Attempt to Hang an Iowa Judge

By Frank D. DiLeva

"FARM HOLIDAY" CULMINATES IN "NEW DEAL"*

The news of the Farm Holiday was pushed from the pages of the newspapers by the presidential campaign The interest fostered by the campaign did of 1932. much to cause the Holiday and the problems of the farmer to slip into a state of suspended animation. Midwest was considered to be a controlling factor in the forthcoming election. Both the presidential incumbent and the aspirant spoke in Iowa. As the resounding campaign made its swing around the country, the farmers turned their efforts from the halting of trucks to the preventing of farm foreclosures. President Hoover at the height of the campaign asked the Reconstruction Finance Corporation [which was created during his administration to investigate the problems of farm mortgages.1 He declared that there would be no mortgage moratorium, but he felt that some action should be attempted. . . 2 but the investigations into the farmers' problems never progressed beyond the investigation stage.

The campaign was bitterly fought in the Midwest and its vote, and presumably that of the farmer, proved to be an important factor in the election of the Democrat administration. It was the first time in many years that the Midwest had voted against the Repub-

*The Iowa farmers' revolt entered partisan politics in 1932, with demands for relief from summary foreclosures of farm mortgages, demands for relief from summary foreclosures of farm mortgages, more stable prices for farm products and discontinuance of issuance of tax free government securities. The turbulent events depicted by Mr. DiLeva in this last chapter of his master's thesis ends with a recital of violences committed by Iowa farmers. The conclusions and judgments of the author largely have been omitted, and the purely historical recital of movements by citizens as individuals and in groups retained, the object being to portray events participated in by our Iowa people under stress and strain rather than comment upon motives and disagreements.—Editor.

1 Des Moines Register October 1, 1932, p. 1

¹ Des Moines Register, October 1, 1932, p. 1.

lican party. The vote was probably not so much a vote of confidence in the new administration as a vote of protest against the former regime. The party in power now inherited the task of holding the support of the farmers.

As the farmer waited for the inauguration of March 4, 1933, he became determined that the winter months would not find people being evicted from their homes. As early as July of the previous year, Hardin county, Iowa, had formed an organization known as the United Farmers, boasting twenty-five hundred members and designed for the purpose of forcibly halting farm foreclosures.⁸

The attempts to prevent foreclosures brought about a unique practice known as "penny sales." This action if carried out on a statewide basis, would have been an effective way to circumvent foreclosure action. The process usually involved a group of sympathetic farmers who bid on a piece of property at a ridiculously low figure. By threat, cajolery or force of violence they also prevented outsiders from bidding on the property. A group of farmers bought fifteen hundred dollars worth of chattel for the sum of eleven dollars at Holstein. A similar sale, nearby, was cancelled due to the gathering of one thousand farmers. Another thousand Iowa farmers won a postponement of a sale at Bedford in Taylor county.

SHERIFF SEIZED BY ANGRY FARMERS

A group of farmers near LeMars prevented the sheriff from serving an eviction notice at the farm of Ed Durband. The crowd threatened to "shoot it out" with the sheriff. The farmers took the shells from the sheriff's guns, searched his briefcase, and placed water in his auto gas tank.

One of the most damaging instances of violence came in the early weeks of 1933. One man was killed and several others wounded in a gun battle just outside

⁸ Des Moines Register, July 18, 1932, p. 1.

⁴ Des Moines Sunday Register, January 15, 1933, p. 4.

⁵ Ibid.

⁶ Des Moines Register, April 19, 1933, p. 1.

Sioux City. A man named R. D. Markell, age 67, was killed on the third day of February, while attempting to run a blockade into the city. The man accused of the shooting was named Nile Cochrane. Five persons were wounded in the shooting spree and at least fifty shots were exchanged. Markell's two sons were wounded as were Cochrane and one other picket. The case against Cochrane was eventually dropped due to insufficient evidence.7

The attempts to halt foreclosures continued at Harlan in Shelby county. County Attorney Jake More was held captive all afternoon by a group of farmers. More had gone to the farm of Thomas McCarthy to serve an eviction notice for the Prudential Insurance Company, which had received the farm through mortgage foreclosure proceedings. The farmers held More until he agreed to rent the land to the family being evicted.8

Sheriff Ed Leemkuil of O'Brien county had to be protected from a group of farmers while attempting to sell the John Shaffer farm on a court judgment. The deputies were forced to wield clubs to prevent the farmers from gaining access to the third floor of the Primghar courthouse. The fight raged through the first and second floors and at least ten persons were wounded. As an aftermath to the action, O. H. Montzheimer, attorney for the mortgage holder, was seized and made to kiss the American flag." The rioting and intimidation spread to Coon Rapids, where a farm implement dealer was threatened with bodily harm for having repossessed a tractor under provisions of a contract. He escaped the angry mob by running through the back door of his establishment and jumping into his automobile.10

SOUGHT TO HANG DISTRICT JUDGE

As the rioting due to mortgage foreclosures and tax sales continued, they assumed the properties of a snowball. Each action became more serious than the pre-

Des Moines Register, February 4, 1933, p. 1.
 Des Moines Register, March 25, 1933. p. 1.
 Des Moines Register, April 4, 1933, p. 12.
 Des Moines Register, April 28, 1933, p. 1.

vious, until the eventual result was the Denison riot and the attempted hanging of Judge C. C. Bradley at The Denison riot took place at the farm of J. F. Shields, three and one-half miles west of Denison. A foreclosure sale was in progress; two cribs of corn were sold, one at 20 cents a bushel and the other at 22.5 a bushel. A third crib was being sold when cars and trucks filled with farmers drove up. The men swarmed from the machines and deputies ran to meet them. The attackers formed a flying wedge and bore down on the officers; the officers were thrown to the ground, kicked, and jumped upon, as sticks, fists and bricks flew. Three officers were severely beaten and at least a dozen farmers met the same fate. This wanton attack on the deputies by at least eight hundred men caused the calling of the national guard. It required the combined efforts of the deputies and militiamen to prevent the as yet unsatiated crowd from storming the courthouse. narrowness of the stairway which the attackers attempted to climb was the cause of the failure. 11 Though Governor Turner previously had said the guard would not be called, he had little choice at this time. This action seemed like open rebellion.

The second of the more serious incidents, was the attempted hanging of Judge C. C. Bradley at LeMars. The two actions were almost simultaneous in the execution. The group which participated in the Bradley affair was made up of those persons who had earlier attempted to halt the eviction of Ed Durband at Primghar. The group had gone to the home of the administrators of the Zink estate, which owned the Durband farm and failing to achieve satisfaction, marched on the LeMars courthouse. The farmers entered the courtroom wearing hats and smoking. Judge Bradley asked the men to take off their hats and to stop smoking. He was immediately seized amid cries of "This is our courtroom not yours." Bradley was ordered to promise not to foreclose, or sign any more forclosure proceed-

Des Moines Register, April 29, 1933, p. 1.
 Des Moines Register, April 28, 1933, p. 1.

ings. He refused and was slapped. He was ordered again and following his second refusal, again was slapped. The men then took him to a crossroads out of town and placed a rope around his neck. A telephone pole was used as the "hanging tree" and he was lifted from the ground by the taut rope. At this point, the farmers became involved in an argument concerning the relative merits of hanging as opposed to being dragged behind an automobile. They settled the incident by taking off the Judge's pants, filling them with grease and dirt and then leaving the scene. Bradley eventually received a ride into town and returned to his home. His neck was burned from the rope and his lips were bloody and battered. The National Guard arrived in LeMars the next day.

The guard was sent to Crawford county because of the Denison riot and to Plymouth and O'Brien counties because of the Bradley affair. O'Brien county received the guard because of the Primghar courthouse attack which preceded the Bradley incident.

In Denison, Lt. Col. Folsom Everest read the governor's proclamation of martial law as a crowd milled in the courthouse area. The farmers watched the patrols take positions on the streets of town without jeers or catcalls, without any of the playful spirit which earlier had been shown in the "Cow War" at Tipton.

Andrew Ball, Crawford County Attorney, said that he believed that the majority of rioters were Farm Holiday sympathizers.

The major portion of the farmers at the fight today were from Shelby, Monona, Woodbury, Harrison and Ida counties, and some from Crawford.

The farmers were holiday sympathizers, organized to stop foreclosure sales all over this part of the country. If there has been any activity by Communist agitators in this part of the state, I have not heard of it.16

The National Guard was the only solution to the Le-Mars action and the guardsmen patrolled the streets

¹⁸ Ibid.

¹⁴ Ibid.

¹⁵ Des Moines Register, April 29, 1933, p. 1.

¹⁸ Ibid.

of town with the express purpose of preventing a recurrence of like incidents. The guard units involved were: Headquarters Company of Neola, Company M of Red Oak, and Company E of Shenandoah.¹⁷ The authorities of the Guard group claimed to be in possession of a list of ringleaders who led the Bradley assault.¹⁸ It was expected that the arrest of these men would effectively halt all future farm disturbances.

Two hundred and sixty-three guardsmen were sent to the LeMars area. Immediately upon their arrival they set about making arrests. The arrests were not limited to Plymouth county, but spread to Crawford and O'Brien counties. The O'Brien county affair and the Denison Riot were enough to have forced the calling of the guard, and coupled with the Bradley assault, there was definite evidence that the civilian authorities were no longer able to maintain order. The lack of order was laid at the feet of the Communists, but not everyone considered the riots to be Communist inspired.

COMMUNIST INSPIRED LEADERSHIP CHARGED

The ugly cry of Communists again raised its head as Park A. Findley, head of the State Bureau of Investigation, declared that Sioux City was a hot-bed of Communistic activity and:

Communistic propagandists have been making the best of their opportunity in a section made fertile for discontent by drought, grasshopper invasions and depression.

Many of the farmers are not aware of Red backing in their troubles, but it is there nevertheless. There is very little spontaneity in the uprisings in western Iowa.²⁰

George V. Pew, President of the LeMars Chamber of Commerce and J. C. Gillespie, editor of the *LeMars Sentinel*, claimed that the farmers who came into the courtroom were orderly and the action was spontaneous.²¹ Regardless of their testimony, the military issued a statement which claimed that a number of the

¹⁷ Ibid.

¹⁸ Ibid.

¹⁹ Ibid.

LeMars Semi-Weekly Sentinel, May 2, 1933, p. 1.
 Des Moines Tribune, April 29, 1933, p. 1.

men involved in the Bradley attack were not farmers. One of the military officers declared that definite evidence had been obtained revealing that professional agitators had been in the vicinity several days before the action took place. They had not been able to establish whether those men had taken part in the uprising.²²

Milo Reno soon commented on the uprisings. Reno said:

It is deplorable, in fact revolutionary, when people who are law abiding, conservative citizens ignore the courts and violate the law even to the extent of mobbing judges; however, it has occurred a great many times in the world's history. When laws and courts fail to establish and maintain equity and justice, they will be overthrown, ignored and abolished.

The farmers of that community have been God-fearing, law-abiding members of society up until the present. I take it, any acts of violence and law violations that have been committed have been due to some intolerable wrong under which the people have been suffering.²³

Gov. Clyde L. Herring, who had been elected in November of 1932, expressed his opinion concerning the matter. He seemed to feel that the mal-treatment of Bradley was not farmer-inspired.²⁴

A four-man commission was established by the state to investigate and gather evidence concerning the violence. The members of the commission were: Captain C. G. Harris, of Jefferson, Captain Fred G. Clark of Waterloo, Major L. D. Mallonee of Audubon, and Judge Advocate Frank B. Hallagan of Des Moines.²⁵ All the men were members of the National Guard and were also attorneys by profession. The commission had as its duties the collecting of evidence, the investigation of the violence and the trial of the men involved. The commission was to exist so long as martial law remained in effect in the counties.²⁶

GEN. TINLEY'S OPINION OF CAUSES

Maj. Gen. Matthew D. Tinley, commanding officer

²² Ibid

²³ Des Moines Register, April 29, 1933, p. 4.

²⁴ Des Moines Sunday Register, April 30, 1933, p. 1., Sec. 2.

²⁵ Des Moines Tribune, May 2, 1933, p. 1.

²⁶ Ibid.

of the National Guard, had this to say concerning the need for the troops:

I figure the citizens of Plymouth county are the same breed as the rest of us Iowans, mentally sick and depressed by conditions the times have placed on us. So we are here only to maintain the right and decency of the people of the community and the dignity of the state of Iowa . . . $^{\rm 27}$

The state appointed Judge Frank B. Hallagan of Des Moines as assistant attorney general and gave him instructions to proceed to LeMars and make a thorough investigation of the farm disturbances. Chief Justice James W. Kindig of the Iowa supreme court issued an order transferring District Judge Earl Peters of Clarinda to Plymouth county for the purpose of replacing Judge Bradley. Assistant Attorney General Leon W. Powers was sent to LeMars to start criminal action against those men who abducted Judge Bradley.²⁸

The charge expected to be brought against the farmers who had participated in the actions was one of criminal syndicalism, provided sufficient evidence could be found to warrant such a charge. This charge is defined as the doctrine which advocates crime, sabotage, or other unlawful methods of terrorism as a means of accomplishing political reform and carries with it a maximum penalty of ten years in prison and a fine of five thousand dollars.²⁰

Governor Herring suspended all civil courts in Plymouth and Crawford counties immediately after reports of violence. They were to remain suspended until such time as the state attorney general would give an opinion concerning their relationship to military courts. The governor made it clear that the courts were to be closed for only a few days unless a proposed meeting with Major General Tinley showed that civil courts could not cope with the situation.⁸⁰

Des Moines Register, May 1, 1933, p. 10.
 Des Moines Register, April 29, 1933, p. 4.

<sup>Ibid.
Des Moines Tribune, May 1, 1933, p. 1.</sup>

MILITARY VS. CIVIL AUTHORITIES

State Attorney General O'Connor gave as his opinion that the governor could close the civil courts and that martial law might either displace or be adjunct to civil authorities.³¹ Though this gave the military the right to try the rioters, the state had not decided whether it would be by courts martial or by the civilian authorities.

The arrests brought about a legal problem which, though not affecting the outcome of the trials, for a time held out hope of escape to those men who had left the counties declared under martial law. County Attorney F. D. Smith of Cherokee county sent a message to Governor Herring, stating that troops should be kept out of Cherokee county. Smith said, "The civil authorities can handle Cherokee county. We want no troops here." Smith went on to explain, "I told the governor that if troops came in here they will be arrested by the civil authorities."

The problem posed by the county attorney's statement rests on the normal concept of civilian authority and its relation to military authority. Cherokee county was not under martial law. Only the three counties involved in the rioting, O'Brien county, Plymouth county, and Crawford county, were actually under martial law. The county attorney, therefore, felt that he was within his jurisdiction in issuing the ultimatum of arrest for the military. The troops ignored the threat and arrested two men shortly after Smith had made his statement.34 The troops were not hindered or arrested. What then was the position of the county attorney? He was legally within his bounds in making the statement, but was unable to carry out the threat. It was physically impossible for deputy sheriffs to arrest armed troops. It was this point which effectively settled the problem. Trained troops, armed

⁸¹ Ibid

Des Moines Tribune, May 2, 1933, p. 1.

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³⁴ Des Moines Register, May 5, 1933, p. 16.

with modern weapons, were not bothered by minor infractions of the law.

Arrests continued; an attempt was made to enlist the aid of Clarence Darrow as defense attorney for the farmers. When approached concerning the case, Darrow said, "I do not imagine I could stand it. It looks like a case of several weeks to me and I could never stand up under such a lengthy trial."

Though unwilling to accept an active part in the case, the seventy-six-year-old Darrow did express the view that he would be willing to accept a small share in the case in an advisory capacity.³⁶

The total number of men arrested by May 6, 1933, was 155, all listed as farmers of the immediate locality.³⁷ Nineteen men had been released, leaving 136 men under arrest.³⁸ A breakdown of the numbers arrested by county follows:

Arrested in the LeMars area	92	
Released by troops	6	
	_	
Total held		86
Arrested in the Denison area	63	
Released by troops	13	
	_	
Total held		50
Total number held		_136 89

These men for the most part were charged with contempt of court, though the state was still undecided as to the procedure to be followed in trying them.

The arresting officers, led by Sheriff R. E. Rippey of LeMars, had to travel 110 miles to Tyndall, South Dakota, to apprehend one of the alleged ringleaders in the Bradley riot, one Martin Rosburg. Rosburg was supposedly the man who pulled Bradley from the truck which carried him to the hanging ground. The men who were arrested were held in a barn, the National Guard maintained a machine gun alert around the

³⁵ Des Moines Register, May 3, 1933, p. 1.

³⁶ Ibid.

³⁷ Des Moines Register, May 6, 1933, p. 1.

³⁸ *Ibid.*, p. 12.

³⁹ Ibid.

⁴⁰ Des Moines Register, May 11, 1933, p. 6A.

barn, and, as each man was brought to the temporary stockade, he was searched and forced to march through a line of guardsmen with fixed bayonets.41 The average age of the men arrested in the Denison area was 42.7 years;42 in the LeMars area, it was 42.4 years.43

Type of Law Violators

What type of man participated in the riots? A. B. MacDonald, writing in the Des Moines Register of May 7, 1933, pictured a man sitting on the truck which was being used to carry prisoners to the guard house:

On the truck sat a typical Iowa farmer. He was head of a family. A few years ago he owned a farm. He mortgaged it to buy land. The crash came. He could see nothing ahead but foreclosures, eviction, homeless poverty. . . He joined the mob of other farmers who like himself, had lost all and were intimidating sheriffs and courts into putting off foreclosures. So here he was, a prisoner going shamefacedly to jail.

This man was like the others who were arrested. A man who had a family, who was approximately fortytwo years of age and who had been a farmer most of his life. It was this type of man whom Attorney General O'Connor stated had been using racketeering methods.

Attorney General E. L. O'Connor charges that investigation into Plymouth county and Crawford county shows the use of racketeering methods, coercion and intimidation.

O'Connor claimed [that] early evidence by military inquiry showed 75% of the farmers enrolled in the holiday association were forced to join, or have their barns and haystacks burned.44

O'Connor charged that investigation into the riots had made little headway previous to the entrance of the troops because everyone was afraid to talk.45 He went on to sav:

We have also discovered that a Communist center in Sioux City has been actively engaged in egging on the organization. Many engaged in the terrorism of the district are not

 ⁴¹ Des Moines Tribune, May 2, 1933, p. 1.
 ⁴² Listed in the Denison Bulletin of May 4, 1933.

⁴⁸ Listed in the Des Moines Register from May 2, 1933 to May 7, 1933.

⁴⁴ Des Moines Tribune, May 5, 1933, p. 1.

⁴⁵ Ibid., p. 10.

themselves in financial difficulties. They were mostly the type that likes to make trouble.46

As shown above, all men who took part in the riots were farmers. Since more than 50 per cent of all Iowa farmers were in debt and the debtor class was the only group which was in such desperate straits as to resort to violence, it may be assumed that the men engaged in the riots were of the debtor class. These men whom O'Connor accused of being "egged on" by Communists were not different from the majority of Iowa farmers. They were mature men, average, not hotbloods.

As the arrests were being made and the evidence being gathered, the Farm Holiday Association set about to raise a defense fund for those men being held. Two prisoners, who were members of the organization, contacted James J. Blaine, former senator from Wisconsin, to act as counsel for the men held in Denison.47 One of the men, Frank North, had previously applied for a writ of habeas corpus in the Federal district court in Des Moines and had the application rejected by Federal Judge Charles A. Dewey.48 seemed to substantiate the rumor that the men were to be tried by courts martial, since the writ of habeas corpus may only be suspended during time of emergency, but the actual reason for Dewey's refusal was more probably the theory that the Federal courts had no jurisdiction. Moreover, the rumor was promptly squelched with the announcement, on the ninth of May, that martial law would end two days later.40 Troops immediately began to move from the area. Two companies, a rifle company and a machine gun company, were to remain in Denison.50 The civil courts in Crawford were open at 9:00 a.m., the eleventh day of May, 1933. This would automatically end the term of martial law. The charges against all men were to be filed at that

⁴⁶ *Ibid.*, p. 10.

⁴⁷ Des Moines Sunday Register, May 14, 1933, p. 7-L.

⁴⁸ Des Moines Register, May 8, 1933, p. 18. 40 Des Moines Tribune, May 9, 1933, p. 13. 50 Ihid.

time. When the courts opened, only one hundred guardsmen remained in the area; by the fifteenth of the month, only fifty remained and by the twentieth all the troops had departed.51

CIVIL COURT ACTION PROCEEDED

Judge Homer A. Fuller of Mount Avr was appointed to preside over the Crawford county trials. Judge Earl Peters of Clarinda had previously been assigned to LeMars.52

Jack Hemp of Granville, one of the men tried on contempt charges, admitted in his testimony to the following activities while a member of the Farm Holiday Association:

- 1. Picketing the roads in late August around Sioux City.
- 2. Picketing at Council Bluffs
- 3. Halting a foreclosure at LeMars
- 4. Unsuccessfully attempting to halt a foreclosure in O'Brien county
- 5. And unsuccessfully attempting to halt a foreclosure at Primghar.58

This last event led to the calling of the National Guard. Sheriff Leemkuil, in his testimony, stated that Morris Cope had threatened to take Judge Bradley from the bench while attempting to halt the sheriff's action at Primghar.54 The Primghar affair was settled when most of the men pleaded guilty to contempt action and to resisting service of a court process. Five men were given suspended sentences of one year and the others were released with equally light sentences or small fines.55

Only one man was actually tried on a charge of assault in connection with the Bradley incident. He was A. A. Mitchell, age 75, who was charged with assault with intent to do great bodily harm. He was sentenced to thirty days in jail.56

Judge Fuller sentenced all the men in the Denison

⁵¹ Des Moines Register, May 11, 1933, p. 6A.

Des Moines Register, May 9, 1933, p. 1.
 Des Moines Register, June 8, 1933, p. 18.
 Des Moines Register, June 6, 1933, p. 18.
 Des Moines Register, June 6, 1933, p. 13.
 Des Moines Register, June 24, 1933, p. 4.
 Des Moines Register, June 28, 1933, p. 16.

riot to a fifty dollar fine and one day in jail. They were tried for resisting an officer in his attempt to carry out a court order. All other charges were dismissed.57 Fuller in meting out the punishment has this to say concerning the group before him, "I do not think a single man who has stood before me is a bad man or a bad citizen who should be confined as a felon."58

BIOTING OCCASIONED EXPENSE TO STATE

So far as the law was concerned the two uprisings were past history, but payment was due and the price had been high. The calling of the guard to quell the three uprisings, "The Cow War," the Denison riot, and the LeMars riot, cost the state a total of \$202,000. Five hundred had been on duty at the peak of the latter two affairs and they had cost the state \$25,000, while the Tipton disturbance had cost \$177,000.50

The Denison and LeMars outbursts came at a time when farm prices were at an extremely low ebb. These quotations were at an all-time low during January and February of 1933. The average decrease was 49 per cent under the base years of 1910-1914. Grain declined an average of 34 per cent, fruits and vegetables had declined an average of 59 per cent and dairy products had dropped 62 per cent.60

These price figures were the instigating factors for another visit to the statehouse at Des Moines by Iowa farmers. Three thousand farmers visited the capital during a joint session of the legislature and leaders of the farmers expressed their view concerning what was needed in the way of aid. They put forth four points which they felt were immediate needs:

- 1. A full moratorium on mortgages
- 2. Revision of the tax laws, predicated on the ability to pay
- 3. Prohibition of tax free securities
- 4. The adoption of special agricultural legislation. 61

⁵⁷ Des Moines Register, May 17, 1933, p. 1.

⁵⁸ Ibid.

Des Moines Register, May 20, 1933, p. 1.
 Des Moines Register, March 1, 1933, p. 14.
 Des Moines Register, March 14, 1933, p. 1.

The above proposals followed a resolution, by four hundred members of the National Farm Holiday Association, to call a marketing strike if legislative justice was not forthcoming by May.62 The vote took place at a meeting in the Kirkwood hotel in Des Moines. Since little had been done toward ends asked during March and April, the organization voted to strike on May 13, 1933. All that was required to put it into effect was the action of the national board. The twelfth day of May, Milo Reno called off the strike. He remarked that the dairy could continue theirs, but the other farmers were to postpone their action pending the outcome of President Roosevelt's farm program. Roosevelt had stated that there would be more leniency on farm mortgages and that legislation would soon come to the aid of the farmer. Reno suggested giving Roosevelt a chance to prove his words.63

IOWA ASSEMBLY ENACTED NEW LAWS

While in session, the 45th General Assembly of the State of Iowa passed four emergency relief acts which were designed to aid in the mortgage problem. They were:

- 1. H. F. 193, which made it possible for the mortgage holder and debtor to agree on a postponement of foreclosure.
- 2. H. F. 350, which stated that no sheriffs' deeds were to be issued until March 1, 1935, in foreclosures involving property in which the redemption periods had not expired; preference must also be given the previous owner as tenant.
- 3. S. F. 115, made foreclosure petitions unnecessary during this critical period.
- 4. S. F. 116, gave the debtor \$500 worth of property to be exempted from execution to satisfy the debt. The debtor may choose livestock, machinery, or farm products.64

How much effect were those bills to have? The answer is found in the following quotation:

The 45th general assembly passed four emergency foreclosure relief acts designed to provide a program which

<sup>Des Moines Register, March 13, 1933, p. 1.
Des Moines Register, May 12, 1933, p. 1A.
Des Moines Sunday Register, April 30, 1933, p. 1., Sec. 6.</sup>

would enable owners of mortgaged real estate to keep possession of their home and at the same time preserve the rights

of the holders of the mortgage.

Three of these acts deal with separate phases of the mortgage foreclosure problem as they relate to easing the strain of forclosure during an emergency extended not beyond March 1, 1935. The fourth aims to give the owners of mortgaged property who decided that foreclosure is the best way out for them, sufficient property to resume farming operations under a new start.

None of these acts dealing primarily with maintaining mortgaged real estate in a virtual status quo pending recovery of prices, established either a moratorium on foreclosures or changed the existing one year period allowed for redemption of mortgaged property.

The legislature stopped short of enacting laws of either character. Its purpose was to adopt a program which would make it possible for holders of mortgages and owners to agree upon postponement of foreclosures.⁶⁵

The legislature had not passed the specific laws which the farmers had asked to be passed . . . The one year redemption period for property was considered too short; yet there had been no attempt to change it. It could then be expected that the Farm Holiday would continue.

THE FARM HOLIDAY DWINDLES

All was quiet during the summer months of 1933. The Farm Holiday Association waited while Roosevelt and his "brain trust" sought ways and means of alleviating the situation. As the summer waned and the price of farm products remained consistently low, the members of the Farm Holiday group assumed that aid was not forthcoming. Many farm groups felt that the New Deal had fallen short of providing the promised aid. They also believed that inflation was necessary for recovery.

Henry A. Wallace, secretary of agriculture, found himself criticized for not supporting an inflationary program. The Iowa farm board suggested that minimum prices be fixed for farm products. Feeling ran

Oes Moines Sunday Register, April 30, 1933, p. 1., Sec. 6.
 J. S. Russell, Des Moines Sunday Register, September 3, 1933, p. 1., Sec. 6.

high for a method of compulsory control of production. Milo Reno maintained that Henry Wallace had changed his economics. Reno said that Wallace had preached inflation in his magazine, but did not follow his preaching.⁶⁷ Reno wanted Wallace to resign,⁶⁸ and continued his attack against Wallace's policy with the following statement:

If prices are not raised either by inflation or by some other means, he said, we are not going to sit idly by and let the men and women of the farms continue to lose their homes.⁹⁹

The attacks upon Wallace came from all sides. J. W. Kime declared that the citizens of Iowa should demand the removal of Wallace.

Unless farm prices are fixed at once, not only the farmer but the business man will be crushed, and Wallace fails to see this. Unless the farmer receives immediate consideration the entire Roosevelt administration will fail. 70

The same general thought was expressed by Glenn B. Miller, President of the Iowa Farmers' Union during its annual meeting. "Unless some remedy is advanced that will help agriculture before the next congress meets, the farmers will stay at home, sell nothing, pay nothing and will go on a farm strike that will overshadow anything that ever happened in this country." Miller went on to say that he had wired Roosevelt that only by giving cost of production to the farmer and changing our monetary system could revolution be averted."

The administration had not been totally inactive. Measures were in the planning stage and some were being slowly put into effect, but as in the case of the Hoover administration, the efforts through legislative aid did not reach the farmer soon enough to suit the farmer. Nevertheless, the federal government announced a number of agricultural assistance acts planned. They were:

⁶⁷ Des Moines Register, September 5, 1933, p. 2.

⁶⁹ Ibid.

 ⁷⁰Des Moines Register, September 11, 1933, p. 12.
 ⁷¹Des Moines Register, September 21, 1933, p. 1.

¹² Thid

- 1. The approval of the principle of fixed prices on hogs and provisions for control of production of both hogs and
- 2. Some method of establishing controlled inflation.
- 3. Government financing of loans on farm holdings.
- 4. Increased effort to straighten out delay of refinancing farm mortgages.
- 5. Outright purchase of surplus foodstuffs for distribution to the needy.78

Secretary of the Treasury Henry J. Morgenthau Jr., explained the action of the government in the field of mortgage refinancing, saying:

The Iowa campaign is ahead of schedule . . . In just a short time we have built up an appraiser force in Iowa from six men to a total of about eighty. Now with a growth like that it will be a month or two before we can have a full force of appraisers functioning smoothly. The money will start flowing into Iowa as a result of this campaign, but it will take probably two months before much is paid out.74

This statement was used to explain the lack of action by the government in putting into circulation \$110,000,000 which earlier had been appropriated for the Federal Farm Credit Administration. The money was to be used to refinance mortgages on farms in Iowa. At the same time, the government had also announced arrangements made to use \$35,715,000 to thaw frozen credits held by banks in Iowa.76

FURTHER FARM STRIKE THREATENED

The members of the Farm Holiday adopted a resolution in September of 1933 which stated that, if the demands of the organization were not met, each state was to hold a strike. Their demands were as follows:

- 1. Cost of production price for farm produce.
- 2. A definite and specific pledge of enactment of the Frazier bill as soon as congress convenes. (Provides for refinancing of farm mortgages at 11/2 per cent interest and 1½ per cent annual payments on principal.)
- 3. Immediate payment of a veterans adjusted compensation certificate by the issuance of new currency.

78 Ibid.

 ⁷⁸ Des Moines Register, September 24, 1933, p. 1.
 74 Des Moines Register, July 26, 1933, p. 1.
 75 D. Moines Register, July 26, 1933, p. 1.

⁷⁵ Des Moines Register, June 12, 1933, p. 1.

4. Immediate use by President Roosevelt of the inflationary powers granted to him by congress.77

The Corn-Hog program of the federal government was announced on October 8, 1933, by Henry A. Wallace. Iowa was to receive \$75,000,000 if the state cooperated fully with the program. The combined program was to give the farmer five dollars per hog on 75 per cent of his previous two year production average if he cut his litters and sales one-fourth. A possible 30 cents per bushel of corn for the previous three year average yield was to be paid on the land taken out of production. Twenty per cent of the acreage was expected to be taken out of production. This was not a formal announcement of actual workings of the program, but only a possible method. The actual program was to be worked out by the Department of Agriculture at a later date.

Milo Reno denounced the program as inhuman and idiotic:

In order to strike a balance between consumption and production, Wallace proposed, by diminishing production 25 per cent, to bring it down to meet present consumptions with twenty per cent of our people hungry. And were it possible for this program to be made effective, we would continue to have one fifth of our population continually facing hunger.⁸¹

Thus, despite the attempts of the Roosevelt administration to aid the farmer, a strike was scheduled to begin at noon on the twenty-first day of October, 1933. Reno declared that the strike would be a long drawn out battle and he urged the farmers to a supreme effort to obtain their rights without trouble. Reno said:

The present strike is a battle not only for the present relief of the farmer, but for the future. We must work to make all farmers realize this is a battle for their rights, the cost of production for their products.⁸²

John Chalmers, President of the Iowa Holiday Asso-

 ⁷⁷ Des Moines Register, September 23, 1933, p. 1.
 ⁷⁸ Des Moines Register, October 8, 1933, p. 1.

⁷⁰ Ibid.

⁸⁰ Ibid.81 Ibid.

⁸² Des Moines Register, October 21, 1933, p. 1.

ciation, agreed with Reno and stated his viewpoint: "We don't want the farmers to get out and picket the highways. We want them to continue husking their corn, protesting present prices by peacefully withholding their goods from market.83

The first action of the strike came the very next day, at Sioux City. Two hundred farmers met at the courthouse and conferred with an attorney for the purpose of preventing a foreclosure proceeding. The foreclosure was postponed and the farmers then sent a telegram of protest to the Farm Credit Administration and Henry Morgenthau, Jr.84

Though John Chalmers had said that the Farm Holiday Association did not want the farmers to picket the roads, by October 23 the roads into Sioux City and other cities were being blocked. Livestock trucks bound for Sioux City were being stopped and at James approximately one hundred men were in a group which placed flares and railroad ties on the highway.85 Milk trucks were being allowed to pass the blockade, but other truckers were asked to return home.86

At Avoca, only fourteen trucks passed through the town on the way to Omaha. The strikers had reached an agreement with four trucking companies. companies promised to hold their grain until the strike was settled.87 Milo Reno addressed a mass meeting at Avoca and discussed mortgages. He told the group: "As to the administration's refinancing of farm mortgages, only about six per cent of those who have applied have received benefits. There is not one farmer in fifty who can meet the government's requirements for a loan."88

All roads leading into Council Bluffs were being picketed by October 25; about forty pickets stationed themselves at Crescent, which was six miles northwest of

Ibid., p. 11.
 Sioux City Journal, October 21, 1933, p. 1.
 Des Moines Register, October 23, 1933, p. 1.

⁸⁷ *Ibid.*, p. 19. 88 Ibid., p. 1.

the city. so In the Sioux City area, the picketing was centered around LeMars and the Prairie Creek road, but the produce market had as yet felt no ill effects from the picketing."

FARMERS WEARIED OF NIGHT PICKETING

A few days after the picketing began, many farmers complained of being tired working twenty-four hours a day, husking all day and picketing all night. truckers soon realized that there would be little picketing done in the early morning hours and, therefore, timed their movements to reach Council Bluffs and Sioux City after the pickets had left the roads. 91

As had been the case in the earlier farm disturbances. not all farmers joined in the picketing. Mills county formed an anti-strike group, which was designed to insure arrival of all farm produce at market. 92 sheriff of Mills county deputized twenty-six National Guardsmen as if they were private citizens, but they appeared on the highways with side arms and uniforms.⁹³ This immediately brought a protest from Adjutant General Charles Grahl. Such action was illegal and the men were forced to remove their uniforms and weapons.94

An agreement to cease picketing the roads in the Council Bluffs area was signed late Friday evening, October 27. The agreement was with the Holiday group and the Southwest Truckers Association.95

The temporary truce brought out a demand by the strikers for a complete embargo on all farm products and an indefinite suspension of all evictions and fore-These items were to be presented to a conference of governors which was to meet early in November, in Washington, D.C.⁸⁶ The governors left for Washington on the first of November. The group was

⁸⁹ Council Bluffs Nonpareil, October 24, 1933, p. 1.

Sioux City Journal, October 25, 1933, p. 1.
 Sioux City Journal, October 26, 1933, p. 1.
 Des Moines Register, October 26, 1933, p. 1.
 Des Moines Tribune, October 27, 1933, p. 1.

⁹⁴ Ibid.

⁹⁵ Council Bluffs Nonpareil, October 28, 1933, p. 1. 96 Des Moines Register, October 30, 1933, p. 1.

composed of the governors of Iowa, Wisconsin, North Dakota and Minnesota. They were to present to President Roosevelt a recommendation for the adoption of an NRA code for agriculture. The governors wished a guarantee of the cost of production plus a profit and controlled currency inflation. 97 The farm plan proposed by the governors was rejected by the Department of Agriculture. The department declared that in view of the plans in operation the governors' plan was not feasible. Two days were spent in discussing the plan, but it was not adopted. The department said it had not rejected the plan, but simply had not assented to it. It did not wish to go on record of having turned the plan down.98 The trip was not a total failure, for though the guaranty of cost of production had not been achieved, two concessions had been made:

- A promised reorganization of the Omaha Land Bank, so that the administration of emergency farm credit would operate more smoothly.
- 2. A promised readjustment of the basis upon which the fifty cent loan on this year's corn crop would be made, so that farmers could get a loan from 8 to 10 cents higher than first expected. 99

The conference did not satisfy the farmers, and Milo Reno saw the corn loan plan as a bribe to quiet the farmer. He then declared the strike to be in full force and expected it to gain momentum.¹⁰⁰

VIOLENCE AGAIN REIGNED

The violence stepped up in tempo as the strike proceeded to go into effect. An attempt was made to burn a fifty-foot railroad bridge, thirty miles from Sioux City. The civil authorities attempted to determine if it had any connection with the strikers and many believed it did. Sioux City was receiving only 40 per cent of its normal milk supply and the burning of the railroad bridge may have been designed to prevent the use of the railroads in hauling milk and other pro-

<sup>Pos Moines Register, November 1, 1933, p. 1.
Des Moines Register, November 4, 1933, p. 1.
Des Moines Register, November 5, 1933, p. 1.
Ibid., p. 1.</sup>

duce. 101 It was apparent at a later date that the attempt on the bridge could be laid at the door of the Farm Holiday adherents, for on November 6, a group stopped a train at Lawton and released eight cars of livestock. 102 Ties were stacked on the tracks and as the train was halted, the engineer was told that the bridge would be dynamited if he did not do as told. 103 Lawton was only five miles from Sioux City. Two other attempts had been made to halt the same train. One at Pierson and the other at Moville. It finally stopped at Lawton because the crew feared a wreck if an attempt was made to crash the barrier. The engine and caboose of the train were allowed to proceed to Sioux City. 104

A main line bridge of the Illinois Central railroad just outside of Cleghorn in Cherokee county, was destroyed by fire the following day. The bridge was fifty-six feet long and twenty-two feet above the ground. Four railroad companies decided to mount guards on bridges to prevent any repetitions of the incident.¹⁰⁵

The burning of the railroad bridge and stopping of trains caused a delegation of Sioux City business men to meet with Governor Herring. They went to Des Moines to ask that the governor call out troops to prevent further violence, but Herring declined their plea since no formal request had been received from Sheriff Tice of Woodbury county.¹⁰⁶

Milo Reno answered those who criticized the action of his followers:

The people have been admonished to carry on by peaceful picketing in the strike. It would be perhaps impossible, however, to prevent action of this kind in the present frame of mind of the farmer.

It is easy to counsel respect for law and order by those who are not in dire distress. It's quite another matter, however, to the farmer who sees the earnings of a lifetime being

¹⁰¹ Sioux City Journal, November 5, 1933, p. 1. ¹⁰² Des Moines Register, November 6, 1933, p. 1.

¹⁰⁴ Ibid.

¹⁰⁶ Sioux City Journal, November 7, 1933, p. 1.

taken from him and his righteous requests ignored.107

The reason for the increase in picketing could be found in the weather. Rain in the early days of November had made it too wet for corn picking, thereby leaving the farmers time to picket.108

The picketing reduced the Sioux City milk supply to half.109 Two men, Vern McFarland and Ward Libby of Odebolt, were beaten by pickets. They were pulled from their trucks and beaten while twenty-two of their hogs and a cow were turned loose. Sheriff Jo Perry of Pottawattamie county, immediately placed twenty men on the roads to forestall violence in the area.110

The pickets fired another bridge about one mile south of Portsmouth, in Shelby county, and Sheriff George Jensen said that evidence of kerosene and other combustibles showed that the firing was intentional. The bridge was completely demolished.¹¹¹ type of violence continued to harass the Sioux City area, a league known as the Law and Order League sent fifty names to Sheriff Rippey and announced themselves available for emergency service to keep the highways open.112

The violence also brought out another rash of name calling, which extended to the seat of government in Washington. Milo Reno immediately answered the attackers. Speaking of a statement made by Henry A. Wallace, he said:

I cannot call Henry Wallace secretary of agriculture. is not secretary of agriculture. He is a sub of Wall Street. He is a disgrace to the office he is supposed to hold. He did not name me, but he meant me when he inferred leaders of the farm holiday are getting some money out of stirring up opposition against the corn-hog program. Henry Wallace is a damned liar. I challenge anyone to show that I have taken one thin dime from the holiday movements. The same is true for all national officers.113

 ¹⁰⁷ Des Moines Register, November 7, 1933, p. 1.
 ¹⁰⁸ Des Moines Register, November 3, 1933, p. 11.
 ¹⁰⁹ Sioux City Journal, November 4, 1933, p. 1.

<sup>Des Moines Register, November 9, 1933, p. 1.
Sioux City Journal, November 8, 1933, p. 1.
Des Moines Register, November 13, 1933, p. 1.</sup>

CORN LOANS SILENCED RIOTERS

A truce was again declared on November 23. members of the Holiday association wanted to give the governors of the Midwest an opportunity to present their program before the following session of congress.114

The Iowa Farm revolts ended two days later. No, it was not suddenly done, but the final chapter would soon be written. It was on November 24, that the first corn loan was received in Iowa. The federal government had liberalized the method for obtaining money through corn loans by providing that any bank could pay the loan money and then certifying it had done so to the Commodity Credit Corporation. 115

The corn loans were received by using cribbed corn as the security in obtaining a loan. The federal government agreed to lend the farmer 45 cents for each bushel of corn which was put into a crib and sealed. The farmer was to repay the loan at a rate of 4 per cent interest, if he wished to repay it, but the best feature of the program was the fact that nowhere else could the farmer receive as much for his corn and if he defaulted on the loan, he lost only the cribbed corn, which then was unsalable. If the price of corn reached a point higher than 45 cents per bushel; the farmer could then sell the corn and repay the government loan while keeping the difference in profit.116 the farmer borrowed money under the loan plan for forty-five bushels of corn, he would receive \$20.25. he sold his corn at the price of the day, the same amount would gross him \$13.95. He made a profit and could lose nothing but his corn.117

It was the fact that money for a corn loan was actually received that warrants the statement that the end of the farm uprisings had arrived. The original loan was not of great size, but it heralded an unprece-

<sup>Des Moines Tribune, November 23, 1933, p. 2.
Des Moines Register, November 24, 1933, p. 10.
Des Moines Register, November 25, 1933, p. 1.
This is an example used by the author to explain the workings of</sup>

the program and is not intended to illustrate an actual loan.

dented amount of money being poured into Iowa.118

As soon as news of the first loan was made public, the rush started. Money was available, money meant buying power and buying power was that thing which the farmer most lacked. The loans meant economic relief—a relief which could be received within twentyfour hours after receipt of the application blanks.119

The first man to receive a loan was W. W. Hral, who lived southeast of Pocahontas. He received \$585 on a crib containing twelve hundred bushels of corn. flow of corn loans completely blocked the Farm Holi-Seventeen thousand five hundred and seventythree dollars were paid out in loans by the first of December.120 By the fourth of the month an individual loan of \$135,000 was paid in Sac county. This brought the total amount of loans to \$241,882.93.121

FARMERS' MENTAL ATTITUDE ALTERED

The very fact that it was possible to obtain money may have had much to do in the change of mental attitude of the farmers and the state at large. The Iowa legislature enacted a foreclosure moratorium bill almost immediately after the loans became available. It was designed to delay foreclosures until March 1, 1935.123 and passed the house by a vote of 86-0.122

The merchants throughout Iowa expressed immediate enthusiasm concerning the effect of the loans. Some of them follow:

In Greene county, businessmen were generally agreed that the corn loans have been a "shot in the arm" to business during the last ten days.

G. I. Huffman of Scranton said Thursday, he had sold 25 tons more coal to farmers this fall than last.

"My automobile business is taking on life again," he declared.124

¹¹⁸ Iowa already had a corn loan statute, but little used, if at all, upon which the national act was modeled and adopted.

Des Moines Register, November 25, 1933, p. 1.
 Des Moines Register, December 2, 1933, p. 1.
 Des Moines Register, December 5, 1933, p. 1.

¹²² Des Moines Register, December 9, 1933, p. 1. 123 Ibid.

¹²⁴ Des Moines Register, December 15, 1933, p. 1.

Of all the notes received, [corn loans] about ninety per cent came from Iowa.125

This offers an explanation for the more active participation of the Iowa corn grower in the Farm Holiday. He was by far in the poorest position of any of the Midwesterners.

In ninety-seven counties of the state, \$11,102,718 had been paid by December 20, 1933. By February 25, 1934, the loans totaled \$48,286,478.58. The loans at that time were expected to total \$60,000,000 and, after the last loans were counted off, this amount had been far surpassed. 126

Perhaps the loans, or perhaps renewed confidence, caused many merchants to show an increase in business. In the following towns, the merchants showed an increase over the business of the previous year and the previous month of from 10 per cent to 100 per cent: Algona, Audubon, Bloomfield, Carroll, Clarinda, Clinton, Montezuma, Northwood, Red Oak, Sac City, Sibley and Webster City.127

Forty-seven towns and cities had been polled in the state and thirty-seven of them had shown improvement of business over the same time a year before. Many persons believed this to be due to the corn loans and Civil Works Administration checks. The Des Moines Register expressed the feeling in this manner:

There is a decided spirit of optimism exhibited by merchants, farmers and workers in the majority. Merchants declare C. W. A. payrolls and corn loans have spurred business already to some extent.128

Perhaps too much significance has been attached to the loans, but in Webster county, 520 of the county's 1147 families on relief rolls had been taken off by December 17, 1933.129

LIVESTOCK FEEDERS NOT BENEFITTED

At least one damper was placed on the optimism of the preceding weeks. The feeder communities found

<sup>Des Moines Register, December 14, 1933, p. 1.
Des Moines Register, February 25, 1934.
Des Moines Sunday Register, December 17, 1933, p. 5,L.
Ibid., p. 1.</sup>

¹²⁹ Des Moines Sunday Register, December 17, 1933, p. 1.

that they would not be benefitted until the price of livestock went up. Corn loans would not help the livestock raiser, since he could not feed 45 cent corn to hogs which brought only 3 cents a pound. It was not until the farmers signed up for the hog reduction program that they were able to reap the benefits of the corn loans. Thirty-one persons signed their first contracts by January 11, 1934. They agreed to reduce their corn acreage by 20 per cent and hog production by 25 per cent under the average of the past three years. By February 4, 56,970 persons had signed up for the program.

The other item which tolled the death knell of the farm revolts was the notice that the government had insured bank deposits. This destroyed the last vestige of organization which the Farm Holiday was able to claim. Mention of the Holiday Movement ceased to appear in the newspapers and, though Milo Reno attempted to use the Holiday as a rallying point for a third political party, he had lost most of his supporters.

The corn loans, hog reduction, insurance of bank deposits, the Civil Works Administration, and the mortgage refinancing plans did not completely alleviate the farmers' economic plight, but they did establish confidence in the Federal government and its attempts to aid the farmers. Some foreclosures which had been started earlier were continued and many farmers were not immediately out of debt, but the program established gave them a chance to visualize the end of their economic despair and this in itself was a great stride forward. It was only a matter of time until the farmer again was a solvent citizen. Once this fact became evident, the farm revolts were no more.

¹⁸⁰ Thid n 4

¹³¹ Des Moines Register, January 11, 1934, p.1.

¹³² Ibid.

¹³³ Des Moines Register, January 2, 1934, p. 1.

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