

# A PUBLIC SPIRIT

*George H. Atkinson's Written Legacy*

Transcribed and with a foreword by  
Donald J. Sevetson



BEECH TREE

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A Public Spirit:  
George H. Atkinson's Written Legacy

Selected, transcribed, and introduced by Donald J. Sevetson

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*Our treasure lies in the beehive of our knowledge. We are perpetually on the way  
thither, being by nature [...] honey gatherers of the mind.*

Friedrich Nietzsche

The “Bee Tree”, an iconic ivy-covered tree that stood on the Pacific University campus for many years, was already old and hollow when pioneer Tabitha Brown arrived in Oregon in 1846. Mrs. Brown started a home for orphans that would grow into Pacific University. According to the Forest Grove *News-Times*, the tree was “said to have housed a swarm of bees who furnished the little old lady with honey which she sold to buy provisions for her orphan children.”

## THREE

### A History of Early Oregon Education

In 1876 the U.S. centennial exhibition in Philadelphia sought exhibits from each state about its history and progress. George Atkinson submitted a concise history and outline of Oregon's educational activities and structures to State Superintendent of Education L.L. Rowland, who included it among the Educational and Scientific Reports that were forwarded to the committee planning the national event. Locally, it was published both in the *Oregonian* and in the Superintendent's Annual Report to the Legislature. As a result of a gift from his brother Charles, of Moline, Illinois, George was also able to travel to Philadelphia to visit the exhibition.



**Early History of the Public School System of  
Oregon, with a General Outline of its  
Legal Aspects.**

*Source:  
The Oregonian Archives  
Multnomah County Library*



*A Public Spirit*

*BIENNIAL REPORT OF THE SECRETARY OF STATE OF  
THE STATE OF OREGON*

*TO THE LEGISLATIVE ASSEMBLY, NINTH REGULAR  
SESSION—1876*

*SALEM, OREGON: MART. V. BROWN, STATE PRINTER*

*CENTENNIAL: EARLY HISTORY OF THE PUBLIC  
SCHOOL SYSTEM OF OREGON, WITH A GENERAL  
OUTLINE OF ITS LEGAL ASPECTS*

*BY REV. G.H. ATKINSON, D.D.*

**A**t the request of Hon. L.L. Rowland, M.D., State Superintendent of Public Instruction, and Chairman on Centennial History of our Public Schools, I have sketched the following items:

The legal status of our school system from the first is doubtless a fair expression of public sentiment. In tracing the more obvious principles of the school laws, we may find a concise view of the subject. Were the laws reversed, its history would be reversed also. The organic law of Oregon, article 1st, section 3d, passed in 1844, as the basis of the provisional government, provided that schools and the means of education shall be forever encouraged. At that period and under the provisional government, which continued until March, 1849, there were no public funds to maintain schools. All were supported by voluntary tax or subscription, or with mission funds. The educational sentiment had been nourished by the mission schools of the M.E. church from their commencement in 1834, and from the A.B.C.F.M. from 1836, and those of the Catholic

Church in 1841 or 1842, and doubtless by the earlier schools at Vancouver, and perhaps other posts of the Hon. Hudson Bay Co., supported by the gentlemen of that company.

It is presumed that all these local schools, though supported by private or by mission funds, were open to all classes of children and youth, and so for the public. The earlier settlers were intelligent men and women, and eager to secure permanent institutions of learning for their children in the territory, as was shown by their readiness to aid in establishing the Oregon Institute at Salem, and the Tualatin Academy at Forest Grove, which were commenced one before and one during the provisional government.

As yet no plan had been devised to sustain a system of free schools. The pioneers had no sure title to their claims. There had been no surveys of public lands. The United States Territorial Government was not then established here. There was no appropriation of the 16th section of every township for free schools, as in all new States since the ordinance of 1787. The whole subject was inchoate, except the earnest desire felt by a large majority of the people for a definite plan of action.

The commission given Rev. G.H. Atkinson by the American Home Mission Society in 1847 to labor in Oregon, instructed him to aid in the work of education. This led him to spend several weeks before coming, in carefully examining various series of school books, which resulted in the choice of Sanders' *Series of Readers and Spellers*, Thompson's *Arithmetic*, Davies' *Algebra*, Smith's *Geography*, Wilson's *History*, Wells' *Grammars*, and the *Spencerian System of Penmanship*. An invoice of \$200 was brought by him on the publishers' commission in 1848, and sold in 1848 and 1849, and an invoice of \$1,700 were soon ordered, which were in 1850 or 1851 sold in bulk to Hon. L.D.C. LaTourette, of Oregon City, whose store was the first to have a school book department, and finally re-sold to Hon. S.J. McCormick, the veteran book seller of Portland. Meanwhile Hon. J.Quinn Thornton had gone with letters of credit to Washington to present the urgent claims of Oregon to recognition by the United States Government. He had succeeded in inducing Congress to pass the bill of August 14, 1848, organizing the

Territorial Government for Oregon, which included among many other important subjects the 20th section, providing that when the public lands shall be surveyed, the 16th and 36th sections in every township shall be set apart for public schools. This act was a silent force planted in Oregon, and in every new State of the future, doubling the power of the grant secured by the Hon. Nathan Dane in the ordinance of 1787, in the interest and for surer permanent endowment of the American system of public schools.

After the arrival of the Governor, General Joseph Lane, early in the summer of 1849, a public meeting was called at Oregon City, then the capital of the Territory, by a few gentlemen, among them Hon. G.L. Curry, Hon. W.W. Buck, Dr. John McLaughlin, Rev. G.H. Atkinson, to consult upon the subject of a system of free schools. After a rather warm debate it was finally voted—only a few dissenting in an audience of 40 or 50—that it is desirable to establish a system of public instruction among the first enactments of our territorial legislature. The dissenters to this resolution were gentlemen whose early abode or training in other countries led them to the opinion that every man ought to educate his own children and wards, and not tax others to do it. Mr. Smith, of Yamhill County, who was present, did himself honor by strongly defending the American principle of educating every citizen of the nation at public cost for the preservation of the republic.

Up to the date of this meeting, efforts for the object had been chiefly individual, and without mutual knowledge or consultation. Doubtless many other minds had been moved in the same direction, who never became known to the writer. After that time the friends of education were found cooperating. Gen. Lane sought suggestions from one, and perhaps more of the gentlemen present at the meeting, and incorporated them in his first message, recommending the Legislature to pass a law establishing a system of public education. That act was passed September 5th, 1849, and was one of the first acts of the first Territorial Legislature of Oregon.

Chapter first was devoted to the school fund, providing that the interest of any funds arising from the sale of school lands be applied annually for the support of public schools, according to the reports

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of pupils of school age in the several school districts, to be made to the County School Commissioners. This principle has continued in every school law since. The revised school law of January 31st, 1853, section 1st established a common school fund, the income only to be appropriated. Section 2. The principal of all moneys from school lands, bequests, liens, fines, forfeitures or penalties to be an irreducible school fund, etc. The revised laws of January 12th, 1854, provided: Section 1. That the fund arising from the sales of school lands, and all bequests constitute an irreducible fund, the interest of which is to be annually divided among all the districts reporting schools kept in proportion to the number of pupils in each of school age, which was 4 to 21 years. Section 2 provided that the Commissioners of every county should lay an annual tax of two mills for the support of schools, and collect it with all other taxes of the county and State. Section 3 provided that the County Treasurer set apart all moneys collected from fines or any breach of penal laws of the Territory for the support of the public schools.

While these enactments did credit to the judgment of the Oregon legislators, they did greater credit to the citizens who were willing to be taxed in order to give immediate efficiency to the public school system.

These provisions have, in substance, been preserved in the revised statutes of 1866 and 1872. The revised acts of January 31, 1855, Section 7, confirmed every school district as a body corporate with power to assess and collect taxes by their legally chosen directors and clerks for school purposes. The act of January 31, 1853, section 5, gave districts the right to assess and collect taxes to support school teaching three or nine months per year. The Constitution of Oregon upon education and school lands, (See *General Laws, 1866*, p. 116, Deady):

Section 2, on the subject of a common school fund, provided that lands granted, money and property by escheat, or forfeiture; moneys on exemption from military duty; gifts, devises, bequests—grants to Stated not stated—proceeds of 500,000 acres, by act of Congress of 4th of September, 1841; 5 per cent of net sales of public lands, on

our becoming a State, if Congress consent, all shall be set apart as a separate and irreducible fund for common schools, the interest, with other revenues from school land to be applied to the support of schools in each district, and to buy libraries and apparatus.

Sec. 3. The Legislature shall provide by law to establish a uniform and general system of common schools.

Sec. 4. The Legislature shall provide by law to distribute the income of the school fund to all counties of the State pro rata to all children from 4 to 20 years of age.

Section 5 constitutes the State Board of School Commissioners, of the Governor, Secretary of State and Secretary of the Treasury, for the sale of the school lands and the investment of the funds; provided, no part of the university funds or interest be expended until a period of ten years from the adoption of this Constitution, Sept. 18, 1857, unless Congress otherwise dispose. Congress granted 72 sections for a State University and 90,000 acres for an Agricultural College. The net proceeds of sale of estrays goes to the common school fund. (*General Laws*, page 723). Forfeitures under usury laws go to the common school fund of the county (756). Fines under the license law go to the common school fund of the county (772). Also fines for violating the Sunday law, and fines for failure to obtain license and such moneys or fines (773); also fines for selling or giving liquor to minors under 18 years (774-5); fines for billiard tables and fines under the salmon laws, go to the common schools fund (831). Attorneys, Sheriffs, Constables and Justices knowing must complain and see to the execution of the laws (773). About \$500,000 worth of public school lands have been sold and part of this fund has been paying annual income for six or eight years for school purposes. About 3,000,000 of acres of Oregon school lands remain unsold.

Some of the investments of school funds, especially one or two authorized by the Legislature, have been profitless and probably failures. Generally extreme caution and care are taken by the only authorized State Board of Commissioners in making these investments.

The legal history of the School Fund reveals a steady purpose of the people to preserve and increase this princely heritage for the use of their children to the latest generation. Palsied be the hand that wastes or perverts this priceless gift.

### **STATE SUPERINTENDENTS**

The office of Territorial Superintendent of Schools, elective triennially by the Legislature, according to the law of Sept. 5, 1849, Dr. J. McBride being first Superintendent, was abolished by the act of February 1, 1851, and revived again by constitutional amendment.

Section 1 made the Governor Superintendent of Schools five years from the adoption of the Constitution, Sept. 18, 1857, thereafter leaving the Legislature to provide for electing a State Superintendent of Schools. After an additional interregnum it has been established by vote of the people and invested with *duties* of general oversight and information; the imparting of information by speech, writings and institutes; the careful collection of all facts respecting the schools and the system; counsel with the State Board of Commissioners; the provision of blanks for teachers and Superintendents, and biennial reports to the Legislature. The State Superintendent is relieved from the special oversight of the schools lands and funds—a duty imposed by the first law. This office now bids to be permanent and of increasing importance, as the population becomes more compact and the lines of travel more convenient, and the good character of the public schools more established.

### **TEACHERS' CERTIFICATES**

The cumbrous office of a trio of school examiners, appointed by the District Court for each county triennially, under the law of 1849, was made elective by the people by the act of January 28, 1851, and finally abolished by the act of January 12, 1854, and its duties of examining teachers and giving them certificates committed to County Superintendents, who have retained them until now, with the addition of assistant examiners, selected by each Superintendent from his corps of teachers. The history of this law shows that its

first idea was correct, and that its practical realization in the present mode commends its value and secures its efficiency in raising the standard of qualifications in the corps of school teachers.

## **COUNTY SUPERINTENDENTS**

The office of County School Commissioner has been continued in that of County Superintendent, with all its duties, only the name being changed, to the present time. When the office of Territorial Superintendent was abolished, by the act of February 7, 1851, his duty of disbursing the school moneys to the several districts was wisely committed to the County School Commissioner and thence transferred to the County Superintendent. Ideas, like lines of silver, trace their way by devious paths and, under much rubbish of form, yet keep their value untarnished.

No office has proved more important to our public school system than this. Its frequent and direct contact with the people in personal speech and by the press, enables the faithful officer to watch every feature of the school system in its practical working in every district, and to flash the light of the best experience and the warmth of earnest conviction upon every little company of co-workers, to stimulate their efforts and cheer their progress. It is just to say that the County Superintendent of Schools can be the local inspiration of the system, or the dead weight upon its vitality. It can be the radiant light of full reports for all the people, or the center of darkness.

## **DISTRICT DIRECTORS**

The original plan of three School Directors, elected by every district, embodied in the law of September 5, 1849, seems to be the type of all public school systems, from the New England coast to the shores of the Pacific. Its essential features have been retained in all the revised and amended school laws of our State. Section 18 of the law of 1849 made them a body politic and corporate, to execute the will of the people in renting or building of schoolhouses, hiring teachers, assessing and collecting taxes, supervising the schools,

directing the management of them after intelligent study of them by frequent visits, and, more than all, in choosing the books to be used. This trust is given on the sole condition of faithful use of the funds and full report of their work, and on the further condition of making the schools *free* to all the children of the district. It is the office that comes most directly from the people, and abides constantly under their notice. Its features have been slightly modified, but its substance remains, so that the directors, under the revised statutes, scarcely vary their duties performed under the first enactment. Once drilled to the work, a director ought to be able to serve well at any future time. The defect is in the drill practice according to law, and the result is awkward marching and poor field work ever after.

### **SCHOOL BOOKS**

The law of 1872 has assigned the choice of School Books to a State Board, for the sake of uniformity. This experiment, often tried elsewhere, has not proved all that was hoped for it. Several valuable series of school books have been used in our schools, making numerous classes in small schools in the same grade and study, and much confusion therefrom.

### **DISTRICT TAXATION**

The experiment of district taxation has succeeded only in part. In tested cases, defects have been found in some of the laws, and more in the proper action of the districts. Yet the late law has added one mill to the annual school tax, making three assessed and collected with county and State taxes. This uplift increases the school terms over the State. Complaints of the inefficiency of the system arise from neglect of working it, and from sparse settlements more than from any inherent fault that further legislation can cure. The call is for a revision of the school laws, but they have been amended repeatedly, making their operation more direct. New laws on this subject, or more of them, will not execute themselves. The best workers under the present system complain the least of it, and their fruits prove good.

## **SCHOOL STUDIES**

The class of studies required in the public schools at first—as reading, writing, arithmetic and geography—have held their place steadily. History and algebra have been added. A high school course has been pursued in a few places with good results, as a stimulus to graded schools, and a proof of the educating power of the system. The high school is to the common or grammar school what the ripe fruit is to the green, or the yellow harvest to the green fields of summer.

## **SCHOOL MORALS**

The law of 1849, requiring every teacher of the public schools to procure a certificate of qualifications and of good moral character, has been retained in every revised law, and enforced more strictly by its trial. It is a false charge that the public schools are any less moral than the private schools. The mental and moral standard of teachers as a whole has risen. From a wide observation and experience in the schools during the last twenty-seven years it can be affirmed that they promote good morals by virtue of the moral sentiment that pervades all the schools, small and large, in our State. If adverse facts are adduced, they are the exception, not the rule. That the demand for moral teachers has been made and enforced for a quarter century and more, by the whole State, and embodied in every law, is a standing witness for this truth and a withering rebuke to every one who charges the public schools with being godless and immoral. He who makes the charge insults the community in which he lives and proves himself recreant to its blessings.

## **SCHOOL DISTRICTS**

The law of Sept. 5, 1849, requiring the School Commissioners to district their entire counties has been modified to apply to the settled parts. The conflicts of districts have caused the usual disturbance incident to a new and changing and sparse population. The utmost fairness toward all parties is sought by the statute, and secured

generally by the County Superintendents, who have this duty in charge, coordinately with the people in the districts interested.

### **INFLUENCE OF OUR SCHOOLS**

The self-educating power of the school district system in all the elements of self-government has shown itself in our own as well as in other States. Its effect has been to produce a better social life among all the people and to ennoble the American citizen. Its educating power on the young, besides the class-book exercises, is of untold value. He who has noted this carefully in the State will admit its force. Its power to harmonize and mould together the diverse elements of our population has no equal. For this alone it is worth its cost. Gently and surely the free school pupils become homogeneous in habits of thinking, feeling and acting. They are thus fitted to launch into life's duties and achieve their tasks. Witness the boys and girls of our free schools in all the walks of business. Test them in private or public callings. They are the peers of any who emerge from other schools and other discipline.

### **HOPEFUL FUTURE**

In this brief review only the most salient points of the system could be touched. But a system so environed in the laws of the people; so full of their ripest judgment and noblest desires, sustained by their free will offerings year after year, should command our profoundest thought and highest admiration. Its future, springing from the present, may bear fruit richer and more abundant than its friends now think. Its stability rests not on the caprices of a few, but on its providential history and its almost perfect adaptation to the wants of a great and free people.

The log school house of the early days gives way to the neat, white, well-furnished school house of the present growing settlements. The progress in some places has become an example to others. The citizens of Portland, in 1849, raised \$2,000 by subscription for a school building. The three large public school buildings which now adorn the city and accommodate twenty-eight teachers in all the departments of a well-graded system,

attest the intelligent liberality of the citizens and the efficiency of the school directors, superintendents and teachers. The past assures the future for this city.

### **ONE DISTRICT IN A CITY**

The citizens of Oregon City, in 1850 and 1851, gave over \$4,000 to establish the Clackamas County Female Seminary, which afterwards, by purchase, became the city graded public school, and which, during the quarter century, has given knowledge to hundreds, and perhaps thousands, of pupils. The rule of making one public school district of the entire city, which has been adopted in these two places, has proved the best means of improving the schools.

### **IMPROVEMENT OF THE LOCAL SCHOOL**

The habit of sending their children from the country to the city schools, adopted by the richer farmers, on the principle that every man must look out for his own, is perhaps slowly yielding to the purpose to spend the money in providing better country schools. In carrying out this plan the best results will accrue to the greatest number of people and raise all the schools of the State to an equality in character. It is proper to notice the efforts of the citizens of Portland to make their public school a model. They have given liberally of their time and of their money during a quarter of a century to perfect their own schools. Men of wealth and high social and professional standing have consented to serve as directors, and to employ every means to make the system a success. They have proved that it is an enterprise that rewards faithful care and repays well for the investment.

Some schemes do not bear culture or handling, but our public school system will bear to be worked, as you work a garden, until every square inch bears a fruitful plant instead of a weed or a thorn. Its success in our city, from the first growth upward, commends it to every town or city, which stands in doubt, and to every settlement that would put the best magnet to draw a choice population. With all the advantages in sparsely settled districts—and we know

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they exist—the advantage of a good school, which everyone can have three, or six, or nine months, is more than mills, stores and roads can bring. No investment of a district pays so well to all the interests of a family as a first-class public school. It is a central light, attractive, quickening, guiding, even controlling the mental and moral forces of the young, and shaping very much their plans and habits, thus enriching a people by its power, more than the richest bonanza of silver and gold.

Biennial Report of the Secretary of State of the State of Oregon to the Legislative Assembly, ninth regular session, 1876. Oregon Historical Society.