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Frantic Farmers Fight Law

DEPRESSION PRICES INCITED IOWA FARM INSURGENCE

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In the years immediately following the financial crash of 1929, there came a series of disturbances in Iowa in which farmers were the aggressive participants. These disturbances appeared in three distinct phases: opposition to the tuberculin test law, known as the "Cow War," the Sioux City "Milk Strike," and the "Farm Holiday."

The first of these disorders, which usually was designated as the "Cow War," took place in Cedar county, in eastern Iowa and had its main focal point in the locale of Tipton.² Designed as a protest against enforced testing of cattle for bovine tuberculosis, it reflected the attitude of many farmers in the year 1931. The presence of bovine tuberculosis was widespread in the state and every conceivable effort was made to stamp it out, but a combination of events led the Iowa farmer to believe that enforcement of the test required by law

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² *The Tipton Advertiser*, March 12, 1931.

cheated him of a just return from his cattle; therefore, in his mind the protest was justified.

The Sioux City "Milk Strike," which was organized and directed by the Sioux City Milk Producers Association was of shorter duration and involved fewer persons than the "Cow War." It also served, however, to reveal and to publicize the farmers' economic situation.³

Running contemporaneously with the "Milk Strike" and at times joining with it was the "Farm Holiday." The longest and most violent of the disturbances, it involved more persons and issues than had either of the preceding revolts. The "Farm Holiday" had its beginnings in the summer of 1932 and did not end until late in 1933.

In their attempts to block the duly constituted agencies of law and order, the farmers appeared to be acting out of character as stable, conservative, law abiding citizens. To the contemporary observer, these disturbances may have seemed to be extremely violent, radical and directed against the basic institutions of our country. Yet, even a hasty examination of the history of the United States reveals precedents of far more extensive unrest, a greater degree of violence and a more direct challenge to established authority which offer no evidence of left wing tendencies.

FINANCIAL LOSSES EMBITTERED DEBTORS

During colonial times, when the American farmer was ruled to a large extent by an absentee government, it was not surprising that he resisted the imposition of outside authority, but even after he became free from England's authority, instances of vigorous dissent from the decrees of his own government are to be found. Shays' Rebellion was one such incident. Led by Daniel Shays, a former officer of the Revolutionary army, a group of Massachusetts farmers attempted by direct action to prevent foreclosure of homestead loans and collection of debts. Courts were prevented from sitting; buildings were burned and the estates of those

³ See outline of causes of the "Cow War" for a more complete discussion of the economic condition of the farmer at this time.

with less or no indebtedness plundered. Riots spread to Concord and Worcester, and troops at the Federal arsenal at Springfield repulsed the insurgents with grapeshot in the autumn of 1786.

The United States of America had just newly embarked upon its national career, and immediately it found itself faced with a group of citizenry who felt aggrieved and were willing to take the law into their own hands to show their feelings. The farmers and their pitchforks, however, were no match for the musket and grapeshot of the army. After the defeat of Shays and his followers by the militia, the legislature considered the justice of the grievances which caused the action and took steps to rectify the basic cause of the situation.⁴

Five years after the rebellion of Daniel Shays, the United States was faced with another farm crisis. Though whimsically called the "Whiskey Rebellion," the action was another protest by a farm group against what it felt was a tyrannical procedure. Alexander Hamilton, Secretary of Treasury of the new nation, had attempted to enhance the financial position of the Federal government by persuading congress to pass a law placing an excise tax on whiskey.

This constituted a serious affront in the eyes of the western farmers, for "liquid lightning" had been their only feasible means of transporting surplus corn to market. Indeed, a gallon of whiskey had come to have a standard rate of exchange and in some areas served in lieu of money. It was soon evident that the western farmer regarded Hamilton's tax to be unjust and in defiance of it rebelled. The government of the country felt compelled to suppress the rebellion and again the militia marched. This time the area was western Pennsylvania and though the uprising had earlier seen public whippings, masked night riders and

⁴ Joseph Schafer, *The Social History of American Agriculture* (New York: The Macmillan Co., 1936), pp. 224ff. This book gives a more complete discussion of the problems surrounding Shays' Rebellion and the economic situation at the time.

other methods of terrorism, the militia found men with plows and hoes instead of whiskey rebels.

Continued expansion of settlements into the Mississippi valley probably relieved some of the tensions that otherwise might have broken out in protest against similar injustices.

Much later, in 1892, the farmer was again in revolt, but this time he used political organization on a large scale in seeking to achieve that which violence had failed to do.

FARMERS ORGANIZED POLITICAL GROUPS

The deflation of the late 1880's found the farmer suffering the effects of mortgage indebtedness, falling prices, and overproduction. The stage was set for some form of farm revolt and with amazing promptness a new political party came into being. This party, made up of the Farmers' Alliance, Greenbackers, Knights of Labor, Free Silverites, and followers of various economic theories, presented a dynamic organization in the face of the lethargic disinterest of the two major parties. Though not officially organized as a party until 1892, the Populists (as they came to be called) elected two senators and numerous congressmen in the 1890 elections. The party stood for free silver, a graduated income tax, postal savings, an eight-hour day, and immigration restrictions. Much of the platform was felt to be communistic, but the ensuing years found many of its items being enacted into law. Once more the farmer was no real radical.⁵

In 1920, the economic imbalance again operated to the disadvantage of the farmer. Nevertheless, this time he did not revolt. The presentation of the McNary-Haugen Bill and the Export Debenture Plan gave him some hope that the government would take steps to relieve the widespread distress from which all agricultural regions in the nation then suffered. In this he was disappointed.

⁵ A discussion of the "Whiskey Rebellion" and the Populist movement may be found in any competent college text dealing with American History.

The severity of the depression following 1929 and its extent exceeded any that the country had previously experienced. The farmer continued to be a major financial sufferer and as his sufferings grew to such proportions that he felt he could no longer bear them, he was tempted to resort to direct action, which, however, appeared only in scattered places. The results and the significance of apparent radicalism as it appeared in Iowa between 1930 and 1933 are important.

THE UNPOPULAR TUBERCULIN TEST

As is true of most historical phenomena, the "Cow War" in Iowa had its roots in conditions developing some years before its actual outbreak in 1931.. While to the country at large the full effects of the 1929 crash did not appear until the middle of 1930, or in some cases even later, to the farm population the depression was a living, crushing thing long before 1929. It affected agriculture shortly after World War I and, though farm commodities had brief periods of higher levels during the twenties, there was nothing like the prosperity which had existed during the war years.

During the years 1926 to 1931, through over extension of credit, one Iowa farmer out of every seven lost his land.⁶ In addition, of the 111,333 farms in Iowa which were being operated by private owners, by 1930, 64,425 were mortgaged.⁷ This meant that 57.9 per cent of the farms in Iowa were mortgaged. In 1925, only 53.7 per cent of the farms had been mortgaged. Each of the farmers in 1930 paid an average of \$1.37 per acre in real estate taxes and carried a debt of \$9,626.⁸ The total mortgage burden was equal to 48.5 per cent of the value of the farms, not excessive or unusual, however.

These were some of the factors facing the farmer as he went into the year 1931. He had mortgaged his land either in its purchase or to buy additional acres.

⁶ George Mills, "Iowa Foreclosures and Farm Violence Hit Peak in '33," *Des Moines Register*, May 12 1946, Sec. 4, p. 4.

⁷ U. S. Bureau of the Census, *Sixteenth Census of the United States 1940. Agriculture*, Vol. I (Washington: Government printing Office, 1942), p. 7.

⁸ *Ibid.*

Whether it was due, as many have said, to the fact that he had over-expanded during the boom years of 1919 and 1820, speculated in land purchases and borrowed far beyond his means of repaying is a moot point.

No doubt this had to do with the farmers' plight, but it was not the entire cause of his economic difficulties. The farmer found himself in the situation of having borrowed cheap money and of becoming confronted with a tremendous debt in a time of scarce money. The reasons for the scarcity of money become obvious with the following statistics.

In 1919, the average value of cattle was \$44.53 per hundredweight and the average value of hogs for that year was \$23.28 per hundredweight. By 1925 the price of cattle had declined to \$22.52 per hundredweight and the average of hogs had dropped to \$13.05. Corn, the largest money crop for the farmer, had suffered the same type of collapse. From a high in 1919 of \$1.513 per bushel it fell to \$0.699 per bushel in 1925, and after a few fluctuations by 1931 the average price for the year had dropped to \$0.318 per bushel, and the market had not yet ceased its decline.⁹ Faced with this situation, it was a rare person among the farmers who was not convinced that the time for drastic action had arrived. Most of them seeking relief were disgusted with investigations, promises and governmental inaction.

One should not overlook the efforts made to obtain through the Federal government relief for the farmers' plight. Attempts at relief were brought up in congress, but they met a fate in many cases which showed a definite lack of foresight on the part of both legislators and presidents. One of the more important of these bills, known as the McNary-Haugen Bill, was brought before the legislators in Washington every session from 1924 to 1927 and finally after many revisions was passed in 1927 only to be vetoed by President Cool-

⁹ U. S. Department of Agriculture, *Agricultural Statistics*, Vol. I. (Washington: Government Printing Office, 1940.) p. 45, 46, 9, 10, 344, 345. The prices quoted in this discussion are used primarily in relation to farmer reaction, rather than as a statistical study of agricultural prices.

idge.¹⁰ The bill with its "equalization fee" was designed to appeal to the midwestern farmer who was traditionally a supporter of high tariffs. It was this fee, which was to pay for the project, but as has been previously stated, the bill was vetoed, not once, but twice in successive years. Other bills were proposed, investigated, and in most cases defeated during the "Farmers' administration." Those bills which were designed to give the farmer similar benefits as received by industry through the protective tariff seemed doomed to failure.

CROP PRICE DECLINE DEFLATED FARMS

It is evident that the actual reasons for the "Cow War" rested on the general economic conditions of agriculture, although the immediate reasons were attributed to the tuberculin test. This was aptly put by Jay N. Darling: "The real problem was the collapse of farm prices and tumbling land values. Bank failures, mortgage foreclosures and prohibitive taxation added to the misery of being caught between a crash of price and a rise of dollars."¹¹

This combination of circumstances explains the situation that faced numbers of farmers by 1931, and why in March of that year the outbreak of the "Cow War" was precipitated by the enforcement of the unpopular tuberculin test.

This test was designed to prevent the spread of bovine tuberculosis by the detection of the disease and condemnation of affected cattle. This usually meant a loss to the farmer, since the condemned value of the diseased animal was never its true worth. One could not expect the farmer in the face of a grave economic crisis to be jubilant concerning the condemnation of his cattle for a mere fraction of their former worth, and to the farmer, the tuberculin test seemed to bring about this very thing.

¹⁰ Earle D. Ross, *Iowa Agriculture: An Historical Survey* (Iowa City: the State Historical Society of Iowa, 1951), Chap. 11.

¹¹ Jay N. Darling, "The Farmers' Holiday," *New Outlook*, Vol. CLXI (October, 1932), p. 19.

In the weekly *Tipton Advertiser*, published in the very center of the agitation area, there appeared on March 5, 1931, an article which stated that the Cedar County State Bank of Tipton failed to open its doors. This was the first of many bank failures in Cedar county and heralded an era of bank failures. The effect of such a closing was tremendously important to the farm population, for the bank held notes which automatically became due and, consequently, money became more difficult to obtain. With the banks closed and income threatened by the tuberculin test, the farmers became desperate.

TESTED FOR TB IN CATTLE

The state of Iowa had made provisions for the testing of cattle as early as 1919, when the legislature appropriated \$100,000 to be spent in a coordinate program with the United States Department of Agriculture.¹² By 1925, the test had been made mandatory and its administration proceeded slowly but surely throughout the counties of Iowa.

In the initial stages, after 1919, the work of tuberculosis eradication went rather slowly, since the state required 51 per cent of the owners of breeding and dairy cattle to sign a petition asking the county board of supervisors to make application for the enrollment of the county in the program.¹³ The supervisors were then authorized to levy an assessment of three mills to cover the expenses and indemnities.¹⁴ Earlier under voluntary program set up in 1923, twenty-five counties had signed up for the test.

A county or district was considered accredited by law under one of two types of action: (a) a modified accredited area was one which had reduced tuberculosis to .005 per cent; (b) an accredited area was one which had 25 per cent of the cattle owners petitioning

¹² Iowa State Department of Agriculture, *Iowa Year Book of Agriculture* 1923, Vol. I (Des Moines State of Iowa 1924) p. ix.

¹³ *Ibid.*, p. ix.

¹⁴ *Ibid.*, p. ix

for the test.¹⁵ The one-half of one per cent specified for a modified accredited area was not as great a reduction as the figures seem to indicate, for bovine tuberculosis had not reached any truly great proportions.¹⁶

The law for testing was revised and altered, amended and added to, every two years from 1925 to 1931. At this latter date it read:

It shall be the duty of the department of agriculture to eradicate bovine tuberculosis in all the counties of the state in the manner provided by law in this chapter. Said department shall proceed with the examination including the tuberculin test of all such cattle as rapidly as possible.

It shall be the duty of each and every owner of dairy or breeding cattle in the state to conform to and abide by the rules laid down by the state and federal departments of agriculture and follow their instructions designed to suppress the disease, prevent its spread and avoid reinfection of the herd.¹⁷

Upon the surface, this enactment would normally seem to all farmers to be a desirable thing, and to a degree it was. By 1926, twenty-seven counties had become accredited areas and each year saw more added to the total. The testing continued until in 1930 there were a total of fifty-eight counties declared as accredited.¹⁸ The slowness of testing was due to lack of funds and lack of trained personnel for administering the test.

PITCHED BATTLES DEVELOPED

Specific problems faced the Iowa farmer in the early months of 1931. The bovine tuberculosis test was nothing new. It was not something designed to hinder the farmer's way of life, although in a short time he came to feel that it was unfair, corrupt, and designed to rob him of a portion of his livelihood. But prior to 1931, there had been little or no controversy about the matter, although a test case in court resulted in the upholding

¹⁵ Iowa State Department of Agriculture, *Iowa Year Book of Agriculture 1930*, Vol. I (Des Moines State of Iowa 1931) p. 27

¹⁶ *Ibid.*

¹⁷ *Iowa Revised Code* (1931) ch. 165.2.

¹⁸ Iowa State Department of Agriculture, *op. cit.*, (1930) p. 27.

of the constitutionality of the law by the state supreme court.¹⁹

The procedure carried out in administering the test was generally as follows: a veterinarian hired by the state inoculated a farmer's cattle with a solution containing inert tuberculin bacilli. After a short period he returned to the cattle and tested their reaction to the inoculation. If an animal reacted unfavorably, it was termed a "reactor" and by law condemned to be destroyed.²⁰ The farmer received a certain amount of salvage remuneration, and therein lay the beginnings of the "Cow War," for the salvage return realized on his sale of the condemned animals was not equal to the worth of the cattle nor to the expected return. The following formula was devised by the state for estimating the farmer's total remuneration:

The sale price or salvage goes to the owner. That amount is subtracted from the appraised value. Of the remaining sum the state pays the farmer one-third, the national department of agriculture pays the farmer one-third and the farmer himself must stand for one-third of the loss.²¹

To illustrate, if a farmer had a reactor with an estimated value of \$400, which was condemned and sold to a packer for perhaps a quarter of a cent a pound, the owner would receive about \$22.50. This sum would then be subtracted from the appraised value of the cow, leaving a total of \$377.50. The federal government would then pay one-third of this amount, the state another third, and the farmer would lose a third. The farmer's total return would then equal \$273.66, for an animal appraised at \$400, and probably worth more.

To the farmer, perhaps already in dire economic straits, having no control over the price paid by the packer or the appraised value, this situation seemed designed to cheat him out of his just return. It may

¹⁹ *Fevold vs Board of Supervisors of Webster County*, 202 Iowa 1019 (1926)

²⁰ *Des Moines Register*, September 22, 1931, p. 1.

²¹ *Des Moines Sunday Register*, April 12, 1931, p. 1.

be argued that the farmer received a fair compensation for a "reactor," but to the farmer nothing could be fair about losing approximately \$130 of an animal's worth. In his financial plight the loss of even one dollar would no doubt have been felt and the loss of \$130 on each "reactor" could well have been a major catastrophe. In many instances a single animal may not have been important, but, if multiplied by five or six or twelve, the total sum would assume staggering proportions. Thus, twelve animals would mean a loss of \$1500 or more, based on the above estimate. At any time this would be a substantial loss to a farmer, but in the year 1931, he felt it could well place him in bankruptcy.

It was this situation which caused the actual outbreak of the "Cow War." The anticipated loss, to the "embattled" farmer of Iowa, was the "Shot heard 'round the world."

The reasons for the outbreak coming at any given time are subject to conjecture. It may have been that the farmer in his economic distress could no longer hope. He was involved in a depression, which, publicly recognized since 1929, struck the farmer as early as 1920. By 1931 he may have reached the end of his patience.

Another possible factor was the type of personality that appeared as the active members of the revolt. The leaders had dropped the cloak of conventionality and had become insistent and violent in their demands for a favorable solution. The active leaders were straightforward and uncompromising men and in them the beginnings of the struggle may be found.

BEGINNING OF FARMERS REBELLION

The actual rebellion started on the fifth of March, 1931. At this time it was announced that the cows of William Butterbrodt, who lived six miles northeast of Tipton, would be tested. The group of state agents and veterinarians who were to conduct the test, were met by a group of approximately two hundred farm-

ers.²² who objected to the test but who did not commit any acts of violence. The tuberculin was injected into the cattle and the state men left. The following day a group of farmers met at Tipton to send a petition to Governor Dan Turner and the state legislature asking that the tests be discontinued and the law repealed.²³ Three days later the state veterinarian returned to the Butterbrodt farm to read the results of the tests or to check the reaction.

Upon arrival at the farm the veterinarians found a group of nearly five hundred farmers waiting to prevent them from reading the results of the test.²⁴ After being blocked at the Butterbrodt farm, the state agents and veterinarians proceeded to the farm of E. C. Mitchell, only to be met by another group of irate farmers. It became apparent at this point that a considerable portion of the farmers of Cedar county were firmly opposed to the testing. Estimates of the number of those in open opposition vary widely. Those who supported the state government definitely made the estimate as low as possible. The test objectors for the most part were in the eastern section of Iowa, centering around Tipton.

The tenth of March saw five Cedar county farms picketed by the objectors. A warning system apparently had been arranged for the purpose of summoning farmers in case an attempt was made to carry out the scheduled testing.²⁵ For the next week the testing rested in a state of suspended animation, pending orders from the state testing offices.²⁶ The farmers in the interim were being organized by J. W. Lenker of Wilton Junction, who, as President of the Farmers' Protective Association and a cattle raiser, had a definite stake in the problem. Lenker led his group of one thou-

²² *The Tipton Advertiser*, March 12, 1931.

²³ *Ibid.*

²⁴ *Ibid.*

²⁵ *Davenport Democrat*, March 10, 1931.

²⁶ *Ibid.*, March 17, 1931.

sand to fifteen hundred men to Des Moines on the nineteenth of March.²⁷ There they stormed the State House and demanded that they be heard by the General Assembly in open session. The capitol grounds were jammed to overflowing and the crowd became so unwieldy that all legislative business other than the discussion of the tuberculin test was suspended.²⁸ In response to demands made by the farmers, they were granted a hearing by the legislature.

Lenker explained the actions of the farmers during the hearing. He said:

We are here primarily to demonstrate against compulsory tuberculosis testing and to urge the passage of the house bill making tuberculosis testing optional and making the county the unit of determination whether testing shall be undertaken.²⁹

The bill approved by Lenker, known as the Davis bill, earlier had been introduced by Lawrence Davis, representative from Delaware county. It was designed to repeal the compulsory provisions of the testing law and make it a matter of choice. Not only did the farmers' group discuss the tuberculin test law, but they also included in their grievances such matters as the establishment of a state police system, which they opposed. They condemned compulsory military training at the state university and state college. They also attacked the county assessor bill, a minimum wage law for teachers and tax free securities. The addition of various grievances other than the tuberculin test is a fair indication that the farmers' problems, as he conceived them, involved far more than the tests.³⁰ The temper of the farmers was shown by the placards carried during their visit to the statehouse. Such rhymes as these were numerous:

Fake, Fake, Fake,
Vets condemn our cattle

²⁷ *Des Moines Tribune-Capital*, March 19, 1931, p. 1.

²⁸ *Ibid.*

²⁹ *Ibid.*

³⁰ *Ibid.*

And to the packers take
Fake, Fake, Fake.³¹

GOV. TURNER UPHELD LAWFUL PROCEDURE

The invasion of the statehouse could not help but come to the attention of the governor, since it was held almost literally upon his front doorstep. Governor Dan Turner spoke to the farmers during the afternoon session of the hearing and his speech was to become a key to all his subsequent dealings with the farm problems. His statement seemed to sum up his complete philosophy concerning the testing and the objectors. Although it allowed for little constructive action, it epitomized the cautious executive going to all lengths to carry out his oath of office.

A test of representative government is involved in this matter, he (Governor Turner) said, and I ask you, as you cherish your own right, that you aid me in carrying out the plain provisions of the law, and I herewith guarantee to you so far as lies within my power your rights shall be maintained, your lives and property protected.³²

So far as J. W. Lenker and the rest of the farmers in the statehouse on that day were concerned, the above statement was merely a mouthing of platitudes. They felt that it gave them no reassurance and left them in the same position they held before their demonstration.

Following the demonstration at the state capitol, the testing went on with a certain degree of smoothness, for non-cooperating farmers had been summarily threatened with a quarantine. To the farmer this was the equivalent of losing a cow, for under the provisions of the quarantine law no meat or milk could be sold from that animal. The statute clearly provided for this contingency: "If he refused to confine the cattle, the department may employ sufficient help to properly confine them and the expense of such help shall be paid by the owner or deducted from the indemnity if any is paid."³³

³¹ *Ibid.*

³² *Ibid.*

³³ *Des Moines Sunday Register*, April 12, 1931, p. 1.

The lack of any voiced resentment against the testing in the three weeks following the visit to the statehouse prompted state authorities to issue a statement that the objections had died away. This mistaken conclusion was based on the belief that since E. C. Mitchell, one of the leaders of the opposition, had allowed his cattle to be injected, the testing of his cattle would go to completion. However, the test readings were the crucial phase of the entire process, and Mr. Mitchell soon proved to be very uncooperative at the time of the attempted readings.

The official statement concerning the withdrawal of opposition to the test must necessarily have been made the day before its appearance in the evening papers, for on the day of its publication, April 10, the call had been sent over the rural party line for all objecting farmers in the Tipton area to assemble at the Mitchell farm to prevent the test readings.³⁴ A group of newspaper men who [had managed to learn of the situation] arrived at the farm in search of firsthand news and were forcibly ejected. At the entrance to the property were seventy-five farmers who refused admittance to any person not personally known to them.³⁵ The arrival of Dr. Malcolm, chief of the division of Animal Industry of the State Department of Agriculture, did little to soothe irritated tempers. His appearance signalled an attempted stampede of the Mitchell herd; when this failed, he was asked by Mitchell to leave the property. Two men in the group asked Mitchell's permission to throw Dr. Malcolm from the property and, after receiving an affirmative reply, proceeded to aid the doctor in making an unceremonious exit.³⁶

The reaction to this incident was soon evident. Norman Baker, proprietor of Station KTNT and a staunch supporter of the resistance group stated: "The farmers are only asking for their rights."³⁷ Sheriff Foster Max-

³⁴ *Des Moines Tribune-Capital*, April 11, 1931, p. 1.

³⁵ *Ibid.*

³⁶ *Des Moines Register*, April 11, 1931, p. 1.

³⁷ *Des Moines Sunday Register*, April 12, 1931.

son of Cedar county stated that the situation was out of control. In talking to Governor Turner he made a formal request for troops.³⁸

Accordingly, the state's National Guard was ordered by the governor to stand by, and two companies were alerted at 1:30 a.m. the morning of April 13.³⁹

MILO RENO ENTERS SCENE

Into this explosive situation, seemingly made to order for him, stepped the dynamic personality of Milo Reno. Reno was an ordained minister,⁴⁰ but he did not have charge of a church. He had been a farmer in his early youth,⁴¹ but no longer did he farm. His talent seemed to lie in the field of farm problems. As president and controlling factor in the Farmers' Union from 1921 until his death,⁴² his activities concerning farmers and their problems were varied and numerous. As a private citizen interested in the struggle of the farmers engaged in the tuberculin disorders, he elected himself as a personal intermediary between the farm group and the governor.

Reno had not been asked to accept such a position, but he talked to the governor and proceeded to talk to the representatives of the farmers to see if an effective settlement could be reached. His motive in the situation remains unclear, for it is difficult to determine whether he was simply attempting to further his own political ends, thus supporting his own ego, or acting as a man who felt that his experience and background made him the answer to the farmers' prayers. Regardless of his reasons, he did enter into the "Cow War," though his entry did little to effect a real peace.

The first public act of Milo Reno was to ask the governor to hold up the calling out of the guard until a conference could be held; he suggested Iowa City as

³⁸ *Des Moines Register*, April 13, 1931, p. 1.

³⁹ *Des Moines Tribune Capital*, April 13, 1931, p. 1.

⁴⁰ Milo Reno: *Farmers Union Pioneer*, (Iowa City, Iowa: Athens Press, 1941) p. 10.

⁴¹ *Ibid.*, p. 19-22.

⁴² *Ibid.*, p. 40.

the place for the meeting.⁴³ The governor agreed to Reno's suggestion upon the condition that the testing of the E. C. Mitchell herd be completed. The farmers then elected J. W. Lenker as their committee head to meet the governor.⁴⁴ Mitchell agreed to the tests and after they were completed, he stated, "I don't care so much about the testing but I object to the principle of the test."⁴⁵ One animal reacted. The testers met no opposition even though Mitchell faced the loss of the "reactor."

Reno met with the group of farmers previous to the governor's conference at Iowa City. Included in the group were J. W. Lenker, Paul Moore, William Butterbrodt, Lawrence Davis, author of the bill to repeal the test law, Robert Moore who was State Secretary of the Farmers' Union, and H. R. Gross, press representative of the Farmers' Union. The unofficial conference brought about no change and J. W. Lenker summed up the attitude of the group when he said to Reno: "We are just where we started."⁴⁶

The meeting with the governor took place at the Jefferson hotel in Iowa City at 1:15 p.m. on Monday, April 13, 1931. It was a closed session and the words spoken behind the closed doors were known only to those in attendance. The governor arrived accompanied by Attorney General John Fletcher and Colonel Grahl of the Iowa National Guard.⁴⁷ Colonel Grahl was there in an unofficial capacity, since the calling out of the National Guard seemed likely. The farmers were represented by Paul Moore and Jake W. Lenker.

For some unknown reason Reno did not put in an appearance, but, in commenting later concerning the whole problem, he ably summed up the farmer's position in opposing the tests. According to Reno: "The intra-dermal test is not dependable. Those cattle in

⁴³ *Des Moines Register*, April 13, 1931.

⁴⁴ *Des Moines Sunday Register*, April 12, 1931

⁴⁵ *Ibid.*

⁴⁶ *Des Moines Register*, April 13, 1931.

⁴⁷ *Ibid.*

which tuberculosis is present to the greatest extent will not show reaction to the test. You see there is enough tuberculin in their system to set up a wall of resistance against the serum injected."⁴⁸

Although the reasoning has been proved false, it did express the views of the farmer. But, there were enough veterinarians who believed the test invalid to support the farmers in such a view, although the test had been used for many years previous to the controversy and little or no question of its validity had been raised. In another statement, however, Reno came closer to the heart of the farmer's problem. Speaking through the *Des Moines Tribune-Capital*, he said:

The condemned cattle are purchased by the packer at his own price—two cents is a good average—ninety per cent of the meat bought by the packer is passed as fit for human consumption by a federal inspector. The present test is unfair to the farmer and the public alike. It robs the farmer and does not protect the public.⁴⁹

In reality it was the economic question and not the tuberculin test that was chiefly responsible for resistance on the part of cattle owners. The farmers put forth three compromise provisions and presented them to the governor at the meeting in Iowa City. They were:

A. The farmers were to be permitted to use accredited veterinarians of their own choosing.

B. The state should withdraw all forces engaged in testing at the time.

C. The governor was to exercise every effort toward bringing to a vote the Davis bill.⁵⁰

GOVERNOR CONSIDERED DEMANDS

Governor Turner would not agree to call off the state agents, but he did permit the farmers to choose their own veterinarians, if accredited by the state. Since he felt that coercion was being used to bring about support of the Davis bill, he, therefore, refused to use his influence in the matter. An attempt in the

⁴⁸ *Des Moines Tribune-Capital*, April 13, 1931, p. 8.

⁴⁹ *Des Moines Register*, April 13, 1931.

⁵⁰ *Des Moines Tribune-Capital*, April 13, 1931.

legislature to bring about passage of the bill was defeated by a vote of 80 to 22.⁵¹ Governor Turner gave as his reason for refusing to call off the state officials that more people supported the test than objected.⁵²

The governor's acceptance of the proposal authorizing farmer-selected veterinarians seemed rather one-sided. However, the farmers agreed to call a truce, as for the most part they seemed to expect their demands to be met. At any rate they interpreted the truce to be the end of the rebellion and were satisfied with the outcome as they saw it.

The final termination of the "War," lay in the disposition of informations for assault and violations of the state quarantine act, which had been brought against twenty-three of the men in the early days of the struggle. These were for the most part dismissed or suspended.

But, the final shot of the first phase of the "Cow War" was fired by the farmers. J. W. Lenker and E. C. Mitchell attempted to obtain an injunction restraining the state from further testing; this was denied by Judge Moffit of Tipton. An appeal was filed, though there seemed little possibility that it would be granted.⁵³ The second attempt at forestalling the state by legal action was a similar petition filed by Arthur Fogg and other farmers around Tipton against the State Department of Agriculture. Eleven hundred farmers signed the petition to restrain the department, but again Judge Moffit refused to grant the injunction.⁵⁴ Though in effect the failure to secure injunctions against the state ended the war for a time, the state itself discontinued the test for a period. Quiet remained on the Tipton front, however, only as long as the state's efforts were discontinued.

RESISTANCE SEEMED DECLINING

The months of June and July of 1931 saw no cattle

⁵¹ *Des Moines Register*, April 15, 1931, p. 1.

⁵² *Ibid.*

⁵³ *Ibid.*

⁵⁴ *Des Moines Tribune-Capital*, May 1, 1931, p. 1.

testing and consequently no opposition. The state tolerated a truce of sorts and the farmers ostensibly had come to the realization that violence was not the answer to the problem. Events, however, soon again disturbed the surface calm. On the fifth day of August, the state was granted an injunction restraining J. W. Lenker and forty-four others from obstructing the agents in their administration of the tuberculin test.⁵⁵ The injunction meant little in itself, for the state already was empowered to act; nevertheless it must have irritated some of the farmers, for on the twentieth of the month the war flared anew and law and order were disrupted.

Dr. Malcom ordered the state veterinarians to re-sume testing, presumably to determine if those farmers who had previously objected would now give their consent. The veterinarians conducting the tests were given specific instructions to withdraw from any farm where violence or objection was met.⁵⁶ Perhaps Dr. Malcolm had not really expected the farmers to change their minds; at any rate objections became evident almost as soon as he started to work. The first protest came in the form of the violent expulsion of a state agent from the farm of Arthur Fogg, just north of West Liberty. Dr. A. H. Joehnk of Iowa City visited the Fogg farm for the purpose of testing his cattle and found the owner more than reluctant to allow the testing. The doctor was met with a shower of eggs and water thrown by the wife and daughter of Fogg, who himself threatened to use a shotgun.⁵⁷ The doctor claimed to have been injured not by water and eggs, but by something else which presumably was thrown by the women.⁵⁸

Similar series of incidents were repeated at two other farms, though there were individual variations. William Butterbrodt, who resided about six miles

⁵⁵ *Des Moines Tribune-Capital*, August 5, 1931, p. 1.

⁵⁶ *Des Moines Tribune-Capital*, August 21, 1931, p. 1.

⁵⁷ *Ibid.*

⁵⁸ *Des Moines Register*, August 22, 1931, p. 1.

northeast of Tipton, assisted a state agent in his hurried exit from the farm by a well-placed kick,⁵⁹ according to the doctor, who no doubt made a reliable though prejudiced witness. The third dissenter was William Hogan, living north of Durant, who forbade the testing of his cattle, but did not attempt any act of violence.⁶⁰

Thus Dr. Malcolm learned the true temper of the farmers. They were not ready to concede that the testing should be allowed to continue without a challenge. The state immediately counter-challenged with an injunction it had previously obtained and the three resisting farmers were served with the proper papers and told to appear in court.

Thus in the first attempt at a retest, nine other farmers had been visited; of these nine, one was sick, one submitted, five were not at home, and two asked to be allowed veterinarians of their choice.⁶¹

Hogan and Butterbrodt pleaded not guilty when brought into court and were released upon eight hundred dollars bond. Fogg also pleaded not guilty but changed his plea to guilty when told of the maximum sentence which could be imposed.⁶² Fogg was fined fifty dollars and had a one day jail sentence suspended. The proceedings, though without violence, brought forth many well-wishers and sympathizers. At the time of the Butterbrodt hearing at least one hundred farmers accompanied him to the courtroom and for a time violence was feared.⁶³

SHERIFF'S AUTHORITY SUPPORTED

Faced with open and outright violation of the law, Gov. Dan Turner authorized the appointment of sixty-five state agents and sheriff's deputies to aid in the enforcement of the cattle testing law. The first place

⁵⁹ *Ibid.*

⁶⁰ *Ibid.*

⁶¹ *Des Moines Tribune-Capital*, August 22, 1931, p. 1

⁶² *Des Moines Tribune-Capital*, August 24, 1931, p. 1.

⁶³ *Ibid.*

chosen was to be the farm of Jake Lenker of Wilton Junction.⁶⁴

Notification of the testing started rumors into rapid circulation. Reports that 325 farmers from Des Moines and Lee counties were on their way to assist the protesting farmers, spread rapidly throughout the area.⁶⁵ No verification could be found immediately for the report, but the rumor persisted. Other rumors held that masses of farmers were moving on the Lenker farm to forestall state action.⁶⁶ Still another story held that the farmers were driving their cattle out of the county in an effort to prevent the test.

Rumors reaching Tipton this morning were to the effect that objecting farmers were driving their cattle out of the county. One observer reported that a herd of twenty head were driven to the Cedar county line near Wilton last evening by a man on horseback during a down pour of rain.⁶⁷

These two reports were verified to a certain extent by later happenings though neither achieved the expected proportions.

In response to Governor Turner's move to resume the testing program, Dr. Peter Malcolm personally on September 21 had gone to the farm of Jake Lenker to perform the tests and had taken with him approximately sixty-five deputies and various state agents. This group was met by at least four hundred farmers and though the deputies used tear gas, a shower of clubs, mud and "Irish confetti" caused them to perform a strategic withdrawal.⁶⁸ Several deputies were injured and their cars smashed. Dr. Malcolm was attacked and bruised; the radiator of his car was filled with mud; the gas line was broken; tires were slashed, and windows knocked out.⁶⁹

Governor Turner had only shortly before this incident returned from Washington, D. C., where he had

⁶⁴ *Des Moines Tribune-Capital*, August 25, 1931, p. 1.

⁶⁵ *Des Moines Tribune-Capital*, September, 22, 1931, p. 1.

⁶⁶ *Ibid.*

⁶⁷ *Davenport Democrat*, September 22, 1931, p. 1.

⁶⁸ *Ibid.*

⁶⁹ *Davenport Democrat*, September 22, 1931, p. 1.

attended a conference concerning the price of corn. Although the conference solved nothing, it had been important enough to take him from the state. His almost immediate reaction to the mishandling of Dr. Malcolm and the deputies was the calling out of the National Guard. He justified his position with the following statement, "Where men are organized against government, there is only one thing to do, and that is to put down the insurrection. That is exactly what I propose to do in Cedar county."⁷⁰

Regardless of the political consequences, and that seems to have been the Governor's attitude in the whole matter, the troops moved into Tipton. The town soon became an armed camp and the soldiers in all joviality of an outing affectionately named the encampment grounds Camp Bovine or Cow Camp.⁷¹ The troops mobilized were the 168th Infantry, the 133rd Infantry and the 113th Cavalry, which brought no horses.⁷² These three regiments and the headquarters staff brought the total to nearly two thousand troops.⁷³

The troops arrived amid a small amount of heckling, but no violence. Groups of farmers gathered on street corners to speak in hushed tones of their coming and the townspeople watched with something like relief. The guardsmen accepted the duty as a joke and entered Tipton in a happy mood. With the troops came an order from the governor, enlisting the aid of seventy-five veterinarians to complete the testing. Machine guns lined the roads of Cedar county at strategic points; only persons with military passes were allowed to travel in or out of the area.⁷⁴ No farmer was allowed out of the area under any circumstances without military escort,⁷⁵ and the region quickly took on the look of an encampment.

⁷⁰ *Des Moines Register*, September 24, 1931, p. 1.

⁷¹ *Des Moines Register*, September 22, 1931, p. 1.

⁷² *Ibid.*

⁷³ *Ibid.*

⁷⁴ *Davenport Democrat*, September 24, 1931, p. 1.

⁷⁵ *Ibid.*

Quickly, efficiently, the troops, (some of them men of Cedar county) went into operation, and their first objective was the farm of Jake Lenker. Under command of Gen. Park A. Findley, Col. Glenn Haynes was sent to the Lenker farm with a detachment of men and a veterinarian. Upon their arrival they found that Lenker had removed his cattle from the premises, and Colonel Haynes immediately arrested him.⁷⁶ He was charged with moving his cattle illegally and the second of persistent rumors had been verified. The actual charge against Lenker was the moving of cattle illegally while under quarantine. He was accused of contempt of court, since he had violated the injunction granted the state.

When questioned concerning the cattle, Lenker said:

"I've sold my cattle to a neighbor who has taken them to a feed lot. I would rather do that than let that crooked bunch get hold of them.

I believe that Dan Turner sent the guard up here for an outing. I wouldn't believe anything he said anyway, for I don't think he knows what he is talking about, and then there is Hoover. He took prosperity away from us and hid it around the corner.⁷⁷

There were others who objected to the tests just as violently as had Lenker. One person voicing an opinion concerning the general problem was C. L. McKinnon, who was Vice President of the Farmers' Protective Association:

If the use of milk from reacting cows is harmful, the use of meat is equally objectionable, and yet 92 to 93% of the meat of reacting animals is sold for human consumption.

We are opposed to the bovine tuberculin test as it is administered because we consider it unreliable, inaccurate, because it doesn't detect the worst reactors, because it ruins our cattle, because many of the tested cattle die while others abort and give milk unfit for human consumption.⁷⁸

This view was shared by many farmers and their supporters, but no conclusive evidence had ever been brought to prove its validity. Enough people, how-

⁷⁶ *Ibid.*

⁷⁷ *Des Moines Register*, September 24, 1931, p. 1.

⁷⁸ *Ibid.*, p. 2.

ever, believed abortions were the result of the test to cause many of them to hold the same opinion as McKinnon. Ed Scorpil of Route 1, near Tipton, maintained that the tests induced premature births among his cattle tested in 1930 and 1931. He claimed to have lost eleven of twenty-five calves born in 1931, and thirteen of sixteen calves born in 1930.⁷⁹ How he came to the conclusion that the tuberculin test caused the abortions was never explained by Mr. Scorpil, but his belief in the fallacy of the test was as effective in determining his course as if laboratory evidence had been submitted.

The arrival of troops aroused varying reactions in the populace of Tipton. The merchants felt that it aided business and the farmers felt that it was a shabby, low trick, perpetrated by the governor. Regardless of the attitude of the various groups, the troops were in Tipton and martial law was to prevail until such time as the governor recalled them and reestablished civilian courts.

COMMUNITY JOLTED BY ARREST

The arrest of Lenker came as a definite shock to most of the farmers, for he had attained the position of leader. In a type of action lacking thorough organization, the loss of what little leadership existed was a staggering blow, but Lenker's release on bond was not long in coming. His bond was set at ten thousand dollars and he was given until October 1 to enter a plea.⁸⁰ The hearing was scheduled for Tipton, but it was changed later. Previous to his establishment of bond he had been removed from the National Guard encampment and taken to Anamosa Reformatory for the purpose of preventing violence in connection with his release.⁸¹ Governor Turner reiterated his previous statements concerning law and order and maintained that

⁷⁹ *Ibid.*, p. 12A

⁸⁰ *Des Moines Register*, September 26, 1931, p. 1.

⁸¹ *Davenport Democrat*, September 25, 1931, p. 1.

the Lenker case would be handled strictly according to law.⁸²

Lenker's terms of release prevented his interference in the testing and he returned to his farm to await trial. E. C. Mitchell, another of the original objectors, was arrested and released on five thousand dollars bond after his lawyer, J. C. France, had obtained a writ of habeas corpus. This in itself posed a legal question, for the Iowa constitution definitely permitted the suspension of the writ of habeas corpus during time of martial law. Still the writ was issued and Mitchell was released on bond.⁸³

Although the testing continued without opposition for the most part, not all farmers submitted quietly. Two men, Carl Rixe and R. P. Broders, were arrested for refusing to allow the test. On the Broders farm at least twenty-five farmers gathered and the veterinarians who attempted to test the cattle were allegedly attacked by Broders.⁸⁴

This was the exception, however, and for the most part the testing proceeded without undue difficulty except from the mud and rain which befell Tipton upon the arrival of the troops. In two days at least twenty-seven herds were tested,⁸⁵ and for all practical purposes the war was over. Though the violence ceased, the feeling of the populace had not appreciably changed. This was borne out by the fact that in Henry county, a popular meeting sent the following ultimatum to the governor.

We the undersigned, citizens of the state of Iowa, on this day, September 24, 1931, attending a massmeeting at Mount Pleasant in Henry county, go on record as asking Governor Turner to release J. W. Lenker and remove the soldiers from Cedar county immediately.

We hereby bind ourselves not to pay unpaid taxes for 1931

⁸² *Ibid.*

⁸³ *Ibid.*

⁸⁴ *Des Moines Tribune-Capital*, October 5, 1931, p. 1.

⁸⁵ *Des Moines Register*, September 26, 1931, p. 1.

and not to pay any in 1932 unless troops are withdrawn immediately from Cedar county.⁸⁶

The petition had seven hundred signers. The receipt of it was the instigating factor in the governor's issuance of the statement concerning law and order in the handling of the Lenker case. Governor Turner was showered with telegrams and letters, all expressing the same general protest. The Farmers' Union and the Farmers' Protective Association joined in sending a petition asking that the testing be stopped until the merits of the test could be fully determined.⁸⁷

LENKER AND MOORE AGAIN ARRESTED

Another shock suffered by the farmers was the re-arrest of Jake Lenker and Paul Moore. This second arrest did not stem from their most recent actions, but was based on their original attempts to prevent the cattle from being tested. The two men were charged with conspiracy to violate the Iowa Tuberculin Law.⁸⁸

The trial of Lenker and Moore began in the week of March 23, 1932, but not in Tipton. The state had asked for a change of venue to Jones county on the grounds that an impartial jury could not be obtained in Cedar county.⁸⁹ This fact had seemed obvious in the trials of other objectors, for of all the persons arrested by state agents and National guardsmen, only Lenker and Moore received a sentence commensurate with their crime. A minor item in *The Des Moines Register* of March 10, 1933, pointed up this fact, by noticing that the "Cow War" cases against six farmers who had been indicted for conspiracy to incite rebellion against the Tuberculin Test Law were dismissed because the courts had been unable to draw an impartial jury. This was the settlement in the majority of cases. Others were dismissed with small fines or suspended sentences.

Finally the case against Jake Lenker and Paul Moore

⁸⁶ *Davenport Democrat*, September 25, 1931, p. 1.

⁸⁷ *Davenport Democrat*, September 27, 1931, p. 1.

⁸⁸ *Des Moines Register*, October 2, 1931, p. 1.

⁸⁹ *Tipton Advertiser*, March 24, 1932, p. 1.

went to trial and the two men were convicted, which in view of public sentiment was an unexpected and somewhat startling turn of events. The Turner administration closed in January, 1933, and Clyde E. Herring became governor. The State Supreme Court, in December of 1933, upheld the conviction of Lenker and Moore,⁹⁰ and although they filed other appeals, by July 1934 they had exhausted all hope of obtaining releases from their sentences. And finally, on the sixth day of July 1934, Moore and Lenker were taken to the state penitentiary to begin serving the three year term which had been given them for their part in the "Cow War."⁹¹ On the fifteenth day of August, exactly forty days after their incarceration, the two men were released⁹² on parole by the state Board of Parole.

"COW WAR" AT AN END

The violent phases of the "Cow War" had ended long before the trials were held. The troops had been moved from Tipton on the second day of October, 1931,⁹³ and within a week only a very small detachment remained to aid in the testing. The war had reached a conclusion, but it had not reached a solution. Now that the violence had been suppressed and the farmers had returned to their homes, it would seem that the state had won its case and that by noticing this fact the farmer would have come to the realization that violence, agitation, and unlawful action were out of place in a modern society. Yet, if this were so, there would then have been no further disturbances elsewhere. J. S. Russell, the Farm Editor of *The Des Moines Register and Tribune*, in a personal letter to the author, gave this statement as his summary of the cause of the "Cow War."

The Cow War had its roots in the same unrest that developed the Holiday movement. The protest against testing cows was, in my opinion, merely one form of expression of resentment against low prices and depression.

⁹⁰ *Marshalltown Times-Republican*, December 12, 1933, p. 1.

⁹¹ *Des Moines Register*, July 7, 1934, p. 1.

⁹² *Cedar Rapids Gazette*, August 16, 1934, p. 1. c. 8.

⁹³ *Des Moines Tribune-Capital*, October 2, 1931, p. 5a.

If Mr. Russell is correct in his thumb-nail evaluation a complete solution to the farmers' grievances was not achieved. There was no increase in commodity prices, nor did the state provide any legislation to aid the farmer except the enactment of four emergency relief acts in the special session of the Forty-fifth General Assembly early in 1934, to aid the mortgage problem, designed to enable the owners of mortgaged real estate to keep possession of their property and at the same time preserve rights of the holders of the mortgages, thereby easing the strain of foreclosures during emergency limited to extend to March 1, 1935, but were not satisfactory to the farmers. His market had not increased and, so far as the farmer was concerned, he felt that he had gained little through his efforts. The repeal of the Tuberculin Test Law would not have solved his problem. It might have saved him a cow or two, but that would not have raised the price of milk or beef. The "Cow War" did encourage the farmers to draw one general conclusion, however, that all farmers not just a few should be organized. This idea was later carried out by Milo Reno in the Farm Holiday Movement.

The "Cow War" had ended, but other outbreaks were to follow, born of the same circumstances, reacting in the same manner and in some cases coming to the same conclusion. The final ending of the revolts may well have been speeded if the executive departments of the State of Iowa and the United States had realized that it was not a matter of suppressing a group of radicals but of aiding a group of citizens in time of need.

Much-Named Iowa Locality

During its history, the city and community of Council Bluffs, Iowa, has had nine names: Fort Kearny, Fort Fenwick, Fort Croghan, Hart's Bluffs, Trader's Point, Council Point, Miller's Hollow, Kanessville, and since 1853, Council Bluffs.—Leon C. Hills, D.D.

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