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Farro v. Parmalee (1887):

The Unknown Chicago Story of a Black Female Novelist's Quest for Legal Justice

African American Sarah E. Farro published a successful novel *True Love, a Story of English Domestic Life* with Chicago firm Donohue & Hennebury in 1891. While her accomplishment made headlines at the time, Farro joining a handful of publicly recognized black female authors in the United States, the book was soon forgotten except for a cursory mention in a 1994 collection focused on Illinois women writers.¹ In 2016, when revealing this rediscovery of Farro's novel, Gretchen Holbrook Gerzina (UMass Amhurst) acknowledged that this tale set in England with white characters does not engage with racial issues, slavery, or other American topics. Believing that this is why Farro's work is "now forgotten," Gerzina states, "Ironically, at first celebrated and brought to public attention precisely because of her race, Farro does not fit the mold of familiar early African American writers, revived and 'discovered' today not only because of their race, but because they wrote about race."² Despite the initial media buzz four years ago and her addition to the history of African American literature, Farro and *True Love* appear to be returning to relative obscurity. However, tracing the history of the Farro family in census reports, Chicago newspapers, and Cook County legal briefs not only reveals the hidden "code" of *True Love* as a culturally-transposed personal tragedy in disguise (the focus of another paper-in-progress), but establishes Sarah E. Farro as one of the first African Americans to sue a

¹ Gallagher, Berenice E. *Illinois Women Novelists in the Nineteenth Century*. Urbana and Chicago: University of Illinois Press, 1994.

² Fitzgibbons, Daniel J. "UMass Amherst Scholar's Research Discovers Forgotten 19th-Century African-American Novelist Sarah E. Farro." 26 May 2016. University of Massachusetts Amherst. Accessed 24 March 2020.

major corporation for damages.³ first two rounds, Farro slyly inserted references to her accident in *True Love*, a final attempt to achieve in fiction what she was unable to do in fact – present the true story of Ill. 267 Farro vs. Parmalee to a clued-in readership of local newspaper readers and her own black community.

A Buggy Accident and its Consequences

At the end of a fundamentally transformative decade for Chicago following the Chicago Fire (1871), the Farro family, butcher John, his wife Jemima, and their three daughters, Sarah, Alvira, and Ammie, relocated for personal reasons to the fledgling Avondale neighborhood of Jefferson Park with twenty other African American families. However, they still maintained ties with their old community in the city proper. On 24 September 1883, Sarah E. Farro went for a drive with her mother, Jemima, through downtown Chicago.⁴ Driving a buggy owned by her family, twenty-four-year-old Sarah encountered a traffic jam and came to a complete standstill. She was unable to proceed down Adams Street and was hemmed in from behind, possibly just at the turn, her vehicle protruding out into the crossroad of Clark Street.⁵ Previously, the Farros had resided only a few blocks away from this geographical location at 277 Third Street, now South Plymouth Court, suggesting that the women may have been paying a visit to friends and acquaintances. At this juncture, a horse-drawn omnibus approached, which was owned by transport magnate Franklin “Frank” Parmalee’s Company (Parmalee & Co.), sole transporter of passengers from the Stock Yards Union Stock Yards & Transit Company, site of the flourishing

³ Ill. 267 Farro vs. Parmalee occurred at the same time as Ida B. Wells’ lawsuit against the Chesapeake & Ohio Railroad for forcing her to give up her seat; the incident happened a few months after Sarah’s accident.

⁴ Jemima occasionally wrote her name as “Jane,” as on the 1880 census. Most official statements record her name as Jemima, indicating she might have used both names.

⁵ “Miscellaneous.” *The Daily Inter Ocean*. Chicago, Illinois. Tuesday, 26 January 1886. Issue 308. *Nineteenth Century U.S. Newspapers*, pg. 7.

meat packing and transport industry, to the city center located at State and Lake.⁶ Apparently anxious, despite the delay, to reach the company's brand-new stables around the corner at 156 Dearborn, the driver urged his team forward instead of halting.⁷ Attempting to pass Farro, his wheel collided with her buggy, forcefully breaking it apart. Farro was ejected from the vehicle onto the ground.⁸ Somehow, Jemima appears to have escaped injury. Her daughter was not so fortunate, allegedly sustaining physical damage in addition to tearing her clothes and losing a gold watch worth one hundred dollars.⁹ Immediately, Farro and her mother were taken to the Parmalee bus barn by William B. Smith, who had witnessed the accident; Smith was a forty-three-year-old black teamster who lived on Hubbard Street with his wife Carrie and young daughter Gertrude.¹⁰ But transport tycoon Frank Parmalee, one of the most powerful men in Chicago, was nowhere to be found, despite Smith's well-meaning intervention, and did not re-surface in following days.¹¹

While subsequent legal cases debated the extent of Sarah's injuries, she clearly was bedridden and received medical treatment for at least a year following her accident. The first of two allusions to this severely traumatizing experience, along with an indication of Sarah's specific complaint, appears early in the plot of *True Love*, as a yellow fever epidemic improbably ravages an English town after a latent period. When sickly anti-heroine Mary Ann Brewster

⁶ "In the Wake of the News: Earlier Chicago." *Chicago Daily Tribune* (1923-1963); Jan 26, 1929; ProQuest Historical Newspapers: Chicago Tribune, p.19.

⁷ "Parmelee, Frank." *The Lakeside Annual of the City of Chicago*. Chicago: Williams, Donnelley & Company, 1877, pg. 775.

⁸ "Frank Parmelee v. Sarah E. Farro." 18 May 1887. *Reports of Cases Decided in the Appellate Courts of the State of Illinois*. Volume 22.

⁹ "Miscellaneous," pg. 7.

¹⁰ "Smith, William B." Year: 1880; Census Place: *Chicago, Cook, Illinois*; Roll: 194; Page: 516C; Enumeration District: 130. Tenth Census of the United States, 1880. (NARA microfilm publication T9, 1,454 rolls). Records of the Bureau of the Census, Record Group 29. National Archives, Washington, D.C.

¹¹ Occasionally, Franklin Parmalee's last name is spelled "Parmelee"; the variant spelling appears both in some court documents and on his impressive funeral monument in Graceland Cemetery.

contracts the fever and is quarantined, she at first resists her angelic sister Janey's suggestion that she might be ill. Her querulous rejoinder directly references Farro's 1883 accident:

“Why should the fever have come to me?” she rejoined in a tone of rebellion. “Why was I thrown from my buggy last year and my back sprained? Such unpleasant things do come to us.”

“To sprain your back is nothing compared to this fever; you got well again...And we will get you well if you will be quiet and reasonable.”¹²

Whether or not Farro expected an attentive readership to recognize her appearances in Chicago newspapers just a few years prior in connection with this case, it seems she had developed a complicated response to her own invalidism, guiltily comprehending its demands on her straightened family. Seeking financial aid for their daughter, Mr. and Mrs. Farro went again with Smith multiple times in an attempt to explain the situation to Parmalee but were unsuccessful. Had he been available and willing to negotiate with the distressed parents in the immediate aftermath, the case might never have taken place. Instead, Parmalee apparently opted for a defensive authoritarian posture which irked far more individuals than this African American family, as indicated by subsequent events. Consequently, the perennially helpful Smith introduced the Farros to their first lawyer, a Mr. Dale.¹³

Charged on 13 October 1883 to appear in Cook County Courts, to “answer unto Sarah E. Farro in a plea of Trespass to the damage of said plaintiff, as it is said, in the sum of ten thousand dollars,” Parmalee took what appeared to be the easy way out, promising to reach a financial settlement with the Farro family for the sum of five hundred dollars.¹⁴ As of 14 December, the

¹² Farro, Sarah E. *True Love: a Tale of English Domestic Life*. Chicago: Donohue & Henneberry, 1891, pg. 11.

¹³ “William B. Smith.” Notarized by George N. Hall. 12 February 1886. State of Illinois, Cook County. Case: Sarah E. Farro, vs. Frank Parmelee. Office of the Circuit Court of Cook County.

¹⁴ “To the November Term,” Chancery S-88761. State of Illinois, Cook County. Case: Sarah E. Farro, vs. Frank Parmelee. Office of the Circuit Court of Cook County.

suit seemed settled.¹⁵ However, upon cashing the check dated 26 October 1883, a task which appeared to be performed by their second daughter, Alvira, the Farros soon realized that either Parmalee, or his lawyer, William E. Mason, had kept back three hundred, not expecting the poor black family to challenge this theft.¹⁶ Driving with Alvira and Smith six miles from Chicago down the plank road in Avondale, barber and teamster Jerry C. Thomasson was invited into the family home on 61 Allen Avenue in order to accept their gratitude and \$5.00 payment for his transportation service and claimed to have heard them discussing the case. Reportedly, while sitting with the two men, Jemima Farro, and Alvira, Sarah informed Jerry, “that her mother had brought her an order or a receipt for the five hundred dollars, and that she...had signed it, and that her father and mother had taken the order or receipt to the lawyers and got the money, and that the lawyers had kept a big share of the money, at least two hundred dollars of it, and only gave her three hundred dollars.”¹⁷ When John Farro arrived a few hours later from work, he agreed with his wife and daughter against the advice of the teamsters, stating, “that they intended to have some new doctors examine Sarah, and get some new lawyers, and see if they could not collect some more damages.”¹⁸ Smarting from this additional injustice, Farro returned to court, perhaps disingenuously claiming that she was not privy to this settlement and her parents were not authorized to act as her agents.

Accordingly, Sarah E. Farro filed a new lawsuit against Franklin Parmalee in Cook County Court. Of issue in the November 1884 hearing was the question of whether Sarah had initially acceded to the financial arrangement, Mason enlisting several witnesses to give

¹⁵ “G. No. 88761,” Chancery S-88761. State of Illinois, Cook County. Case: Sarah E. Farro, vs. Frank Parmelee. Office of the Circuit Court of Cook County.

¹⁶ “Testimony of Fred M. Blunt.” Chancery S-88761. State of Illinois, Cook County. Case: Sarah E. Farro, vs. Frank Parmelee. Office of the Circuit Court of Cook County.

¹⁷ Spelled “Elvira” in Thomasson’s notarized testimony.

¹⁸ Jerry C. Thomasson.” Notarized by George N. Hall. 12 February 1886. Chancery S-88761. State of Illinois, Cook County. Case: Sarah E. Farro, vs. Frank Parmelee. Office of the Circuit Court of Cook County.

important testimony against her. To the dismay of Parmalee’s legal team, the twelve-man jury found in Sarah’s favor at the end of this second trial before Judge Elliott Anthony.¹⁹ They stated, “We the jury find the defendant Guilty and access the Plaintiff damages of Six thousand seven hundred and fifty dollars (/6,750/).” While the identities and occupations of some of these individuals remain mysterious due to common names, absence from the 1877 edition of *The Lakeside Annual*, or indecipherable handwriting, the working and lower middle-class occupations of the majority, such as S.L. Faircloth (machinist),²⁰ Charles Roggo (saloon worker),²¹ H. (Harry) Vanderpoel (machinist),²² J.W. Farley (clerk),²³ E. (Edmund) G. Ingersoll (salesman),²⁴ Alex G.S. Ross (policeman),²⁵ and William S. Stansbury (carpenter)²⁶ may illuminate the reasons behind their unanimous decision to force the transportation tycoon to make financial amends to a poor young black woman. Or perhaps the jury was swayed in an unexpected manner by the sworn testimony of Fred M. Blunt, a teller at the Chicago National Bank and former paying teller at the United States Assistant Treasury with “years of experience in confirming handwriting and signatures.” While confirming that Sarah had indeed signed the check, he also proved it was only for \$300.00.²⁷ In contrast to the fabulously wealthy Parmalee, Farro presented as poor, at least temporarily disabled, and even exploited by a business owner who had failed to pay the agreed-upon amount to cure her injury.

¹⁹ “Miscellaneous.” *Daily Inter Ocean*, January 26, 1886, pg. 7. *Nineteenth Century U.S. Newspapers*.

²⁰ *The Lakeside Annual*, 1877, pg. 515.

²¹ “Charles Roggo.” Year: 1880; Census Place: *Chicago, Cook, Illinois*; Roll: 186; Page: 156D; Enumeration District: 026. Tenth Census of the United States, 1880. (NARA microfilm publication T9, 1,454 rolls). Records of the Bureau of the Census, Record Group 29. National Archives, Washington, D.C.

²² *The Lakeside Annual*, 1877, pg. 1573.

²³ *The Lakeside Annual*, 1877, pg. 517.

²⁴ *The Lakeside Annual*, 1877, pg. 784.

²⁵ *The Lakeside Annual*, 1877, pg. 1334.

²⁶ *The Lakeside Annual*, 1877, pg. 1475.

²⁷ “Testimony of Fred M. Blunt.” Chancery S-88761. State of Illinois, Cook County. Case: Sarah E. Farro, vs. Frank Parmelee. Office of the Circuit Court of Cook County.

The Smear Campaign

When former partner David A. Gage sued Parmalee in 1877, claiming that he had been defrauded of his share in the company and demanding \$100,000, Judge Moore ordered Parmalee & Co. to produce their account books for review.²⁸ In what Supreme Court of Illinois Judge Benjamin R. Sheldon angrily termed an “extraordinary and disagreeable feature of the case,” Parmalee brazenly announced that on 3 and 5 July 1875, he had collected them in “a bulk, in appellee’s language, of half a cord, to another part of the city, and burned them in a furnace.”²⁹ Despite destroying critical evidence, Parmalee received a decision in his favor, the usual outcome of his legal cases. Having learned that such methods were effective in Chicago courts, it is hardly surprising that Parmalee and his legal team began to pursue more devious tactics when their appeal against Sarah E. Farro’s favorable verdict resulted in a second trial before Judge Jameson. They subpoenaed the Farros’ neighbors Emma Jackson, an African American from New York, and Christina and Frank Nohr, German immigrants. Based on their notarized reports of 5 February 1886, Mason, or his partner Egbert Jamieson, asked all the same leading questions, specifically questioning if Sarah had been seen outside and whether she walked “as an ordinarily well person walks, and did not appear to be suffering from any injury or disease.” With seeming reluctance, Jackson stated she saw “Sarah Farro five or six times during the month of October 1885- out walking on the street; that once during the said month of October she saw...Sarah Farro walk across the lot on which [Sarah’s home] is located.”³⁰ Promising to testify at any future trial, Christina eagerly claimed “she saw the said Farro out walking upon the sidewalk in

²⁸ “The Court Record.” *Daily Inter Ocean*, December 24, 1875, 3. *Nineteenth Century U.S. Newspapers*

²⁹ “Gage v. Parmalee.” Supreme Court of Illinois. *The Chicago Law Journal*. Volume 1. E.B. Meyers and Company, 1878, pg. 313.

³⁰ “Emma Jackson.” Year: 1880; Census Place: *Jefferson, Cook, Illinois*; Roll: 201; Page: 157B; Enumeration District: 215. Source Information. Tenth Census of the United States, 1880. (NARA microfilm publication T9, 1,454 rolls). Records of the Bureau of the Census, Record Group 29. National Archives, Washington, D.C.

front of the residence of the said Sarah Farro in said Avondale during the last week of December 1885-; that during the entire summer of 1885 – she saw...Sarah Farro, nearly every day walking around upon the sidewalk and platform.³¹ If Farro was arguing she was still limited in her physical capability years after the accident, this eyewitness testimony did not necessarily demonstrate otherwise. Walking in front of and in the yard of her home might be an invalid's gradual attempt to recover her former muscle strength.³²

Explaining why critical witnesses were only now introduced, William E. Mason alleged without proof that he thought he saw Farro's lawyer George W. Brandt, renowned for his "straightforward and well-directed" practice, pocket Thomasson's affidavit and mispronounce this witness's name on purpose as "Thompson;" which was why the former was not found in the case papers after a thorough search and why Mason was initially unable to find this witness.³³³⁴ Also, Mason contended that the unexpected death of Parmalee's superintendent J.E. Sullivan in December 1885 had resulted in Parmalee's inability to track down these important individuals.³⁵ Next, in court Mason suggested multiple ways in which Farro could be responsible for her own injury, even accusing her of shrieking and startling her horse. A thinly disguised allusion to this attempt appears when Charles Taylor, hero of *True Love*, pays a visit to Mrs. Davis, a clergyman's wife who recently caught fire and was burned.³⁶ When Taylor admires the bravery

³¹ "Christina Nohr." 5 February 1885. Transcribed J. Rose Alexander. Sarah Farro vs. Frank Parmalee. Chancery S-88761. Cook County Clerk Office.

³² Another witness, John H. Stewart, is on record as having been called in January of 1886, but the substance and nature of his testimony does not appear to have survived ("Affidavit of Witness," Chancery S-88761).

³³ Andreas, Alfred Theodore. *History of Chicago: From the Fire of 1871 until 1885*. Chicago: A.T. Andreas, 1886, pg. 244.

³⁴ "William E. Mason." Notarized by George N. Hall. 13 February 1886. State of Illinois, Cook County. Case: Sarah E. Farro, vs. Frank Parmelee. Office of the Circuit Court of Cook County.

³⁵ "Monroe M. Simmons." Notarized by George N. Hall. 12 February 1886. State of Illinois, Cook County. Case: Sarah E. Farro, vs. Frank Parmelee. Office of the Circuit Court of Cook County.

³⁶ Farro, *True Love*, pgs. 5-6.

and “great presence of mind” she demonstrated while aflame that has won her the local physician’s respect, Mrs. Davis acknowledges her general heroism under trying circumstances:

“I believe I do possess presence of mind; once we were riding with some friends in a carriage when the horses took fright, ran away, and nearly tore the carriage to pieces; while all were frightened in a fearful manner I remained calm and cool.”
 “It is a good thing for you,” he observed. “I suppose it is; better at any rate than to go mad with fear, as some do.”³⁷

Here, Sarah emphasizes her actual display of courage during the incident, in order to refute representations of her conduct made by Parmalee’s defense team. In a series of rejected recommendations to the jury, Mason declared firstly that any continued injuries were the fault of the Farros for not procuring a better physician, secondly contended that Sarah’s buggy spring broke because it was “wornout and unsafe” for driving in Chicago streets, and thirdly, insisted that Sarah’s injury was not caused by the collision “if any” with a Parmalee driver allegedly “using all reasonable care and caution in the management, control, and driving of the said horses and omnibus.” Instead, when the omnibus struck Sarah’s vehicle,

the plaintiff arose from her seat...and screamed and threw down the lines, or reins, with which she was driving...the horse attached...became frightened from the screams of the plaintiff, and from her throwing the lines or reins down, or from any other cause without the fault or negligence of the plaintiff, and started suddenly forward...as a result...the plaintiff lost her balance and fell...upon the ground, and received the injuries in question in consequence of such fall.³⁸

Like the previous recommendations, this theoretical version of events, which did not seem to be substantiated by any eyewitness testimony, was rejected.

³⁷ Farro, *True Love*, pg. 25.

³⁸ “Plaintiff’s Instructions.” Chancery S-88761. State of Illinois, Cook County. Case: Sarah E. Farro, vs. Frank Parmelee. Office of the Circuit Court of Cook County.

Again, despite Mason's best efforts, Parmalee met with a defeat even more financially daunting than the previous judgement, which the legal team railed against as "contrary to the law and against the weight of the evidence."³⁹ On 29 January 1886, foreman E.F. Russell (Elbridge F. Russell, senior partner of the Russell & Roberts foundry)⁴⁰ announced, "We the jury find the defendant guilty and assess the Plaintiff damages at ten thousand (10,000.00) Dollars."⁴¹ On 31 January 1886, the *Daily Inter Ocean* reported the successful suit of "Sarah E. Farro, colored, against Frank Parmalee" (Court Cases). Headed "A Remarkable Verdict," *Milwaukee Daily Journal* described the damages awarded to "the colored girl" on 1 February 1886 ("A Remarkable"). As regional newspapers began to carry the story of a black woman repeatedly besting the white transportation magnate, Parmalee would have become increasingly anxious to guarantee that the Chicago Supreme Court would reverse the two previous judgments by lower courts. When this decision was appealed to the Superior Court of Cook County, the Honorable Rollin S. Williamson strangely decided on 18 May 1887 that Sarah was guilty of "contributory negligence," which, even if it was of a slight degree, could not justify collection of damages from Parmalee, and remanded the case to another trial.⁴² It appears Sarah relinquished the suit after this third, discouraging hearing. As none of Parmalee's financial recompense had materialized, the Farros likely were unable to continue paying for legal representation.

Conclusion

Despite losing the case against one of the most powerful men in Chicago, Farro still managed to have the last word in her novel, *True Love*, published nearly five years later.

³⁹ "And now comes the defendant." Chancery S-88761. State of Illinois, Cook County. Case: Sarah E. Farro, vs. Frank Parmelee. Office of the Circuit Court of Cook County.

⁴⁰ *The Lakeside Annual*, 1877, pg. 1346.

⁴¹ Chancery S-88761. State of Illinois, Cook County. Case: Sarah E. Farro, vs. Frank Parmelee. Office of the Circuit Court of Cook County.

⁴² Frank Parmelee v. Sarah E. Farro." 18 May 1887. *Reports of Cases Decided in the Appellate Courts of the State of Illinois*. Volume 22, pg. 469.

Revealing Farro's landmark legal struggle illuminates these two previously unnoticed references to *Farro v. Parmalee* in *True Love*, resituating her in the historical and literary record as an African American woman who was stubbornly vocal in her own defense. Though their lawsuits briefly overlapped, Sarah went to court a few months prior to Ida B. Wells, her pursuit of legal justice necessitating a revision of black female legal history just Gerzina's rediscovery of her novel has restored her to the company of late nineteenth century African American female novelists. Forgotten due to the vagaries of history, Sarah E. Farro should be acknowledged now as a trailblazer among a rising generation of African Americans striving for equality and dignity, defiant in spite of systemic oppression, corruption, and retaliatory actions.