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### 1844 August: Elias N. Conway, Auditor of Arkansas, to County Clerks, Concerning the Common School Fund

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AUDITOR'S OFFICE, LITTLE ROCK, ARK., AUGUST, 1844.

To

Clerk of

County, Ark.

SIR—By section 31 of "An act to establish a system of Common Schools in the State of Arkansas," approved February 3d, 1843, the sum of one thousand dollars was appropriated out of the Common School Fund for the purchase of Books for the use of Common Schools in this State.

The Auditor of the State, by himself or agent, was authorized to expend the aforesaid sum for school books, and to distribute them to the Boards of Commissioners of the several counties in proportion to the number of children in each county, between the ages of five and twenty-one years. The Common School Fund, as it accrued, was deposited in the Bank of the State of Arkansas, at Little Rock. Some time after the appropriation aforesaid was made, I applied, in person and in writing, to the officers of the Bank, for the one thousand dollars *in specie or par funds*, (as the law required that the books should be purchased "in some Eastern city,") but they refused to pay any thing but *Arkansas Bank paper*, which I declined receiving, as such funds could not be used in any of the eastern cities. To have received and disposed of the \$1000 in Arkansas Bank paper for par funds, would have reduced the small appropriation at least one-half; so that there would have been a great loss to the School Fund, and but few books could have been purchased. I have therefore left the matter subject to the action of the Legislature at the approaching session.

Section 39 of the act aforesaid, provides for the distribution of the Saline Fund. To distribute this fund for school purposes, would be in violation of the act of Congress under which it was raised; that act requiring it to be expended in making roads, canals &c. This fund is, however, so small that but little would have been gained by its distribution.

The officers of the Bank have decided that section 41 of the school law was repealed by sections two and eight of "An act making appropriations" &c., approved Feb. 3d, 1843. The surplus revenue fund will not, therefore, be distributed for school purposes, it having been otherwise appropriated by law.

I have been and am still collecting information in relation to common schools, and the kinds of books most approved of in other States for the use of such schools; where and upon what terms such books can be obtained, with other information deemed useful for the members of the Legislature, to enable them to remodel and simplify our school law and render it more practicable and less complicated in its operations.

It will therefore be necessary to learn what action has been taken throughout the State, under the present law, towards disposing of the sixteenth sections, and organizing the system for which the law provides. I feel confident that you will be willing to communicate all the information for which I ask, since it is sought with the view of showing what has been done and how much yet remains to be done by legislators and the people, to place within the reach of the rising generation, in our State, the means essential to their mental culture. Have three School Commissioners for your county been appointed under section 40 of our school law?—If so have they given bond and qualified as required by law? If they have please give their names. In how many and in what townships have Township Trustees and Commissioners been elected in your county? Have such Trustees and Commissioners given bond and qualified as required by law? If so give their names and designate the townships in which they were respectively elected to act. If any sixteenth sections have been sold in your county, you will please designate them by township and range, and state the price for which each was sold; and if only part of any section has been sold, designate the part and the price at which it was sold. If any sixteenth sections have been leased, designate them by township and range, and state for how long, and what price, per annum, they were leased.

If any money has been received by Township Commissioners for school lands sold by them, state in which townships and how much, and what disposition has been made of the money? If loaned out, at what rate of interest was it loaned? Have the Township Trustees taken for the year 1844, "an enumeration of all the unmarried children in their respective townships, between the ages of five and twenty-one years," as provided by section 23, of the common school law? If so you will please make out the report required by section 24 of said act, according to the enclosed form. What amount of money has been paid into the county treasury under sections 37 and 42 of said act? Please state the amounts separately.

I would thank you to furnish this office with your report and answer to this communication, as early as convenient, so that I may be prepared to make a report on this subject at the meeting of the Legislature.

Very respectfully, your obedient servant,

ELIAS N. CONWAY,

*Auditor of Arkansas.*

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