

IN SENATE, MARCH 28, 1851.

REPORT

Of the committee on Literature on the communication from the Regents of the University, relative to certain Academies instructing common school teachers.

The committee on literature, to which it was referred by the Senate, have had under consideration the following communication from the Regents of the University, asking relief at the hands of the Legislature for certain Academies appointed to instruct common school teachers.

To the Hon. SANFORD E. CHURCH,

President of the Senate:

Sir—The Legislature of 1849 were pleased to impose certain duties on the Regents of the University, by virtue of an act passed March 30, 1849, chap. 174, sec. 2. The reports consequent on this enactment have been under the consideration of a special committee consisting of the Governor, the Lieutenant Governor and the Secretary of State, and I have now to communicate their views on the same, and which have been unanimously approved by the Regents.

It is earnestly desired that the Legislature will sanction the opinions here expressed, with their early and favorable approval, in the form of an act for the relief of the respective academies herewith designated.

By order of the Regents of the University.

G. Y. LANSING, *Chancellor.*

January 27, 1851.

[Senate, No. 58.]

Extracts from the minutes of the Regents.

The committee to which were referred the reports of the academies selected by the Regents to instruct in "the science of common school teaching," pursuant to the provisions of an act passed March 30, 1849,

REPORT :

That the law above referred to is in the following words. (Session laws of 1849, chap. 174, sec. 2.)

"The treasurer shall pay, on the warrant of the Comptroller, out of the income of the United States Deposit or Literature Fund, not otherwise appropriated, to the trustees of one or more academies, as the Regents of the University may designate, in each county in this State, the sum of two hundred and fifty dollars per year for the years 1850 and 1851, provided such academy or academies shall have instructed in the science of common school teaching for at least four months during each of said years at least twenty individuals, but no such one county shall receive a larger sum than two hundred and fifty dollars."

In compliance with the directions thus given, the Regents, acting merely as the administrators of the law, appointed the Secretary of State, the Governor, and Mr. Pruyn, to consider and report on any applications that might be made to them for the above purpose, and agreed to meet early in the autumn to make the contemplated appointments. Public notice of the above was given in the State paper.

The Regents accordingly convened on the 20th of September 1849, sixteen members being present. The committee reported that they had received applications from 57 academies, (subsequently increased to 64) that they were of opinion, that no more than one academy should be selected in a county, and after canvassing the merits of contending applications, they reported in favor of the selection of 38 academies, subsequently increased to 45.

In making this choice, it was, in a measure, morally impossible to make it universally acceptable, but the selection was a necessary consequence from the terms of the law, and if even two had been selected in one county, still a number would necessarily have been passed by.

The Secretary of the Board was required to prepare a form of an annual report, based on the law and the propositions of the committee. A circular was issued and distributed to each academy that had been selected. The report was required to contain the names and ages of pupils instructed, and if males they were required to be sixteen years of age and upwards, and if females, fourteen years and upwards. The academies, through their trustees and principals were to specify the exact period during which instruction was afforded; whether that instruction was given free of charge, whether the pupils thus instructed had signed a pledge that they would devote themselves for a reasonable time, to the business of common school teaching; whether any additional teachers had been employed for this purpose, and whether the pupils had been taught with, or separately from the other pupils in the academy, and finally whether the instruction had been given during a continuous term of time, or during distinct intervals.

The committee have received returns for the year 1850, from 42, out of the 45 academies so selected; while from three nothing has been as yet heard. According to these reports instruction has been afforded, in the 42 academies so reporting, to 267 males, and 582 females, being a total of 949, and an average of about 22 to each academy. The average ages of the males differ from 16 to 21 years, and that of females from 15 to 23, as will be seen by the accompanying schedule. All have signed the required pledge, except in one academy, where the principal through inadvertence, neglected to take it.* The pupils are however certified by him, to be at the present time, either engaged in common school teaching, or pursuing the study under him.

Out of the whole number (42) it is stated that an additional teacher was engaged in 16 of the academies. It appears however, that in nearly all, the principal devoted extra time, in instructing in the science, this particular class.

One academy does not specify whether the instruction was given during a continuous term, or during distinct periods of time. Of the remainder it appears that the instruction was continuous with 627, and otherwise with 289.

* There is one academy in which the pledge was oral.

Difficulties now, however, arise in the construction of portions of the law, by various academies. The letter of it requires that the instruction should be during "*four months*." No sooner had the selection of the academies been made, than inquiries were presented as to the construction of this phrase. The Regents desire it to be understood, that at a now distant period, the academies out of large cities, generally changed their terms from the ancient and established four quarters in the year, to three terms, and the necessary result of this, owing to the occurrence of vacations, was, that the time actually devoted to instruction was 14 or 15 weeks. A representation of this fact from so great a number, led to a relaxation of the requisition also contained in the law, distributing the income of the Literature and United States Deposit Funds, and in which "*four months*" instruction was also specified. Accordingly it was so stated in the "*Instructions*" issued by the Regents from time to time, that a term of fourteen weeks of continuous instruction would be considered as coming within the purview of the law. The subject has been intimated to the Legislature in one or other of the annual reports of the Regents, and their acquiescence may be considered as in a measure, a sanction of the course adopted.

So also with the law passed April 23, 1834, and continued by successive enactments to the present year, directing certain sums, under special conditions, to the purchase of "*new text books, maps, globes, or philosophical or chemical apparatus,*" the Regents soon came to the conclusion that the term "*new text books,*" should for the benefit of academies be construed to mean all works fit and proper for an academic library. They expressed their intention of so doing, unless the Legislature should direct otherwise. No such direction has been given, and the result has been favorable to the formation of many valuable collections of books of general utility.

But this system of construction assumes a different shape, when, as in the present case, the Regents act merely as the administrators of a law, passed it should be understood, without any reference to them, as to its feasibility and at a time when its success seemed to be intimately connected with that of the general law giving the annual stipend to academies. The institutions selected also, asked for their appointment, with a knowledge of the requirements of the law, and it would certainly seem strange, were it not so natural, to construe

things in our own favor, that they should in so many instances, as will be presently seen, have disregarded its provisions.

Aware, by the correspondence of the Secretary, duly reported to them, that some difficulty might occur, in the consideration of the reports, the Regents not long since, issued a circular to the academies interested, stating that they would under all the circumstances consider *fifteen weekly*, as equivalent to the four months named in the law. They entertained the hope, that this would meet all the doubtful cases. But they have been seriously disappointed.

The following abstract from the returns will present the facts on this subject :

Of 42 academies reporting, 17 appear to have instructed during four months in the year 1850, twenty or more pupils in common school teaching and would seem to have complied with all the requirements of the law.

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|-------------------------------|----------------------------------|
| 1. Binghamton Academy, | 10. Liberty Normal Institute, |
| 2. Brockport Collegiate Inst. | 11. Lowville Academy, |
| 3. Brooklyn Female Academy, | 12. Oxford Academy, |
| 4. Coxsackie Academy, | 13. Plattsburgh Academy, |
| 5. East Bloomfield Academy, | 14. Schoharie Academy, |
| 6. Franklin (Malone) Academy | 15. Washington Academy, |
| 7. Genesee & Wyoming Sem. | 16. Wilson Collegiate Institute, |
| 8. Jef. Co. Institute, | 17. Yates Academy. |
| 9. Kinderhook Academy, | |

Again, the following have taught twenty or more pupils during 1850, for fifteen weeks, that being the least term of any of the pupils reported, although there are quite a number also reported for sixteen weeks and upwards:

- | | |
|------------------------------------|-----------------------------|
| 1. Amenia Seminary, | 8. Oswego Academy, |
| 2. Aurora Academy, | 9. Red Creek Union Academy, |
| 3. Cayuga Academy, | 10. Rome Academy, |
| 4. Delaware Academy, | 11. Sandlake Academy, |
| 5. Franklin (Prattsburgh) Academy. | 12. Seneca Falls Academy, |
| 6. Glen's Falls Academy, | 13. Westfield Academy, |
| 7. Ithaca Academy, | |

Under the circumstances above stated, the committee recommend that the Chancellor and Secretary be directed to notify the Comptroller, that the above academies are respectively entitled to the appropriation by law.

The remaining academies are thus circumstanced :

1. Fairfield Academy has instructed twenty-three students during fourteen weeks, being a full term of instruction.

2. Cortland Academy has instructed twenty-four students during fourteen weeks, being a full term of instruction.

3. Genesee Wesleyan Seminary has instructed twenty-nine students, and of these eighteen during fifteen weeks and eleven during fourteen weeks.

4. St. Lawrence Academy has instructed twenty students during fourteen weeks.

5. Friendship Academy has instructed twenty students, a part during fifteen weeks and the remainder during fourteen weeks.

The first four of those enumerated are among our oldest and best regulated academies, and they have no doubt acted in good faith, under the idea that one of their terms fully devoted to instruction was equivalent to the requirements of the law.

6. Oneida Conference Seminary. This institution has instructed a large number of pupils in common school teaching ; but the twenty claimed by it have been instructed from Dec. 19, 1849, to March 29, 1850, being fifteen weeks in all, but only thirteen weeks in 1850.

7. Monroe Academy. The whole number claimed (20) were instructed from Nov. 26, 1849, to March 16, 1850, (about 11 weeks in 1850.)

8. Mexico Academy. Of twenty-four reported, eight were taught during fourteen weeks, eight during twenty-two weeks, and eight were taught from Nov. 27, 1849, to March 1, 1850, (eight weeks in 1850.) The trustees represent that they understood the meaning of the term "year 1850" in the form of the report, to mean the academic year.

The following do not report the required number of pupils :

9. Middlebury Academy, had a class of twenty-five students free of charge, but of these only seventeen have been instructed for the required time. These seventeen, indeed, are claimed for a period of eight months' study.

10. Stillwater Seminary. Twelve were taught during four months, seven during fourteen weeks, one eight weeks and one four weeks.

11. Kingsborough Academy has instructed only seventeen pupils during fourteen weeks, but others have been taught free of expense for a less period.

12. Kingston Academy has instructed only sixteen pupils during fourteen weeks and upwards, but a large number of others have been taught, free of charge, for a less period.

The committee are of opinion that if there be any academies pre-eminently entitled to relief, it is these last. It appears by the correspondence on file, that every effort was made to raise the respective classes to the required number, but that in some cases through wilfulness, and in others through sickness, there was an unavoidable diminution.

On a view of the collective reports, the committee are of opinion that measures should be taken for the relief of all concerned. They are of opinion that the full amount offered should be granted to all who have instructed fourteen weeks, whether in 1850, or in 1849 and 1850; and also that a *pro rata* distribution be made to those who have instructed a less number than twenty.

The total result is, at all events, a satisfactory one. *Nearly one thousand persons have been instructed in common school teaching during the year 1850.*

The committee, however, entertain serious doubts whether the Regents can certify to the Comptroller that the last ten academies have fully complied with the requisitions of the law, and they therefore conclude with offering the following resolution :

Resolved, That the present report, with its accompanying schedule, (and all papers and correspondence relating to the same, if required,)

be forwarded to the Legislature, attested as usual with a respectful request that they will give the subject their most favorable consideration.

(Signed,)

CHRISTOPHER MORGAN,
WASHINGTON HUNT,
S. E. CHURCH.

Whereupon the Regents unanimously agreed to said report and the recommendations contained in the same, and it was directed to be forwarded to the Legislature.

A true extract from the minutes of the Regents.

T. ROMEYN BECK, *Secretary.*

SCHEDULE

Accompanying the Report of the Regents of the University, on instruction of common school teachers by academies.

NAMES OF ACADEMIES SELECTED.	COUNTIES.	No. of pupils instructed free of charge.			Average ages of pupils.		Whether an additional teacher was employed.	Whether the pupils were taught with the other pupils of the academy.	Whether there was separate instruction in common school teaching.	Whether the instruction was continuous or not.		Actual period of time employed in the instruction of the said pupils.
		Males.	Females.	Total.	Males.	Females.				Continuous.	Not continuous.	
1. Amenia Seminary,.....	Dutchess,	12	8	20	19	18	no,.....	yes,....	yes,....	19	1	Fifteen weeks.
2. Aurora Academy,.....	Erie,	4	29	33	17	16	no,.....	yes,....	yes,....	not spec'f'd	27	Fifteen weeks and upwards.
3. Binghamton Academy,.....	Broome,	16	11	27	21	19	yes,.....	no,....	yes,....	27	2	Seventeen weeks.
4. Brockport Collegiate Institute,.....	Monroe,	7	17	24	20	17	yes,.....	no,....	yes,....	22	2	Four months.
5. Brooklyn Female Academy,.....	Kings,	7	20	20	16	no,.....	yes,....	yes,....	yes,....	20	.....	Four months.
6. Cayuga Academy,.....	Cayuga,	15	9	24	19	18	yes,.....	yes,....	yes,....	.....	24	Fifteen weeks and upwards.
7. Cherry Valley Academy,.....	Otsego, .....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
8. Cortland Academy,.....	Cortland,.....	13	11	24	19	19	no,.....	in part,	yes,....	.....	24	Fourteen weeks.
9. Cocksackie Academy,.....	Greene,	2	18	20	20	16	not stated	in part,	yes,....	19	1	Four months.
10. Delaware Academy,.....	Delaware, ...	10	23	33	19	17	yes,.....	in part,	yes,....	.....	33	Fifteen weeks and upwards.
11. East Bloomfield Academy,.....	Ontario,.....	4	16	20	18	20	yes,.....	in part,	yes,....	18	2	Four months.
12. Elmira Academy,.....	Chemung,.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
13. Fairfield Academy,.....	Herkimer, ...	18	5	23	20	20	yes,.....	yes,....	yes,....	23	.....	Fourteen weeks.
14. Franklin (Malone) Academy,.....	Franklin, ...	5	16	21	19	16	no,.....	yes,....	yes,....	21	.....	Four months.
15. Franklin (Prattsburgh) Academy,.....	Steuben,	7	15	22	19	20	no,.....	yes,....	yes,....	20	2	Fifteen weeks and upwards.
16. Friendship Academy,.....	Allegany,	6	14	20	19	21	no,.....	yes,....	yes,....	16	4	Fourteen and fifteen weeks.
17. Genesee Wesleyan Seminary,.....	Livingston, ..	25	4	29	19	23	no,.....	in part,	yes,....	29	.....	Fourteen weeks and upwards.
18. Genesee and Wyoming Seminary,.....	Genesee,	1	19	20	16	16	no,.....	yes,....	yes,....	20	.....	Four months.
19. Glen's Falls Academy,.....	Warren,	4	17	21	18	17	no,.....	yes,....	yes,....	21	.....	Fifteen weeks and upwards.
20. Ithaca Academy,.....	Tompkins,	8	13	21	19	16	no,.....	yes,....	yes,....	21	.....	Fifteen weeks and upwards.
21. Jefferson County Institute,.....	Jefferson,.....	11	9	20	18	18	no,.....	yes,....	yes,....	19	1	Four months and upwards.

22. Kinderhook Academy,.....	Columbia, ...	4	16	20	18	16no,.....	in part,	yes,....	9	11	Four months and upwards.
23. Kingsboro' Academy,.....	Fulton,.....	13	4	17	18	15yes,.....	yes,....	yes,....	17	.....	Fourteen weeks.
24. Kingston Academy,.....	Ulster,.....	2	14	16	21	18no,.....	yes,....	yes,....	16	.....	Fourteen weeks and upwards.
25. Liberty Normal Institute,.....	Sullivan,.....	4	16	20	21	17no,.....	yes,....	yes,....	20	.....	Four months.
26. Lowville Academy,.....	Lewis,.....	11	9	20	18	18no,.....	yes,....	yes,....	20	.....	Sixteen weeks.
27. Mexico Academy,.....	Oswego,.....	13	11	24	19	18no,.....	yes,....	yes,....	8	16	Fourteen weeks.
28. Middlebury Academy,.....	Wyoming,...	5	12	17	19	18not stated	yes,....	yes,....	17	.....	Eight months.
29. Munro Academy,.....	Onondaga,...	6	14	20	19	18yes,.....	yes,....	yes,....	20	.....	Fifteen weeks.
30. Oneida Conference Seminary,.....	Madison,.....	13	8	21	18	19no,.....	in part,	yes,....	21	.....	Fourteen weeks.
31. Owego Academy,.....	Tioga,.....	9	13	22	19	18no,.....	yes,....	yes,....	12	10	Fifteen weeks.
32. Oxford Academy,.....	Chenango,...	30	34	64	20	18yes,.....	in part,	yes,....	.....	64	Four months.
33. Plattsburgh Academy,.....	Clinton,.....	7	14	21	19	17yes,.....	yes,....	yes,....	.....	21	Four months.
34. Red Creek Union Academy,.....	Wayne,.....	5	15	20	20	18yes,.....	yes,....	yes,....	.....	20	Fifteen weeks.
35. Rome Academy,.....	Oneida,.....	9	11	20	19	18no,.....	yes,....	yes,....	20	.....	Fifteen weeks.
36. Sag Harbor Institute,.....	Suffolk,.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
37. St. Lawrence Academy,.....	St. Lawrence, ..	15	5	20	20	17yes,.....	yes,....	yes,....	20	.....	Fourteen weeks.
38. Sandlake Academy,.....	Rensselaer, ..	6	14	20	19	17no,.....	yes,....	yes,....	18	2	Fifteen weeks and upwards.
39. Schoharie Academy,.....	Schoharie,...	5	15	20	18	17no,.....	yes,....	yes,....	.....	20	Four months.
40. Seneca Falls Academy,.....	Seneca,.....	3	18	21	18	17yes,.....	yes,....	yes,....	17	4	Fifteen weeks and upwards.
41. Stillwater Seminary,.....	Saratoga,.....	4	15	19	19	17no,.....	in part,	yes,....	19	.....	Fourteen weeks and upwards.
42. Washington Academy,.....	Washington,...	7	13	20	17	16yes,.....	yes,....	yes,....	20	.....	Seventeen weeks.
43. Westfield Academy,.....	Chautauque,...	7	13	20	18	19yes,.....	yes,....	yes,....	20	.....	Fifteen weeks.
44. Wilson Collegiate Institute,.....	Niagara,.....	9	13	22	19	19no,.....	yes,....	yes,....	22	.....	Four months.
45. Yates Academy,.....	Orleans,.....	12	11	23	21	18yes,.....	yes,....	yes,....	23	.....	Four months.
<i>Received since the report to the Legislature:</i>		367	582	949	.....	16	.....	.....	627	289	.....
7. Cherry Valley Academy,.....	.....	11	9	20	21	17yes,.....	yes,....	yes,....	20	.....	Fourteen weeks.
12. Elmira Academy,.....	.....	10	12	22	18	21no,.....	yes,....	yes,....	22	.....	Fourteen weeks.
36. Sag Harbor Institute,.....	.....	.....	1	1	.....	.....	.....	.....	.....	.....	.....
		388	604	992	.....	17	.....	.....	649	289	.....

In view of the preceding statements, your committee report, that it appears entirely proper that those academies which have not literally and fully complied with the terms of the law of 1849, should receive only a ratable proportion of the sum to which they would have been entitled, had they instructed twenty individuals during four months. The requisitions of the law are sufficiently clear, and it does not therefore avail the deficient academies to plead that by the word "year" they understood "academical year." The convenience of teachers may lead them to divide the year into any number of school terms they choose, but the phrase "four months" has a distinct meaning, which ought to compel a literal fulfilment of the provisions of the act.

The kind permission of the Regents to delinquent academies, as set forth in their circulars, issued not long since, to call *fifteen weeks* "equivalent to the four months named in the law," failed to accommodate the difficulty.

The Regents confess themselves "seriously disappointed, and report only seventeen academies as fully coming within all the requirements of the law. Thirteen academies have taught twenty pupils each during fifteen weeks; and it was determined to notify the Comptroller that the above thirty academies were respectively entitled to the appropriations by law."

The Regents of the University having always very properly acted as the interpreters of the law in such cases, there can be no impropriety in authorizing them to make such pro rata distribution of the money granted by the second section of the act of March 30, 1849, as they may see fit. The relief sought by various academies can be most appropriately granted by those best acquainted with the details of their operation and with their individual merits. The committee on literature would therefore recommend that an act be passed, conferring upon the Regents the necessary authority; and that, in view of the great benefits which have arisen from the grant of money to such academies as might instruct in the science of common school teaching, during the years 1850 and 1851, provision be made by law

for the continuance of such grant. The Constitution provides that such money appropriations shall not continue longer than two years, and the present session is therefore the proper one in which to enact the necessary statute.

Nearly twelve thousand common school teachers are required to supply our schools. Our Normal School can furnish but a very small fraction of that number, and is indeed chiefly valuable for raising the standard of qualification among teachers—for showing how superior a teacher may be made, by training, to another who gets his education by hap-hazard. Teaching is a noble art. The tendency of the times is to elevate that art into one of the highest of the learned professions. It ought to stand next to the pulpit; for upon the *children* depends the State. We ourselves will, many of us, live to feel the legislation of the little ones that now fill the district schools. The happy result of the law of 1849 has been to instruct nearly *one thousand* persons in common school teaching during the year 1850.

The Governor of Massachusetts has beautifully remarked, that you may know where a normal school is situated, in that State, by the higher intellectual culture of the neighborhood; just as you discover, in the more luxuriant grasses upon a farm, the spot where manures have been generously applied.

Your committee earnestly hope that every academy in the State will soon find its most profitable, as well as most creditable, pupils to be its class of future common school teachers.

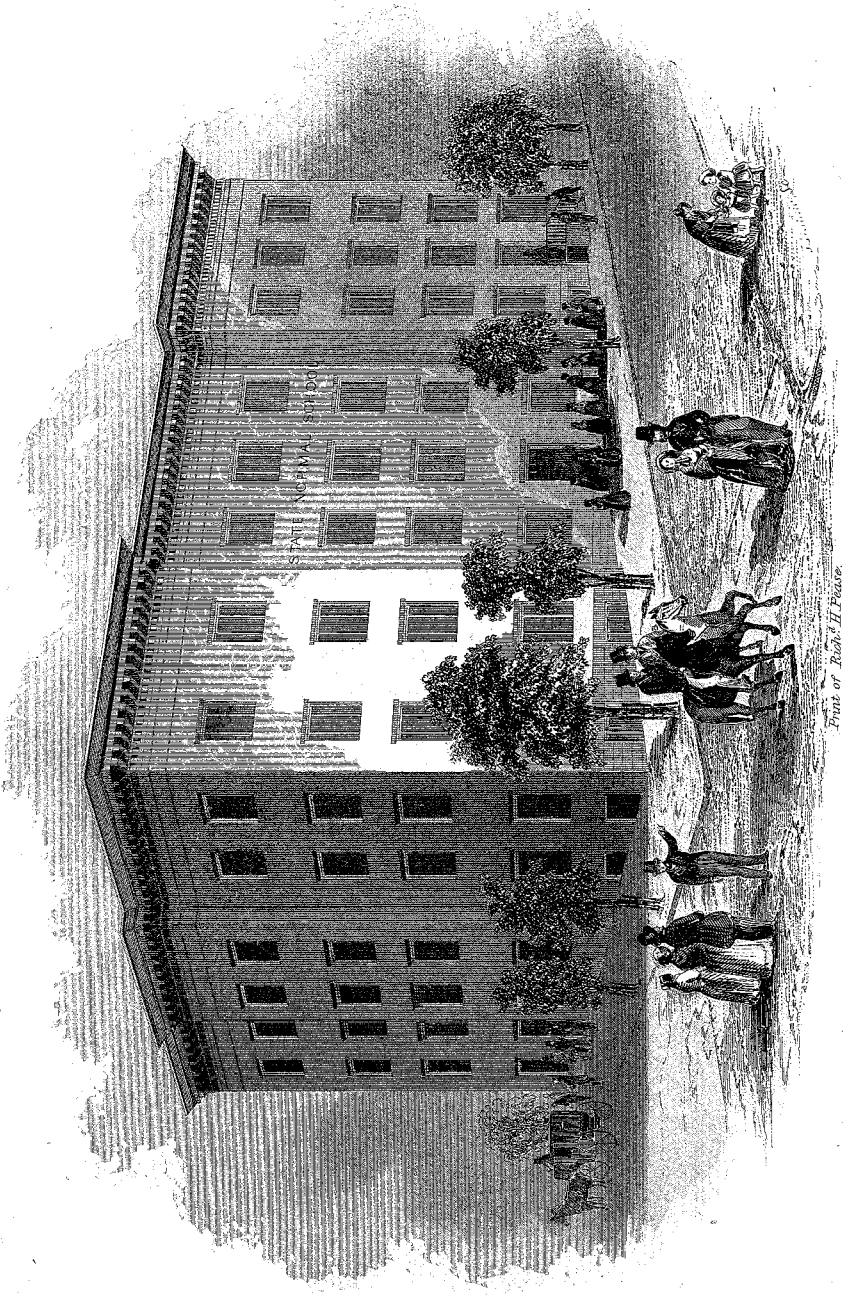
The true way to learn is to teach; and the path to fame, in this country, has often led past the teacher's desk.

In accordance with the preceding recommendations, your committee has reported as one of the clauses of Senate bill No. 165—being an act appropriating the revenues of the Literature and United States Deposit Funds—the necessary provision by law to sustain permanently the system of instruction, by the academies of this State, in the science of school teaching. At present, no academy can receive more than

\$250. It is recommended that a sum be allowed for each scholar, not exceeding twelve and a half dollars—which is the proportion now observed—and that the Regents have discretion to allot the monies apportioned as the merits of each case may appear to them to deserve.

All which is respectfully submitted.

JAMES W. BEEKMAN,
SAMUEL MILLER.



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NORMAL SCHOOL BUILDING,