A Black Odyssey
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CHAPTER ONE

"A Young Man of Good Character"

According to John Waller's own account, he was born in slavery on January 12, 1850, in New Madrid County, Missouri. His owner was "J. S. Sherwood, a wealthy and prominent planter" of southeast Missouri.1 Apparently, Waller's memory was faulty as to both his age and the name of his owner. A resolution passed by the Missouri House of Representatives and submitted to the State Department in 1895 while Waller was in prison lists his age as forty-three, which would place his birthday in 1851 or 1852. More importantly, the 1860 Missouri Census, Slave Schedule, does not record a male bondsman ten years of age being owned by any of the three Sherwoods listed. Marcus S. Sherwood did list one black male nine years of age, who almost certainly was John. In his later recollections Waller also erred as to the precise name of his owner, referring to him as J. S. rather than M. S.2

Marcus Sherwood's father, Eli Sherwood, was a Connecticut Yankee who migrated first from New England to Mississippi in the late 1830s or early 1840s and then to Missouri sometime in the 1850s. A farmer by trade with some capital to invest, he purchased land in Mississippi, acquired several slaves, and became a planter. What prompted the elder Sherwood to move to New Madrid County, located in southeast Missouri, adjacent to the Mississippi River, is a matter of conjecture—soil exhaustion, the lure of new horizons, or perhaps a personal tragedy. Indications are that Eli Sherwood was married twice; his first wife either died or the two were separated during his residency in Mississippi.3
The census indicates that as of 1850 Eli Sherwood, at the age of forty-eight, was a well-established planter worth at least $20,000 in land alone. Evidently, he turned over part of his estate to Marcus in the form of a stake. By 1860 Marcus had enlarged his original holdings and acquired most of the family plantation from his father, who had gone into semiretirement.

The Missouri Slave Schedule for 1850 indicates that Marcus Sherwood owned twenty-five slaves, among whom were Anthony, 31, and Maria, 25, and a son, John. All three were listed as black rather than mulatto, which would indicate that Anthony rather than Marcus Sherwood or some other white man was John's biological father.4

John's childhood was as secure as it could be within the confines of slavery. The petition from Buchanan County, Missouri, filed with the Cleveland administration during Waller's period of incarceration, states that not only were Anthony and Maria household servants but that their parents before them had served in a similar capacity. Maria was probably the Sherwood family's cook and Anthony its carriage driver and handyman. Anthony must have labored in the fields during some period in his life, however, because the vocation he turned to immediately after emancipation was farming.5

Young John was able to enjoy two benefits denied to so many other bondsmen: a degree of protection from the arbitrary exercise of power by his white master, and a stable family life. As house servants, Anthony and Maria occupied a special position within the plantation community. Masters throughout the South were to a greater or lesser degree dependent upon their personal servants for the orderly functioning of the household. According to more than one source, Anthony and Maria fulfilled their duties—cooking, housecleaning, maintenance of horse and buggy, rearing of the Sherwood children—with "obedience, faithfulness, and truth."6 There were in turn rewards—however slight by contemporary standards—for those who made possible the gracious lifestyle enjoyed by the southern aristocracy. Household slaves and their children usually enjoyed better food and clothing than the field hands. They were necessarily accorded a degree of trust and some freedom of movement within and without the plantation. In addition, house servants generally sat atop the social hierarchy within the slave community. As personal servants of the "massa and missus," Anthony and Maria were in a position to intervene—if ever so subtly—in behalf of bondsmen who had offended the Sherwoods. They served as funnels to the other slaves of news of the larger world outside the plantation. In short, they were probably the most confident and knowledgeable members of the slave community.7 That
they were able to serve the Sherwoods well without compromising themselves in the eyes of their fellow bondsmen is testified to by the fact that following emancipation the Sherwood slave community chose to remain together for a generation. As a result of his parents' privileged status, John was able to escape the backbreaking monotony of field labor, the constant threat of the overseer's whip, and the trauma of family separation.

Indeed, it is reasonable to assume that John's achievements as an adult stemmed in part from the confidence he gained through growing up in the bosom of a closely knit and loving family. He never had to confront bastardy as did so many other bondsmen; John's eleven brothers and sisters were not sold away; the family remained intact throughout slavery, confiscation, emancipation, and reconstruction. Letters between John and his mother, brothers, and sisters written in later years seem to indicate that the passage through slavery had created within the family a special bond. The trauma of emancipation and the struggle to make the transition to freedom served as additional centripetal forces fusing Anthony, Maria, John, and the other family members into an interdependent whole that only death would fragment.

The slavery years no doubt had a profound impact on John's developing personality. The restraints, the racism, the poverty were all there. He was whipped at least twice by whites, once at age six and again at thirteen. The young black could not help but fear and distrust whites. Yet John's experience in bondage did not produce personal disintegration, passivity, hopelessness—to the contrary. His parents' confidence and relatively positive self-image were transferred to their son. He was allowed, as few other young slaves were, to explore the world around him. For example, his father often took John with him when he drove the Sherwoods into New Madrid, where the young Negro witnessed the hustle and bustle of life in a Missouri river town. Yet widened horizons and an increased capacity for growth produced as much pain as pleasure because they led to a rising level of expectations, a thirst for further development and self-realization that simply were not possible within the context of slavery.

Fortunately, the young black was not to be confined within the "peculiar institution" for the rest of his life. Because his mother had access to table talk in the Sherwood household, and his father to conversations between whites held during extended buggy rides, John and his siblings must have been able to follow in at least a rudimentary way the growing rift between North and South in the late 1850s. John first became aware that war had actually broken out in August, 1861. During
A Black Odyssey

a trip to New Madrid, the young slave, who was then trusted to drive Mrs. Sherwood and her children about the countryside, was amazed to see the river lined with steamboats packed with Confederate troops and flying the stars and bars. According to a story (almost certainly apocryphal) circulated during a state political campaign in 1890, John, upon seeing a rebel officer haul down a United States flag and replace it with the Confederate ensign, shouted, “Lincoln's men will put it back again,” a faux pas for which he was allegedly severely punished.11

From the very outset of the Civil War, the Union armies operating in the border regions were inundated with thousands of slaves who had either run away from their masters or who had been abandoned by them. The Sherwood family slaves became “contrabands,” the name given by General Benjamin Butler to ragged black refugees who flooded Union camps, almost as soon as the Emancipation Proclamation was enunciated. Whether the Sherwoods voluntarily manumitted Anthony, Maria, John, and their other bondsmen or whether they were confiscated by Union troops is unclear. Whatever the method, John, his parents, and more than a hundred slaves from New Madrid County became free men and women in mid-November, 1862, and attached themselves to Company H of the Thirty-Second Iowa Infantry.12

Captain John Scott, commander of Company H, arranged for the settlement of his charges in Tama County, Iowa, situated in the south-central portion of the state near Cedar Rapids. Local residents were alerted, and a group of philanthropic whites headed by A. B. Mason, a Sioux City attorney, greeted the shivering, penniless blacks with hot food and a wagonload of clothes. With the aid of Mason, Anthony subsequently obtained a small farm, which he hoped would produce crops sufficient to support himself, his wife, and his numerous offspring. During the move from Missouri to Iowa, literally from slavery to freedom, Anthony and Maria adopted their surname—Waller. Whether the name was chosen to commemorate the illustrious Virginia Wallers or to remember a kindly family encountered during the flight to freedom is unclear; there were no Wallers in New Madrid County. By February, 1863, the Wallers of Tama County, Iowa, had settled down to a life of rural poverty.13

Liberty brought many benefits to the four million black Americans released by the Emancipation Proclamation—freedom to move about at will, freedom to choose an occupation, the opportunity to grow materially and intellectually. Emancipation carried with it, however, another freedom that often rendered these benefits meaningless—the right to starve. The years immediately following the move to Iowa were the most difficult
the Waller clan had yet experienced. Indeed, Anthony Waller found it impossible to support his large family without another source of income, and in 1863 he hired John out to a local white farmer, William Wilkinson.\textsuperscript{14}

Separation from his family was no doubt painful for the twelve-year-old freedman, but his association with the Wilkinsons was to be one of the more fortuitous events in his life. During the summer of 1863 Mrs. Wilkinson taught John Waller to read and write, all the while encouraging him to acquire as much formal education as possible. In the fall of 1863 the Wilkinson's hired hand attended his first public institution of learning, a one-room rural schoolhouse in Tama County. After four years of study, interspersed with long hours of farm labor, John was admitted to the high school at Toledo, Iowa, a small community adjacent to his parents' and the Wilkinsons' farms.\textsuperscript{15}

It is impossible to ascertain whether his mother and father, Mrs. Wilkinson, one of his high school teachers (possibly a Mrs. Caldwell, who spent hours with him each week after class), or all of them urged John to enter Cornell College in Mount Vernon, Iowa. Apparently, sometime during his high school years John had apprenticed himself to a barber and learned the trade. For when he moved to Mount Vernon in 1870 or 1871, he immediately went to work in a barber shop in order to support himself while he pursued his studies. No sooner had he settled down in this sleepy college town with its tree-lined avenues and meandering pace, than disaster struck the Waller family. Some type of disease, cholera or smallpox perhaps, ravaged the community around Toledo in the early seventies. Learning that his father and several of his brothers and sisters were desperately ill, John abandoned his plans for college and rushed home to tend the family farm. During his first year back, four brothers and sisters died. The epidemic passed, however, and by 1874 the elder Waller was once again well enough to look after his crops.\textsuperscript{16}

The years at home must have been intensely frustrating. The thirst for knowledge evident in John as a teenager was merely augmented by his early schooling. Even if his teachers did not indicate such to him explicitly, young Waller must have realized that he was a gifted student. A college education would enable him to convert the possibilities of freedom into realities. But how to pay for this invaluable key? While the three-year interregnum on the farm may or may not have demoralized John, it most certainly left him penniless.

Finally abandoning plans for college, John Waller in 1874 left the family farm and moved to Cedar Rapids, the largest city in the area.
A Black Odyssey

Apparently, he arrived without any long-range plans, for he immediately began barbering at one of the local shops for blacks, and the "tonsorial arts" remained his sole visible means of support during his four-year stay in Cedar Rapids. Waller's high school education and his native intelligence made him a leader within the black community almost overnight. The twenty-four year old ex-slave began speaking and writing on various topics, particularly civil rights. The Cedar Rapids Evening Gazette later recalled that the young black man from Toledo was especially interested in "the relation of his race to the government." Almost certainly he became active in local politics. Late in 1874 Judge N. M. Hubbard, senior partner in the law firm of Hubbard, Clark, and Deacon, wrote the young freedman and asked him to appear on a given date at his office. According to Waller, he had never met Hubbard before. When the young black barber-politician arrived for his interview, the judge questioned him about his education, his values, his hopes for his people. What about a career, Hubbard asked. Would not a thorough knowledge of the law allow Waller to advance his own interests and those of his race simultaneously? When John agreed, Hubbard threw open the doors to his extensive law library and invited Waller to read with him until he was ready to take the bar examination. Securing such an invitation was no mean achievement. Hubbard, Clark, and Deacon was one of the best-known law firms in Iowa, handling virtually all legal business for the Chicago and Northwestern Railroad. Waller proved to be a diligent and capable student. One of the partners recalled in later years that Waller was "a young man of good character, industrious and energetic, and working hard to succeed in life." For the next three years Waller interrupted his legal studies only long enough to administer the shaves and haircuts that paid for his room and board. At Marion, Iowa, on November 15, 1877, the twenty-six year old freedman was admitted to the bar.

Exactly why Hubbard chose to befriend Waller is a mystery. More than likely a combination of philanthropy and politics was responsible. By taking in Waller, Hubbard could simultaneously aid a worthy Negro struggling to better himself and make a potentially powerful political ally within the black community. Waller may have been astounded by Hubbard's proposal, as he later claimed, but he had no reservations about accepting. The former slave from Missouri had over the years acquired a knack for getting along with and winning the respect of whites. "Honest, upright, and faithful" were some of the adjectives used by those who had known him as a youth. G. R. Struble, a Toledo lawyer acquainted with Waller during his high school days, recommended him
as "an exemplary and reliable young man." Waller's facility for getting along with whites was probably due more than anything else to experience. As house slave, hired hand, student, barber, and then legal scholar, he came into daily contact with those on the other side of the color line. While he could be circumspect, there apparently was no obsequiousness in Waller. Rather, it was his earnestness, honesty, hopefulness, and desire to get ahead that impressed his contemporaries. No doubt these traits were real and not merely feigned; nonetheless, Waller could hardly have escaped the fact that whites valued them, especially in blacks.

When John Lewis Waller entered the legal profession, he was twenty-seven years old. Six feet tall, 180 pounds, and barrelchested, Waller physically was an imposing man. He remained clean shaven until middle age, when he began to sport a thin moustache. Closely cropped hair, a prominent forehead, dark skin, and piercing eyes were his most prominent features. After his admission to the bar Waller's public attire remained essentially the same throughout the rest of his life. He wore a tight-fitting, single-breasted black suit that always appeared one size too small for him, and a black tie. His only departure from this costume was the military uniform he donned during the Spanish-American War. In conversation Waller was articulate and forceful, although his language
tended always to be a bit formal. Sensitive and intelligent, he possessed a facility for empathizing with others and a propensity for lost causes. If John Waller possessed a sense of humor, there is no record of it.23

Waller was eager to explore the world and realize the possibilities opened up by his new profession. To a young man anxious to make his mark in the world, the Cedar Rapids area appeared singularly unpromising. It was, among other things, oversupplied with bright young lawyers. Moreover, there was always the chance that his father’s health would fail and he would be called back to the farm. Reports within the black community of a mass migration of Negroes to Kansas, reputedly a land of economic opportunity and civic equality, stirred Waller’s imagination. He subsequently fell under the influence of Benjamin “Pap” Singleton (or at least Singleton’s propaganda), who in 1874 had established the Tennessee Real Estate and Homestead Association with a view to promoting black migration to Kansas. During the mid-1870s Waller became one of Singleton’s most ardent advocates.24 Deciding that the torrent of humanity he was certain was about to descend upon the Sunflower State would require the services of a lawyer and, more importantly, would have the means to pay for them, Waller took his own advice and in the spring of 1878 set out for Kansas.