

1955

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Recommended Citation

Pyburn, Nita Katharine (1955) "David Selby Walker: Educational Statesman of Florida," *Florida Historical Quarterly*. Vol. 34 : No. 2 , Article 6.

Available at: <https://stars.library.ucf.edu/fhq/vol34/iss2/6>

DAVID SELBY WALKER (1815-1891)

EDUCATIONAL STATESMAN OF FLORIDA *

by NITA KATHARINE PYBURN

David S. Walker was a leader of distinguished ability during the formative years of the government of Florida. In addition to practicing his profession as a lawyer, he was at all times actively engaged in assuming his responsibilities as a citizen in his home community, Tallahassee, and in his State, holding various positions of trust, including elected and appointive offices.¹ At various times he was intendant (mayor) of Tallahassee, a member of the Florida House of Representatives, of the Florida State Senate, Register of Lands and *ex-officio* Superintendent of Schools for the State during the 1850's, Associate Justice of the Florida Supreme Court during the War for Southern Independence, and a governor of the State in the Reconstruction period (1866-1868). After 1868, he was engaged in the practice of law and in his personal business enterprises until his appointment as judge of the Second Circuit Court of Florida in 1879. Throughout his long life, regardless of the position held, he actively encouraged education.²

Lawyer and citizen Walker, a man of dignity, yet unassuming, would probably be surprised if he knew he was considered the father of state education in Florida. As is the democratic way, he worked in different groups at different times, with numerous objects in view, but apparently the object nearest his heart and for which he worked consistently over a long

* Dr. Pyburn's thesis: that David S. Walker was the father of public school education in Florida, is fully proved in this article. (*Ed.*)

1. David S. Walker (1815-1891) was born in Logan County, Kentucky. His father, David, was a lawyer and congressman; his grandfather, George, was a colonel in the British Army. After receiving his education in Kentucky and Tennessee, David came to Tallahassee in 1837 where he was admitted to the bar. He was a Royal Arch Mason, a member of the Episcopal Church, and a Democrat.

2. *Florida Senate Journal* 1845; *House Journal* 1848, 1849, 1865, 1868; *Supreme Court Records and Reports*; *Minute Book* of the Circuit Court, 2nd, Leon County.

period was democratic education. He believed that the government was based on the character and education of the people. In one of his official reports he wrote, "Certainly under our free government nothing whatsoever can be of more importance than the general education of the people, since upon their intelligence and virtue depends the very existence of our institutions."³

D. S. Walker, with others, worked out, step by step, in Florida the beginnings of universal education for citizenship at the same time and much in the same way it was being developed in other states. One of the first things the group did was to create a publicly supported school in Tallahassee free to all children, which was said to be one of the first of its kind in the South.⁴ The first step in this creation was an experiment with a free school carried on there from 1850 to 1853, in which all boys "not under the age of seven, residing within the corporate limits of Tallahassee, were to be admitted free. . ."⁵ In financing this free school there was an important departure from precedent in the use of public money. The town had used part of a fund (fire) for education of the children of the indigent which was the traditional way. In 1852, as intendant (mayor), D. S. Walker was instrumental in securing the use of the fund for the education of all the children in the free school, the democratic way.⁶ This principle of universal education was adopted state-wide by the school law of 1853, Florida being the fourth state in the Union to take this step.⁷

The early experiment with a free school in Tallahassee was discontinued in 1853, but the idea was not given up. The same men who worked to establish the school, worked for the location of the West Florida Seminary in Tallahassee. According to the

3. *Report of the Register of Public Lands and Superintendent of Common Schools*, 1854, pp. 3-10.

4. George Gary Bush, *History of Education in Florida*, Bureau of Education, Circular of Information No. 7, 1888: Washington, 1889, p. 16.

5. *Floridian and Journal*, (Tallahassee) March 30, 1860.

6. William G. Dodd, "Early Education in Tallahassee, Part I," *The Florida Historical Quarterly*, July 1948, p. 19.

7. E. P. Cubberley, *Public Education in the United States*, p. 205.

agreement, the city pledged \$1,500 to be used to pay the tuition of children (boys) of Tallahassee including those in the preparatory department, "in such manner as should be agreed upon between the governing board of the Seminary and the corporate authorities."⁸ In 1858, with Walker as a member of both the Board of Education and the City Council, the Seminary was made free to girls as well as boys. The city obligated itself to contribute \$25.00 a year toward the education of each eligible child who wished to attend school.⁹ Thus the beginnings of universal education had been firmly planted.

To D. S. Walker, the above was a way of "putting education within the reach of all." In his 1858 report, as Superintendent of Schools for the State he wrote:

The plan of levying a County or Corporation tax for the support of Common Schools has only to be once tried to secure its continuance. No county or city has been known to abandon it after once having tried it. Experience soon demonstrates that it is not only better but far cheaper than any other. Under this system it costs less to educate all the children than it took to educate *half* of them under the old plan. I need not go out of the City of Tallahassee to demonstrate this fact. She raises by taxation and pays to the Public School \$25 for each of the children, rich or poor, male or female, within her borders.

He thought that Tallahassee was not the only city in Florida with a public supported school, presuming that Key West, Apalachicola, Jacksonville, Marianna, and Pensacola also had publicly supported schools for all.¹⁰

Concurrent with the step by step creation of a school free to all in Tallahassee, statesman Walker was working for universal

8. *Acts of Florida*, 1856-57, p. 28.

9. *Floridian and Journal*, June 26, 1858.

10. References to his reports are: *Florida Senate Journal*, 1852, (Appendix) pp. 111-117; 1854, (Appendix) pp. 3-10; 1855, (Appendix) pp. 3-6; 1856; (Appendix) pp. 11-14; 1858, (Appendix) pp. 12-18.

education throughout Florida. As *ex-officio* Superintendent of Schools for the State from 1851 to 1859 he organized and put the State System of Common Schools "into practical operation."¹¹ He had to organize the existing common schools and help create new ones in the process of developing a state system. He informed the local citizens ". . . upon whose initiative and leadership the schools depend," of the procedure, according to the law. In a newspaper article in 1852, he traced the steps in securing a portion of the state school fund and a portion of the county school fund until each reached the hands of the Judges of Probate who were *ex-officio* county superintendents of common schools. The state was to contribute at least two dollars for each pupil who attended a school for three months the preceding year. The county boards of commissioners were to contribute "such sums as they may deem proper, provided it does not exceed double that amount received from the State." Each Judge of Probate was to apportion the money among the several school districts, which he was to create under the law. The apportionment was to be based on the reports of the trustees, but "no share will be allotted to any district from which no sufficient annual report shall have been received, or where no school house is provided, or where the said trustees shall have failed to make the necessary allotment and assessment of School Rates." If the apportionment of that school district was not sufficient to pay the sum agreed upon, the trustees were to collect the residue of such wages by means of a rate bill *from which indigent persons were to be exempt*. He concluded the article with the statement, "I am fully persuaded that it only requires

11. *Acts of Florida 1848-49*, pp. 25-34;35.

In a collection of manuscripts pertaining to school lands in the Field Note Division of the State Department of Agriculture, Tallahassee, there are 125 letters, 28 of them are to and 19 from D. S. Walker. This collection reveals something of the business conducted in connection with the school lands. Nita K. Pyburn, *Papers and Documents Relative to Seminary Lands*, (Published by The Florida State University, Tallahassee, 1950).

a little exertion on the part of our citizens to put into full operation and make it bestow upon us and our posterity all the blessings of a beautiful system of Free Education.“¹²

To Superintendent Walker, there were two main characteristics of the 1849 school law which prevented the development of democratic education. The rate bill, *with the indigent exempt*, did not put the poor on an equality with the rich. In one instance, he proudly characterized the Free School of Tallahassee as one where the poorest child was “put upon the footing of perfect equality with the most wealthy.“¹³ In his report for 1852 he wrote, “The School Fund was designed for the benefit of those children who are in need of its aid: but the effect of the present law is to exclude all, except those who have shown ability to attend school without its assistance.”

Superintendent Walker knew that general education for citizenship in a democracy was dependent upon the desire or will of the people. For this, he expected much from the newspapers. This is shown in his report for 1854, when he wrote: “But from certain indications of the Newspaper press, that great luminary of a free country, I trust that a new flood of light is about to be shed on this subject, which will awaken the people to a sense of its importance.”

Walker’s reports from 1854 to 1858 inclusive indicate the growth of the state common schools and the state seminaries before 1860. Secondary education was not included, because the academies and variants were under private control. In 1854, he reported that he had apportioned \$5,013.07 among 29 counties with 16,577 children between the age of 5 and 18. In 1858, he reported that he had apportioned, \$6,524.60 among

12. *Floridian and Journal*, August 21, 1852.

13. Leon County Circuit Court Chancery File 1327, “City of Tallahassee Vs. J. B. Bell et. al.” See Francis A. Rhodes, *A History of Education in Leon County, Florida*, Unpublished Master’s thesis at the University of Florida, 1946, pp. 21-22, and Nita K. Pyburn, *Documentary History of Education in Florida, 1822-1903*, Published by Florida State University, 1951.

33 counties with 20,885 children. Even though very few counties had reported to him, the indications were that counties were beginning to make contributions to the support of common schools. The county of Monroe had employed one teacher for 12 months for 58 pupils. "The amount paid the teacher from County Treasury, \$342.86, from State Treasury, \$89.25. The county of Jackson had employed 16 teachers for 436 pupils. The period each teacher was engaged was usually three months. The amount paid from the County Treasury was \$527.50, from the State Treasury \$170.00."

The Seminaries

The East Florida Seminary and the West Florida Seminary were also organized and put into practical operation during the decade 1850-1860, with D. S. Walker as one of those who guided and directed their incipiency and growth.¹⁵ In his report for 1858, he reported that he had visited the State Seminary at Ocala, "I found it in a flourishing condition and giving promise of much usefulness." The Secretary of the Board of the Seminary reported 58 students from October 1, 1857, to March 1, 1858. Amount received for tuition and music was \$485.00, and from State Seminary Fund, \$1,339. From March 1, 1858 to August 5, 1858 there were 65 students. "Three of the above students (female) were beneficiaries, who have filed with the secretary their declarations, [to teach] as provided for in 8th Sec. of the Seminary Act of 24th January, 1851." The amount received from tuition was \$570.99, from music \$201.20 from Seminary Fund \$741.30. The total income from all sources for the year was \$3,337.73. The main subjects were spelling, reading, writing, arithmetic, English grammar, history, botany, philosophy, geology, astronomy, chemistry, algebra, geometry, Latin.

He reported that the State Seminary at Tallahassee was "also doing well." In it about 200 students were receiving instruction. The Seminary had acquired (with Walker a member of the

¹⁵. *Acts of Florida*, 1850-51, pp. 97-101; 1852, pp. 87-88; 1856-57, p. 28.

City Council) "by gift and purchase . . . the lots and commodious building known as the Leon Female Seminary." A female department of the State Seminary had been created and within five weeks, 112 "children have been received into it, and the number is increasing."

The closing paragraph of Superintendent Walker's report of 1858, summarized the accomplishments and hopes in a modest statement:

From the promise now afforded us by the awakening interest of our people in our Common Schools and the two State Seminaries, we may well hope that the time has almost arrived when all the children of Florida may and will be *educated in her own institutions*, "a consummation most devoutly to be wished."

So, before 1860, D. S. Walker, had helped create a school "to which all men's children might go,"¹⁶ in Tallahassee, and had organized and "put into practical operation" such schools throughout the State. He also put "into practical operation" the two state seminaries of higher learning. So firmly were they rooted that they survived the devastation of the war years. The state apportioned the school fund every year during the war except one, 1862. The next year, 1863, the apportionment was doubled.¹⁷ As governor, during the Presidential Plan of Reconstruction (1866-1868), Walker further extended universal education by creating a state system of common schools for Negroes.

The bill which became the law providing for common schools for freedmen was handed to the legislature by Governor Walker. According to the law, the governor was to appoint, with the advice and consent of the senate, a State Superintendent of Common Schools for Freedmen. There was to be a school fund drawn from three sources: (1) a tax of one dollar on each colored person between the ages of twenty-one and fifty-five

16. Lotus D. Coffman, "Conflicting Government Philosophies," *School and Society*, March 18, 1933, p. 341.

17. *The Semi-Weekly Floridian*, May 28, 1867.

years: (2) tuition from those who could afford to pay: (3) and five dollar fee for the required teacher's certificate.¹⁸ Governor Walker appointed E. B. Duncan State Superintendent of Common Schools for Freedmen who organized and put the schools for Negroes into operation as provided for by law.¹⁹

A short time later, Governor Walker made a speech to the Freedmen upon their invitation which he considered a compliment. He urged them to educate their children and themselves as far as possible; for, "The free government under which we live is founded upon the virtue and intelligence of the people, and whenever that foundation shall give way the structure built upon it must fall." He told them that their greatest want was that of education. "Among the first messages I sent to the Florida Legislature was one advising them to pass a law to provide for the education of the colored people. Such a law was passed and my superintendent, Rev. Mr. Duncan, reports to me that he has now in operation under that law about three hundred schools." The audience reacted most favorably to this information. He continued, "I trust that the good work will go on until with what aid the State can give, and the General Government can give, and our planters and people can give, and our Northern friends can give, I say, I trust that with all of these aids the time will surely come when under the blessings of God, the means of education will be afforded to every child whether colored or uncolored in the land." He reminded them that they had a responsibility in the matter. "I want you to send your children to school and have them taught there and I request you also to teach them at home to love God and to obey Him and to keep all His commandments, and

18. *Acts of Florida*, 1865-66, pp. 37-39.

19. *Florida Senate Journal*, (Nov. 11) 1866 (appendix), pp. 25-30. For an account of schools for Negroes which Superintendent Duncan organized see: Nita K. Pyburn, *The History of the Development of a Single System of Education in Florida, 1822-1903*: (Published by the Florida State University, 1954), p. 82.

to love the Constitution of the United States and obey it, and all the laws both of the General and State Governments; this will make them become good children and good citizens.”

Governor Walker told the Freedmen that the welfare of the two races was interwoven. “The colored man and the white man are now in the same boat, and the boat is in a storm. . . if she goes down they both go down with her; if she lives to reach the shore they are both saved. It is better, therefore that they should pull together manfully and save themselves than that they should pull against each other and swamp the boat.” He said that the great question was whether two different races could live in peace together “under the same government with equal political rights.” He did not know of an instance in history in which this had been done. “But God has placed the work upon us and with his blessing we must try our best to accomplish it.” The inference was that education was the best means of accomplishing this purpose.²⁰

In the Teacher’s convention held in Tallahassee, Governor Walker was chairman of the committee on education for Freedmen. His report included one by Superintendent Duncan which revealed the beginnings of a State System of Common Schools for Negroes in operation.²¹ According to a report for July 1, 1867, there were 34 day schools, and 22 night schools for Negroes. Of these 56 schools, 10 were sustained entirely by the Freedmen and 23 were sustained by them in part. There were six graded schools with four grades each.²² Thus before the Congressional

20. *The Semi-Weekly Floridian*, April 22, 1867. President Lincoln is recorded as holding the opposite attitude concerning the peaceful co-existence of the two races. He is reported to have told a group of Negro leaders that the two races were not only different but that the difference was broader “than exists between any other two races.” Lincoln gave this as his reason for urging the colonization of free Negroes in Central America. *Inside Lincoln’s Cabinet The Civil War Diaries of Salmon P. Chase*, (Ed.) David Donald. 1954, p. 293.

21. *The Semi-Weekly Floridian*, May 28, 1867.

22. J. W. Alvord, *Fourth Semi-Annual Report on Schools for Freedmen*, pp. 35-40.

Plan of Reconstruction (1868-1876) a state system of common schools for white children and a state system of common schools for Negroes had been put "into practical operation" by David S. Walker - the father of universal education in Florida.

For some time after 1868, Walker was engaged in private business which included law practice. However, his keen, disciplined, practical, and fearless mind prompted him to assume responsibilities of a citizen.

This was revealed in a published letter written in 1872 in which he gave reasons why he did not favor the reelection of Gen. Grant as President. In it, he marshalled facts and figures to support his position. Summarizing, forthright statements which all could understand were interspersed throughout. The following is an illustration:

While this Grant party thus increased our liability to taxation about ten-fold, they have decreased our ability to pay about one-half thus making the burden upon us just twenty times as it used to be.²³

One of his more pleasant duties was to address the organizational meeting of the Centennial Association of Tallahassee in which he again taught informally. Notwithstanding the rather ornate style and praise of the ladies, as was the custom of his day, his speech was well-balanced, compact, and reflected thorough study. It vibrated with his love for and with his belief in the progress of his State and he visioned a glorious future for Florida. In his conclusion, his practical mind brought him to the point.

But we must not permit our imaginations to run away with our judgments. Although we "are on pleasure bent," let us have "frugal minds."

Let us contemplate for a moment the great benefits this Exposition will bestow upon our Country. My expectations from it are that vast streams of people and

23. *The Weekly-Floridian*, Sept. 7, 1872.

vast streams of wealth will flow in upon us, and in a short time our State will be what nature intended her to be - one of the first in population, wealth, refinement, and civilization as she is already first in point of geographical position and natural advantages.

In a short time we shall have a church on every hilltop and a school in every valley - The people of all lands will flock to ours to enjoy its luxuries and its beauties, and will exclaim, in the language of Lord Byron:

“Oh Christ! it is a goodly sight to see
 What heaven has done for this delicious land.
 What fruits of fragrance blush on every tree,
 What goodly prospects o’er the hills expand.”²⁴

He not only expressed his belief in the future of Florida, he continued to work for its progress. An instance of his unselfish devotion to the good of his state and the cause of education was in connection with the beginnings of the Agricultural and Mechanical College. In 1862, the General Government gave land, “or script in lieu thereof,” to encourage what has come to be known as land-grant colleges.²⁵ Even though a law of 1870 established the Florida Agricultural and Mechanical College,²⁶ it was not definitely located until 1883. During the intervening thirteen years, there were different attempts at location with accompanying acts, resolutions, reports, and increasing legal entanglements. In 1879, the Legislature requested D. S. Walker to take professional charge of the legal interests of the college. He agreed to do so on the condition that he receive no compensation and was appointed with Dr. Branch and Judge Baker

24. *The Weekly-Floridian*, Dec. 29, 1874.

25. For a copy of the Morrill Act of 1862 which encouraged the establishment of State Agricultural and Mechanical Colleges, see: *Public Statutes at Large of the United States of America*, Vol. XII. p. 503.

26. *Acts of Florida*, 1870, pp. 45-49.

as a committee to relocate the school. The Agricultural College was located at Lake City in Columbia County in 1883.²⁷

Before this service was completed, Ex-governor Walker was working with others to create the University of Florida in Tallahassee with the West Florida Seminary as a part. He was a member of the group which had created the Seminary and which he had helped nurture in various capacities since. He had been a member of the Board from 1857 to 1860 and again from 1873 to 1879, serving as president six of those years.²⁸ So, it was in line for him to be a member of the Board of Regents and president of the Board which made him chancellor of the University according to the charter of 1883.²⁹ There were to be five colleges: literature and science; a polytechnic and normal institution; a college of law; and a college of medicine and surgery.³⁰ The first and last of these were put into actual operation, and when the department of law was opened he spoke at its opening on December 3, 1884.³¹ In 1885, the Legislature recognized the school as the University of Florida. The law included a provision that "there shall be no expense incurred by the State by reason of this Act."³² He was a member of the board of the West Florida Seminary in 1859 when the Legislature granted it "power to confer collegiate degrees." The Constitutional Convention of 1885 failed to recognize the University as a state institution. This and the removal of the medical school to Jacksonville left little of the University in Tallahassee.³³

Perhaps the little left was centered in the library and lecture

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27. For an account, with references, of the history of the Florida Agricultural and Mechanical College see: Nita K. Pyburn, *The History of the Development of a Single System of Education in Florida, 1822-1903*, (Published by The Florida State University, 1954) pp. 122-123.
28. William G. Dodd, *History of West Florida Seminary 1857-1901, Florida State College, 1901-1905*; (n.p. n.d.) pp 109-110.
29. Charter was filed March 17, 1883, Book B, pp. 386-387.
30. Constitution and By-laws of The Florida University was signed by J. Kost, Dean and D. S. Walker, President. Filed March 17, 1883.
31. *The Floridian*, December 9, 1884.
32. *Acts of Florida*, 1859, p. 29.
33. William G. Dodd, *op. cit.* p. 65.

hall created at his instigation. In the early part of the 1880's, he had built a two-story brick building at the southeast corner of Monroe Street and Park Avenue. He proposed to the citizens of Tallahassee that he would construct a hall on the second floor and donate it to the city to be used as a library and lecture hall. This was to be done if the citizens would provide the books and periodicals to constitute the library.

Influential citizens established a Library Association which functioned many years and which collected a library of several thousand volumes. The hall served as a place for public lectures and lyceum purposes. Many prominent men of Tallahassee, including members of the faculty of the University in both the medical and literary departments, gave public lectures there. The library was named the "University Library" and served as such during the existence of the institution.³⁴ After 1885, even though the University no longer existed, the hall continued to be used as a library and lecture hall and the Association continued to function. D. S. Walker willed the building to his son with the stipulation that the receiver was not to interfere with the operation of the Library Association. "It is my wish that David [his son] will always do all he can to encourage this association."³⁵

In 1891, a life which had always actively encouraged education ended; but the education which David S. Walker helped to root in Florida continued. As a result of his comprehension of the bases of a democracy, of his conception of the kind of education necessary for a democracy, and of his understanding of the democratic processes, the foundation he laid has continued to develop and expand and will continue as long as our "government is based on the virtue and intelligence of the people."

34. Mildred W. McCollough, "The D. S. Walker Library," *Apalache*, The Publication of The Tallahassee Historical Society, 1946, pp. 13-18.

35. Will of D. S. Walker, Sr., File 1030, (filed July 5, 1886) Leon County Court.