

IN THE HOUSE OF REPRESENTATIVES.

DECEMBER 18, 1889.

Read twice, referred to the Committee on Education, and ordered to be printed.

Mr. JOSEPH D. TAYLOR, introduced the following bill:

A BILL

To establish an educational fund to aid in the support of public schools in the several States and Territories.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That for twelve years after the passage of this act there shall
4 be apportioned from the money in the Treasury not other-
5 wise appropriated, for each illiterate person between the ages
6 of ten and twenty, inclusive, in the several States of the
7 United States, as shown by the United States census of eight-
8 een hundred and eighty; and for each person in the several
9 Territories between and including the ages of six and twenty,
10 as shown by the said census, the following amount, to wit:
11 First, second, and third years, each year, three dollars and
12 fifty cents; fourth, fifth, and sixth years, each year, two dol-
13 lars and fifty cents; seventh, eighth, and ninth years, each
14 year, one dollar and fifty cents; tenth, eleventh, and twelfth

15 years, each year, one dollar; at which time appropriations
16 under this act shall cease.

1 SEC. 2. That before any State or Territory shall be en-
2 titled to receive its share of said fund after the first year it
3 shall have provided by law for the free common-school edu-
4 cation of all its children, of school age, without distinction of
5 race, color, or sex; and no State or Territory shall be entitled
6 to receive, under the provisions of this act, during the first,
7 second, and third years, a greater sum than such State or
8 Territory shall provide by State, Territorial, or local taxa-
9 tion for like purposes of public instruction, exclusive of the
10 sums paid for grounds, school buildings, or repairs on the same.
11 And no State or Territory shall be entitled to receive its share
12 of said fund, after said third year, that does not thereafter
13 increase its common-school fund, to be expended in like man-
14 ner and for like purposes, in the same proportion and to the
15 same extent that the fund received from the General Govern-
16 ment diminishes: *Provided*, That separate schools for white
17 and colored children shall not be considered a distinction of
18 color.

1 SEC. 3. That to superintend the carrying into effect the
2 provisions of this act, a board of trustees is hereby created,
3 which shall be composed of seven members, to wit: The
4 President of the United States, the Secretary of the Interior,
5 and the Commissioner of Education, ex-officio, and two mem-

6 bers of the United States Senate, and two members of the
7 House of Representatives, not belonging to the same political
8 party, to be appointed at the opening of each Congress by
9 the President of the Senate and the Speaker of the House,
10 respectively, and to serve until their successors are appointed.
11 And the said board of trustees are hereby authorized to make
12 all needful rules and regulations for carrying into effect the
13 provisions of this act.

1 SEC. 4. That the amount of the fund appropriated by
2 this act for each year shall be apportioned by the board of
3 trustees among the several States and Territories, and the
4 Secretary of the Treasury shall pay such apportionments into
5 the hands of the duly authorized officers of such States and
6 Territories as are certified by the board of trustees to be en-
7 titled to receive the same, and the first apportionment shall be
8 made on or before the first day of September, eighteen hun-
9 dred and ninety, and succeeding apportionments on or before
10 the same day in succeeding years, and the first apportionment
11 shall be paid on or before the first day of October, eighteen
12 hundred and ninety, and succeeding apportionments shall be
13 paid on or before the same day in succeeding years, subject
14 to the approval and direction in all cases of the board of
15 trustees.

1 SEC. 5. That the funds paid to the several States shall
2 be apportioned and expended by their duly authorized officers

3 among the counties, townships, and school districts, or corre-
 4 sponding divisions of such States in proportion to the num-
 5 ber of illiterate persons in the same between the ages of ten
 6 and twenty, inclusive, as shown by the United States census
 7 of eighteen hundred and eighty, and shall be applied
 8 within the same to the free common-school education
 9 of children, without distinction of race, color, or sex, between
 10 and including the ages of six and twenty; and that the sums
 11 apportioned to the several Territories shall be likewise applied
 12 to the free and impartial education of children between and
 13 including the ages above named, as nearly as may be in
 14 accordance with the number of the same in the several coun-
 15 ties; and in States or Territories, or portions of the same,
 16 where separate schools for white and colored children are
 17 sustained, the moneys received under this act shall be divided
 18 and expended among such schools in proportion to the re-
 19 spective number of white and colored illiterates enumerated
 20 therein at the said United States census of eighteen hundred
 21 and eighty.

1 SEC. 6. That to entitle them to receive aid under the
 2 terms of this act, the several States and Territories shall com-
 3 ply with the following provisions:

4 First. They shall designate the officers to whom shall be
 5 paid, and by whom will be disbursed, the sums annually
 6 apportioned under this act.

7 Second. That it shall have applied all moneys by it
 8 previously received under the provisions of this act in accord-
 9 ance therewith.

10 Third. That no part of said fund shall be expended,
 11 directly or indirectly, under any pretence whatever, for the
 12 purchase, erection, preservation, repair, or rent of any build-
 13 ing or buildings, or for sites or lots for the location thereof,
 14 or in paying the salary of any public officer or other person
 15 not engaged in teaching.

16 Fourth. That suitable buildings and accommodations
 17 shall be provided for all the children of school age, without
 18 respect to race, color, or sex; and where the erection of school
 19 buildings depends upon the action of local authorities, their
 20 quota of such fund shall be withheld until suitable accom-
 21 modations are provided.

22 Fifth. That a free public school must be maintained in
 23 each school district in said States and Territories at least six
 24 months in each year where the number of illiterates between
 25 the ages of ten and twenty in such district shall be
 26 forty or more; and where the number is less the length of
 27 the school term shall be in this proportion; and a suitable
 28 school shall be provided wherever there are forty children of
 29 school age twenty of whom are illiterates between the ages
 30 of ten and twenty, within a radius of five miles, for the period
 31 of at least four months in each year.

32 Sixth State and Territorial superintendents or officers
 33 of public instruction shall cause to be made to them, and shall
 34 transmit to the Commissioner of Education, on or before the
 35 first day of July in each year, such reports concerning the
 36 condition of the schools in the same as the trustee of this fund
 37 shall deem desirable, and shall especially report for each county
 38 as follows: The number of public schools of every grade; the
 39 whole number of days actually taught in each during the year
 40 preceding; the total amount received from State taxes and
 41 from local taxes, and the total amount expended for educa-
 42 tional purposes in the preceding year; the total amount ex-
 43 pended for white and colored schools separately where sepa-
 44 rately maintained; the number of public school buildings
 45 owned and rented, and the character, condition, and value of
 46 the same; the number of children, white and colored, male
 47 and female, in attendance on the public schools, and the
 48 length of attendance; the number of children, male
 49 and female, white and colored, of school age; the num-
 50 ber of male and female teachers, white and colored,
 51 employed at the same time and at different times in the
 52 same year, with particulars as to qualifications of same; the
 53 number of school libraries, and the number of volumes
 54 therein; the branches taught and the text-books used; the
 55 total and average amount of wages paid to teachers, male
 56 and female, white and colored; which said statistics, together

57 with such other facts and suggestions as he may deem
 58 proper, shall be submitted to the board of trustees and to
 59 Congress by the Commissioner of Education in connection
 60 with his report now required by law; and said Commissioner
 61 shall prepare forms of such blanks as shall facilitate the mak-
 62 ing of the reports herein provided for, and transmit the same
 63 to the proper State and Territorial authorities.

1 SEC. 7. That in any State or Territory in which any
 2 county or division shall neglect or refuse to comply with the
 3 State or Territorial laws made in pursuance of and for the
 4 purpose of carrying into effect the terms of this enactment,
 5 the duly-constituted authorities of said State or Territory
 6 may withhold from such county or division its apportioned
 7 share of this fund, and may expend the same for the mainte-
 8 nance of schools for the instruction of teachers: *Provided,*
 9 That a report of such intended action and such use of funds
 10 is immediately made to and receives the approval of the trus-
 11 tees of this fund.

1 SEC. 8. That an amount not exceeding five per centum
 2 of the sum apportioned to each State or Territory may be
 3 used by them for the education of the teachers in normal
 4 schools, teachers' institute, or otherwise.

1 SEC. 9. That in case any State or Territory shall mis-
 2 apply or misappropriate the money, or any part thereof, re-
 3 ceived under this act, or shall fail to comply with the condi-

4 tions thereof, or to report as herein prescribed, such State or
5 Territory shall forfeit its right to any subsequent apportion-
6 ment by virtue hereof until the amount so misapplied or mis-
7 appropriated shall have been replaced by such State or Terri-
8 tory and applied as herein required; and all money so retained
9 and not paid to such State or Territory shall be kept separate
10 in the Treasury until disposed of by Congress.

1 SEC. 10. That in case any State or Territory shall neg-
2 lect or refuse to comply with the provisions of this act, or to
3 avail itself of the benefits of this appropriation, the board of
4 trustees are hereby authorized to confer with the local author-
5 ities in any county, township, school district, or other sub-
6 division therein, and cause to be paid thereto, under such con-
7 ditions and regulations, and at such times and in such manner
8 as the board of trustees shall determine upon, its quota of this
9 fund, a full report of which shall be embodied in the next
10 annual report of the Commissioner of Education.

1 SEC. 11. That the board of trustees shall certify to the
2 Secretary of the Treasury and to the governors of the several
3 States and Territories the amounts apportioned to the several
4 States and Territories under the provisions of this act; and in
5 case any apportionments are withheld, the names of the States
6 or Territories from which such amounts are withheld; and
7 shall place these facts in the hands of the Commissioner of
8 Education to be by him submitted to Congress in connection

9 with his annual report, in which shall be stated the sums
10 withheld, together with the reasons therefor, and the results
11 of its investigations and labors in connection with the same.

1 SEC. 12. That any State or Territory in which the num-
2 ber of persons ten years of age and upward who can not read
3 and write is not over five per centum of the whole population
4 thereof shall have the right to receive its allotment and to ap-
5 ply the same for the promotion of common school and indus-
6 trial education, or the education of teachers therein, in such
7 way as the legislature of such State or Territory shall provide.

1 SEC. 13. That the District of Columbia shall be entitled
2 to the privileges of the several States under the provisions of
3 this act, but its existing laws and school authorities shall not
4 be affected by the operation thereof. The Commissioner of
5 Education shall be charged with the duty of superintending
6 the distribution of its allotment and make full report of his
7 doings to the board of trustees and to Congress.

1 SEC. 14. That the first annual appropriation under this
2 act shall be apportioned as herein directed, and those States
3 and Territories which have provided by law for the free com-
4 mou-school education of their children of the same school age,
5 without distinction of race, sex, or color, shall be entitled to
6 their apportionment of said sum when the said board of trus-
7 tees shall so direct, without having complied with the condi-

8 tions precedent herein, when they satisfy the said board that
9 they intend to carry out the provisions of this act in good
10 faith, and when they have given such security for the safety
11 of the money as the said board shall require.

1 SEC. 15. That the board of trustees are authorized to con-
2 duct such inquiries as shall seem necessary in order to satisfy
3 them that the terms of this act are being complied with in
4 the several States and Territories: *Provided*, That such in-
5 quires shall be conducted in co-operation with the duly-con-
6 stituted school authorities of the several States.

1 SEC. 16. That the annual contingent expenses of the
2 board of trustees, including secretarial expenses, shall not ex-
3 ceed dollars, and shall be paid out of funds in the
4 Treasury not otherwise appropriated.

1 SEC. 17. That as soon as the census of eighteen hundred
2 and ninety shall furnish the necessary statistics, the money
3 herein appropriated shall be apportioned under it instead of
4 under the census of eighteen hundred and eighty.

51ST CONGRESS,
1ST SESSION.

H. R. 725.

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*the I do not think I can
even the bill you want me
before now any one will
let it. Do you or the one
provision of the plan I talk
of and, as far as I
can see, but one. This is
the idea of giving to white
schools the proceeds of
white illiteracy and the
colored schools the proceeds
of colored illiteracy.
Or rather it does not
give any thing to any
school — but requires
the State to do it.*