 for teaching school, and the pay vouchers authorizing the payment were signed in Young's name as required by law. Young, however, claimed during testimony that he had not signed the vouchers and had no idea who had received the money since Scott was in his employ during the time she supposedly had been earning a teaching salary. He further denied having asked Scott to sign a pay voucher. This testimony

\textsuperscript{35}Ibid., p. 51. \textsuperscript{36}Ibid.
clashed badly with his later testimony under De Gress' cross examination.\textsuperscript{37}

Young, on being cross examined, indicated that he had persuaded Scott to authorize the school board treasurer to pay him "any money due me for teaching." Young explained this puzzling move by saying that he had heard, "that a voucher in her name as school teacher had been paid." The school board president rather off-handedly remarked that he had already told the same story to Red River County grand jury members. At this point Young ended his testimony and De Gress introduced records from the chief clerk of the superintendent's office showing that the two pay vouchers in question had both been sent to one Thomas H. Young of Clarksville. Young obviously had taken advantage of the voucher system's vulnerability.\textsuperscript{38}

Young's manipulations and the De Gress explanation of the higher pay for northern instructors and teachers in black schools reflected to the superintendent's advantage. As unique as the Radical system was, and it had many unusual features compared to Texas' previous school systems, it was not surprising that some financial abuses existed.

One of the most often heard charges against the Radical school system was that of political favoritism. Among Conservatives of the state existed a strong belief that the

\textsuperscript{37}Ibid., pp. 80-85. \textsuperscript{38}Ibid.
school system harbored an unusual number of Radicals, all of whom used their positions to advance party fortunes. According to opponents of the system, De Gress and his associates levied contributions on teachers for support of the Radical party and gave leaves of absence for political activities only to Radical teachers.39

The charge of political favoritism in hiring and leave of absence practices was refuted by several witnesses during the course of the joint committee investigation. Thomas H. Sharp, a Democrat and superintendent of the Waco school system, indicated that he had granted leaves of absence for teachers to attend both Republican and Democratic state conventions. He additionally testified that De Gress had not asked him his political persuasion before hiring him.

No doubt Radicals enjoyed an advantage over Conservatives in securing higher level appointments, but under no circumstances could the Radicals have recruited enough Radical teachers or school inspectors to fill existing positions. If nothing else, the sheer number of vacancies made an attempt to fill the positions only with Republicans rather ludicrous.40

The Joint Committee of the Thirteenth Legislature concluded its investigation on 22 April 1873, and the majority report found De Gress guilty of a multitude of general "charges." The charges included "wanton disregard of public

39Ibid., pp. 57, 83.  40Ibid., pp. 82-84.
opinion," failure to remove the Tarrant County school board, paying "favored teachers" better salaries, purchasing school slates at higher than necessary rates, allowing school officials to serve and draw pay as militia officers while drawing public school salaries, "diverting" the 1 per cent school tax fund, spending excessive amounts on clerical force for his office staff, and, finally, using the "office of Superintendent of Public Instruction for political purposes."41

The report implied in its closing two paragraphs that more scandal lay just below the surface and said

In conclusion, your committee say that the Superintendent of Public Instruction has been guilty of the most palpable abuse of his official position, doing those things which he ought not to have done, and leaving undone those things which he should have done, as is manifest from the testimony; that with millions of dollars subject to his own exclusive control, and every officer and teacher throughout the whole State utterly defenseless against the gratification of his slightest whim, however unreasonable and undeserved, his exercise of power has been such as is peculiar to tyrants only, and his expenditures of the public money reckless and extravagant beyond all precedent. Your committee do not think it necessary to recommend any particular character of action by this honorable Legislature, in regard to the Superintendent of Public Instruction. The facts presented are pregnant with suggestions as to the course that should be pursued. No crime should be held in greater abhorrence by the legislative department of any government than the willful abuse of a public trust.42

The Conservatives appeared to be interested more in hurling their charges at De Gress than they were interested in prosecuting him in a legal investigation. From the first,

---

41 Ibid., pp. 9-10.  
42 Ibid., p. 10.
opponents of Radical education focused their energies on resurrecting any scandal they could connect with the school system and De Gress. Soon after the investigation two things worked to make legal prosecution of De Gress a moot point. First, De Gress resigned under pressure from Radical colleagues, and, second, the new 1873 school bill created by the Conservative Thirteenth Legislature took full effect. With De Gress gone and the Radical school system hamstrung by debilitating legislation, Conservatives could look for other targets of opportunity among Radical politics and politicians.

As the Conservatives continued to rebuild political strength through the late spring and early summer of 1873, the Radicals attempted to strengthen their party for the approaching fall elections. During the Republican state convention which met in Dallas on 19 August 1873, the Radicals officially dropped Jacob De Gress from the party ticket as Superintendent of public schools. Andrew B. Norton, whom the Conservatives labeled "long haired Norton" because of a vow he had taken to remain unbarbered until Henry Clay was elected

43 Ibid., pp. 3-10.

president (Clay had died in 1852), received the nomination as the Republican school superintendent candidate.45

The Conservatives, during the Democratic state convention in Austin 3 September 1873, chose Orlando N. Hollingsworth to be their party's candidate for state school superintendent. Hollingsworth, educated at the University of Virginia and wounded while serving in the Confederate Army, swept into office with the other Democratic candidates during the fall elections. The first post-war Democratic school superintendent proved to be Texas' last school superintendent until 1884.46 The Conservatives, ironically enough, eliminated the office entirely when they wrote the state constitution of 1876, a document which completed the redemption of Texas and put an end to any vestiges of the Radical school system.47

The Radical education program never really got started in the scant time period that De Gress had charge from May 1871 until August 1873. Faced with acute shortages of teachers, facilities and public support, he had little chance to establish firmly the more vital aspects of his education program.48

Ultimately when all emotions and accusations subsided the fact emerged that Radical education met defeat in Texas because

45 Carrier, "Political History of Texas," p. 510; Austin Democratic Statesman, 11 November 1873.
46 Eby, Development of Education, pp. 194-95.
48 Ibid.
of a lack of public support and confidence. In modern parlance, De Gress and the state school system suffered from a lack of creditability. There was little in Radical public education that could attract the allegiance of the average Texan, and the public manifested its attitudes by wholesale taxpayer revolts and refusal to comply with compulsory attendance laws.\(^{49}\)

Texans who refused to pay the state public school tax had found an effective means of crippling the public school system. Not only did De Gress become hard-pressed for funds to pay the state school staff salaries, but he soon found it next to impossible to recruit new staff and difficult to retain experienced teachers. The high incidence of teacher pay voucher speculation revealed by the Thirteenth Legislature's investigation indicates how little confidence the public and teachers placed in Texas public school finances.\(^{50}\)

Articles dealing with the state of Texas education appeared frequently in Texas newspapers during the spring and summer of 1873. A large number of the articles contained letters from teachers expressing regret over the change of one aspect or another of the Radical program. Conservative

\(^{49}\)Eby, Development of Education, pp. 162-68.

\(^{50}\)Report of the Special Committee, pp. 51, 80-83.
editors, particularly the editor of the *Austin Democratic Statesman*, appeared puzzled at the support Texas teachers gave the system.51

Conservative newspaper articles dealing with public education were written with two ideas in mind. They stoutly defended the Conservative school bill of May 1873 and attacked those favorable to the Radical school program or critical of Conservative education.52

In a response to Governor Davis' veto of the 1873 School Bill, the *Austin Democratic Statesman* remarked: "The public school system and brains (save the later) has been used as a political machine and it is exceedingly hard for one of such intense partisanship as Governor Davis to give up any of the valuable weapons of his party. Plucking the feathers out of De Gress is as severe as pulling the Governor's eye teeth."53

Also typical of one effort was an article accusing those school teachers who objected to a four month school year of wanting easy public jobs.54 One hackneyed argument used employed the idea that "year round" (ten month) school was not needed and that formal education often ruined more people than it helped. "Blacks who have been taught their ABC's in Freedmen's schools are the worst," the article concluded.55

51*Austin Democratic Statesman*, 17 July 1873; ibid., 27 July 1873.

52Ibid.

54Ibid., 17 July 1873.

55Ibid., 27 July 1873.
Meetings of teachers organizations or letters from influential Conservative Texans, such as William C. Crane, president of Baylor University, were printed without comment if they spoke favorably of any part of the defunct Radical program.

We republish from the Galveston News a very sensible letter from the Rev. Rufus C. Burleson, President of Waco University, on the subject of the new school law. It will be seen that this experienced teacher, as well as Dr. Crane, agrees with us as to the general use provisions of the law and the probability of it working well. It is no wonder that the army of carpet-bag teachers brought in by the old Radical law should object to its repeal for it was really gotten up for their benefit and for political effect, but we have thought it very strange that professed democratic papers should aid them in their unreasonable outcry.56

However, the Statesman printed one letter from a teacher who spoke out against the Conservative school bill of May 1876 and closed its remarks with the observation that it obviously was written by "one of De Gress' carpet-bag teachers."57

The major source of public distrust of the Radical system lay in the fact that it was administered by a political figure whose party most Texans distrusted. Individual citizens, teachers or politicians might object to taxation, compulsory attendance, ten month school years or any other aspect of Radical education, but the temper of the times was such that only a Conservative sponsored school program could attract the

56Ibid., 31 July 1873; ibid., 23 July 1873.

57Ibid., 31 July 1873.
needed measure of public support. Texans would have supported public education had they had confidence in those administering the program. Texas Conservative newspapers and politicians created too well and mentioned too often the myths that carpetbag school teachers dominated Texas schools, that there was widespread Radical abuse of the school fund, and that there was wholesale use of Radicals to fill vacancies. By perpetuation of the public's distorted view of Radical education, opponents of the system effectively destroyed it.\textsuperscript{58}

As Orlando N. Hollingsworth remarked in later years, "It was in vain to expect that a system so much at variance with long established ideas of local self-government so centralized in its every feature, could command the support and confidence of the people."\textsuperscript{59}

Public sentiment speedily demanded its (the Radical school bill) repeal, which was effected by the Thirteenth Legislature, and a new school law was enacted that furnished a striking illustration of the tendency of public opinion to run in extremes.\textsuperscript{60} The state constitution of 1876, which abolished the office of state school superintendent, represented the most extreme point of public reaction to Radical education. Fortunately, public opinion reversed itself, and some eight years later the state legislature passed a new

\textsuperscript{58} Eby, \textit{Education in Texas}, pp. 167-88.
\textsuperscript{59} Ibid., pp. 193-200.  \textsuperscript{60} Ibid.
school bill which contained many of the features of the Radical law. Public tax support, a state superintendent of schools, and common textbooks were included, but not the compulsory attendance provision.61

61Ibid.
CHAPTER IV

Evaluation of Radical Education

The Radical education program had impressive constitutional authority. Solons who wrote the state constitution of 1867, and members of the Twelfth Legislature who created supplemental public school laws did all that was possible to create a vigorous, viable program of public education for the state of Texas. Broad powers were granted to those who would administer the state school system.¹

Although it was May 1871 before Jacob C. De Gress finally assumed the office of State Superintendent of Public Instruction, the Radical school program was well underway by the fall of 1871. The state school board was composed of De Gress, the state treasurer and the governor, but De Gress had the de facto and de jure authority to hire or fire.²

The state legislature also placed few restrictions on his expenditures of funds, because it recognized that a new school superintendent not only had to operate a school system, he first had to build one. For this reason the legislature


²Ibid.
had funded the school system with the continued use of public school land and, an innovation new to Texas, a 1 per cent school property tax at the local level to finance new schools.3

It appeared to supporters of public education in Texas that by any standards the school system was adequately funded. However, land did not offer as much financial help to Texas education as state public school officials first had hoped. Much of Texas public school land had little or no value because of infertile soil, lack of access or hostile Indians.4

The 1 per cent school tax soon became the one Radical hope to finance the initial expenses involved in creating a state-wide school system. On paper the Radical school system had every hope of survival, but, ironically, because of a lack of political acumen and ability to determine the feelings of Texans at the grass roots level, Radical officials sadly miscalculated the revenue to be had from state public school property taxes.5

To independent-minded Texans of conservative political persuasion, the policy of compulsory school attendance gave almost as great offence as the "confiscatory" public school tax. The opponents of compulsory attendance declared the policy a usurpation of parental authority by Radical

4Ibid., p. 171. 5Ibid., pp. 162-64.
politicians. De Gress and local school officials granted extreme attendance exemptions in instances where children under ten who lived over two miles from school or during times of Indian raids on the frontier. In spite of Radical educators' efforts to create humane exemptions to compulsory school attendance, the concept remained strange and alien to most Texans and served to undermine potential support for Radical education.  

De Gress enjoyed some initial successes as superintendent. He secured an adequate administrative staff to help him manage the thirty-five (later reduced to 17) sub-districts under his charge. He also created an examination and certification process for classifying teachers by knowledge of subject matter and ability to teach. Finally, De Gress was able to boast by 1872 that he had in a year's time put into operation, for the first time in Texas, a state public school system. Unfortunately, he failed to create any widespread support for his system at the local level where public school taxes were supposed to be collected.

The failure of Radical education to capture widespread public support was in part symptomatic of the shortcomings of the Radical Texas political party. Try as they would, Texas Radicals could not destroy their "carpetbagger" image and

---

6Ibid., p. 164.
what negative associations Texas citizens made with the party they readily transferred to its legislative efforts to include public school programs. The burden of being a major legislative program of an unpopular minority party was a stigma that the educational program never overcame.8

By the fall of 1872 it had become painfully obvious to De Gress and other educators that the newly elected Conservative Thirteenth Legislature would revamp the state's educational system as one of its first orders of business in the spring (1873) legislative session. More painful yet was the realization that in so doing, the solons would reflect not only their own political bias, but, also, the opinions of their constituents. Radical school leaders in Austin could see abundant evidence of the short term failures of the Texas educational system.9

A revolt against payment of the public school tax revealed a major problem of Texas' educational system. Those officials at the county level had refused, in many instances, to collect the unpopular tax. Recalcitrant taxpayers, of course, encouraged local officials to continue this policy as it made it next to impossible for Austin officials to prosecute the individual who was delinquent in his tax payments.

8Eby, Development of Education, pp. 162-64.

With many tax collectors winking at local land owner's evasions of the 1 per cent school tax, Austin officials were faced with an impossible situation. A spontaneous taxpayers' revolt had neatly hamstrung the major part of Texas public school financing.  

The refusal of taxpayers to assume the burden of supporting the Radical system had its origins in dissatisfaction with the system's basic policies. The education of blacks offended some, but by and large, compulsory school attendance had the greatest impact on the public. Any school policy which people believed attacked basic parental rights and the family structure would have little chance of success in Texas where grass roots attitudes remained provincial in such matters.  

Time and unwillingness to effect change of local school procedures were factors that operated to prevent the Radical school program from adjusting to suit local needs. The authoritarian public school law greatly restricted any chance of shaping school operations to fit public needs. Citizens in the hustings could only appeal to Austin when school policies conflicted with local mores and customs.  

De Gress' personality in all probability precluded any chance of significant adjustment in the major thrust of Radical

---

10Eby, Development of Education, pp. 162-64.
11Ibid.
12Second Annual Report, pp. 4-6.
education in Texas. The Radical superintendent's correspondence reveals time and again the depths of his convictions on such matters as compulsory attendance, taxation, education of blacks and strong state level authority. De Gress' attributes as an energetic, persistent and persevering administrator proved a serious, if not fatal, handicap in a situation calling for diplomacy and tactful negotiation. That De Gress was sincere in his efforts was obvious, but his methods and political antecedents negated any virtues of the public school program he espoused.

The secondary effects of Radical education proved more significant in Texas than did the attempts to create an entire school system in the 1871-1873 period. The most obvious result of Radical public school efforts was the Thirteenth and subsequent legislatures' creation of public school laws restoring local authority. Much of Texas public school law from 1873 to 1884 had as its object the final removal of any vestiges of the offensive Radical system and return of county and community authority over the schools.13

Although Radical educators who remained in Texas after 1874 could see little that remained of their efforts, they could at least boast that theirs had been the first steps Texas had taken toward a real state-wide public school system. In later years as Texas politicians quit passing legislation

in reaction to events of the Reconstruction period, they accepted some of the merits of the Radical system and incorporated them into new school laws. By 1884 Texas had a body of public school law that was similar to the Radical system, although taxes and compulsory attendance were in the hands of local officials. Radical educators had introduced new ideas and methods into provincial Texas.\textsuperscript{14}

Teacher certification procedures introduced by the Radicals also enjoyed a revival in the 1880's. This procedure was largely superceded by certification by normal schools and colleges with education programs after the First World War.\textsuperscript{15}

Radical educators also introduced to Texas concepts of supervision and management of school systems larger than a city or community system. Prior to the establishment of the Radical school system only the German communities of Comal County in the Texas Hill Country had a tax supported school system at the county level.\textsuperscript{16}

Most important of all, the Radical system attracted a number of new and highly qualified teachers to the state. Many of these teachers remained as members of later state teaching staffs or taught at private schools. They probably contributed further to Texas, if not in education, at least as

\textsuperscript{14}Ibid., pp. 169-93. \textsuperscript{15}Ibid., p. 237. \textsuperscript{16}Ibid., p. 134.
citizens. De Gress, himself, held office for two terms as mayor of Austin and for several years served as that town's postmaster.\textsuperscript{17}

Given the strong distrust and dislike that most Texans had for the Radical party, Radical educators could at best anticipate some short range successes. Despite De Gress' successful efforts to administer the Texas public schools with honest efficiency, the hint of public scandal always lurked in the background as those citizens of a Conservative political persuasion persisted in lumping crooks and Radicals into the same group.

In the final analysis the Radical education system failed in the one thing a public school system, state or local, must do. It did not gain significant support from the majority of Texas citizens. There were no groups of frustrated parents petitioning legislators in 1874 to restore the Radical school system. The system had much to recommend it. It had vision, planning and potential and provided a model system for a state with Texas' educational needs. Had the Radical education program been able to continue apace with its projected funding and enjoyed a greater measure of public support, Texas citizens--both black and white--would have had cause for pride in the state's education system. Texas could have

\textsuperscript{17}Wallace Hawkins, "De Gress" (unpublished paper, Austin, Archives Texas State Library, 1949), pp. 30-31.
gone into the Twentieth Century not trying to catch up with, but leading other states in public education.

Unfortunately the Radical school system lasted not quite three years and continually lost public support despite energetic efforts by its supporters. The Radicals failed and failed miserably in their efforts to create an adequate, functional school system. Theirs was an error not in design but in implementation and timing. If the Texas Constitution of 1876 had introduced a similar education program into law, it would have had a chance for some measure of success, but a new and innovative education program, handicapped by the sponsorship of a distrusted political party had no hope of success.
APPENDIX
APPENDIX A

To
Bureau of R. F. and A. L.
Galveston, Texas

Sir:

In compliance with Circular letter, dated Headquarters Bureau of Refugees, Freedmen and Abandoned Lands, State of Texas, Galveston, December 31, 1866, I have the honor to submit the following report for the month ending __________.

Criminal Offenses (Date; Name & Race of Criminal; Name & Race of Person Injured; Nature of Offense (Statement of Circumstance); Action taken by court & Bureau)

Criminal Offense previously reported (Name and description of criminals not capture)

Civil Actions (Name; Date and race of Plaintiff; Name and race of Defendant Complainant; Action taken by courts and Bureau)

Report the disposition and feeling of the white people toward the freed people as expressed by words and actions.

Education (Report the feeling upon the subject of education; what steps have been taken to promote the same; what efforts the freed people are making in that direction and in what manner they be assisted, etc., etc.) [An additional printed form available dealt with more detail in educational matters.]

Name of Teacher (Is teacher paid by Bureau?)

School (Where located; total pupils attending day school; total pupils attending night school; total pupils attending Sunday school)

Give a statement of the official business transacted during the month, its nature and your method of disposing of the same. State your office hours, the number of days absent from the office, if any, and reason for the same.
Office of Superintendent of Public Instruction,
STATE OF TEXAS.

AUSTIN, Texas, August 5th, 1871

This is to certify, that Miss Augusta Palm, having filed satisfactory evidence in the office of the Superintendent of the
Southwest District of the State of Texas, of maintaining a good moral
character, and having passed a satisfactory examination by

J. A. Rogers
John Wood
John H. Harrell

Examiners

District Reading, Orthography, English Grammar, Higher Arithmetic,
Romans' Geography, Antiquities of the United States, Algebra, Geometrical
History of Modern History, National Philosophy, Education, Composition,
Anatomy, Physiology, and the rudiments of Latin,
as well as in the arts of imparting instruction and managing a School, and
having subscribed to the oath prescribed by the Rules and Regulations of
the State of Texas, is therefore entitled to receive this Teacher's Certificate
of the First Class, and is hereby pronounced competent to teach

This Certificate is valid for the scholastic year ending June 30, 1872

J. A. Rogers
Superintendent of Public Instruction

Jan B. Bartholomew,
Chief Clerk.
APPENDIX C

Accounts approved during and for the fiscal scholastic year ended August 31, 1873*

Payable by the State . . . . . . . . . . . . . . . . $51,619.66

Payable by the counties, for salaries of teachers and employees . . . . $993,997.06

Rents of school-houses . . . . . . . . . . . . . . . . 29,251.46

Fuel for school-houses . . . . . . . . . . . . . . . . 6,578.39

Furniture for school-houses . . . . . . . . . . . . . . 19,063.22

Purchase and building of school-houses, &c . . . . . . . . . . 44,063.22

\[\text{Aggregate, State and counties . . . . . . . . } 1,092,915.89\]
\[\text{1,144,535.55}\]

*Reports to the Commissioner of Education 1870-1876, p. 381.
APPENDIX C

Tables showing the total number of public free schools in the State, the total number of teachers, and the total number of pupils attending school during the months from September, 1872 to May, 1873, inclusive.*

<table>
<thead>
<tr>
<th></th>
<th>September</th>
<th>October</th>
<th>November</th>
</tr>
</thead>
<tbody>
<tr>
<td>Public free schools</td>
<td>1,165</td>
<td>1,561</td>
<td>1,821</td>
</tr>
<tr>
<td>Teachers</td>
<td>1,359</td>
<td>1,837</td>
<td>2,482</td>
</tr>
<tr>
<td>Pupils</td>
<td>46,320</td>
<td>68,214</td>
<td>83,482</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>December</th>
<th>January</th>
<th>February</th>
</tr>
</thead>
<tbody>
<tr>
<td>Public free schools</td>
<td>1,824</td>
<td>1,776</td>
<td>1,842</td>
</tr>
<tr>
<td>Teachers</td>
<td>2,193</td>
<td>2,095</td>
<td>2,207</td>
</tr>
<tr>
<td>Pupils</td>
<td>81,502</td>
<td>77,713</td>
<td>82,903</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>March</th>
<th>April</th>
<th>May</th>
</tr>
</thead>
<tbody>
<tr>
<td>Public free schools</td>
<td>1,874</td>
<td>1,774</td>
<td>1,628</td>
</tr>
<tr>
<td>Teachers</td>
<td>2,236</td>
<td>2,141</td>
<td>1,989</td>
</tr>
<tr>
<td>Pupils</td>
<td>82,858</td>
<td>76,151</td>
<td>69,769</td>
</tr>
</tbody>
</table>

Total number of pupils enrolled in the public free schools who have received instruction during the ten months ended June 30, 1873, 129,542.

*Reports to the Commissioner of Education 1870-1876, p. 382.
BIBLIOGRAPHY

Primary Sources

Manuscript Collections

Unpublished

Hollingsworth, Orlando N. "History of Public Education in Texas: And the Material Resources of the State." Archives, Texas State Library, Austin.

Newcomb, James P. James P. Newcomb Papers. Archives, University of Texas Library, Austin.

Published


Proceedings of the Board of Trustees of the Peabody Education Fund. Cambridge by the Trustees, 1875.


Newspapers

Austin Democratic Statesman, 1872-1873.
Dallas Herald, 1858-1878.

Galveston Flakes Bulletin, 1871.

Galveston News, 1871.

Huntsville Union Republican, 1871.

Jefferson Radical, 1868-1869.

Little Rock Republican, 1867-1872.


New Orleans Times-Picayune, 1860-1873.

Paris Vindicator, 1871.

San Antonio Express, 1868-1874.

Waco Semi-Weekly Examiner, 1871.

Government Documents

United States


Bureau of Refugees, Freedmen and Abandoned Lands, 1865-1869: Records of the Assistant Commissioner for the State of Texas.


U.S. Congress, Congressional Record, 1873-1888.

Connecticut

Texas

Constitution of the State of Texas Adopted by the Constitu-
tional Convention Convened Under the Reconstruction Acts of Congress, Passed March 3, 1867, and the Acts Supple-
mental Thereto. Austin: J.G. Tracy, State Printer, 1871.

Department of Education Correspondence 1871-1873. Archives, Texas State Library, Austin.

Election Returns 1836-1900. Archives, Texas State Library, Austin.

Executive Correspondence of Edmund J. Davis 1870-1874. Archives, University of Texas Library, Austin.

Executive Record Book Andrew J. Hamilton (Undated). Archives, Texas State Library, Austin.

Executive Record Book No. 87, Governor Edmund J. Davis, February-October, 1870. Archives, Texas State Library, Austin.


Letters Received, Office Superintendent of Public Instruction. 3 vols. Archives, Texas State Library, Austin.


Reconstruction Papers 1866-1876. Archives, Texas State Library, Austin.

Register of Claims--School Claims 1871-1874. Archives, Texas State Library, Austin.

Register of Disbursements--Office of Superintendent of Public Instruction 1871-1874. Archives, Texas State Library, Austin.
Report of the Special Joint Committee of the Thirteenth Legislature for Investigation into the Official Conduct and Accounts of Superintendent of Public Instruction and His Subordinates. Austin: John Cardwell, 1873.


Contemporary Reference Works


Secondary Sources

Books


Knight, Edgar W. *The Influence of Reconstruction on Education in the South.* New York: Teacher's College, Columbia University, 1913.


**Articles**


**Theses and Dissertations**
