

In 1837, the General Assembly again considered public education. The interest on Maryland's share of surplus federal revenue (roughly one million dollars invested at 5 percent) was set aside to support free schools (Chapter 285, Acts of 1837). Half was to be distributed according to the proportion of the "white" population; the other half was to be divided into twenty-one equal parts with a part allotted to each county and Baltimore City. In anticipation of these funds, the House Committee on Education had looked into the expediency of establishing a uniform system of public education and the propriety of using the State's share of surplus federal revenue for education. The Committee's report in 1836 favored a general system of public instruction supported by a combination of State funds and district taxation, such as that set up by the 1825 law, which since its passage had "slumbered on the statute book" (Maryland Public Documents, 1836, O). The report then cited Anne Arundel County as an example of the successful implementation of the act, even though it had been amended to meet local needs. Also, the Committee had been unable to obtain any statistics about the Anne Arundel County schools and went by hearsay. The Committee could not agree on whether to continue support to academies and colleges or use those funds to establish a university. The majority thought that a university would benefit only the wealthy.

Despite the Committee's belief that the 1825 act made the best provision for schools in Maryland, the legislature in 1842 directed the Secretary of State, the Treasurer of the Western Shore, and the State Librarian to draft new legislation in the form of a code for the government of common schools and for the promotion of general education. They studied the organization of schools in New England and New York and concluded that Maryland's great deficiency was the lack of an administrative head. (Under the 1825 act, Maryland's Governor had appointed a Superintendent of Public Instruction, but after 1827 no one seems to have served in that capacity.) Northern states required annual reports from each school district which were then compiled for legislative review. In Maryland, the Committee in 1836 could not get statistics from a single county; for the 1843 report, statistics were requested from all twenty-one counties. Only fourteen responded, and the information submitted was incomplete. The proposed Code for the Support of Common Schools presented to the legislature in 1843 retained much of the local structure found in the act of 1825. Following New York and Pennsylvania practice, it designated the Secretary of State as Superintendent of Common Schools. It also required local districts to raise revenues before State funds were released to them. The proposed code required of Baltimore City only an annual report and stopped appropriations to all private institutions and academies, except St. John's College and Charlotte Hall Academy. The code proposed in 1843 was never enacted.

Debate over public education continued at the Constitutional Convention of 1850-1851. Where legislation had repeatedly failed, constitutional provision might succeed. The Convention's committee on educational matters recommended a permanent and adequate school fund, a uniform system of public school education, an elected superintendent of education, and a normal (or model) school to train teachers. Old grievances over distribution of the Free School Fund caused the proposal to be postponed. The more populous counties and Baltimore City believed a State system would continue to deprive them of their fair share of educational funds, and smaller counties did not want to change a distribution which benefitted them. The proposal was not revived.

*State Board of Education.* Maryland's first provision for uniform statewide education was adopted by the Constitutional Convention of 1864. Votes of Union soldiers helped ratify the Constitution of 1864, and, because an oath was required at the polls, many Maryland voters with Southern sympathies were disenfranchised. Only in effect for about two years, the Constitution of 1864 propelled public education forward, mandating a uniform system of free public education, a State Superintendent of Public Instruction, a State Board of Education, county school commissioners, an annual State tax to support free public education, and a permanent State school fund. The legislature was prohibited from passing local laws concerning education. The State Superintendent was appointed by the Governor and immediately was required to submit a plan for the organization of free public education. If the legislature bogged down in old controversies and failed to enact a bill within the new constitutional framework, the plan of the Superintendent would become law. The State tax of ten cents on every hundred dollars of property was to be distributed to the counties and Baltimore City in proportion to their population between ages five and twenty years.

In 1865, the first State Superintendent of Public Instruction proposed the establishment of free primary schools, grammar schools, one high school per county, a normal school, and a university, as well as separate schools for Negroes, the blind, deaf, handicapped, and the imprisoned. Attendance would be compulsory. The General Assembly adopted portions of his plan. In 1865, Maryland shifted from local control of schools to a highly centralized system whereby the State Board with the State Superintendent selected textbooks, set the curriculum, certified teachers, approved school building designs, and distributed State funds. Appropriations to academies were continued just until county high schools could be established. Taxes assessed against Negroes were set aside for schools for Negroes under the jurisdiction of the State Board of Education, although few, if any, were started. In 1865, Maryland began a formal system of segregated schooling that continued for ninety years.

*Board of State School Commissioners.* Opposition to State control came from the formerly disenfranchised voters of 1864 and from Baltimore City. They perceived the change as too sweeping, the cost too great. In 1868,