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Resisting the wave: rural Iowa's war against crime, 1920-1941

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Resisting the wave: Rural Iowa's war against crime, 1920-1941

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Iowa State University, 1992

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**Resisting the wave:
Rural Iowa's war against crime, 1920-1941**

**by
Douglas Michael Wertsch**

**A Dissertation Submitted to the
Graduate Faculty in Partial Fulfillment of the
Requirements for the Degree of
DOCTOR OF PHILOSOPHY**

**Department: History
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**Iowa State University
Ames, Iowa**

1992

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INTRODUCTION

In the years between the world wars, Iowa's rural law enforcement officers shared the majority of their countrymen's belief that they faced the threat of an engulfing "crime wave" and tried to recast themselves from sedate peacekeepers into front-line soldiers engaged in a mortal "war against crime." The crime wave was a myth. With the exception of a pervasive disregard of the nation's prohibition laws and dramatic but very rare bank holdups, jail records of the period show that crimes were perpetrated by local young men from the bottom rung of their society who preferred to target property rather than people for their crimes.

The crime wave idea took hold in the hinterland shortly after it originated in the nation's cities when the press replaced sales-generating war stories with equally thrilling crime stories. The publication of crime stories reflected their profit-getting appeal not the reality of an increase in American criminality.

Despite being the stuff of myth, the idea of a crime wave had immense power to alter the people's and the authorities' perceptions of crime. Rural crime incidents, once viewed as deplorable anomalies, were seen as evidence of the wave. Ruralites therefore believed that lawbreakers must be quickly

apprehended and face certain punishment to deter the other criminals they believed haunted the hinterland.

The responsibility for rural law enforcement fell to Iowa's sheriffs. They responded by gratefully accepting the help of the state's newly-emerging police detectives and highway patrolmen and by deputizing hundreds of local citizens whom the state's bankers had recruited into vigilante bands. Equally important, the law officers organized themselves behind their own voluntary Iowa State Sheriffs' Association in pursuit of police professionalization. When the New Deal's leaders usurped the crime wave myth and added their own "war against crime" corollary in order to assume national law enforcement prominence, Iowa's sheriffs joined the rest of the country's police in accepting Washington's leadership.

A variety of approaches are included in the following study of the nature, extent, and beliefs about rural crime in Iowa. Each of these approaches presents a different facet of either criminal activity itself or responses made to real or imagined criminal activity within the state. And, while each chapter of the dissertation can stand on its own, it is hoped that more general conclusions can be drawn.

The dissertation begins with a survey of the work of others who have thought about, investigated, and written about criminal behavior and criminal justice in general and rural

crime in particular. The first chapter looks at both theoretical considerations and specific studies aimed at specific sectors, regions, or types of behavior. The purpose of this introductory chapter is to place the present study in context and, more particularly, to demonstrate how relatively little has been done to investigate rural crime.

The second chapter sets the scene in another way. To analyze how Iowans reacted to criminal behavior in the 1920s and 1930s, one must understand both what they thought was happening and what, in fact, was actually occurring. This chapter begins, therefore, with a series of comments that define public perceptions about criminal behavior in Iowa, with express reference to rural problems. These beliefs and assertions are then tested against the factual record of criminal behavior that sheriff's dockets in the state's nine most rural counties recorded in the interwar years. This review of the dockets clearly demonstrates the relatively limited scope of the criminal problem in the countryside, despite the beliefs that many people held to the contrary.

That is not to say that crime never occurred. Whereas Chapter 2 attempts to quantify rural criminal behavior, Chapter 3 takes a closer look at some specific criminal acts. Some of these were major capital crimes like murder; others are perhaps more typical and unique to the setting such as

chicken theft. The descriptive passages give us a sense that serious rural crimes were relatively rare and, simultaneously, that they attracted a good deal of attention from both citizens and law enforcement personnel.

The personnel who were expected to deal with whatever major or minor criminal behavior did occur were the local county sheriffs and their deputies. The office of sheriff had a long tradition in England before being transplanted in America. The fact that these law officers were elected gave them political stature within their counties, but it also encouraged them to be very responsive to local attitudes and conditions. And, because of the sheriff's standing as a locally prominent individual, he often became involved in issues and activities that expanded beyond the more straightforward criminal justice pattern.

While local conditions and attitudes exerted strong influence on the behavior and outlook of rural sheriffs in this period, other influences propelled them toward professionalization. One key influence was the widespread drive toward professionalism that had begun in the late 19th century and was still powerful during the Progressive period after 1900. A second major component was the widespread, though largely unfounded, belief that rural areas were on the verge of entering an urban-style crime wave that would require

a far better trained and equipped counter force. Chapter 5 describes how these and other influences encouraged what had been a rather naive and untrained group to move confidently toward becoming professionals.

County sheriffs had plenty of local problems facing them, and they were happy to consider sharing responsibilities with duly authorized state officials. Chapter 6 details the steps and missteps along the way to the creation of a professional state patrol that would handle the growing problems of highway traffic congestion. State troopers could then assist sheriffs in other law enforcement endeavors as well.

Another source of support for rural lawmen were the vigilante groups that sprang up throughout the state in this period. Bankers in particular were concerned that the citizenry help them protect their assets from robbers. Chapter 7 describes the origins, organization, and activities of these bank-sponsored vigilantes and other irregular forces engaged in the "war on crime."

The final chapter deals with perhaps the only really widespread instance of criminal behavior in Iowa in this period, the so-called Cornbelt Rebellion of the early 1930s. This peripatetic and generally spontaneous outbreak of violence was a grim consequence of a dramatic worsening of economic conditions after the dreary decade of agricultural

depression that followed the Great War. Law enforcement groups, both official and unofficial, dealt with this fortunately relatively brief period of disturbance.

A constant theme throughout all of the chapters is the distance that lay between belief and reality regarding criminal behavior in Iowa. Sheriffs professionalized, a state patrol appeared, vigilante groups organized, but the anticipated crime wave never materialized. And, when violent crime did make a rare appearance, the planning and organizational thought that had developed to cope with it often proved irrelevant or, worse yet, more costly than the effects of the crimes being suppressed.

CHAPTER 1
URBAN BIAS AND RURAL RESEARCH

The complexity of studying criminology in rural areas arises from several scholarly preconceptions. The first is that historically the study of criminal behavior has, for a variety of reasons, focused almost exclusively on urban settings and motivations. Second, the sociologists and political scientists who have commented upon the differences between rural and urban criminal behavior, police behavior, and legal sanctions, have done so without much attention to historical development and trends. This chapter describes the major criminological theories and direct findings regarding American crime in general and fundamental rural/urban differences. This information will provide an essential reference point from which my own study of rural crime in Iowa in the 1920s and 1930s will proceed.

Crime is among the least understood facets of rural life. Indeed, a most conspicuous feature of current criminology is its urban focus which rests on the convergence of three historical forces. American criminologists looked to the city because they had inherited an urban locus from their predecessors; they worked within the margins of the Progressive Movement of which they were a part; and they

reflected the nation's oldest and most venerated self-definition: the Jeffersonian agrarian bias. What follows is a brief account of historical criminological thinking and the development of American theory to illustrate how it has come to exclude rural criminality.

Present day American criminologists can draw upon two centuries of European thinking about crime. Modern criminology can be traced from Cesare Beccaria's eighteenth century Classical School of thought. Beccaria's ideas emanated from his social contract theory of society. To him, "[l]aws are the conditions whereby free and independent men unite to form society." Crime's etiology was not his purpose. Beccaria wanted to reform a too-often brutal legal system. Using a largely metaphysical approach, the Classical School tended to overlook the individual criminal in its emphasis on abstract ideas about crime.¹

Auguste Comte's nineteenth century philosophy of Positivism also influenced those who thought about crime. Although it is a broad and eclectic epistemology, Positivism inspired Cesare Lombroso's use of the scientific method in the study of crime and criminals. With the Positive School came the embracing of empirical and replicative investigations into the causes of and societal responses to crime.²

Emile Durkheim's Sociological School directed criminological study toward an acceptance of crime as an integral part of society. "Crime is normal because a society exempt from it is utterly impossible," he wrote.³ These three European schools greatly advanced the study of crime by placing it within a scientific framework. Together, they provided twentieth century American criminologists with an indispensable methodological and philosophical legacy. They did not, however, equip their heirs to study rural crime.

Urbanization and its attendant Progressivism reinforced the American pioneers' urban focus. During the lifetimes of criminology's latter pioneers the United States population doubled. More than two-thirds of the immigrants who helped swell that population came from southern and eastern Europe and settled in American cities. More than 80 percent of all Russian, Polish, Italian, and Irish Americans--mostly Jews and Roman Catholics--were urbanites. By 1920 the urban portion of the American population had passed the symbolic 50 percent mark.

The presence of so many aliens within the burgeoning urban areas exacerbated traditional fears that many Americans had about cities being the Devil's play-grounds. Many of the progressives, who constituted a coalition of middle-class Protestant reformers, sprang from this large, alarmed, and

amorphous group. Central to Progressivism was a conviction that industrialization and urban aliens posed dangers to the republic and that these new dangers demanded new measures.

Interest in criminology and Progressivism were coeval and they reinforced one another. Criminology's union with progressivism began in universities where social science professors in particular adopted the new political orientation. They could have hardly done otherwise. It offered a snug intellectual berth and a splendid mission: the scientific gathering of data to lay the basis for the development of social prescriptions.

The first American social scientists who examined crime discovered that official police arrest tallies were disproportionately higher in urban areas than in rural areas. Viewing cities, therefore, as "criminogenic" places, scholars saw them as being worthy of concentrated scrutiny. Assuming that rural America, by contrast, was "crime free," they neglected to subject it to serious or protracted analyses.

In this, the social scientists were reflecting a cultural agrarian bias as old as the Republic. Its roots lay in the literary agrarianism of classical antiquity; it was further shaped by the Enlightenment's assumptions of the goodness of Nature and of "natural" man. The agrarianism of classic

tradition became the political and social agrarianism of the Founding Fathers.⁴

Thomas Jefferson, always an eloquent spokesman for American values, wrote: "Those who labor in the earth are the chosen people of God, if ever He had a chosen people, whose breasts He has made His peculiar deposit for substantial and genuine virtue."

Jeffersonian agricultural fundamentalism held that rural life, and especially farming, produced better people than did urban living. Moreover, this belief cherished the notion that living close to the soil spawned republican citizens who were inherently more democratic, more honest, more virtuous, more independent, and much more politically stable than their urbanite cousins. This was more than social rhetoric; it was also popular belief. It is hardly surprising in a land where, until the twentieth century, the majority of the people were farmers.

By the time the social scientists began exploring crime, Jeffersonian agrarianism was an established rural social creed; a creed whose corollary held that city life was inevitably enervating and iniquitous. The fusion of the pioneers' vision, the Jeffersonian agrarian bias, Progressivism, and the social scientists own findings proved an irresistible force. "Crime" and "urban" became so closely

associated as nearly to exclude rural crime from criminological hypotheses.

The inception of modern American criminological theory with its urban partiality, Jeffersonian bias, and Progressive inclinations can be traced from the work of Robert E. Park of the University of Chicago. He came to sociology by way of muckraking journalism and a period of service as Booker T. Washington's secretary. In neither of these earlier positions did Park reveal an interest in man as an individual entity. It was men in groups that spellbound him in an almost mystical way.

Like any good progressive, Park insisted that society was greater than the sum of its people. In sociological terms this meant culture was what Park called a *social process*, one that regulated the behavior of its members by imposing a body of rules which the individual inherited and had no part in making. Parks' key ideas, "symbiosis and socialization," and "competition, accommodation, and assimilation," most clearly existed, and could better be studied in an urban than in a rural environment. The result was a near obsession with the city-as-laboratory.⁵

Park asserted an ecological and consensual view. He believed that crime was stimulated by the emergence of immigrant slums within large cities whose occupants were

"insulated from the general [i.e. white, Protestant, middle class] culture of the society." Underpinning Park's thinking was the conviction that there was a recognizable and knowable consensus of societal values or "norms." He drew his conclusions from his profession's and his country's history. Inevitably he chose to examine the city. His theory's concern with immigrants, ideas of consensus, and emphasis on the environment is thoroughly Progressive in its nature.

The city certainly offered plenty to interest sociologists and criminologists during the 1920s. They were years of "wonderful nonsense" sporting a sensationalist press, Lucky Lindy, Babe Ruth, Babbitry, jazz, Hollywood, bathtub gin, and Al Capone. On January 15, 1920, the Eighteenth Amendment took effect, initiating a new kind of urban crime. From a base in bootleg beer, Al Capone built a larger, better organized, and more profitable system of business-by-intimidation than the country had ever before seen. Within a short time Capone's gangsters had expanded into bootlegging Canadian whisky, gambling, prostitution, and extortion. These activities motivated criminologists, already moored in the city, to increase their urban research.

Among those who cradled their research in the city were Clifford Shaw and H. D. McKay. Writing synchronously with Park in the 1920s, they augmented his ecological explanation

of urban crime. Shaw and McKay superimposed a series of evenly-spaced concentric circles upon a city, radiating outward from it's center. Marking official crime statistics onto their circular plot, they showed that crime was rampant in the deteriorating inner circles but generally decreasing as one moved toward the city's fringes.

Called the "Chicago School," Park, Shaw, and McKay argued that as the "inner zone" of downtown businesses moved outward, it simultaneously propelled the respectable residential zone farther outward. Left behind were culturally unassimilated immigrants living in dilapidated houses. As a consequence, "natural areas" of crime developed.⁶

Rural crime went unexamined. Rural criminality had no place in the Chicago School's theories. It lacked "competing social units." It did not contain members with inadequate "socialization of normative values." As a result, the rural community served as the intellectual baseline or standard against which urban crime and urban crime rates could be judged.

The Republican party twice nominated Thomas E. Dewey for the presidency in the 1940s, but a decade earlier he had inadvertently promoted criminology's urban focus. As Special Prosecutor in New York City investigating racketeering, Dewey succeeded in combatting organized crime. Between 1935 and

1937 Dewey achieved the most extraordinary prosecution record in history. He indicted 73 racketeers and convicted 71 of them, including the city's crime tsar, "Lucky" Luciano. Dewey showed that urban crime could be beaten. All that appeared to be needed was masses of information, and that was the very thing that criminologists were furiously assembling.

Although Edwin Sutherland was among the most active criminologists of the 1930s, he did not support the Chicago School or its ecological explanation of crime. He began his work concurrently with Park, Shaw, and McKay, and continued into the 1930s, and he, too, framed his theoretical imagination within big-city borders. While studying rural crime held no allure for Sutherland, neither did the Chicago School's reliance on spatial explanations of "societal competition and cooperation." Sutherland postulated a view dramatically opposed to the Chicago School's assertion that crime resulted from the environment's imbalance of competing urban social units.

Crime was not ecologically motivated, he said. It, instead, is learned. Sutherland called it "Differential Association," and it contained four elements. He theorized that (1) criminal behavior is learned (2) in the company of others (3) who have formed close-knit, highly personal groups (4) that exchange the attitudes and techniques of criminal

acts. Sutherland also subscribed to his predecessors' consensual view of society. Most urbanites adhere to socially prescribed attitudes and behavior. A minority diverge to form a sub-culture of intimate groups that do not, and instead, pursue criminal activities.⁷

Sutherland's theory of "differential association" maintained the urban-focus continuity of criminology itself. Jefferson's agrarian bias remains intact and undiminished. Sutherland gave urban criminologists another theory completely compatible with their metropolitan precepts.

In 1938 Robert K. Merton, another urban theorist, produced a principle of "illicit means," dubbed "Mertonian functionalism." Merton's theory is nicely compatible with both Sutherland and the Chicago School's ideas. Mertonian functionalism explains crime in terms of America's materialist indoctrination. He insists that there is a cultural urge in America for the social prestige that conspicuous consumption creates. The unequal distribution of the means of achieving wealth is crime's impetus. Frustration leads some people to turn to crime in order to attain affluence and the eminence it provides.⁸

Writing in 1956, Daniel Glaser charged Sutherland with failing to account adequately for the potency of the mass media. There is historical support for Glaser's objection;

at the time Sutherland published his thesis, the nation's first electronic mass medium, radio, was in its infancy. Glaser reformulated Sutherland's theory while keeping its essential nugget. Glaser agreed with Sutherland that criminals indeed learned wrongdoing. He called it "differential identification." Glaser insisted that learning crime intimately was unnecessary. "A person pursues criminal behavior to the extent that he identifies himself with real or imaginary" criminals, he wrote. It was therefore entirely possible for a person to become a criminal by watching gangster movies.⁹

Edwin Sutherland's student, Albert Cohen, used both his teacher's theory of differential association and Robert Merton's idea of functionalism to explain the development of urban youth gangs in the 1950s. As Sutherland taught, gang members did learn their deviancy, but they chose an inverted image of Merton's wealth accumulation-goal when they found themselves without the means to attain it. Although they inverted the larger society's goal of attaining possessions, they retained the goal of social prestige. This, in turn, results in gang activity that consists chiefly of petty theft and vandalism.¹⁰

Richard A. Cloward and Lloyd Ohlin proposed a second functionalist approach to urban juvenile delinquency. These

scholars integrated Sutherland's, Merton's, and Cohen's ideas while remaining within Park's and Shaw's and McKay's urban arena to create a theory of their own they called "differential opportunity." Cloward and Ohlin disagree with Cohen's proposal that the perspectives of urban youth gangs are the inverted "norms" of the middle class. They submit that Merton's vision of a universally accepted medley of cultural attitudes for all Americans is incorrect. It is not the attitudes themselves, but rather, the availability of their attainment that is novel in "differential opportunity."

Richard A. Cloward and Lloyd Ohlin see in America two opportunity structures - one legitimate, the other illegitimate. That would go against Cohen's analysis of urban youth gang acts as being useless and "negativistic." Delinquent behavior is, instead, exactly the opposite; it is translating a (Mertonian) functional adaptation into specific acts including crime, depending on the availability of means.

Challenging the functionalist approach is a theory of cultural pluralism. Writing in 1975, Claude Fisher contested the classic functionalist doctrine that the concentration of large heterogeneous populations causes crime by destroying society's cohesive fabric. Fisher proposes a non-ecological explanation for crime. He argues with his functionalist predecessors that urbanites are different from their rural

cousins in that they are more likely to diverge from traditional middle class values. Pluralism causes deviance, not the city's size or population density. The presence of divers and powerful subcultures, each trying desperately to remain distinct as they unintentionally act against the central middle class values and "norms," trigger crime. Thus, the more urban a place becomes, the greater its social conflict, including crime, inevitably becomes as well.¹¹

Claude Fisher shares a binding tie with his predecessors' thinking over more than two centuries: the scholarship of each, individually and corporately, bears an urban predilection. It arises from the pioneers' urban assumptions based upon their Progressivism and couched within the historical Jeffersonian agrarian bias.

All of these theories are designed to explain urban crime, but they are of limited help in understanding rural crime. Even those few who have studied rural crime demonstrate an urban proclivity. Their scholarship is often a perseverative of urban theories into the rural domain. But rural crime is not simply a penumbra of urban events. A more thorough explanation of the historical processes of crime in the hinterland is essential.

Rural crime is distinctive. It has evolved within its own historical, cultural, and social milieu into a distinct phenomenon. Yet, because of the fusion of criminology's pioneers' urban proclivity, the Jeffersonian agrarian bias, Progressivism, and the social scientists' own findings, the words "crime" and "urban" became closely associated. As demonstrated above, the result was the virtual exclusion of rural crime from criminological hypotheses. Fortunately, several scholars are aware that understanding rural crime requires more than simply extending urban theories into the countryside. The work of twentieth century scholars aware that rural crime is not just an extension of urban events provides a starting point for an explanation of crime in the hinterland.

A definitional dilemma further complicates the study of rural crime. No consensus has arisen on what constitutes "rural crime." The difficulty is not the absence of a definition but a plethora of different ones. Each scholar studying rural crime is free to define that term independently. Bruce Smith, in the first American book ever written on rural crime, noted the definitional quandary sixty years ago; little progress has been made since.¹²

The first Iowa scholar to examine rural crime used population identifiers. Marshall B. Clinard's investigation

of Iowa's rural offenders used three parameters: rural applied to areas with fewer than fifty inhabitants; a village had from 50 to 4,999 inhabitants; and an urban area encompassed 5,000 or more people. Others used county boundaries, examining those they considered "rural." William Lentz defined rural as all open country and rural trading centers included within the rural community. Compounding this difficulty is that the Federal Bureau of Investigation uses the Census Bureau's definition of rural as being all areas with less than 2,500 population.¹³

Another factor snarling examination of rural crime is a reporting incongruity. There is an inherent reporting inaccuracy of official records. Inaccurate reporting is probably more prevalent in rural than in urban areas, leading at least one scholar, LeRoy Schultz, to doubt that the urban-rural differences are as great as they appear.¹⁴

Jon T. Karr's excellent dissertation takes a position similar to but more vigorous than that of Schultz. Karr concludes that the differences in reporting incidents of crime between rural and urban areas are not the work of differing life-styles, family structures, friendship circles, or social milieux. His position is that the true frequency of criminal behavior is vastly more similar than dissimilar between rural and urban populations.¹⁵

Karr does not dispute that the forms of criminal behavior may differ markedly. The opportunity to steal farm machinery is far greater in rural New Mexico than in the city of Chicago. What Karr does emphatically dispute is the implication that grand larcenies occur four times more often in urban areas than in rural locations. He lays the difference in reporting to police strategies; rather than the more conventional explanations described above.¹⁶

Despite the reporting challenges it is possible to determine which misdeeds are rural crimes. G. Howard Phillips' comprehensive study of rural Ohio disclosed a great difference between urban and rural crimes. Property crimes such as vandalism, theft, and automobile and machinery theft are overwhelmingly most common in rural areas.¹⁷

Other research supports Phillips' findings. Two studies of rural Lincoln, Ohio, reveal vandalism and petty theft to constitute most of the reported crimes in that area. A third study that looked at three rural Oregon counties corroborated the other studies by showing that 92 percent of all rural arrests were for misdemeanors. Most of the arrests involved "booze and boisterousness."¹⁸ This research suggests that rural crime is distinct from predatory urban crime. It is comparatively petty in character with most criminal activity involving minor theft and acts offending the public peace.

The characteristics of the offenders also help clarify the distinctive nature of rural crime. Several studies of rural offenders exist, and among the best of them is Marshall B. Clinard's 1944 study of rural Iowa offenders. Clinard interviewed sixty Iowa Reformatory inmates who came from farms to determine the importance of mobility, "differential association" with criminal behavior and "criminal social type and conception of self in the lives of rural offenders." His interviews disclose farm offenders to be unlike their urban counterparts. Farm offenders are unusually mobile even though they do not see themselves as being so. Nomadic drifting and occupations like truck driving are common in all of their backgrounds. They share an impersonal view of the world and revel in their "emancipation" from the confines of their farm life. Differential association defined as habitual social joining with criminals played no part in the lives of these farm offenders. Two thirds of them never associated with boys' gangs and an equal percentage were alone when first arrested.¹⁹

Most important, Clinard found that farm offenders "do not exhibit the characteristics of a definite criminal social type." Their criminal activity started after their teen years, long after the time when basic attitudes normally form. Their knowledge of criminal activity did not escalate over

time, which is to say they did not gain a progressive knowledge of crime. Significantly, their crimes were simple. Forgery was the most common first offense; robbery was the first offense of only one of the sixty inmates interviewed. Crime was not their sole means of livelihood and, unlike their urban comrades, they did not consider themselves to be criminals.²⁰

Rural juvenile offenders have been the subject of several research efforts. Clinard included delinquents in his 1944 study. He concluded that rural delinquents, like rural adult offenders, do not see themselves as criminals nor were they generally hostile toward criminal justice authorities. Clinard inferred that delinquency occurred because his subjects' lives became increasingly aimless until they drifted into crime.²¹

William Lentz compared rural and urban delinquents in a Wisconsin study. His findings reveal a fundamental difference between the two groups. Rural boys were less likely than urban boys to continue delinquency after confinement, he found, but they were more likely to commit serious transgressions than urban delinquents if they again broke the law.²²

Joseph C. Lagey made another interesting comparison of rural and urban delinquents, finding a close association

between urban delinquency and peer groups but no such association for rural delinquents. This led Lagey to agree with Bordua in his urban delinquency study that rural delinquency arises from "anomie," or degenerated social relations.²³

Theodore N. Ferdinand's Michigan study supports previous delinquency interpretations. Here a county is defined as rural if less than 15 percent of the population lived in urban places, and more than 40 percent lived on farms. Ferdinand identified a "clear preference of rural delinquents, both male and female, for property offenses." That preference differed systematically from the urban offense patterns he noted.²⁴

More recently, Martin G. Miller, Eric O. Hoiberg, and Rodney F. Ganey conducted a self-reporting "Youth Needs Assessment Survey" of Iowa's seventh to twelfth graders. In this work farm youths, in contrast to others, reported the least degree of delinquency. Delinquency is slightly more prevalent among non-farm youths and significantly more prevalent for urban juveniles.²⁵

Miller did not find, as might be expected, high rates of delinquency associated with a perceived lack of recreational facilities. Youths who admitted frequent minor infractions (such as lying to a teacher) did, however, report a high need

for improving relations between the police and youth. Most interesting is the finding regarding self-perception. It is not the youth's perception of himself that relates to delinquency, but rather his perception of other people's labelling him as delinquent that relates to delinquency.

Miller noted:

A tradition in . . . rural society has been the passing [of] work skills from father to son through a lengthy apprenticeship system. This is less true today . . . opportunities for learning within the family setting have been sharply reduced. . . . No corresponding institution within our society has taken over this traditional role. ²⁶

Rural courts have received virtually no attention from scholars. Indeed, George Frazier Cole may be the first to have examined rural courts in his political science doctoral dissertation. After studying the offices of prosecuting attorney in Kind and Skagit counties, Washington, Cole concludes that the prosecutor is chiefly a political office. The prosecutors wield great discretionary power that they use pervasively to select cases to be prosecuted, what charges will be levied, and what bargains will be offered to defendants.²⁷

Kathryn Golden's, 1978 study of rural courts shows no interest in the political machinations of these courts. She discovered that rural courts use plea bargaining to the same degree of frequency that urban courts do. The reason for this

behavior, she contends, is that the greater rural familiarity coupled with a lighter caseload and its concomitant greater time for case preparation by police and prosecutors alike result in stronger trial cases. This, in turn, increases the willingness of defendants to acquiesce to plea bargaining in hopes of avoiding severe punishment.²⁸

Several studies bear out the impression that rural courts dispense harsher justice than urban courts. Curt Taylor Griffiths finds a greater willingness for rural as opposed to urban juvenile courts to mete out stern sentences to serve as an example to other youth, especially because the police requested them. A study of Iowa's rural court system reaches conclusions similar to those of Golden and Griffiths. This study found a high degree of sentencing disparity between urban and rural jurisdictions for adult felony defendants.²⁹

Although little attention has been devoted to the mechanisms and operations of rural courts, some tentative deductions are possible. Race and sex appear to be disproportionately important in rural sentencing practices. Rural courts operate a system that resorts to plea bargaining every bit as often, though for different reasons, than does its urban twin. Finally, rural courts appear to behave more informally than do urban courts. This is evidently because the close personal interaction and easy familiarity that

characterizes the rest of rural life is also present within its court system.³⁰

Surprisingly, the police forces who "feed" the rural court system have received practically no scholarly attention. Some work finally did appear during the 1980s. The few empirical studies that do exist disclose significant, even unique, dissimilarities between urban and rural law enforcing.

While rural police share many attitudes and concerns with their urban comrades, they retain singularly rural attitudes and concerns as well. David Kowalweski found the similarities to be: generally tense relations with non-white citizens, spousal fear for officers' safety, an abhorrence of family disputes requiring officer intervention, anger at perceived arrogance and condescension from social elites, fear of violent attack, and a perception of judicial leniency toward criminal suspects.³¹

Establishing a personal reputation as a "tough" officer through violence, Kowalweski found, was critical for rural officers. This "reputational power" is a deterrent to future challenges to the officer's authority. The importance of personal reputations in rural policing arises from the unique community familiarity found in rural places, combined with the high value placed on peace and quiet in the rural setting. In

"gerontocratic" rural spheres, personal reputation, not the badge itself, commands citizen respect.³²

Scott Decker notes the rural officer-villager familiarity in his study of the "working personality" of rural police. Decker finds the three categories of "integration," "commitment," and "perception," to be monumentally different for rural police than that reported in Jerome H. Skolnick's 1966 study of urban police.³³

The difference is integration. It is far easier for rural officers to be integrated into their communities than it is for urban officers. Rural recruiting is predominately done from the immediate vicinity. Officers consequently have an easier time learning what their public expects of them as police. Being drawn from the community also means that, unlike their urban colleagues, rural officers do not view the inhabitants as necessarily hostile to them. Similar findings relate the commitment to community standards.

The result is striking. Whereas isolation, authority, danger, and solidarity are marks of the urban police working personality, the direct opposite holds in rural police personalities. Rural officers are more thoroughly incorporated into the mainstream of community life. They have favorable perceptions of the people they serve and enjoy a reciprocal

judgement from them. As a result rural police do not have the "working personality" described by Skolnick.³⁴

For Victor H. Sims, integration forms the core of a unique rural police philosophy of personal interaction. This philosophy is so important that Sims regards rural police to be the "quintessence of policing." By matching service to the expectations of their community, rural police have established an uncommonly effective and successful style of policing. Sims asserts, "unencumbered with bureaucratic requirements . . . [the] rural police work toward human goals of helping people themselves."³⁵

August Vollmer and James Q. Wilson's manifold innovations, Sims believes, are merely attempts to translate to the large department what has historically existed in the rural setting. The ideas of community-based policing (also called community-oriented policing or "COP"), community service, police education, applying management and organization principles to police administration, and crime prevention are among the ideas that these two men introduced. The most consequential is community-based policing; something rural police have always practiced. In Sims words:

Policing is community involvement or it is nothing. It always has been and it always will be. Police technology changes almost daily . . . law and policy . . . changes almost weekly. But . . . one thing about policing that never changes [is] the relationship between one officer and one person.³⁶

Allen Bristow agrees with Sims' conclusions about the integration of rural officers into their communities. Unlike urban officers who are vilified as interlopers, the rural citizenry take great pride in its police and use them as role models.

Integration has unfavorable consequences. Joan Phillips Sandy and Donald A. Devine have identified four stresses unique to rural policing. The absence of anonymity is one of these. The familiarity that Sims, Bristow, and others find beneficial to rural officers during working hours becomes detrimental after hours. Their prominent social place and lack of police peers prevents the rural officer from enjoying the fraternal relationships his urban colleagues do.³⁷

Other distinctive stresses are security, working conditions, and inactivity. Because rural officers work alone at great distances from any help, they are vulnerable to attack. Belief that firearms ownership is prevalent in rural areas heightens the officer's sense of danger. Working in all weather conditions also constitutes a danger for rural officers. Both vertical and horizontal movement within a department is very unlikely because of the department's small size. Inactivity, then, affects the rural officer's ability to maintain their alacrity and is detrimental to their self-esteem.³⁸

Daniel Bell examined the dichotomy that rural areas report more but arrest fewer domestic violence offenders. This is so, Bell maintains, because of an "active resistance [to] intervention in domestic . . . violence [cases]." He believes that rural police hesitancy to enforce laws against domestic violence stems from their perception that domestic violence is not a proper part of their law enforcing role. A lack of handy referral agencies and reward to the officers by superiors for effective domestic violence intervention reinforces their hesitancy.³⁹

All of this research supports the contention that rural crime is distinctive. It is not a mere reflection of urban developments. The rural ethos directs the character, perpetrators and opponents of rural crime. Rural criminals are disposed to target property, not people. Independent persons commit crime, but they do not consider themselves to be criminals. Opposing them are personally aggressive police and rural courts that enjoy close personal interaction and easy familiarity. For rural police this familiarity results in a large measure of support from the citizenry that makes them willing to use force to achieve their goals of maintaining the public peace and apprehending criminals.

These theoretical considerations and studies of specific sectors and types of behavior are only minimally relevant to

the story of the nature, extent, and beliefs about crime in rural Iowa during the years 1920 to 1941. They do, however, provide the necessary background from which a study of the popular perceptions and the realities of Iowa's rural crime in that period can be made.

End Notes

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CHAPTER 2
IOWA'S RURAL CRIME

Two approaches are used in this chapter to determine what was actually occurring. First, the opinions of state leaders and criminal justice practitioners are examined in order to get a sense of what people believed about crime and rural criminality in particular. Second, the validity of these popular beliefs are checked with sheriff's jail dockets of the period.

Rural Iowans of the 1920s and 1930s who felt themselves increasingly under criminal attack found no shortage of people who agreed with them and who offered explanations for why it was occurring. Governor William L. Harding, for example, told Iowans in 1921 that the state's crime "wave" stemmed from the automobile and from "organized, cunning, high trained criminals." Poor home training caused the state's crime predicament claimed Lucy M. Sickles, superintendent of the Iowa Training School for Girls, Judge B. O. Tankersley, and Edwin H. Sands, superintendent of the Bureau of Child Welfare in Des Moines.

Fort Madison Prison Warden T. P. Powell was equally certain that the chief cause was easy availability of handguns. Fr. Robert Powers, Chaplain of the Men's

Reformatory at Anamosa, cited a number of causes including bolshevism, the lure of the cities, the war, prohibition, and the automobile.

Another Anamosa chaplain, Rev. C. L. Gould, disagreed with Father Powers. The "crime wave," he asserted, could be traced directly to Hollywood. A 1924 survey of 404 films found that they had depicted a rash of crimes.

117 cases of adultery
 38 glorified divorces
 140 drinking episodes
 82 cases of girls smoking cigarettes
 172 incidents of girls in immodest dress
 98 cases of indecent dancing.

Reverend Gould asserted that, with films condoning this type of activity, the movie industry was definitely at fault in threatening rural Iowans with a degree of criminal activity never before seen.¹

Besides the automobile, Governor John Hamill told the voters of Iowa that crime was on the upswing because "machine guns . . . firing five hundred missiles of death per minute . . . have increased by several thousand per cent the . . . power of criminals." Still another Iowa governor, Dan W. Turner, blamed the press for romanticizing crime.²

J. Edgar Hoover, in his monthly column in the Iowa Sheriff, told the state's law enforcement officers that the origin of the nation's crime dilemma was the fault of "shyster lawyers, sob-sister judges, criminal coddlers," and the

parole system. Iowa Bureau of Criminal Investigation chief Glen Schmidt told Iowans that the state was a "crime thorofare" because of its geographical position and excellent road network. The editor of the Iowa Sheriff, the monthly magazine of the Iowa State Sheriffs' Association, agreed: "As the gangsters are being driven from the city they are taking to the country and murdering farm families."³

An Illinois state representative corroborated the state sheriffs' opinion, saying, "The hunt for criminals in our . . . cities has grown so relentless that organized bands of city robbers have been driven out to prey on . . . rural sections." Former Des Moines Police chief R. C. Saunders, speaking as head of the Illinois State Bureau of Rural Crime Prevention, said, "Crime is rapidly moving into the country. Burglars, gunmen of all types, and even pick pockets, driven from the larger cities by police 'heat' are swarming into the rural districts."⁴

University of Nebraska professor James M. Reinhardt concurred: "The small town . . . whose law enforcement machinery was originally designed mainly to deal with local ruffians . . . suddenly found themselves invaded by a specialized type of criminal who . . . had the advantages of modernized hook-up to beat the local authorities." C. H. Ireland, Warden of the Men's Reformatory at Anamosa, Iowa,

summed up the experts' opinions about why rural Iowans--along with the rest of the country--were suffering from increased criminal activity. His list:

- World War I
- Volstead Act
- Yellow Journalism
- the Movies
- the Automobile
- the lack of education
- the lack of religion
- Family Home Environment.⁵

Everyone knew that rural Iowa was suffering a terrible scourge of crime, everyone knew the causes, and most had a favorite solution. But was the crime wave real? Neither of two contemporary studies of Iowa crime could definitely confirm it. As one of the studies' authors noted:

The frequent conjectures as to whether or not crime is increasing justifies reference to this matter here. No positive answer is found in this study because increases in the number of prosecutions may be due solely to greater efficiency in enforcement.⁶

Despite the number of commentators and the variety of opinions they expressed about their perceptions of rural crime, to date no one else has attempted to quantify exactly what was occurring. To assess accurately how well or poorly Iowa sheriffs were responding to rural criminality, one must have a factual basis upon which to build that assessment. The present study attempts to establish that factual basis through an examination and analysis of jail dockets of nine of Iowa's

most rural counties. The nature of jail dockets is such that they provide the most complete and the most accurate information that can be gathered.

The first task for making an examination of rural criminality was to identify which of Iowa's ninety-nine counties were "most rural" during the interwar period. The task was greatly simplified by accepting the criteria used by Charles N. Burrows in his 1930 study of Iowa's criminal conviction rates, entitled "Criminal Statistics in Iowa."⁷

Barrows used the county population figures appearing in the state census of 1925 to rank order Iowa's counties. The counties that he considered to be Iowa's twenty-one most rural were: Adams, Allamakee, Audubon, Adair, Davis, Monroe, Iowa, Winneshiek, Hancock, Madison, Osceola, Kossuth, Shelby, Monona, Ringgold, Pocahontas, Van Buren, Worth, Chickasaw, Lyon, and Franklin.⁸

Once the counties were identified, the next step was to obtain permission from the sheriffs of those counties to examine their jail dockets. Many of the sheriffs were hesitant to grant access to their dockets for the purpose of historical inquiry and agreed to make them available to the author only after receiving their county attorneys' opinions in favor of the request. Several of the sheriffs who were willing to open their dockets reported that the dockets

pertaining to the interwar period no longer existed. In all, nine of the counties identified by Burrows as being "most rural" made their jail dockets available for examination. Those nine counties were: Adair, Allamakee, Audubon, Iowa, Kossuth, Lyon, Pocahontas, Ringgold, and Winneshiek.

In each case the sheriffs' jail dockets are large, bound volumes measuring 40 x 27 x 7 inches with gilded page edges. The sheets they contain are scored to provide blank spaces for entering each arrestee's name, age, residence, occupation, offense, and disposition. The dates of arrest and release can also be noted from the dockets. The jail dockets were photocopied on-site. In order to provide a more accurate set of figures to work with, multiple entries of arrestees for the same offense were deleted from the data set. Multiple entries occurred when a prisoner was released on bail and later readmitted to jail to await trial. The number of docket entries following the deletion of the multiple entries totalled 5,080. See Table 1.

The use of complete dockets avoids the under-reporting problem which has hampered other studies. An Iowa sheriff was reimbursed for each person lodged at his jail, and the jail docket was his sole means for obtaining that reimbursement. Jail dockets provided legal proof of operating expenses, and they were periodically audited by state and county

authorities. While citizen under-reporting to the sheriff remains an unknown factor, the problem of official under-reporting is escaped. These dockets provide the best picture available of the reality of crime in each of the nine counties.

TABLE 1

THE NUMBER OF ARRESTEES APPEARING IN THE SHERIFF
JAIL DOCKETS BY COUNTY, 1920-1941

County	Number of Entries	County	Number of Entries
Adair	154	Lyon	407
Allamakee	424	Pocahontas	185
Audubon	454	Ringgold	887
Iowa	828	Winneshiek	687
Kossuth	1,057	Total	5,080

Officers recorded the circumstances by which anyone came to their attention in the jail docket, recording any activity exceeding an officer's oral admonition to a citizen.

Therefore these dockets contain the only complete record of the detention or arrest of every individual brought to the notice of local law enforcement officers.

The dockets reveal circumstances very different from the perceived reality of the time. Contrary to the contemporary view, rural crime was not the work of " . . . organized,

cunning, high trained criminals." Local people perpetrated 92 percent of crime throughout the interwar period.⁹

The sheriffs of Iowa's nine most-rural counties entered a total of 5,080 arrestees into their jail dockets between 1920 and 1941. The nine jail dockets both challenge and support the pronouncements of interwar press, rostrum, pulpit, and podium. The frequent prohibition arrests in the ostensibly "dry" countryside decidedly show that not all was well with prohibition compliance. The high number of petty offenses, and the correspondingly low number of serious felony crimes, also does not support the claim that a rural "crime wave" was underway. And, with 92 percent of all offenders being local people, Governor Harding's claim that the automobile and "organized . . . cunning criminals" were to blame seems highly doubtful.

Rural Iowa's chief interwar criminality involved "booze and boisterousness." Violations of prohibition laws, misdemeanor theft, and public nuisances account for 23, 20, and 17 percent respectively of the total docket entries. These very minor offenses, taken together and called Group I, comprise 60 percent of all docket entries.¹⁰

Felony offenses did occur, albeit far less often than did minor offenses. The most common serious crimes, felony theft, agricultural theft, and rape, accounted for 10, 2, and 2

percent respectively. Taken together as Group II, these three crime categories total 14 percent of the nine sheriffs' jail docket entries.

The dockets also detail an important aspect of rural policing rarely examined: the sheriffs' non-enforcement activities. Work not immediately associated with crime control consumed a small, though significant, amount of a sheriff's time. Helping distressed, abandoned, or indigent persons, referred to here as welfare incidents, constitute 2 percent of the dockets' entries. Housing, awaiting adjudication, and transport of insane persons to the state's mental hospital likewise occupied 2 percent of the sheriffs' time. Detaining persons who aroused a sheriff's suspicions referred to here as investigation are noted on 3 percent of the total dockets' entries. Criminal justice is the category label for sheriffs' execution of criminal court process such as arrest warrants, and it constitutes 5 percent of the dockets' entries. These activities, taken together as Group III, appeared on 12 percent of the total jail docket entries.

Crimes that offend public sensibilities or safety make up the remainder of the sheriff's jail docket entries. Traffic safety violations, including the absence of tail lights or mirrors and the more typical speeding violations, appear in the dockets five percent of the time. Liquor nuisances, such

as operating a saloon or brothel, account for 4 percent. Crimes against the family such as wife or child desertion referred to here as family offenses are the subject of 4 percent of the entries. Sex crimes, such as sodomy or incest and wildlife offenses, such as hunting out of season, each account for 1 percent of the total docket entries. These transgressions, which constitute Group IV, make up 14 percent of the dockets' entries. See Table 2. Most of rural Iowa's interwar criminality was very petty. Violations falling within Group I and Group IV together constitute 74 percent of all criminal activity, and all these crimes are misdemeanor infractions. Where felonious activity appears, it is overwhelmingly focused on property and not upon people. Except for rape at just 2 percent, Group II shows non-violent crimes; rural felonies are thefts, not robberies.

As in the nation generally, young people perpetrated crime in interwar rural Iowa. Among those apprehended for prohibition violations, men in their twenties were the subject of 38 percent of all docket entries. Those in their thirties contributed an additional 29 percent. This type of behavior appeared to taper off with increasing age. People in their forties comprised 15 percent; those between forty-nine and fifty-nine years of age added 9 percent and 3 percent respectively.

TABLE 2
CRIMINAL ACTIVITY REFLECTED IN DOCKETS

Group	Activity	Percent of Total
Group I	Minor Offenses	60
	Prohibition Violations	23
	Misdemeanor Theft	20
	Public Nuisances	17
Group II	Felony Offenses	14
	Felony Theft	10
	Agricultural Theft	2
	Rape	2
Group III	Non-enforcement Activities	12
	Welfare Incidents	2
	Mental Health Concerns	2
	Detaining Suspicious Persons	3
	Criminal Justice	5
Group IV	Public Sensibilities or Safety	14
	Traffic Safety	5
	Liquor Nuisances	4
	Crimes Against the Family	4
	Other	1

Young men committed crimes far more often than their population percentage would suggest. Census figures show that the number of offenders is exactly twice their percentage of the population. Those in their thirties show similarly lopsided behavior.¹¹

TABLE 3
AGE OF OFFENDERS BY CRIMES COMMITTED

Age	Proh	Msd Thft	Pub Nuce	Fny	Thft	Ag	Thft	Rape
Teens	6	16	8	31	39	0		
20s	38	40	53	49	29	67		
30s	29	22	18	6	16	11		
40s	15	15	14	13	10	11		
50s	9	4	7	1	3	11		
60s	3	3	0	0	3	0		

Men under thirty-nine years of age amounted to 22, 40, and 16 percent respectively, or a total of 78 percent. Those in their forties equalled 15 percent while those in their fifties and sixties (at 4 and 3 percent respectively) contributed 7 percent.¹²

Rural Iowa's perpetrators were young. Combined Groups I, II, and IV show offenders under the age of forty constituting 79 percent of all offenders. The 21 percent remaining are divided among those in their forties, fifties, and sixties. Their crimes were minor, focusing on property offenses rather than those against people.

Rural criminals came from the lowest occupational ranks. The jail dockets list as laborers half of all offenders whose occupations are known. Laborers perpetrated rural crime more

often than any other occupational group. This is a genuine surprise appearing as it does in the state's nine most-rural counties. In none of the counties do laborers account for more than 4 percent of the census totals. Conversely, farmers comprise an average of 68 percent of the census population. The predominance of laborers is remarkable and requires explanation. Both economic and social reasons explain the laborers' jail docket preponderance. It is well known that the rural Midwest, and especially Iowa, entered the Great Depression a decade before the rest of the nation. It is not surprising that in the face of economic crisis the least economically secure committed the greatest number of crimes.

Farmers saw themselves in positive terms as hard working people. In the countryside all men were expected to work, having no occupation was socially unacceptable. The frequent notation beside an arrestee's name in the jail docket as "lazy," "deadbeat," or "lay about" proves that the sheriffs shared this social attitude and used the occupational label laborer euphemistically for men chronically unemployed.¹³

Agricultural workers are almost invariably the second most frequent law violators. This corresponds to their demographics and to the nature of rural crime already discussed. The large number of prohibition violations,

especially the manufacture of liquor, points to agricultural perpetrators. They had the ingredients of opportunity, isolation, and basic component (corn), necessary for making bootleg liquor.

TABLE 4
OCCUPATION OF GROUP II OFFENDERS

Occupation	Percent
Skilled	13
Laborers	52
Tradesmen	11
Agriculture	24

Taken together as Group II, rural arrestees for felony theft, agricultural theft, and rape show a strong tendency to emerge from one of two occupational categories. Laborers account for 52 percent of Group II. Agricultural workers constitute 24 percent. The remaining 24 percent of rural felony arrestees is split among skilled workers at 13 percent and tradesmen at 11 percent. Iowa's rural lawbreakers were overwhelmingly local, male, young, laborers. Half of all arrestees, regardless of misdeed, were laborers. Over one fourth (28 percent), however, were agricultural workers.

Skilled workers contributed a relatively minor 13 percent as did tradesmen at 10 percent.

TABLE 5
OCCUPATION OF OFFENDERS, GROUPS I, II, AND IV

Occupation	Percent
Skilled	13
Laborers	50
Tradesmen	10
Agriculture	28

Punishment, expressed in terms of time served or fines levied, also appears in the jail dockets. Age appears as an important feature among Group I arrestees. Generally, the older the accused, the stricter was their punishment. Those in their teens averaged ten days jail time for Group I offenses; those in their fifties averaged forty-two days or 420 percent longer for the same crime. Men in their twenties or their forties received nearly equal penalties at thirty-three and thirty-two days respectively, but arrestees in their thirties received an average of forty-one days--one day less than those in their fifties.

A felon's age was also an important factor in punishment. Men in their forties received an average four-year sentence, only half the punishment of those in their fifties. Except

for those in their forties, each rising age bracket accrued an additional year's sentence among Group II offenders: those in their teens received five-year sentences, those in their twenties were given six-years, and those in their thirties averaged a sentence of seven years.

TABLE 6
AGE AS A FACTOR IN PUNISHMENT FOR GROUP I

Occupation	Days Served	Fines Levied (in dollars)
Skilled	140	180
Laborers	122	320
Tradesmen	120	220
Agriculture	110	140

Among Group IV arrestees, age again is an influence, but not as predictably. Those in their twenties were given sixty-nine days in jail. Those in their thirties received forty-seven days. Teenagers received the third most severe punishment at sixteen days, but those Group IV violators in their forties or fifties received lighter punishment at twelve and seven days respectively.

Groups I and IV, taken together, show the results of miscreants' age upon punishment. Teenagers received thirteen days. Those in their twenties served fifty-one days; those in their thirties served forty-four days for the same crimes.

Men in their forties and their fifties were punished at only roughly half the severity as those in their twenties and thirties. Those in their fifties served twenty-four. In each case these age brackets totaled but half the penalty of younger men.

TABLE 7

AGE AS A FACTOR IN PUNISHMENT FOR GROUP IV

Age	Days Served
Teens	16
20s	69
30s	47
40s	12
50s	7

TABLE 8

AGE AS A FACTOR IN PUNISHMENT FOR GROUPS I
AND IV COMBINED

Age	Days Served
Teens	13
20s	51
30s	44
40s	22
50s	24

One's occupation also affected one's punishment. In cases of prohibition violations, the greatest number of all interwar offenses, occupation type seems to be a nearly neutral factor in determining the penalty imposed. All four of the occupational groups rest quite close to the average jail term of seventy-four days. When the punishment involved fines, however, an occupational disparity emerges. Laborers paid an average fine of \$275 for prohibition violations. Tradesmen paid less at \$225. Skilled workers were fined an average of \$155; agriculturalists only \$145.

Occupation emerges as a significant ingredient among men convicted of misdemeanor theft. Laborers, at thirty-nine days, are the most severely punished, followed by skilled workers at thirty days. Tradesmen served the fewest days in jail at twenty-one; agricultural workers served twenty-six. The tendency toward occupational favoritism is also apparent in terms of dollars paid in fines for misdemeanor theft. Agricultural workers and tradesmen were assessed no fines at all. Laborers paid \$43 while skilled workers paid \$19, less than half the laborers' fines.

Skilled workers guilty of public nuisances were disproportionately punished. Skilled workers served an average of thirty days; agriculturalists served, by contrast, half that time at fifteen days. Laborers served eighteen days

while tradesmen were the second most harshly treated at twenty days. Among those assessed fines as punishment for public nuisances, agricultural workers paid the severest penalties at \$11.50. Laborers were close, at \$10.75. Skilled workers paid fines of \$7.50 while tradesmen paid no fines at all.

TABLE 9

OCCUPATION AS A FACTOR IN PUNISHMENT FOR GROUPS I AND IV
(EXPRESSED IN DAYS SENTENCED AND FINES ASSESSED)

Occupation	Prohibition Days\Fines	Msd Theft Days\Fines	Public Nuisance Days\Fines
Skilled	80\155	30\19	30\7.50
Laborers	70\275	39\43	18\10.75
Tradesmen	80\225	21\0	20\0
Agriculture	75\145	26\0	15\11.50

Taken together as Group I, those convicted of prohibition, misdemeanor theft or public nuisances show variation among occupational groups. Of these, skilled workers were the most harshly punished in terms of jail sentences imposed. They served 140 days. Laborers and tradesmen served 121 and 120 days respectively. Agricultural workers, at 110 days, received slightly less punishment. Skilled workers, who served the greatest number of jail days, paid the next to least fines for Group I crimes at \$180. Laborers fared the worst, paying \$330.50 in fines. Tradesmen

paid \$230.50 or \$100 less than did the laborers.

Agriculturalists paid the smallest fines at \$140. There is a marked general tendency for agricultural workers to receive punishment at significantly lower levels than the other three occupational groups for the same offenses.

TABLE 10

OCCUPATION AS A FACTOR IN PUNISHMENT FOR GROUP I
(EXPRESSED IN DAYS SENTENCED AND FINES LEVIED)

Occupation	Punishment Days\Fines
Skilled	140\180
Laborers	121\330.50
Tradesmen	120\230.50
Agriculture	110\140

The pattern of unequal penalties among occupations for identical crimes is clearly seen for those convicted of Group II offenses such as felony and agricultural theft. Skilled workers served three times the number of years in prison for felony theft as did agricultural workers. Laborers served seven years while tradesmen served five years. Skilled workers or tradesmen were never convicted of agricultural theft. This is probably due to their town rather than farm residence. Laborers and agricultural workers received two-year terms each.

Occupational favoritism is apparent among rural rapists as well as among rural felony thieves. Laborers served nine years in prison or more than twice the average penalty paid by agricultural workers at four years. Tradesmen served five years. No skilled workers were arrested for rape.

Rural felons, taken together as Group II, show a marked occupational favoritism. A "stair-step" effect from most to least severe penalties based on occupation is apparent. Skilled workers of Group II served nine years. Laborers, tradesmen and agricultural workers followed at six, five, and three years respectively.

The data does not support the idea of a rural "crime wave." Strong evidence exists, however, of a steady if slow rise in rural criminal apprehensions during the interwar period. This is especially pronounced for the period 1920 to 1931. The following analysis is based on the tables included in the Appendix.

A generally rising pattern in the number of prohibition cases emerges from the jail dockets. The climax year is 1931, with ninety incidents. After 1931 the trend rapidly declines, gravitating toward a yearly number of forty-five. The same is true for the yearly totals of misdemeanor arrests. The 1920s experienced a gradual yearly rise in incidents peaking in the

year 1931 at ninety arrests. The remainder of the 1930s tended to stabilize at a lower rate, though one higher than the mid-range of the preceding 1920s.¹⁴

The same formation of gradually rising incidents peaking in the early 1930s and stabilizing at lower, but raised levels as compared to the 1920s obtains for public nuisance arrests. The number of public nuisance arrests, while few in the 1920s, rises to a prominence of fifty-six cases in 1934. The number drops dramatically to twenty-seven the following year, thereafter centering amid the mid-twenties for the remainder of the period.

As Group I, these three categories show a constant rise throughout the 1920s. The Group I offenses peak in 1931 at 210 occurrences, drop to 145 in 1932 and center between 100 and 130 throughout the remainder of the interwar period.

Felonies follow a comparable pattern as Group I, albeit at a reduced incidence rate. The number of felony thefts generally increased throughout the 1920s, climaxing at forty-one in 1933. During the balance of the years, the numbers decline in frequency at levels equal to those of the mid-1920s. The number of agricultural thefts fluctuates wildly throughout the period. The year of the highest number of arrests, 1928, had thirteen arrests. In 1927 there were only two and in 1929 only seven. An identical pattern of see-saw

highs and lows continues throughout the interwar period. The incidence of rural rape remains at fewer than six cases per year during the 1920s. From 1929 to 1934 there is a slight rise to roughly six cases each year. That number drops to pre-1929 levels thereafter for the remainder of the period.

Combining the three felony categories as Group II, shows steady growth in number through the 1920s and into the early 1930s. In 1933 the number of Group II offenses apexes at forty-eight; thereafter the yearly totals fall to pre-1928 levels.

The number of persons arrested for investigative purposes generally increased during the 1920s. In 1930 and 1931 they reached a pinnacle at twelve cases each year. The year following only one arrest for investigation occurred. The numbers of investigation arrests continued to rise and fall. The number of welfare cases attained and held at six each year from 1932 to 1937. The rest of the interwar years saw a decreased in number until 1941's two cases matched the 1923 to 1931 levels. Criminal justice activities, as with all others, increased steadily in number until the peak year of 1931 at nineteen cases. The rest of the period remained steady in number. The number of insane persons housed awaiting hospital transportation fluctuated between three and seven cases yearly throughout the period. Combined as Group III, the number of

cases generally increased between 1920 and 1940. From a 1920 low of five, the number increased to a high of forty in 1940. Yet, in 1941, that number declined again to the 1920 number of five.

The now familiar pattern of steady incline to the early 1930s, followed by equally steady decline thereafter continued to the end of the interwar period among Group IV crimes. The number of incidents of crimes against the family rose generally to reach a peak of fifteen in 1931. Following 1931 the number of family crimes hovered between five and seven cases yearly.

Liquor nuisances began low in 1920 at four. The number jumped greatly in 1923 to nineteen cases where the numbers attained their interwar high of twenty-one in 1925. From then on the number of liquor nuisance incidents steadily declined; between 1937 and 1941 there were no cases at all.

The number of traffic cases remained nearly constant at fewer than six cases per year until 1935. That year the number of traffic cases rose to twenty-one; it stayed at that level each year except one throughout the interwar period. Fish and Game violations occurred between two and six times in each of the interwar years.

Sex crimes are the only violations to peak before the early 1930s. The number of sex crimes multiplied from a

single case in 1922 to a high of eight in 1926. After 1926 the number of sex crimes decreased until it reached a single case again in 1940. The Group IV offenses taken together show a pattern of development over time very similar to the other groups. Beginning at a low point of four in 1920 the number of occurrences increased yearly until, in 1931, there were forty-four. After 1931 the number subsided again, rising sharply in each of the final three years of the interwar period.

The nine sheriffs' jail dockets do not support the idea of a rural interwar years' "crime wave." What they do present, however, is the picture of steadily rising and falling rates of crime centering on the year 1931. Furthermore, the dockets describe a milieu of criminality in the countryside that is at odds with the beliefs of many leading Iowans of the period. What they do suggest is a strong correlation between the area's falling and rising economic fortunes and the incidence of rural crime. The arrival of tangible farm relief by way of the New Deal's Triple A farm assistance programs meant that Iowa's rural economy began to improve. The coming and the effects of the Second World War also added to the levelling off result evident in the jail dockets.¹⁵

Rural interwar crime in Iowa was not the work of "organized, cunning, high trained criminals," as Governor William L. Harding thought. Most often rural crime was the work of local, laboring-class men in their twenties who responded to easy opportunity or succumbed to "booze and boisterousness." The targets of serious felony offenses that occurred were only rarely people; Iowa's rural criminals preferred property. It was theft, not robbery, that attracted rural criminals.

Occasionally, of course, dramatic, well-reported crimes did occur, albeit usually perpetrated by the same "criminal class." While these dramatic events may have nurtured the crime-wave myth for contemporaries, when viewed through historical objectivity, they seem far less frightening.

End Notes

¹William L. Harding, "Biennial Address," Iowa Legislative Documents (January 11, 1921): 23; Bulletin of State Institutions XXII (July 1920): 132; See also: Ibid., XXVII, pp. 1-26; Ibid., XXVII, p. 57; Ibid., XXIX, p. 191; Ibid., XXVI, p. 141; Ibid., XXIV, pp. 33-36; Ibid., XXVII, pp. 280-81.

²John Hamill, "Inaugural Address," Iowa Legislative Documents, p. 79; Dan W. Turner, "Inaugural Address," Iowa Legislative Documents (January 15, 1931): 23.

³The Iowa Sheriff (June 1936): 12; See also: Ibid. (August 1935): 12; Ibid. (June 1936): 25.

⁴Ibid. (January 1939): 6; Ibid. (March 1939): 1.

⁵C. H. Ireland, Bulletin of State Institutions XXXV (January 1933): 33.

⁶Rollin M. Perkins, "Iowa Criminal Justice," Iowa Law Review (May 1973): 73.

⁷Charles N. Burrows, "Criminal Statistics in Iowa," University of Iowa Studies in the Social Sciences 9 (July 1930): 4-6.

⁸Ibid., p. 109.

⁹The term "resident" here being defined as an individual living in or contiguous with the county of occurrence, irrespective of state boundaries.

¹⁰Quoted in Donald C. Gibbons, "Crime in the Heartland," Criminology 10 (August 1972): 27.

¹¹U.S. Department of Commerce, Fifteenth Census of the United States: 1930, Population Bulletin, 2nd Ser., Iowa, pp. 15-22.

¹²Traffic and Fish and Game violations do not appear here because their ages are unavailable in the jail dockets.

¹³There is a mass of excellent research available concerning the agricultural depression of the 1920s. Among the best are: Earle D. Ross, Iowa Agriculture: An Historical Survey (Iowa City: The State Historical Society of Iowa Press, 1951), p. 153; Leland Sage, "Rural Iowa in the 1920s and 1930s: Roots of the Farm Depression," The Annals of Iowa 3rd Ser. 47 (Fall 1983): 94-96.

¹⁴Violators were prosecuted under state prohibition charges following the repeal of national prohibition on December 5, 1933.

¹⁵The relief was often sensational as when Senator Louis Murphy's corn loan checks arrived in Pocahontas on November 24, 1933, by airplane as noted in Ross, Iowa Agriculture, pp. 171-77.

CHAPTER 3
TAKING A CLOSER LOOK

The crime wave myth changed the perception and the responses of rural authorities on the few occasions when serious felonies occurred in their midst. Crimes such as murder, burglary and livestock theft, once viewed as deplorable anonymities, were now seen as proof of the crisis they faced. Despite being local events involving local people, the serious crimes examined in this chapter as case studies were seen as proof of the crime crisis that threatened the hinterland. Authorities acted quickly to punish serious law breakers as a warning to the other criminals whom they believed were watching.

Examining rural crime case studies is a useful way of better understanding those perceptions and responses. While serious crimes occurred less often in the country than in the city, passion or greed sparked murder and theft just the same there as in the city.

For Cecil Kersten, a 20-year-old county coquette, it was passion that caused her murder. On the late October night in 1921 that she died, Cecil Kersten had, for more than two years, been dating ("keeping company with" she would have said) Peter Kleinow, a farmer neighbor fifteen years her

senior. Cecil and Peter were a scandal. With fewer than 100 girls her age in her tiny town of McGregor the gossips concentrated on Cecil.¹ They had even been engaged. But Cecil liked dating and she broke off her engagement. Peter thus had no exclusive claim on her time. Possibly she was weary of gossip. Possibly Peter's liabilities: his age, his being divorced, his little girl, and worst, his alcoholism, had proven too much.

Peter did not accept her decision to end their engagement gracefully. Peter threatened Cecil when she broke up with him on October 20. He said he would shoot her and any man he caught with her. A few nights later he saw Harvey Sass, an old boyfriend, visiting Cecil at her home across the road from his farm. Peter was drunk. As he told the court later,

I . . . got four shotgun shells. Then I went into the kitchen and got the shotgun. I went over to the Kersten house with the intention of shooting Harvey Sass. I saw them sitting on the couch together, and I aimed at Harvey Sass, shooting through the window. Then someone came out of the house and I fired . . . believing it was Harvey Sass.²

It was not Harvey. Cecil fell back into the house screaming: "He shot me. He said he was going to do it. Oh, I know I am going to die." Peter ran into the house shouting, "I told you I would do it, and now, by God, I have." Cecil died eighteen hours later in her home. At his trial Peter Kleinow pled

guilty to murder in the first degree and received a life sentence.³

Greed, not passion, caused the period's most notorious, prolonged, and costly murder case. It began two months after Cecil Kersten's death, two weeks before Christmas, 1921, at Frank Kneeskern's tenant farmer's log cabin in Winneshiek County. Frank Kneeskern was rich, at least by rural Iowa's standards. He owned a current model Buick Roadster and a new Cadillac. He lived in Castilia's biggest house and owned his own cattle-buying business. He also rented a 300-acre farm to Charlie and Irene Van Brocklin.⁴

He was angry with the Van Brocklins, and he had been angry with them since the fall harvest three months earlier. Charlie Van Brocklin was a cheat, Kneeskern told anyone who would listen. He had cheated him out of his proper share of the corn harvest. On Sunday, December 11, Kneeskern, still unable to get satisfaction from Van Brocklin, left his office to confront his tenant over the corn. He expected trouble and took with him a loaded shotgun.

Frank Kneeskern was a greedy man, fighting with his tenant over very little money. Corn prices had declined that year by 53 percent and were still falling. His share of Van Brocklin's corn could not have brought him much money. Because the roads were bad and he did not want to risk marring

either of his new cars, Kneeskern borrowed a car from his brother-in-law, Charles Van Horn, to make the drive to his tenant's log cabin. As he left his office an old friend and customer, John Fisher, noting Kneeskern's shotgun, begged him not to go armed to see Van Brocklin. Kneeskern ignored his friend's advice and arrived at the Van Brocklin's cabin about 1:15 that afternoon.⁵

Carrying his shotgun, Kneeskern parked the borrowed car on the road adjacent to Van Brocklin's place and walked to the cabin. There he found Charlie Van Brocklin grooming the nag Frank supplied for field work. Irene was entertaining company inside the cabin. Van Brocklin told Kneeskern he was readying the horse for a neighbor who had offered him \$12 for it. With that Van Brocklin led the horse away leaving Kneeskern at the cabin. From the window of the cabin Irene saw her husband leave, and she told her guests she was afraid of Kneeskern. She asked 13-year-old Robert Schoonmaker, his grandfather George Moore, Will Cook, and Charlie's brother Elmer to stay with her until Charlie returned. Kneeskern waited in the yard outside. When Van Brocklin returned to the cabin Irene's guests left.⁶

Precisely what occurred then between the Van Brocklins and Kneeskern is unknown. Kneeskern always maintained that he heard an argument from inside the cabin followed by the sound

of several shotgun blasts. Elmer Van Brocklin swore under oath that he saw Kneeskern fire his shotgun into the cabin. When the visitors ran back to the cabin they found both of the Van Brocklins dead with large holes in their chests, and Kneeskern gone.⁷

Elmer Van Brocklin was the first suspect. Witnesses claimed they had overheard an argument, including death threats, among the Van Brocklins several hours before Kneeskern arrived at the cabin. But a Winneshiek County Grand Jury composed of local farmers indicted Kneeskern on the testimony of the Van Brocklins' visitors and that of Elmer who swore Kneeskern fired into the cabin.⁸

A sensational trial began in Waukon before District Judge H. E. Taylor on April 19, 1922. Frank spent his money lavishly on his defense. Included in his defense team was William S. Hart, a well-known Iowa attorney. Kneeskern hired a total of four lawyers to plead his case. The prosecution was led by Winneshiek County Attorney J. A. Nelson who was newly admitted to the bar, aided by Judge C. N. Hauck, and a private attorney from Decorah, Frank Sayre. Following a trial of only five days, brief for a capital crime, Kneeskern was convicted on two counts of murder in the first degree. The jury deliberated for six hours and forty minutes before

reaching the required unanimity. They recommended life imprisonment rather than the death sentence.⁹

Their verdict and sentencing decision did not stand. Before the year was out Kneeskern again faced trial for the Van Brocklins' murder. Elmer Van Brocklin's testimony was the cause for granting a retrial. Elmer's had been the most damning testimony because he claimed to be an eyewitness, but his testimony was flawed. Kneeskern's attorneys proved that Van Brocklin's account of seeing Kneeskern shoot through the cabin door was insupportable; from where he placed himself Elmer could not have seen the door. Also damaging was the fact that Elmer had been the original suspect in the case. The appeal court doubted Van Brocklin's veracity and ordered a new trial.¹⁰

Judge H. E. Taylor granted a change of venue from Winneshiek County to Floyd County. He thought it was no longer possible for Kneeskern to receive a fair and impartial hearing in Winneshiek County. A measure of local hostility toward Frank Kneeskern is apparent in the public reaction to his participation in the 1922 general election. Winneshiek County Sheriff O. O. Ellingson permitted Kneeskern to cast a ballot, seeing no just reason to exclude him from voting. When Ellingson's action became known a group of women in the county were furious. They sent a delegation to County

Attorney J. A. Nelson loudly demanding Sheriff Ellingson's impeachment. Ellingson avoided dealing with the women's ire only because Nelson advised them that impeachment proceedings would likely fail and that the sheriff's tenure would expire before a hearing could be scheduled.¹¹

The women remained angry after dropping the matter. The prosecutors did not object to Kneeskern's change of venue to Floyd County's seat at Charles City. If even the women of Winneshiek County were prejudiced against Kneeskern, they reasoned, a change of venue was unavoidable. The court granted Kneeskern one additional request before the second trial began. It let him out of jail.¹²

After more than a year's confinement Kneeskern's attorneys got him released from Winneshiek County Jail under a writ of habeas corpus, plus a \$40,000 appearance bond. Even Kneeskern did not have that much money, but his father and seven other local farmers, all friends, jointly guaranteed the bond and Frank's appearance for trial. Kneeskern quietly went home to spend Christmas with his family at Castalia.¹³

Kneeskern was not the only one behaving quietly that Christmas season. The newspapers covering the case were remarkably placid throughout the protracted proceedings. While the rest of the nation's press, including the Des Moines Register ballyhooed crime stories to sell their papers, the

rural press in Iowa treated the Van Brocklin murder case with decorum and restraint. The crowds at Charles City to see the trial, despite being described as "immense," were quiet and orderly. They never exhibited the boisterousness and disorderly abandon evident in other trials of the period such as the 1925 Scopes "Monkey" trial in Dayton Tennessee.¹⁴

The second trial included the same cast of characters and reached an identical result. One new wrinkle came about when Kneeskern took the witness stand to tell his version of the events surrounding the Van Brocklins' murders. Kneeskern carefully placed himself far away from the cabin at the moment shotgun blasts sounded. The Floyd County jury of eleven farmers and one blacksmith did not believe him. On the jurors' second ballot Kneeskern was again convicted. They too recommended that Frank serve life imprisonment instead of being hanged.¹⁵

At the end of the second trial Kneeskern was no longer a wealthy man. The combined cost of his trials included more than \$25,000 in attorney fees. It was all the money he had. At the last he had to deed over to his lawyers the 300-acre farm and the corn that had cost the Van Brocklins their lives. Following a brief hotel room visit with his wife Frank went to the Fort Madison Men's Prison to begin serving his life sentence.¹⁶

Kneeskern's trials stayed news worthy throughout the two years of their adjudication. Why? The murders were not especially gruesome; the victims were anything but glamorous. Kneeskern was not famous before the trials. The trial issues themselves were straightforward, they offered nothing new: guilt or innocence. What then ignited rural Iowan's interest in the otherwise unremarkable affair? The country folks' sharp interest emerged naturally from the setting and the people involved.

The Kneeskern case concerned typical rural people in an atypical episode. Their fellows sympathized, even empathized, with the victims. Some ruralites even sympathized with the killer. This drama was theirs. It did not happen in Des Moines or distant Chicago. Like 40 percent of their fellow Iowa farm families, Charles and Irene Van Brocklin were tenants. They died over the common enough squabble, shared by many tenant farmers, of dividing a harvest. This type of economic struggle struck a fundamental chord among farmers, half of whom were burdened by farm debt with mortgages that had risen from \$54 to \$100 per acre during the past decade. Few Iowa farmers felt secure on their land. It was as easy for them to identify with the Van Brocklins as it was to vituperate the man who murdered them over a share of nearly worthless corn. It was the circumstances of the crime more

than the crime itself that inflamed the people of the countryside. The twice-reached guilty verdict is not surprising under the circumstances. The recommendation of life imprisonment rather than death, coming as it did from farmer juries, is surprising.¹⁷

The only other murder of the time to receive as much attention was very unlike the Kneeskern case. For one thing there were no surprises. Unlike Frank Kneeskern, Earle Throst was not wealthy. The only thing in which Earl was rich was in imagination. Big, oafish, and uneducated, Throst lived with his parents on their Allamakee County farm. In his mid-30s, some said he should have struck out on his own long before, but Earl had no intention of leaving. Everything he wanted in life was close by at the Bergen School House. It was an unadorned place, a typical one-room country school house. Inside, though, worked Inga Magnusson, a thin, very pretty woman in her early 20s; she taught all eight of the Bergen School's grades.¹⁸

Earl concocted an elaborate fantasy featuring Inga. They had met somewhere in the usual rural fashion of casual greeting. He could have meant nothing to Inga Magnusson with his poor speech, bad grooming, and crude clothes. To him, however, she was marvelous. Earl adored her. He was always polite to her on the rare occasions when they met, often to

the point of obsequiousness. In his fantasy, Inga and he were engaged to be married. During the second week of December, the day after the Van Brocklins were killed, Earl chose to tell Inga of their impending marriage and to demand from her the sexual privileges his imagined conjugality allowed.¹⁹

Earl went to the Bergen School's vicinity the afternoon of the 12th. As there children were still present, he went to wait at Jacob S. Quandahl's general store, a few miles south of the school. Quandahl noticed Earl had a hatchet handle protruding from his overcoat pocket, but he thought nothing of it at the time. After an hour or so Earl left the store and returned to Inga's school.²⁰

He found Inga alone in the basement. Class was over for the day, and Inga was damping the furnace for the night. When she turned from the furnace door she was startled to find Earl Throst standing close beside her. He began babbling to Inga of his fantasy, stepping toward her as he spoke. When he was close enough he touched her on the shoulders with both his hands. Out of fear or disgust, Inga hit his right forearm hard with the small brass coal scuttle she still held from tending the furnace. It was a fatal move. A black rage engulfed Earl. Forgetting entirely his plan to rape Inga, he instead used the oak hatchet handle repeatedly to bludgeon her head. Inga died, her brains splashed on the furnace, wall,

and floor. Earl carried her corpse to a corner refuse pile and left the school to go home to his parents' farm.

Because punctuality was one of Inga Magnusson's virtues, her rooming house friends immediately noted her absence. A quick check at the Bergen School House by Allamakee County Sheriff Ben Davis set off a murder investigation. Identifying Inga's murderer occurred just as soon as Jacob Quandahl heard of it a few minutes later at his general store. Sheriff Davis arrested Earl Throst that same evening and before daybreak Earl confessed in his Allamakee County Jail cell. Before the week was over Judge H. E. Taylor bound Throst over for trial on a charge of murder in the first degree.²¹

Events continued to move swiftly. Judge Taylor suspended the traditional Christmas-week recess to proceed with Throst's trial. L. L. Duxbury of Caledonia, Minnesota, agreed to represent Throst when no local attorneys could be hired. Allamakee County Attorney E. F. Pieper prosecuted Throst. Precisely two weeks to the hour of the murder Earl Throst was found guilty of murder in the first degree by a jury of local farmers who made no leniency recommendation. On December 26, 1921, Judge H. E. Taylor sentenced Earl Throst to death by hanging for the murder of Inga Magnusson.²²

Earl Throst waited on death row for a year while his attorney fought to get his death sentence commuted to life

imprisonment. It was not to be. Inga Magnusson had been too young, too pretty, and too well-liked for any mercy to be given her murderer. Governor N. E. Kendall brusquely rejected Earl's leniency plea saying Throst was "stupid, lazy, thriftless, untruthful, obstinate and irritable," his whole life long; he would waste no clemency on one such as he. It is interesting to note that Kendall's reason for withholding his compassion. He did not emphasize Throst's heinous crime but instead his abominable reputation.²³

The state supreme court already had ruled against Throst saying that he was guilty of the murder, and adding, "the horrors of which will never be fully known or realized, when this beautiful innocent girl was beaten to death with a club in the hands of an arch fiend." On March 9, 1923, at 7:30 in the morning, Allamakee County Sheriff Ben Davis hanged Earl Throst in the yard at Fort Madison Men's Prison before a small gallery of witnesses consisting of prison officials and newspaper reporters. Earl Throst died forgiving his executioner and quickly slipped into obscurity.²⁴

Other murderers of the time received even less notoriety than Throst. Three other murders occurred in the counties under investigation during the interwar years, but none of them received much attention from country folk. In 1932 Iowa County's John McElroy shot and killed the boss who had fired

him, Iowa Electric Company manager Fred Berry, with a .44 calibre single action revolver. McElroy immediately blew his own brains out. There was very little notice of the event. Mrs. F. M. Hopkins of Casey in Adair County poisoned her retarded 17-year-old daughter Elma by lacing a piece of her birthday fried chicken with strychnine on July 23, 1934. Elma was on furlough from the Woodward State Mental Hospital at that point because her mother could no longer afford her share of Elma's housing costs. Mrs. Hopkins received a life sentence in the Women's Prison at Rockwell City and was promptly forgotten. In 1935 Arthur Cayton of near Waukon met fellow farmer A. J. Kosbau in Kosbau's chicken hatchery and shot him in the head before turning the gun on himself over some farm deal gone awry. Only Cayton died. These were tragic deaths, but pedestrian also in their way. None of the three generated much excitement among rural people. They lacked the attention getting elements of the Kneeskern and the Throst cases.²⁵

Other felony crimes failed also to excite anyone. Burglaries, among the more frequent of serious crimes, never seemed to get anyone very upset. Forty burglaries in all were reported in the county press between 1921-1940. None of them were procedurally sophisticated; and the "take" from each averaged just under \$70. Rural burglars preferred businesses

to private homes so much that only two home burglaries occurred. In all but three cases--each the work of a single individual burglar--entry was gained by prying, smashing, or forcing a door or window. None of the burglaries happened during the daylight hours, and fewer than half of the perpetrators were apprehended. Gas stations were the favorite target, with eight instances. Six grocery stores were burgled but the remainder were single or double case burglaries of small shops such as clothing stores and cafes.

The most unpopular felony committed in the countryside involved the stealing of farm stock. Rural Iowans hated chicken thieves as they hated no other criminals. Boundless hostility was heaped upon a chicken thief. Said one rural editor, "no Hell is hot enough to justly punish [a chicken thief]." ²⁶ So angry did a district court judge become that in sentencing a chicken thief to the five-year maximum sentence he said:

It has been truly said that on the farm the steer pays the mortgage, the hog pays the rent, but the humble old hen plays a much more important part in the upbuilding of a home and the training of the citizens of a community than either the steer or the hog. When I stop to think of the enormous amount of work and drudgery that must be performed by the dear old farm wife, working day and night, in season and out of season, wet and dry, heat and cold, to care for her flock of chickens, I am inclined to think that on her brow should rest one of the most beautiful and enduring crowns ever placed on the human brow. . . . You stole from people to whom this

little thievery possibly might mean life and the production and training of the better class of American citizens.²⁷

An editor of the normally staid sheriff's association summed up in 1936 rural Iowan's feelings aptly, writing of the many

kinds of disreputable skunks in this world there are none so despicable as a chicken thief. In 99 cases out of a hundred he's stealing from a woman something on which she does more work in one season than the average chicken thief could be hired to do at any price in ten years.²⁸

Pugnacity inevitably marked the tenor of any discussion of chicken theft. Wallaces' Farmer chided the state's sheriffs saying, "Maybe it's politics and maybe it isn't, but many farm communities found a complaint about a dozen chickens that had been stolen was a good joke to law officers."²⁹ Angst and anger over stolen poultry was not misplaced. The state's sheriffs' magazine described the concerns nicely, saying that chicken stealing is

one of the most contemptible crimes on the statute book. It generally means that a man is stealing from a woman, for it is generally the farmer's wife who must look after the chickens. It often means depriving the farm family of the income depended upon to meet current necessary living expenses.³⁰

In the fall of 1923 one rural paper warned area farmers that the "annual appearance of chicken thieves" had returned to the county. Farmers felt that poultry theft perpetrators were exclusively members of well organized gangs. In part they were right. There were gangs specializing in agricultural theft, including chicken theft at the time. Some of the gangs

showed sophistication, using trucks and regular "fences," businessmen who bought with no questions asked.³¹

Just as often, though, the perpetrators were neighboring farmers. When Adair County farmer Jack Flynn found his wife's flock of 140 White Wyandotte chickens missing he reported the theft to Sheriff Sprague. Acting on an anonymous telephone tip, Sprague, his two sons, and Deputy H. J. Harbour raided Ed and Phil Shaefer's farm 3 miles south of Stuart. Search warrant in hand, the posse found the purloined poultry in a hidden pen in the brother's barn.³²

Sheriff Sprague apprehended William McDonald, a Greenfield area farmer, for chicken theft in 1922. McDonald had raided several neighboring farms and then sold his loot to a poultry buyer in nearby Orient. By cross checking the birds' brands the sheriff managed to identify their owners. McDonald pled guilty to chicken larceny and received a two-year sentence at Fort Madison.³³

An Allamakee County couple turned felony theft into a family outing. Ira Patterson and his wife brought along their five young children on their raids. At one of their neighbor's farms, 107 chickens were taken when the children formed into a "bucket brigade" to fill the family truck with chickens quickly. Unhappily for the Patterson family their victim recognized them. After their conviction state welfare

workers divided the Patterson children among several orphanages.³⁴

Chicken theft investigations demanded tenacity on a local sheriff's part. Few farmers took the time to mark their flocks for identification despite regular reminders to do so in the state's agricultural press. Without identification markings there was little incentive for a sheriff to pursue a chicken thief. Legally binding proof of ownership was impossible without it because same-breed chickens are indistinguishable. In the spring of 1930, Adair County suffered a series of chicken thefts amounting to several hundred stolen birds. Sheriff W. F. Sachau began an investigation that lasted three months and consumed his time almost exclusively until resolved. More than a dozen area farmers reported losing flocks. Sachau began with meticulous lists of the stolen birds including their age, breed, and the number stolen per victim. Knowing the rapid metabolism of chickens would force the thief to dispose of the stolen birds as quickly as possible, Sachau started checking the four poultry buyers in his county closest to the theft sites. The sheriff suspected a local farmer and justice of the peace named Arthur Moyer because his production of birds and their breed variety jumped suddenly. It took several weeks before Sachau could conclusively prove that Moyer's chicken sales to

local buyers did not tally with the kinds of chickens Moyer raised. Next Sachau had to prove that the chickens Moyer sold matched the sheriff's painstaking lists of stolen chickens. By the end of April the sheriff could prove that Moyer sold sixteen batches of chickens to the four local buyers that did not match his own flocks but that did match those his farmer neighbors reported as stolen. When confronted with the sheriff's evidence Arthur Moyer pled guilty to four of the sixteen counts of chicken theft before District Court Judge W. S. Cooper who gave Moyer the maximum possible sentence of five years at Fort Madison Men's Prison.³⁵

Sheriff Sachau deservedly received praise for the apprehension of Moyer. But he himself must have known solving the case depended on circumstances that he could not routinely depend on. How often would he, or any Iowa sheriff, have several uninterrupted weeks to compile lengthy lists of stolen chickens? How often could a sheriff stand to cross reference interminable lists before exhaustion forced him to abandon the work? An illustration of the sheriff's problems came the following spring when a new series of chicken thefts started in Adair County. Pete Eggon of Fontenelle surprised the thief at his farm and was severely beaten by him as he made his escape. Roy James' wife lost her entire flock of more than 100 full-grown chickens from their farm south of Greenfield to

a thief using a truck. Sachau solved neither of the crimes; he did not have the time.³⁶

Facing the same difficulties as Sheriff Sachau, rural sheriffs occasionally banded together in common cause to suppress chicken thieving. At the crest of a great increase in the number of chicken thefts in 1936, seventeen county sheriffs gathered in Denison to plan a cooperative strategy combat the thieves. There is no indication that they enjoyed any success. The sheriffs best enforcement tools were combining Section 3112-b4 of the 1935 Code of Iowa requiring poultry dealers to maintain detailed records of their suppliers and encouraging their farmers to use any one of several commercially available poultry marking kits. Farmers did a better job of protecting their belongings against the gangs that operated against them.³⁷

Several conspicuous rural criminal gangs specialized in targeting agricultural goods. One particularly successful group of thieves called the Butter Ring operated in 1936. During the spring and summer the ring assembled more than 60,000 pounds of sweet cream butter from Iowa's small independent dairies in the northern tier of counties. The seven ring members lived in Omaha, Sioux City, LeMars, and Rock Rapids and gathered together to perform highly sophisticated dairy burglaries.³⁸

Using trucks, lookouts, and carefully timed schedules the ring avoided leaving clues at any of the thirty-two dairies they burgled. When the dairies at tiny Palmer and Fenton, Iowa, proved uncommonly lucrative in early April, the ring returned for second hauls later. The Palmer dairy raid netted the gang 2,172 pounds of butter on April 3. On July 7 they carted away 4,260 pounds, doubling their previous take. Fenton lost 3,510 pounds on April 8; on May 15 the thieves returned for an additional 2,800 pounds. The ring's best night's work came on July 3 when the dairy at Hubbard lost 7,484 pounds of butter.³⁹

Officers approached the investigation from an unusual premise. Since there were no clues at the scenes: tire tracks, foot or finger prints, or identifiable method of operation, they ignored the crime scenes. The sheriffs concentrated instead on locating the Ring's "fence," who disposed of their stolen butter for them. The properties of butter, particularly butter in the dozens of tons, required huge refrigeration facilities both for trucks used during the burglary and for collection and storage. At Omaha, Nebraska, the officers found the facilities and with them the stolen butter and the fence. The ring had allied with a legitimate Omaha butter packer who handled the purloined butter, saw to its remarking, storage, and resale to other legitimate butter

packers, and then split the proceeds, exceeding \$30,000, among the gang members. By year's end the ring members and their fence stood in the dock.⁴⁰

While the northern officers were prosecuting the Butter Ring, officers in southern Iowa investigated a safe-cracking gang. Responsible for fifteen of the state's thirty-eight rural "safe jobs," the gang became a priority among the sheriffs. A raid on an Albia house disclosed enough evidence, including fuses, dynamite, and criminal correspondence to cause the arrest of four of the gang's five members. Laredo, Texas, officers arrested Glen Brown, 24, and Bob Robinson, 44, both of Albia, on Iowa arrest warrants. Rock Island, Illinois, authorities apprehended Audrey Avilla, 23, and Frank Cervantes, 44, both of that city. Before returning to Iowa for trial the four faced Illinois charges of attempted murder stemming from a Peoria robbery. The fifth gang member, Porfino Rocha, alias Jesus Acosta, escaped to Mexico City. The gang's apprehension resulted from the cooperative work of several Iowa sheriffs, plus the Albia, Burlington, and Ottumwa police, the Rock Island, Illinois, police, the Iowa Bureau of Criminal Investigation, and the Federal Bureau of Investigation.

Although a few rural criminal gangs did operate in interwar Iowa they did not represent the nature of crime in

the hinterland. Rural felony thieves preferred to work alone, favoring, after chickens, livestock to steal.⁴¹ Hogs offered tempting targets for thieves. Unlike chickens, hogs are hardy creatures and generally quiet ones. There are no special prerequisites for hog rustling beyond those of any felony theft: motive, opportunity, and transportation. Their liability of weight (200 pounds plus each) and bulk is compensated by their ability to walk to transport. Simon Blegen, owner of two prize-winning Allamakee County hogs lost them one January night to a thief clever enough to use a horse-drawn sleigh to get closer to the hog pen than could a truck. Blegen never recovered the pair. Andy Thiele, an Adair County farmer, saw his hired hand, Louie Peachy, 25, receive a five-year sentence to Fort Madison Men's Prison for stealing a 220-pound hog left in his care while Thiele went to town. Sheriff Sachau, who would work so laboriously to capture Arthur Moyer for chicken theft the year following, arrested two men in early 1929 for stealing and butchering two of farmer John James' hogs south of Stuart.⁴²

In the 1930s some hog rustling investigations started to reflect the enlarged training increasingly available to rural sheriffs. Some rural sheriffs began using crime scene investigation techniques in search of hog rustlers in the 1930s. When Page County hog farmer Frank Annan reported the

theft of thirty-five hogs to Sheriff C. M. Crawford, the sheriff collected plaster of paris tire track impressions he found near Annan's hog lot. The sheriff suspected Annan's hired hand, Warren Grubb, when he unaccountably began spending large sums of money in town. A check of Grubb's tire tracks with those taken at the hog pen by Sheriff Crawford confirmed the sheriff's suspicions; Grubb confessed to stealing his employer's hogs.⁴³

The solution to a 1938 case of rustled hogs depended upon physical evidence gathered during a crime scene search. Dallas County hog farmer J. E. Cave awoke May 5, 1938, to discover that someone had stolen twenty of his 225-pound hogs during the night. The thief was bold, driving them from the hog pen across more than a mile of open fields to a waiting truck. Dallas County Deputy Sheriff E. A. Burger investigated the theft. At Cave's farm the deputy found truck tire tracks and footprints of which he made plaster of paris impressions. Beside the tire tracks he spotted a pair of truck sideboards that the thief had used as a chute to load the hogs. On the wooden sideboards could be seen the name "John Dack" written in pencil. Dallas County printed crime report circulars and sent them to Iowa and neighboring state sheriffs where the hogs would most likely sell. Officers investigating a similar hog rustling case at Sidney, Iowa, contacted Deputy Burger,

telling him that they had recovered a piece of wood broken from what appeared to be the Cave rustling as described in the circular. The officers found that the broken piece fitted the sideboard. On May 18 Sheriff Wood Adams of Stansbury, Missouri, notified Deputy Burger that a man named Jack Dack lived in his vicinity, and the deputy and Dallas County Sheriff Knee met the Missouri sheriff at Stansbury. There they learned that Dack's friend, Jesse Cunningham, had a truck whose missing sideboards matched those found by Berger at the Cave rustling site. Cunningham had left the area; the Iowa officers obtained an arrest warrant and sent out more circulars, this time calling for Jesse Cunningham's arrest and offering a \$100 reward for his capture for hog rustling.⁴⁴

When officers learned that Cunningham had a brother-in-law living in Kansas City, a stake-out was set up to watch the house. Within a few days Cunningham appeared at his brother-in-law's home and was arrested by Kansas City police. Deputy Burger accompanied by Sheriff Knee and County Attorney Charles Joy extradited Cunningham, meeting Missouri officers at the border town of Marysville, Missouri, to take custody of their prisoner. Further investigation uncovered a bill of sale from the Krey Packing Company of Kansas City, made out in the name of Jack Dack, in the amount of \$286 for twenty hogs.⁴⁵

While such elaborate crime scene investigation was still the exception and not the rule in the 1930s, the Cave hog rustling case does illustrate the direction in which Iowa's rural sheriffs were quickly heading. Crime scene technology was still largely an urban police activity, but as the perception of agricultural crime's importance increased during the interwar years, so too did the efforts of the sheriffs to combat it scientifically.

Also vexing the sheriffs at the time was the appearance of a new type of felony theft, called grand theft of automobiles. Iowans, including rural Iowans, rushed to buy automobiles in remarkable numbers. Passenger cars increased from 18,870 to 716,304 between 1910 and 1930, and the total motor vehicle registration reached 790,231 in 1929. This amounted to one automobile for every three Iowans giving Iowa the rank of the third highest automobile owning state in the Union. For rural Iowans the automobile had a mixed impact. While cars reduced rural isolation, getting greater access to town more often heightened the contrast between country and city living standards.⁴⁶

For sheriffs, too, came the additional burdens of enforcing a multitude of traffic safety laws and the nuisance of trying to recover vehicles that were, by their very nature, unmanageably mobile. On September 17, 1925, farmer George

Handley's new Hudson automobile, parked at the Adair County Fair, disappeared. It turned up two months later at Concord, Massachusetts, having been stolen by an army deserter who attended the fair. Tom McGivern of Marengo had his Ford Roadster stolen while vacationing the summer of 1926 in Chicago. It was located later that summer in Cedar Rapids. Eddie Wilson of Seattle, Washington, stole a Chevrolet while passing through Cedar Rapids, wrecked it near the Amana Colonies and hitched a ride from a passing motorist into Grinnell where he was arrested. A one-legged fifteen-year-old boy managed to steal three cars in Marengo, losing them all and fleeing on foot to the railroad depot where he escaped. J. W. Killpatrick lost his new Chevrolet, even though it was locked in his garage in Adair. It went unrecovered. Floyd Dady of rural Monroe Township near Mount Ayr found himself facing federal officers after his arrest by Adair County Sheriff H. W. Terrell for the theft of an automobile in Iowa that eventually surfaced in Minnesota under the new National Motor Vehicle Theft Act. William Johnson's Ford sedan, stolen on September 30 from his farm near Adair, turned up abandoned at Emerson, Nebraska, on October 2, 1931.⁴⁷

On and on it went until most rural sheriffs threw up their hands in despair. Automobiles were expensive, but there were too many of them being stolen, they could travel too far

from the scene of the loss, and there was nothing approaching a central record system that the sheriffs could use to keep track of missing automobiles. In the final analysis the sheriffs simply did the best they could, when they could do anything.

The crime wave myth, as the case studies show, altered the way rural authorities reacted to crime. A murder was no longer seen as an isolated incident, but as something indicative of a larger phenomenon. The murderers of Cecil Kersten, the Van Brocklins, and Inga Magnusson were treated by the authorities, despite being local people, as representatives of the crime crisis that was sweeping the countryside. Quick punishment was the rule as the authorities rushed to show the other criminals, whom they believed were watching, the swiftness and certainty of their justice.

Not just swift punishment, but changes in investigative procedures developed because of the myth. Elaborate investigations such as Sheriff W. F. Sachau's three-month probe of chicken theft, and Sheriff C. M. Crawford's use of plaster of paris impressions to catch hog thieves meant that the sheriffs were turning increasingly to more sophisticated techniques to stem the criminal wave they believed threatened their communities.

Despite their belief, the expected crime wave never came. Rural law enforcement officers therefore devoted virtually all of their efforts to relatively minor public offenses involving local people. Dealing effectively and compassionately with such offenses and offenders required common practices expertise that had traditionally been part of sheriffdom since the Middle Ages.

End Notes

¹McGregor's population is listed in: U.S. Department of Commerce, Fifteenth Census of the United States: 1930, Population Bulletin, 2nd Ser., "Iowa," p. 74.

²Waukon Republican and Standard, 2 November 1921.

³Ibid., 21 December 1921.

⁴Ibid., 29 November 1922, 17 January 1923, 7 February 1923, 27 December 1922.

⁵Ibid., 29 November 1922.

⁶Ibid., 13 December 1922, 27 December 1922, 10 January 1923, 17 January 1923, 24 January 1923.

⁷Ibid.

⁸Ibid., 8 February 1922.

⁹Ibid., 19 April 1922, 26 April 1926.

¹⁰Ibid., 29 November 1922.

¹¹Ibid., 13 November 1922, 22 November 1922.

¹²Ibid., 20 December 1922. It was not Judge Taylor but another judged named Deland from Allamakee County who freed Kneeskern.

¹³Ibid., 27 December 1922.

¹⁴The trial crowds at the Charles City trial are described in the Waukon Republican and Standard, 3 January 1923.

For an excellent description of the frequently silly status of crime reporting in the country at the time see: Simon Michael Bessie, "The Popularity of the Tabloid: The Daily News of 1926," in Ain't We Got Fun? ed. Barbara H. Solomon (New York: Signet Books, 1980), pp. 124-29. The Des Moines papers' crime reporting is discussed at length in George Mills' Harvey Mills and Gardner Cowles, Sr.: Things Don't Just Happen (Ames: Iowa State University Press, 1977), pp. 67-77.

The Scopes trial in Tennessee has a large historiography. The most readable is: Frederick Lewis Allen, Only Yesterday: An Informal History of the 1920s (New York: Perennial Library, 1980), pp. 162-71.

¹⁵Waukon Republican and Standard 10 January 1923, 17 January 1923, 24 January 1923.

¹⁶Ibid., 7 February 1923, 21 February 1923.

¹⁷Iowa's farm tenancy and mortgage rates are available in Ross, Agriculture, pp. 134-54.

¹⁸Waukon Republican and Standard 21 December 1921.

¹⁹Ibid., 17 January 1923, 7 March 1923. Inga Magnussen was in fact engaged. Not to Earl but to a young businessman named Otto Deters of Elgin, Illinois.

²⁰Ibid., 21 December 1921.

²¹Ibid., 7 March 1923. There is only Throst's confession to tell the story of the murder.

²²Ibid., 28 December 1921, 7 March 1923.

²³Ibid., 10 January 1923, 17 January 1923, 28 February 1923, 7 March 1923.

²⁴Ibid., 14 March 1923. The reporters were from the Lansing Journal, the Waukon Democrat, the Postville Herald, and the Waukon Republican and Standard.

²⁵The Pioneer-Republican of Iowa County 24 March 1932; Adair County Free Press 26 July 1934; Waukon Democrat 29 May 1935.

²⁶Marengo Pioneer 6 September 1922.

²⁷Iowa Sheriff (July 1935): 25.

²⁸Ibid. (September 1936): 1.

²⁹Wallaces' Farmer 16 January 1925.

³⁰Iowa Sheriff (November 1935): 10.

³¹Waukon Republican and Standard 5 September 1923, 24 July 1940; Adair County Free Press 19 March 1931, 14 May 1931; Marengo Pioneer 13 January 1927.

A three-man gang consisting of Iver West, Lawrence Baugh, and Richard Cheney, all local farmers, were successful "roost robbers" in southern Iowa County in the 1920s.

³²Adair County Free Press 8 September 1921.

³³Ibid., 5 January 1922, 19 January 1922.

³⁴Waukon Republican and Standard 8 August 1923.

³⁵Wallaces' Farmer 25 November 1927. Commercial identification kits using tattoo dye markers were available. See: James F. Evans, Prairie Farmer and WLS: The Burrigge D. Butler Years (Urbana: University of Illinois Press, 1969), p. 98; Adair County Free Press 1 May 1930.

Telephone conversation January 18, 1992, 10:30 a.m. with Steven Schaaf, Pioneer-Hybrid Company biologist. The maximum survival period for untended chickens is approximately twelve hours. Beyond that time the birds would be too enervated to be worth selling.

³⁶Adair County Free Press 19 March 1931, 14 May 1931.

³⁷Iowa Sheriff (September 1936): 1. Had they been successful to any degree the magazine would have noted it in succeeding issues. No followup story ever appeared.

³⁸Iowa Sheriff (August 1936): 11.

³⁹Ibid.

⁴⁰Ibid. (August 1936): 11, (November 1936): 12.

⁴¹Ibid. (September 1937): 9.

⁴²Waukon Republican and Standard 10 January 1923; Adair County Free Press 8 July 1926, 21 February 1929.

⁴³Iowa Sheriff (August 1939): 2.

⁴⁴Ibid. (July 1938): 3.

⁴⁵Ibid.

⁴⁶Walter E. Kalpoupek, "The History and Administration of the Iowa Highway Safety Patrol," Iowa Journal of History and Politics XXXVI (October 1938): 341; Dorothy Schweider, "Rural Iowa in the 1920s: Conflict and Continuity," The Annals of Iowa, 3rd Ser. 47 (Fall 1983): 105, offers an excellent examination of the ambivalent feelings rural Iowans felt about their way of life.

⁴⁷Adair County Free Press 1 October 1925; Marengo Pioneer 22 July 1926, 19 August 1926, 21 October 1926; Adair County Free Press 20 September 1928; Mount Ayr Record-News 5 February 1931; Adair County Free Press 5 November 1931.

CHAPTER 4
RURAL POLICING

The sheriffs who were primarily responsible for law enforcement at the county level occupied offices that had a long history. Originating in the Middle Ages and then transplanted to rural America, the office underwent changes in nature and expectations. By 1920 this evolutionary process had led to an elected official with a broad array of responsibilities. The need to win election influenced candidates' and incumbents' behavior, often making them especially sensitive to local mores and beliefs. Whether they were deporting gypsies from their jurisdictions, enforcing traffic regulations, handling prisoners, or arresting bootleggers, Iowa's rural sheriffs were inextricably involved on a daily basis with people of all sorts. And, in each of these activities, the sheriffs had to accommodate to the inevitable tension between law and common practice.

Many of Iowa's sheriffs were distressed in the 1920s and 1930s when new technology and an unpopular new law combined with their biennial election ordeals to increase the complexity of accomplishing their inherited ancient English duties of keeping the peace, maintaining the jails and servicing the courts. The office of sheriff is the oldest and

most important of all county offices, having originated in Anglo-Saxon England. Before the office emerged, law enforcement, called the King's Peace, depended upon a form of mutual security wherein all free-born males belonged to ten-member units called decennaries. In times of crisis these units gathered to form "hundreds." Although not a posse, it fell to the decennaries and the hundreds to deal with law breakers from among their ranks.

Under the Anglo-Saxon kings, especially King Edgar, the "Peaceable" (959-975), the office of sheriff began to form into its recognizable shape. The word sheriff comes from the Anglo-Saxon word for "officer," *gerefa* also called *reeve* and the word *scir* meaning "county;" *scir-gerefa* became shire reeve and through usage shire reeve became sheriff. An Anglo-Saxon sheriff was: the chief peace keeper of his county, the keeper of the county jail and its public prisoners, and the chief executive officer of the courts. Colonial American sheriffs retained these same duties, working closely with local justices of the peace to maintain law and order, collect taxes, see to it that court procedures were properly carried out, and that elections were conducted according to law. The sheriff's office came along basically unchanged when Iowa opened to settlement.¹

Iowans have always found the sheriff's office useful, but they have exhibited ambivalence about how it should be filled. Under the 1836 organic act establishing the Wisconsin Territory, of which Iowa was a part, the territorial governor made appointments to all judicial offices including that of sheriff. When the Iowa and Wisconsin Territories separated in 1838, Iowa retained its sheriffs and set them the task of taking the first regional census for representation purposes. They also legally codified the office of sheriff, spelling out its duties and powers. Congress took control of the office of sheriff away from the governor the following year, transferring it to the hands of county electors. As had the Saxon sheriffs, Iowa's sheriffs continued to hold the power of *posse comitatus*, the summoning to his aid of all able-bodied men. The sheriff likewise retained the three-fold job of old: guarding the peace, caring for prisoners, and servicing the courts. Iowans have used four selection methods to fill the office: gubernatorial appointment, legislative appointment, judicial appointment, and popular election.²

Very few election prerequisites existed for men wishing to be sheriffs. Any qualified elector could be nominated; lack of citizenship did not even exclude an aspirant so long as he attained U.S. citizenship prior to being sworn in. The direct primary produced nominations in the 1920s and 1930s.

If no candidate garnered 35 percent of the votes cast in the primary, the choice fell to the county convention where a simple majority sufficed to insure nomination.³ No other qualifications existed. It was a purely political selection process.

There were, however, a series of unofficial requirements. Rural sheriff aspirants had to meet several informal election requirements. The two most important of these were lifelong residence in the county and some type of local renown, usually based on business, sports, or politics. Fred Hess of Iowa County, for example, authored several farm stock directories as a locally acclaimed stock expert before becoming sheriff in 1922. His deputy, Fred Schumann, a native son, decorated World War combat veteran, and active American Legionnaire, also met the criteria well. A contemporary U.S. Bureau of Prisons survey highlights the eclectic backgrounds of Iowa's sheriffs. In the survey incumbents were asked to report their occupations before becoming sheriffs. There were ten farmers, eleven businessmen, and other occupations including mechanic, painter, salesman, highway employee, dairyman, barber, newspaperman, and game warden.⁴

In 1924 Fred Hess sought a second two-year term as sheriff. The paper announced his candidacy by calling him Iowa County's "shooting sheriff," despite his not having fired

his revolver in the line of duty. Sheriff Hess struck upon a clever campaign ploy in pursuing the Democratic Party's nomination. Hess released figures showing him to be an economical administrator. His predecessor, Hess claimed, had spent \$4,576.46 in running the office while Hess did the same job for \$3,931.60, a savings of \$644.86 for the county's taxpayers. Better yet, Hess' arrests had brought Iowa County coffers about \$1,500.00 in fees and fines, so the county actually had to contribute only around \$300.00 to pay Hess his \$1,800.00 annual salary. Reelecting him, Hess said, would guarantee this law enforcement bargain. Sheriff Hess easily won his party's renomination for a second term at the June primary. The tactic of presenting himself as an economic bargain worked splendidly among farmers who saw themselves as overtaxed. It worked again in 1926 when Hess campaigned for a third term. One week before Election Day Hess released another report showing he had collected \$23,000.00 in fines as sheriff, doubling his predecessor's work. At the polls Hess swept sixteen of the county's twenty-two precincts, winning his third term handily.⁵

In 1928 the gambit grew stale. Both the Republicans and Hess's own Democratic party fielded nominees in 1928 to challenge his grab for a fourth term. From the small farming community of Williamsburg, Charles A. Seemuth announced his

candidacy for the Republican nomination. Seemuth owned his own butcher shop, took great pride in his high school diploma, and had the distinction of being a talented semi-pro baseball player. L. C. Dietze, Dayton Township Constable and Director of the Marengo School District, trumpeted his candidacy for the Republican nomination to compete for Hess' job from the farm that his family had owned since the Civil War. Another "hometown boy," Cal Ryerson, owner of Marengo's cigar store and First Deputy of the local vigilantes, drew upon his two-year stint as a deputy sheriff in 1917-1919 in announcing his candidacy for the Republican nomination. Sheriff Fred Hess decided to take a job in Eugene, Washington, with the Pioneer Service Company rather than seek his party's renomination again. Presumably he endorsed the Democrats' nominee, Milo F. Cafferty of Marengo, who defeated his Republican challengers without great effort. In the primary they split their votes so completely that none of them garnered the necessary 35 percent majority. The Democrats united behind Cafferty who then easily won the election.⁶

Adair County Sheriff W. F. Sachau parlayed an acclaimed capture of an infamous chicken thief into another term of office in 1930, defeating rival Republican nominee W. W. Stucker, the city marshall of Fontanelle. Sachau did not, however, linger in office. On June 20, 1931, he disappeared.

A Missouri sheriff reported seeing him pass through the state five days later in the company of a young woman. Sachau's wife continued preparing meals for his county prisoners until the board of supervisors replaced her wandering lothario with a 49-year-old county truck driver named Mart Lydon (who did not much want the job) in early July. Sachau never again returned to Adair County.⁷

Iowa County's Milo Cafferty did not linger in office either. After a single term, J. F. Voelkel, a rival Republican nominee, defeated Cafferty and went on to beat the Democratic candidate as well. Voelkel spent \$39.90, about equally divided between gasoline for his car and advertising handbills. Cafferty seems to have taken his defeat equitably, volunteering to act as Voelkel's deputy during the period of transition between administrations.⁸

Although Ringgold County's voters seemed apathetic to the state and national elections of 1930, the sheriff's office election generated real enthusiasm. The Democratic incumbent, Marion Stephens, faced a field of five Republican nominees including a former state Bureau of Criminal Investigation special agent who was also a former sheriff and Stephen's own deputy. The former sheriff, H. W. Terrell of Mount Ayr, beat his rival Republican hopefuls in the June primary but failed to receive the necessary 35-percent majority to capture the

nomination by 1 percent. Sixty-five Republican delegates met June 28 at Mount Ayr to pick a candidate for the sheriff's office. On the first ballot Terrell got forty-one convention votes or 63 percent. Victor Skinner, Sheriff Stephens' deputy, received only seven votes, possibly a rebuke for running against his boss. Terrell beat Stephens at the November polls by a narrow 230 votes. Deputy Skinner, learning that Sheriff-elect Terrell had appointed A. H. Lewis, the county farm's steward, to be his deputy, resigned and returned to cutting hair at his Mount Ayr barber shop. As the next election approached Sheriff Terrell lost his party's nomination to Leslie E. Thompson. Furious, Terrell launched a third party campaign to retain the sheriff's office. When the Republicans rejected their own incumbent, Marion Stephens, saw a promising opportunity to make a reelection bid of his own. All that summer and fall the three candidates waged a campaign noteworthy for its scrupulous avoidance of mud slinging. Republican Thompson surprised everyone by winning the election in November. Marion Stephens made a poor second place showing and the incumbent, Sheriff Terrell, came in last place.⁹

It seemed that 1932 was a one-term year for rural sheriffs. In Allamakee County half a dozen men sought the job. The Democratic incumbent, Ben Davis, anticipated no trouble in getting reelected. In 1922 he had unseated a

popular incumbent, Iowa's only woman sheriff, Gunda Martindale, who had beaten more than thirty male applicants to finish her husband's term after he died in office. Not everyone in Allamakee County was comfortable with a woman sheriff, Davis knew, and she had twice suffered the embarrassment of losing prisoners from her jail. When it became clear that Earl Throst, the man who had murdered the country school teacher would be hanged, Davis capitalized on the voters' hesitation to have a woman act as executioner. Having taken the sheriff's office away from her, Davis achieved fame of a sort by being Earl Throst's executioner.¹⁰

Ten years later he doubtless felt a bit put-out when his deputy, Jack King, announced his candidacy for the Republican nomination. But Davis felt secure, he had already been returned to office four times. He was an old hand at county politicking. Others thought they could politic just as well as the sheriff could. A Union City township constable and thirty-six-year veteran farmer named Horace M. Isham entered the race with a splashy endorsement aimed at the county's religious folks. The Rev. A. H. Stanley, a local Methodist minister, offered a testimonial assuring Allamakee County's voters that they would "never . . . regret voting" Isham into the sheriff's office. Bill Ryan, also born and reared in the county, and a World War veteran, added his name to the list of

Republican hopefuls. Waukon businessman Edgar Morstad proclaimed his candidacy by telling the voters his twenty years' business experience and his Valder Business School diploma from Decorah well suited him for the sheriff's office.¹¹

The candidates did not spend much money in their quest for their party's nominations. The Republican candidates outspent their Democratic contenders. The incumbent's deputy, John King, spent the most at \$66.00. Bill Ryan came next at \$40.70. The Democrats' incumbent Sheriff Ben Davis spent \$36.05, but it did not help. His party dumped him at the June primary, choosing instead James Baxter, a World War veteran and lifelong area farmer. James Baxter beat Jack King at the polls, winning the election by 177 votes. At the next election the two men reversed roles when Sheriff Baxter lost by a similarly narrow margin to Jack King. Baxter demanded a recount, obliging County Auditor C. Palmer to tally the votes again. On December 22, 1934, John King was confirmed as the winner, unseating Baxter after a single term as sheriff. With the exception of James Baxter's bad grace in forcing a ballot recount, all of the elections reflected a surprising degree of good faith and felicity.¹²

The elections were simple popularity contests. Rural sheriffs' electioneering was marked by a lack of issues,

direct personal appeals by the candidates, little more than country school education among the aspirants, and no law-enforcement preparation. Victory at the polls depended heavily on pre-election celebrity in some field other than law enforcement, long-time local residence, military service during the First World War, and an ability to entice fellow ruralites to vote. Party identification seemed unusually unimportant; nominees could switch party affiliations without detriment. Victor Skinner of Ringgold County switched from Democrat to Republican to challenge his boss, and Allamakee County's deputy Jack King did the same thing to challenge his sheriff.

Getting elected, of course, was only the beginning. Whether or not they voted for a particular candidate for sheriff, the people of his county expected him to keep busy on their behalf. Serious crime erupted only rarely in a county's midst, so what did Iowa's rural sheriffs do? They involved themselves with maintaining the peace and running their jails. Elected sheriffs developed a casual rural enforcement strategy that saw the wisdom in knowing and complying with the enforcement tastes of their constituency.

Gypsies proved to be a constant vexation for rural Iowa's sheriffs. Headquartering in Chicago and St. Joseph, Missouri, during the winter months, small family bands left the cities

to criss-cross the rural heartland peripatetically in automobiles (wagon days had passed even for gypsies) from early spring until late fall. Iowa's sheriffs considered them to be a bane, an annual pestilence, and a threat to the peace. When a sheriff could, he would do as Marengo City Marshal Dan Dwyer did when he saw his first gypsies of the spring: he forcibly escorted them out of town.¹³

The sheriffs' animosity often was well founded. Adair County's Sheriff Sachau, for example, caught two gypsy men with a stolen side of beef only minutes after receiving a report of the theft. The gypsies had the beef concealed in their Pierce-Arrow touring car; Sachau removed the beef from the car and escorted the thieves to the county line. After Iowa County farmer Fred Wetjam stopped his truck to enjoy a few minutes' conversation with a beautiful young "dusky skinned nomad," he discovered that his pocket had been picked. In Adair County a gullible 28-year-old visited a gypsy fortune teller at the county fair and left her tent inexplicably missing the \$550 in cash he had received that morning from the sale of his crop. When pressed for details of how he came to lose his crop money, the young man said the gypsy had not forced him to give her his money. He believed he had been hypnotized.¹⁴

Ringgold County Judge Homer A. Fuller shared the sheriffs' attitudes. He thought he knew how to deal with gypsies. He sentenced three young gypsy women appearing before him on a charge of grand larceny, Lena Mitchell and Belle and Annie Young, to five years each in the Women's Prison at Rockwell City.¹⁵ His was a singular opportunity to mete out punishment to gypsies because judges almost never met them in court. Rural sheriffs were loathe to arrest the nomads, feeling it was more efficacious to banish gypsies than to apprehend them. Arrest meant housing the malefactor in the county jail, and that meant hosting the arrestee's gypsy band for a protracted period of time in the county. The thought of having gypsies legitimately lingering in their communities was unbearable to the sheriffs. It was better to repair the gypsies' damage as quickly as possible and then to rid the county of them pronto. Locking up gypsies was a sheriff's last resort.

The jails answered rural sheriffs' needs poorly in ways other than as places to hold gypsies. Acting as the keeper of the jail was one of a sheriff's cardinal tasks and a most unpleasant one. Very little is known about interwar county jails. No statewide survey of jails occurred until the U.S. Bureau of Prisons inaugurated one in 1941. The state exercised no control of any kind over local jails. There is

some indication, however, that Iowa's rural jails were deplorable. When the University of Iowa's Professor of Sociology Forest C. Ensign conducted a series of jail inspections between 1904 and 1912 he was shocked at what he found. The twenty-two jails he saw were uniformly bad: poorly ventilated, lacking sunshine and sanitation in equal measure, and lodging their inmates in a jumble without regard to age or offense. Professor Ensign wrote scholarly papers condemning what he had found, but they were ignored by the twenty-two counties he had visited.¹⁶

A decade later the Reverend Charles Parsons took an interest in Iowa's rural jails but failed to improve them. Parsons was superintendent of the unaffiliated Iowa Society for the Friendless, an association working with recently discharged state felons. From 1921 to 1938 he made county jail surveys on his own. He found jail conditions no better than those that Professor Ensign had observed. Like those of the professor, the minister's reports went unheeded.¹⁷

Jail inspections fell to local grand juries and their annual tours. Invariably, they found, as did the Allamakee and Iowa County jurors, that their jails were "splendid" or in "first class condition." U.S. Bureau of Prisons Inspector J. H. Strief found nothing to prohibit Adair County's jail from holding federal prisoners during his 1931 inspection. He did,

however, suggest that the sheriff switch from using his present canvass hammocks to steel cots for the inmates to sleep on. County road gangs frequently took inmates from the jail during daylight hours, so meeting their needs for creature comforts had a low priority among rural authorities.¹⁸

Inmate comfort may have been unimportant to the sheriffs, but it was important to keep them in custody. Despite being dirty, airless, and primitive places, for some enterprising inmates, rural jails at least were not too confining. Allamakee County Sheriff Gunda Martindale, appointed to fill the vacancy left by her husband Ben's death the year before, was furious when Harry Ramsdall escaped from her unattended jail while she was seeing the circus in 1922. When she learned of the escape she acted fast, borrowing a local farmer's bloodhound hunting dogs and forming a fifty-man posse from among her fellow circus goers to retrieve Ramsdell. The bloodhounds led Sheriff Martindale from the jail, out of town and out to where her escapee was hiding in a nearby woods. Two months later she again lost prisoners when two car thieves sawed through their cell bars and the jail's exterior window bars with a hack saw that had been passed to them by someone Sheriff Martindale assumed to be a third member of their gang.¹⁹

Inmates favored hack saws when escaping from rural jails. Paul Pickenpaugh, an Iowa county prisoner serving a six-month sentence for illegal transportation of liquor, used a hack saw slipped to him by his family during jail visitation in 1926. After sawing his way out of the jail he climbed down a rope made from his bedding. Sheriff Fred Hess, attracted by the sound of his rappelling the jail house wall, caught him on the grounds. Then, seeing Paul's family waiting for him in the family car parked at the curb, Hess arrested them for aiding a jail break.

Adair County escapee John Clark also used a hack saw to flee his jail cell only to be spotted in nearby Ottumwa. In what must be a speed record, Clark was seen, arrested, sentenced, and deposited at the Fort Madison Men's Prison to serve his twenty-one-year-jail-break within twelve hours of his apprehension. Ringgold County Sheriff H. W. Terrell foiled a planned jail break in 1931 when he unearthed a hack saw in a cell of his jail in 1931. Joe Minnis, alias Thompson, wishing to avoid a meeting with his Kansas parole officer, for whom Iowa County was holding him, used a hack saw to escape jail after first having broken the lock on his cell's inner grille door. Oddly, the authorities did not seem to learn from their errors; three months later another felon escaped, again using a hack saw.²⁰

Marengo's Night Marshal, Roy Beilstein, was lucky on the mid-March night in 1932 when he saw a shadowy figure crouched before an empty automobile parked in front of the downtown River-to-River Hotel. As Beilstein approached the figure, he could see that it was a man busily removing the car's license plate. Gun in hand, the marshal ordered the crouched man to remain as he was and to explain why he was taking license plates from a car at 4:00 a.m. in the dark. When the man offered no reply Beilstein searched him, found a .32 calibre Colt revolver, and arrested him. At the jail Marshal Beilstein's suspect identified himself as Ray Castelline of 2956 Shawnee Street in Des Moines. Sheriff J. F. Voelkel lodged Castelline for theft of license plates and carrying a concealed weapon. A model inmate, Castelline made a friend of his cell mate, a chicken thief named Carl Rothenbucker. In mid-May their cell's toilet broke, and the plumber who repaired it left a hack saw behind. Castelline and Rothenbucker found they could pry their cell bars loose, then used the plumber's hack saw to cut the padlock securing the tier's grille door. They hack sawed their second floor's outer window bars next and dropped to the parking lot fifteen feet below.

Once free the pair stole Sheriff Voelkel's Ford Sedan and drove away. At the Marshalltown train depot the couple

separated. Rothenbucker went to Council Bluffs where he was almost immediately arrested by a deputy sheriff who knew him and who held an outstanding forgery mittimus against him.²¹ Castelline took the train to Des Moines where he stole a car, went to Minneapolis, stole another car there, and returned in it to Des Moines. Once there he was once again arrested for car theft, this time for a car belonging to the Des Moines Police Department. Both escapees served long prison terms for breaking out of jail.²²

Not every escapee used a hack saw to escape from of jail. Some prisoners literally broke their way out. Clarence "Cobby" Murphy, a Greenfield ne'er-do-well had just recently returned from a year's stay at the Men's Penitentiary at Anamosa for drunken driving in June 1929 when Sheriff Sachau incarcerated him for the illegal possession of 2.5 pints of whisky. Murphy pled guilty to a charge of illegal possession of liquor and received a six-month sentence at the Adair County Jail. Sitting in the adjoining cell Murphy found Claude Ridout of Creston who had been there since April, also on an illegal possession of liquor charge. During the following three months the two prisoners became friends, such good friends that Ridout agreed to help Murphy break out of jail.

Murphy had discovered that his cell door's dead bolt lock often failed to catch. He decided that when next that happened he would use his steel cot to batter a hole in the exterior jail house wall and make good his escape. Murphy calculated that the wall was decrepit enough to make fast work of the job. What worried him was the noise he would inevitably make while battering the wall. His friend Claude offered a solution. He would play his "fiddle" loudly to cover his friend's battering. Ridout's idea worked. While he furiously bowed his fiddle Murphy battered a two by three foot hole in the jail's wall. Once through it he dropped to the lawn below and made his way to Ridout's house in Creston as arranged. Three months passed before Sheriff Sachau thought to ask the Creston police to look for his escaped prisoner at Ridout's house. When they did they found him. Clarence Murphy received a light one year's punishment at the Men's Prison at Fort Madison for his Adair County jail break.

His friend Claude Ridout also was lucky: Sheriff Sachau chose not to prosecute him for his part in the affair. Sachau knew Ridout already faced another six-month term for illegal possession of liquor awaiting him at the Union County Jail when his Adair County sentence expired. Claude Ridout's liquor habit brought him briefly to the limelight once again in 1933 when an altercation with Prohibition Agents Harry

Elliott and A. A. Murphy five miles west of Oskaloosa on Highway 2 resulted in the death of Agent Elliott.²³

Oral Miller of Mount Ayr was another who escaped without using a hack saw. Miller wriggled through the Ringgold County Jail's skylight, getting a helpful boost up to the ceiling from his cell mate Boyd Hunt.²⁴

Enforcing automobile safety laws increasingly occupied rural Iowa sheriffs in the 1920s. Driving automobiles was new to rural Iowans and it was fun. In the early 1920s, rural sheriffs were primarily concerned with automobiles in terms of their traditional role as tax collectors. At least one sheriff began seizing cars whose license plates that represented their taxes were delinquent and selling the cars at a sheriff's auction to collect the back taxes that were owed. Equipment regulations also worried some sheriffs. For example, Adair County Sheriff Sprague ran a newspaper notice warning residents that he would begin enforcing the state laws requiring all automobiles to have properly functioning mufflers and tail lights. One sheriff grew so alarmed about automobile equipment that he prevailed upon three area garages to provide headlight adjustments free of charge to interested drivers.²⁵

In the early 1930s the sheriffs tended to refocus their attention regarding automobiles from cars to their operators.

This was at least partly a result of state-mandated activity such as issuing operators' licenses. Both Ringgold and Adair County sheriffs were forced to hire special office deputies to issue the state's licenses. In each case more than 10,000 people became licensed drivers, and each of them had the same renewal date. Sheriff Terrell was obliged to add \$10 each month from his own pocket to the county's authorized \$40 just to attract anyone to take on the disagreeable job.²⁶

In 1934 Allamakee County Sheriff James Baxter launched a traffic safety program. He swore in ten ex-servicemen as special deputies with instructions to make the county's drivers more safety conscious. Each of the special deputies were authorized to issue red "emergency" and white "minor" violation citations. These were legally binding citations and did, albeit temporarily, reduce the number of injuries from automobile collisions in his county. But the sheriffs were in a quandary. They soon discovered that their citizens deeply resented being told they were bad drivers, and each of them was a voter. Eventually the sheriffs followed the traditional enforcement practice of intruding as little as possible on their constituents' fun.²⁷

They could not pursue the same casual attitude regarding prohibition, however, which was their chief law enforcement aggravation. Alcohol created the greatest enforcement

predicament facing Iowa's rural sheriffs. Prohibiting liquor, banning the saloon, stopping-up the great American bottle was a rural cause; indeed it was a rural crusade. On Friday January 16, 1920, they won the fight with the 18th Amendment to the Constitution which stated that, "the manufacture, sale, or transportation of intoxicating liquors . . . for beverage purposes, is hereby prohibited."²⁸ At the midnight hour of empowerment, in effusive and radiant optimism, dry crusaders gathered in churches across the nation to celebrate what San Francisco W.C.T.U. leader Christine Tilling called, "God's present to the nation." At the nation's capital Josephus Daniels, Secretary of the Navy, followed the great agrarian spokesman, thrice Democratic presidential challenger and ardent prohibitionist, William Jennings Bryan, to the pulpit of Washington's First Congregational Church to declare in jubilation, "The Saloon is as dead as slavery!" The country's last triumph over the city was at hand.²⁹

For years rural Iowans, along with many other rural people throughout the country, had felt urban America threaten them with a loss of status. City life somehow became the standard of good living while country living, lacking the electricity, plumbing, and entertainment of city living, suffered by comparison. A dichotomy grew: city life seemed socially and economically superior to country life, yet the

rural schema held the city to be almost ineluctably evil. Prohibition became the hammer with which rural Americans tried to refashion urban life by eradicating liquor, its greatest symbol of evil. The sheriffs' problem in all of this can be spotted in a quip of rural America's greatest humorist, Will Rogers. Farmers, he said, could be counted on to vote dry as long as they could stagger to the polls on election day. Beneath the rural crusade's rhetoric lay antipathy for the city, not necessarily of liquor itself. It was not drinking, but urban drinking that caused rural roars of protest.³⁰

Iowa's rural sheriffs found themselves squarely between the vocal few with their law and the mute many with their stills. It was an uneven contest. Prohibition and Hard Times arrived at the same time in Iowa, and rural Iowans had an abundance of corn. The solution to the agricultural depression for 2nd Infantry Division war hero and Adair County farmer Roy Trout lay in his corn. He got caught when Sheriff Sprague arrested Trout in early spring, 1921, for possessing a still and eight quarts of corn whiskey on his farm. He was forced to pay a \$400 fine. In revenge Roy Trout found and beat up Sheriff Sprague's informer that fall. As Trout was armed at the time he received a two-year sentence at the Anamosa Men's Reformatory on a weapon's charge. At that point

the Internal Revenue Service noticed Roy and assessed him \$1,839.74 in back taxes on his illicit bootlegging profits.³¹

Roy Trout was hardly alone in making the decision to turn nearly worthless corn into highly profitable whiskey. Trout's still was only one of three that Sheriff Sprague uncovered that spring. Acting on an anonymous tip in June, Sheriff Sprague arrested M. A. Peckham, Charles Armstrong, and Clarence Barrows, all Fontanelle area farmers, at Peckham's farm. There he found a fifteen-gallon still brimming with corn mash in the back seat of one of the farmer's cars. The three men had pooled their resources, their customer lists, and their detection risk by taking turns hiding the still on their farms. As with Roy Trout, the I.R.S. assessed the Fontanelle farmers with \$1,166 each in back taxes on their moonshine operation's profits.³²

Now fully aware of the degree of the problem in his county, Sheriff W. A. Sprague launched an anti-bootlegging campaign that lasted as long as he remained sheriff. In early September Sprague raided three "liquor oases," accompanied by a federal agent from Des Moines. At the Varley family's farm he found a nine gallon still; at the old McDonald farm south of Adair the sheriff confiscated a three-gallon jug of "home brew." At C. Santle's carpenter shop in town he found a 2.5-gallon jug of bootleg liquor hidden under the shop's floor

boards. Sheriff Sprague pressed on, finding his biggest still at the county fairgrounds hidden in the Baby Health Building. The site must have seemed ideal to the bootlegger. The fairgrounds were abandoned eleven months of the year and the Baby Health Building, sitting at the back of the fairgrounds, was well hidden from casual view. In the Baby Building Sprague found a huge still, percolating fifty gallons of corn mash. It elicited the indignation of the local W.C.T.U.'s leader who said, "To think that a man would stoop so low as to use a building dedicated to better babies for the use of making the vile stuff. I wish we could get our hands on that inhuman fiend!"

Another McDonald, a tenant farmer named Jack, working the Irvin farm, thought he had outwitted Sprague. The year before, armed with a search warrant, Sprague had failed to find McDonald's still. He thought it was such a good joke that he could not help bragging to his friends about his clever hiding place. One of them turned him in to the sheriff who, aided by Guthrie County Sheriff Kennedy, found his still buried under the floor boards of his hen house. Stuart resident D. W. Paullin was arrested by the city marshal after he found three quarts of moonshine in the house while executing a search warrant. Tenant farmer Earl Schilling, who lived seven miles northwest of Fontanelle, was the last

bootlegger Sheriff Sprague nabbed. In the fall of 1922 armed with a search warrant based on an anonymous telephone tip, Sprague found a still under Schilling's farm house stairs.³³

At a loss as to how to deal with Adair County's rebellion against prohibition, the county's four largest churches, Baptist, Methodist, Presbyterian, and Church of Christ, contacted the Iowa Anti-Saloon League for help. The League sent several speakers to Greenfield in October, 1922, to coordinate a program to foster prohibition compliance. The churches offered several special programs, including one-act plays, sermons, and mock debates.³⁴

The League and churches' efforts had a negligible effect; the number of bootlegging arrests continued unabated. That spring F. DeMaranville, a well-known 55-year-old Sioux City stock buyer, bought bootleg liquor as well as stock from at least one Adair County farmer. DeMaranville died in his hotel room, a jug of poison moonshine beside him. George Mowell turned his corn into bootleg whiskey to help raise the money he needed for his wife's operation. The day Mowell was arrested for bootlegging he found out that his wife had died on her surgeon's table in Des Moines. Mowell pled guilty to manufacturing liquor but had his \$200 fine suspended by Judge Vander Ploeg who told Mowell his five young children needed the money more than did the court.

Bootleggers M. V. Lalley and Harry Lovell of Adair did not receive a similar leniency from the court. Lalley and Lovell were notorious moonshiners whom Sheriff Clark and his predecessors had long tried to arrest. In September, 1923, the sheriff, his deputy, and the Greenfield Marshal, Ed Sachau, raided the Lalley and Lovell still at the stockyards east of Adair. The grand jury indicted the pair who, in separate trials, were convicted of manufacturing liquor. In sentencing the couple to an unusually harsh \$800 fine plus a 255-day sentence each, Judge W. S. Cooper said, "You have been engaged in a business that should make you ashamed to look an honest man in the face." Following an unsuccessful appeal to the state supreme court the duo began serving out their stern punishment at the Adair County Jail on July 16, 1924.³⁵

Lalley and Lovell were the last of Adair County's large-scale bootleg operators to be apprehended. A succession of sheriffs continued to make a large number of arrests for minor liquor violations, to be sure, but the heady days of 1921 to 1923 had ended. While the number of bootlegging arrests continued at high levels during the 1920s an attitude change about prohibition occurred. When two half-pint bottles of moonshine were found by workers renovating Greenfield's Murdy and Dorsey Drug Store, the newspaper treated the story humorously. No indignant howl arose over the "inhuman fiend"

who dared to use a drug store for illegal liquor purposes as there had been in the 1921 discovery of a still at the county fairgrounds' Baby Health Building. The paper reported instead that,

It is said that the liquor was in an excellent state of preservation, although it had mysteriously disappeared when a . . . reporter asked to sample it. Several thirsty Greenfield men were seen sharpening up their shovels that same evening. No liquid treasure has been unearthed so far, but the excavators are hopeful.³⁶

Adair County was not unique in its prohibition enforcement experience: initial intensity accompanied by arrests of large-scale farmer-bootleggers, followed within two or three years by a sort of enforcement ennui, which continued to apprehend many small-time violators. An Allamakee County posse, responding to citizens' complaints, raided two farms in the summer of 1921. They found ninety gallons of bootleg corn whisky at one and seventy-seven gallons at the other. The following spring another posse raided twenty-five different bootleggers (mostly farmers) during a two-day period, confiscating similar amounts of moonshine. In January the enforcement ferment ended when a Waukon jury acquitted Hugh Quinn of bootlegging after seven minutes' deliberation in the face of indubitable evidence. Ringgold County jurors acquitted Marion Milligan of an equally solid bootlegging charge within thirty minutes of their sequestering. Rural

Iowans voted dry but drank; and they were willing to pay as much as \$.50 per glass for the privilege.³⁷

The quality not the quantity of enforcement activity had changed. The reason for the sheriffs' behavior change is reflected in one anonymous east coast rhymester's verse:

Mother's in the Kitchen
 Washing out the jugs;
 Sister's in the pantry
 Bottling the Suds;
 Father's in the cellar
 Mixing up the hops;
 Johnny's on the front porch
 Watching for the cops.³⁸

Seemingly, everyone violated the prohibition laws wholesale. Moreover, when caught, Iowans punished themselves with an average of seventy-four-day jail terms, only half that of the national average. Rural Iowans joined with ruralites across the country to resist urban cultural hegemony to produce the 18th Amendment. That did not mean, however, that rural Iowans intended to stop their own drinking, nor did they. The advent of rural modernity, hastened as it was by the incursion of rural free delivery, automobiles, radio and movies, quickly cooled rural Iowans' ardor for prohibition enforcement, even though their rhetoric remained unchanged.³⁹

Long before Franklin Roosevelt ended the thirteen-year, ten-month and eighteen-day "noble experiment" by signing the repeal proclamation at 7:00 p.m. December 5, 1933, Iowa's rural sheriffs had accommodated themselves to rural

realities.⁴⁰ The sheriffs recognized their constituents' competing emotions about prohibition and responded harmoniously. They switched their enforcement strategies from the determined and aggressive pursuit of large-scale farmer bootleggers to producing a regular supply of small scale violators; the quantity of prohibition enforcement remained high while the quality of enforcement unobtrusively faded away. In this, as with their treatment of gypsies, operation of jails, and enforcement of automobile safety, Iowa's rural sheriffs emulated the enforcement practices of their forbearers. They recognized the wisdom of knowing and complying with the enforcement tastes of their constituencies.

Because the linchpin of the sheriff's office was popular election, successful sheriffs quickly learned to be responsive to their residents mores and expectations about how to do their job. This was not a difficult task since election depended on both local renown and lifelong county residence. Properly interpreting local sentiments could prove to be decisive, as when Allamakee County Sheriff Gunda Martindale was unseated by Ben Davis in 1922. Davis had correctly understood the hesitation of many of the county's voters to return a woman sheriff to office when she would be required to act as an executioner.

Sensitivity to local mores was no less important to sheriffs when they were handling their more prosaic duties. This can be seen in the sheriffs' response to the new duties of traffic and prohibition enforcement. In each case the sheriffs returned to their traditional posture of intruding into their people's lives as little as possible as they tried to maintain the balance between the law's demands and local expectations.

In handling the job they were elected to do the sheriffs were professional. They did not realize it, however, because their traditional rural model of policing did not match the urban model of gangbusting that J. Edgar Hoover, the press, and the movies held out as being "real" professionalization.

End Notes

¹Eleanor Shipley Duckett, Alfred the Great: The King and His England (Chicago: University of Chicago Press, 1956), pp. 87-94; Irene Gladwin, The Sheriff: The Man and His Office (London: Victor Gallancz, Ltd., 1974), p. 12; William A. Jackson, "The Office of Sheriff in Iowa" (Ph.D. diss., University of Iowa, 1924), p. 8.

²Benjamin Shambaugh, Documentary Material Relating to the History of Iowa Vol. 1 (Iowa City: State Historical Society Press of Iowa, 1903), pp. 83-84; Laws of Iowa 1909, p. 32; Laws of Iowa, 1846-1847, pp. 139-40; Supplemental Supplement to the Code of Iowa, 1915, Section 510a; Code of Iowa, 1924, Sections 505 and 1152.

³Jackson, "Sheriff," p. 13.

⁴Marengo Pioneer 18 October 1922, 7 July 1923, 28 February 1924, 12 June 1924, 28 October 1926, 4 November 1926, 8 January 1927; Fred E. Haynes, "County Jails in Iowa," Iowa Journal of History and Politics 64 (January 1946): 82.

The sheriff's salary figure is available in: Report of the Auditor of Iowa for the Biennial Period Ending June 30, 1924, Part III: County Auditing Department, 1924 (Des Moines: State Printing Office): 42.

⁵Pioneer Republican of Iowa County 8 March 1928, 12 April 1928, pp. 1, 4.

⁶Ibid., 7 June 1928; Adair County Free Press 6 January 1930, 9 January 1930, 9 July 1931.

⁷Pioneer Republican of Iowa County 18 December 1930, 27 January 1931, 7 May 1931.

⁸Mount Ayr Record-News 8 May 1930, 3 July 1930, 5 June 1930, 26 June 1930, 3 July 1930, 6 November 1930, 1 January 1931, 9 June 1932, 8 December 1932, 29 December 1932; The "Biennial Report of the Attorney General," (December 31, 1918): 28, includes H. W. Terrell among its personnel roster of special agents.

⁹Waukon Republican and Standard 11 May 1921, 16 August 1922, 25 October 1922, 3 January 1922, 22 February 1922, 7 June 1922, 14 June 1922, 28 February 1923, 14 March 1923.

¹⁰Ibid., 3 May 1932, 1 June 1932, 20 July 1932; Waukon Democrat 25 April 1934.

¹¹Waukon Democrat 22 December 1934.

¹²Marengo Pioneer 24 May 1923.

¹³Adair County Free Press 2 August 1926; Pioneer-Republican of Iowa County 16 July 1929; Adair County Free Press 19 September 1929.

¹⁴Mount Ayr Record-News 18 June 1931.

¹⁵Haynes, "Jails," pp. 61-63.

¹⁶Ibid., p. 78. Unhappily, Reverend Parson's reports have vanished. A search of the Archives of Iowa, and the now defunct Iowa Crime Commission all yielded no clue as to the whereabouts of the minister's work.

¹⁷Ibid., p. 65; Waukon Republican and Standard 19 January 1921; Pioneer-Republican of Iowa County 15 November 1928, 14 November 1929; Marengo Pioneer 20 March 1924; Adair County Free Press 20 April 1931; Waukon Republican and Standard 23 August 1922; Mount Ayr Record-News 22 October 1931.

It is impossible to say to what degree jail work-gangs were used in rural Iowa at this time.

¹⁸Waukon Republican and Standard 11 May 1922, 16 August 1922, 25 October 1922.

¹⁹Marengo Pioneer 14 October 1926; Adair County Free Press 1 March 1928; Mount Ayr Record-News 5 January 1931; Pioneer Republican of Iowa County 17 December 1931, 23 June 1932, p. 8.

²⁰A mittimus is a court warrant of commitment to prison.

²¹Pioneer-Republican of Iowa County 17 March 1932, 12 May 1932, 19 May 1932, 23 June 1932.

²²Adair County Free Press 20 June 1929, 18 April 1929, 3 October 1929, 9 January 1930.

²³Des Moines Register 23 June 1933. What became of Claude Ridout following his arrest on a federal murder charge is unknown. Federal arrest information is unavailable for this time period and no further mention of the incident appears in either the Des Moines or the local press.

²⁴Mount Ayr Record-News 8 October 1931.

²⁵Marengo Pioneer 5 August 1926. Of course getting the garage owners to give free headlight adjustments was great public relations, too.

²⁶Mount Ayr Record-News 1 October 1931, 19 November 1931, 26 November 1931; Adair County Free Press 5 November 1931, 12 November 1931.

²⁷Waukon Democrat 9 May 1934.

²⁸U.S. Constitution, Amendment XVIII, Section 1.

²⁹John Kobler, Ardent Spirits: The Rise and Fall of Prohibition (New York: G.P. Putnam's Sons, 1973), pp. 1, 3.

³⁰Don S. Kirschner, City and Country: Rural Responses to Urbanization in the 1920s, Vol. 4 of Contributions in American History, ed. Stanley I. Kutler, 4 Vols. (Westport: Greenwood, 1970), pp. 41-42, 245-46.

³¹Adair County Free Press 10 March 1921, 5 May 1921, 1 September 1921, 15 September 1921, 29 September 1921.

³²Ibid., 23 June 1921, 29 September 1921.

³³Ibid., 23 June 1921, 8 September 1921, 15 September 1921, 29 September 1921, 4 May 1922, 13 July 1922, 7 September 1922.

³⁴Ibid., 5 October 1922.

³⁵Ibid., 8 November 1923, 15 November 1923, 20 September, 1924, 16 July 1924. Lalley was again arrested for bootlegging in 1936 but this time the Grand Jury entered a no bill decision and released him on 20 August 1936.

³⁶Ibid., 31 July 1930.

³⁷Mount Ayr Record-News 27 March 1930; Waukon Republican and Standard 23 November 1921.

³⁸Quoted in Kobler, Spirits, p. 225.

³⁹Sean Dennis Cashman, America in the Twenties and Thirties: The Olympian Age of Franklin Delano Roosevelt (New York: New York University Press, 1989), p. 72 reports the national average of 140-day jail terms.

⁴⁰Ibid., p. 72; Kobler, Spirits, p. 339.

CHAPTER 5
POLICE PROFESSIONALIZATION

Police professionalization was a stage of development that American police underwent during the 1920s and 1930s. Some of it was inevitable because of new technology, media influence, and an increase in investigative knowledge that evolved at the time. In rural Iowa some of it emerged from the sheriffs' own self-doubts about their traditional model of policing. The result of the multi-faceted professionalization efforts was an amalgam of the urban gangbusters model and the continuation of the common practices done more consciously.

Iowa's sheriffs reacted to the newspaper-inspired perception that the nation was in the throes of a "crime wave" by banding together in pursuit of police professionalization in order to join with the nation's other lawmen in a "war against crime." Like their urban counterparts, Iowa's rural police accepted the leadership of the New Deal's chief detective, J. Edgar Hoover. They used education and new technology in weapons and communications to transform themselves into full partners in the nation's crime crusade.¹

Rural law enforcement took on a new and different form during the interwar years. Driven by a mass-media campaign that made them reorient their fundamental self-image, rural

police joined their urban comrades in rapidly recasting themselves from almost casual peace keepers into a kind of frontline shock troops locked in a deadly "war against crime." This change was first apparent in the 1920s in Iowa's capital city when the state's largest newspaper, the Des Moines Register, began highlighting crime stories to boost circulation. Register reporter Bill Millhaen explained the reason for the change.

The real battle in those days was in street sales. That's where the news department could help most. We manufactured headlines that would sell papers on the street. If we didn't have a good story, we were expected to make one, magnify, or expand one. The final edition . . . had to have headlines that the newsboys could merchandise. We built up feature stories as well as *crimes of violence* and tales of misfortune. If you could tie into a big headline, the paper would sell.²

The Des Moines police, like police across the nation, began searching out "real" criminals such as burglars and robbers and, as a consequence, largely ignoring public drunks and other such minor offenders. National law enforcement developments also influenced Des Moines. The twin concepts of a "crime wave" and police professionalization gained wide acceptance in the 1920s. Crime commissions materialized all across the country to conduct crime surveys or otherwise assist the police. A new branch of sociology called criminology emerged from the studies of Robert Parks and others at the University of Chicago.³ By the end of the

decade the federal government had created two crime commissions. In 1925 President Calvin Coolidge established the National Crime Commission; four years later President Herbert Hoover set up the National Commission on Law Observance and Enforcement, widely remembered as the Wickersham Commission. Mark O. Prentiss, a journalist who later served on the Wickersham Commission, popularized the expression "war against crime" when he wrote an article entitled "War On the Growing Menace of Crime" in which he explained the work of the commission.

The movement gained new momentum in the 1930s from Washington, D.C. President Franklin Roosevelt's attorney general, Homer Cummings, sponsored a conference on crime, marking a federal policy switch from encouraging to actually leading the war against crime in December, 1934. Throughout the 1930s Director J. Edgar Hoover of the Federal Bureau of Investigation hammered home the theme of a war against crime in dozens of public speeches, news interviews, and articles for both the popular press and the newly emerging police journals. The new awareness of law enforcement and its emphasis on combatting crime with increasingly professional police changed the fundamental paradigm of American policing. Police everywhere embraced increased minimum employment standards, inaugurated continuing education programs,

developed modern management techniques, and adopted new and improved technology in firearms, transportation and electronic communication.

Iowa's hinterland, too, began reading about a rural war against crime. Wallaces' Farmer, the most widely read agricultural newspaper in the state, started focusing its readers' attention on rural incidents of crime in the 1920s. Publisher Henry A. Wallace at least partly shared his urban colleagues' motivation of increasing his paper's circulation. Wallace's police readership was more diverse than the Register's, however, spread among the state's 99 county sheriffs.⁴

Although rural and urban lawmen shared the same impetus for professionalization, rural conditions and history determined a unique course for country developments. Municipal police appealed to their city administrators and politicians for the necessary funds and facilities to inaugurate their changes in education, management and technology. Rural police units lacked a similar infrastructure upon which to build. They were small in size, few in number, and geographically diffused. They were administered not by a city council but by dozens of autonomous county supervisors' boards. The sole unifying structure that existed for rural law enforcement officers was a loose

confederation of like-minded rural sheriffs that called itself the Iowa State Sheriffs' Association. The Association first arose in the 1880s in response to an outbreak of criminal activity in the state's northwest corner. A well-organized and highly successful gang of rustlers known as the "Crooked Creek Gang" after their coppice hide-out's creek, raided both sides of the Missouri River, using it to transport their stolen cattle and horses as far south as New Orleans. In 1882 Civil War veteran and newly-elected Mitchell County Sheriff Robert T. St. John concluded that it was time to capture the Crooked Creek Gang. Sheriff St. John called together a meeting of northwest Iowa's twenty sheriffs and deputies. Once organized, the sheriffs' group quickly apprehended the rustlers and continued to work together to rid its part of the state of several notorious highwaymen. Even after the law enforcement drive ended, the men continued to meet regularly as a voluntary fraternal club.⁵

The Sheriffs' Association continued to foster annual sheriffs' conventions into the early twentieth century. While it remained an essentially social group, its existence gave sheriffs interested in professionalization a base upon which to build. The first step, these sheriffs believed, was education. In 1924 they thought their goal was at hand when the Attorney General of Iowa recommended to the General

Assembly that it allocate state funds to open and to operate a sheriffs' law enforcement school. The legislature promptly disabused the lawmen's thoughts of easy success by rejecting the suggestion out of hand both in 1924 and again in 1926.⁶ Seeing that the state lawmakers opposed their efforts, the sheriffs decided to host their own meetings. Before they could begin, however, many of them found that their own county supervisors resented both their sheriff's travel expenses and the time they were away from the county attending meetings. To circumvent the objections at home the sheriffs' association leaders asked Governor John Hammill, acting as chief executive, to order them to attend a meeting because neither they nor their supervisors could legally ignore such a summons.⁷ The sheriffs' knew that using the ploy of gubernatorial summons would not work for long and that the friction it caused back home made it prohibitively costly in terms of local political harmony. To ease these tensions the association's leadership turned to the University of Iowa for help. The leaders felt, they later said, that

each year our state universities offer courses in agriculture to teach us to better farm our land. There are courses held annually to teach our firemen how to fight fires. Even the lowly meter reader has a short course devoted to his particular line or [sic] work. The one profession . . . for which our great state has made no educational provision is that of law enforcement.⁸

University authorities did not share the sheriffs' educational vision and flatly refused to help.

Frustrated but determined, men such as Association leader Story County Sheriff R. W. Nebergall continued organizing annual schools of instruction under gubernatorial order and ISSA auspices. Nebergall found an ally in Attorney General John Fletcher. He issued an opinion in 1927 holding that Iowa's sheriffs were entitled to the time and travel expense monies to attend the ISSA's schools because they had been mandated by the state's chief executive officer. Throughout the remainder of the 1920s the ISSA doggedly pressed its educational agenda, holding annual schools of instruction by gubernatorial edict but under the ISSA's sponsorship. The process steadily grew easier as local county boards grew accustomed to the practice, reducing their complaints and the friction at home while persistent persuasion from the state and nation's press continued to stress the twin themes of a war against crime and the necessity of police professionalization to wage it successfully. J. Edgar Hoover's constant barnstorming as the federal government's chief crime war advocate included stops in Iowa, which helped the sheriffs surmount opposition as well. The 1930s saw the ISSA solve its funding problems as it managed to attract a

new cadre of guest speakers including faculty members of the University of Iowa.⁹

Even as the sheriffs used the gubernatorial ploy to gather for their Annual School of Instruction in December 1929 the ISSA was nurturing the beginnings of its professionalization. Held as always under the governor's summons at the State House, the Fifth Annual School of Instruction had progressed beyond its social and fraternal origins. Among the subjects discussed were: "Psychology As Applied to Criminal Investigation," a demonstration by University of Iowa professor Dr. John A. Larson of the "lie detector," and "The Defense Pleads Insanity," by Winifred Overhulse, M.D., Director of the Massachusetts Department of Mental Diseases. That December school also hosted pistol and revolver shooting practice in the state house's basement range as well as exhibit shooting by World Pistol Shot Champion Bob Limbert. Funds for guest speakers came from the profits of selling advertising space in the ISSA's magazine, the Iowa Sheriff. Another boost came from the 44th General Assembly which authorized any sheriff individually or corporately in 1931 to host schools of instruction for the benefit of themselves or their vigilantes. This act gave the ISSA's members legal sanction for their schools.¹⁰

Rural sheriffs leapt at the chance to host their own schools of instruction. Adair County acted first, holding a local school at the courthouse within weeks of the authorization act. R. W. Nebergall, now an agent with the state's Bureau of Criminal Investigation, taught the county's deputyies, constables, and county attorney how to take fingerprints. The local Iowa Bankers' Association representative, J. E. Howe, lectured on the newest tactics to combat rural bank robberies. The object of the school, said Nebergall, was to increase cooperation among Adair County's law enforcement officers. Iowa County Sheriff J. F. Voelkel hosted a school for thirty area officers that March, again with Agent Nebergall's help. ISSA representative G. W. Johnson also appeared in Marengo to explain the Association's goals, and the local Iowa Bankers' Association spokesman, R. R. Schroeder, repeated his Adair County counterpart's anti-bank robbery speech. Allamakee County Sheriff Leonard J. Bulman conducted his school of instruction that fall, again with Nebergall's assistance. That year eighty-five of the state's ninety-nine sheriffs hosted similar schools. With the new authorization act, sheriffs could hold a school, something especially important to his untrained constables and vigilantes, without fear of repercussion in the event a participant was injured. More importantly, the schools also

afforded sheriffs an opportunity to assert local superiority as their county's chief law officer over local marshals, constables and vigilantes in their jurisdictions. The state level schools, too, enjoyed great success. As the ISSA's activities and local officers' events multiplied, the rural sheriffs began to develop a new self-concept, a new image of themselves and of their job.¹¹

From Washington came encouragement from J. Edgar Hoover, who told the sheriffs that they were civilization's saviors and guarantors. With its monthly magazine and its annual schools drawing hundreds of grassroots participants, the ISSA presented a golden opportunity to the New Deal's architects. Homer Cummings, Roosevelt's attorney general, shared his fellow cabinet members' goal of using New Deal programs to revive national solidarity behind Franklin Delano Roosevelt. The Attorney General's task was enviably easy. Unlike the other New Deal chiefs who fought amorphous enemies like farm failures or unemployment, Cummings had a thrilling show with real gun battles for the folks to see. The NRA, CCC, and AAA had worthy, if uninspiring, depression adversaries while Cummings' FBI combatted a vicariously stirring villain: the public enemy.¹²

Fully aware that the true nationalization of police was constitutionally and fiscally impossible, Homer Cummings used

the FBI's Hoover to achieve the next best thing: federal leadership of what had begun as a grassroots anti-crime movement. In this way the New Deal's FBI could provide technical aid to local police, thereby attaining the lion's share of publicity value from sensational cases without running the risk of investigative responsibility. Hoover's appearance at places like the ISSA's annual schools during the 1930s, in fact, *was* the administration's "war on crime."

For Cummings, Hoover was the ideal shill. He was an ambitious young fanatic whose apotheosis had emerged unbidden but quickly exploited from Hollywood. It began with the movie industry's self-imposed censorship which in 1934 forbade the making of any more of the highly popular gangster pictures. Circumventing the code was easily solved by switching the role of hero from the gangster to the police. In "Let Em Have It," "Show Them No Mercy," and more than sixty other "G-Men" films, Hoover and his FBI appeared as modern crime fighting scientists who always "got their men." Although the FBI's crime busting effectiveness can be seriously doubted, their significant contribution to generating public enthusiasm for F.D.R. and his entire New Deal is indubitable.¹³

Iowa's sheriffs rushed to embrace the New Deal's redefinition of their role. The Iowa Sheriff faithfully reproduced verbatim every Hoover speech they received from the

FBI for publication. After 1935 Hoover began talking tough about crime in speeches before a nearly endless cycle of business, government, or patriotic groups. The Director spoke in broad gushing torrents of verbosity, but he made only two points: first, America was threatened with imminent collapse because of epidemic lawlessness and, second, America's salvation depended on its police, led by himself, of course.¹⁴ To the American Legion he said, "The time is at hand when every citizen . . . must choose . . . whether the orderly forces of government or the forces of lawlessness shall dominate our civilization." Later, he added, "Crime . . . is not merely a battle. It is a ceaseless warfare." Hoover scolded those who "looked upon [fingerprinting] with prejudice and repulsion as being exclusively a police measure" in an article released specifically for magazine like the Iowa Sheriff. In a general press release he said, "The greatest threat confronting the people of this Nation today is not hunger, communism or the fear of foreign invasion. [L]awlessness [was] the basic cause leading to the decline of all civilization in the past." He told the Economic Club of Detroit: "Lawlessness [is] a national menace." The International Association of Chiefs of Police heard him say, "There have been few times, if any, in our history when law enforcement faced a more serious ordeal than today." Hoover

used a live radio broadcast from Washington to tell Drake University's commencement audience in Des Moines that "the future well being of our Nation, our communities, our homes, and ourselves . . . is threatened by the insidious forces of lawlessness." Of the police Hoover said, "I want to see groups of highly-trained, enthusiastic men of law enforcement, properly supported by equipment, appropriation, and freedom from paralyzing influence." Because of the power of popular opinion the nation did not get Hoover's vision of professional law enforcement. It got instead a national law enforcement policy and a coordinated national drive against crime, the myth of the G-Man.¹⁵

R. W. Nebergall, editor of the Iowa Sheriff and state agent, warmly endorsed the G-Man myth and its totem, Director Hoover. In commending one of Hoover's reprinted speeches he declared, "the officers on the firing line in the battle against crime . . . know that Hoover is right and stand ready to back him up." He summed up the new perception. Iowa's rural sheriffs were soldiers at war. Preparing themselves became the mission of the ISSA's Annual Schools of Instruction.¹⁶

The ISSA knew that it was unique. No other state's rural officers had anything to compare with their organization. Of themselves they said,

We were the first to get together, call in the highest type of experts in the scientific criminal laboratories, to discuss our own problems and attempt to make it tough for denizens of the underworld.¹⁷

By mid-decade the ISSA began assisting rural lawmen in other parts of the United States to establish schools of instruction of their own. In 1936 the sheriffs finally received the support they had sought twelve years earlier from the University of Iowa. A new administration at Iowa City, led by President Gilmore, encouraged by Mayor Tom Martin who also headed the Iowa League of Municipalities, and nurtured by a volunteer from the Law College, Professor Rollin M. Perkins, agreed to help the ISSA operate professional schools. The sheriffs happily accepted. In the 1930s they reached their goals. Motivated by the new mission J. Edgar Hoover had given them, funded by their own magazine, encouraged and officially authorized by their legislature, and instructed by university faculty, the sheriffs readied themselves to adopt the precepts of professionalization.¹⁸

What, then, did Iowa's sheriffs study when they came together at their Annual Schools of Instruction? As rural men and as devotees of police professionalization, the sheriffs adhered to the cult of what historian Lewis Atherton calls, "the immediately useful and the practical."¹⁹ Psychology and philosophy held no allure for the sheriffs. Not one of the 207 lecturers who participated in the Schools

during the 1930s was a sociologist or a criminologist. The sheriffs used advance questionnaires to be sure they got the lectures they wanted. They did not want "eggheads;" above all else they wanted technical instruction and information to improve their daily job performance.²⁰

The ISSA presented 200 separate class sessions at its Annual Schools of Instruction between 1930 and 1940. As Table 11 shows, crime scene technology topped the list at 26 percent of the total. The sheriffs knew that being full crime-busting partners with J. Edgar Hoover meant knowing how to use fingerprints or cast reproductions of footprints and tire tracks. Even if they would never actually do such things, they believed that knowing how was the important thing. This focus on crime scene technology, in light of the very low incidence of rural crime in their jurisdictions, was as far as the sheriffs deviated from the immediately useful and the practical.

Routine activities such as testifying in court, using the police radio, serving civil process (non-criminal court documents), and learning how to write an understandable police report constitute the second most frequent lecture topics, as Table 11 shows. There were pragmatic men and their daily routine held the imperative of learning the "immediately useful and the practical." They were also strongly drawn to

enforcement law topics.²¹ The rules of evidence and the complicated elements of search and seizure principles were each presented ten times during the decade. Traffic laws and the laws of arrest also received special emphasis.

TABLE 11
POLICE TECHNOLOGY CLASSES TAUGHT

Technology	Number	Percent
Fingerprints	13	
Toxicology (poisons)	7	
Crime Scene Science	26	
the Polygraph (lie detector)	6	
	52	26

TABLE 12
ROUTINE POLICE ACTIVITIES TAUGHT

Topic	Number	Percent
Report Writing	4	
Civil Process	9	
Testifying	12	
First Aid	5	
Police Radio	9	
Interrogation	5	
Search/seizure	10	
Rules of Evidence	10	
Traffic	10	
Liquor Laws	2	
Counterfeiting	5	
Arrest laws	7	
Total	88	43

The officers also concerned themselves with how to stay alive while pursuing their enforcement tasks. As Table 13 shows, firearms, especially practice firing them, occupied 14 percent of the School's time slots. Target practice was more than entertainment for these rural sheriffs. They knew how to shoot straight. What they sought was the reassurance that the firing range gave them that they could survive police combat. Oddly enough, they appeared to hold unarmed combat in low regard, contenting themselves with just four ju jitsu demonstrations during the decade. It may be that the number of World War I veterans was large enough among them that training in "hand to hand" combat was deemed superfluous.

TABLE 13
COMBAT TRAINING CLASSES TAUGHT

Street Survival	Number	Percent
Tactics (Combat)	2	
Combat (unarmed)	4	
Firearms	28	
Total	34	17

Reflecting the New Deal's war against crime, the sheriffs showed a great deal of curiosity about other law enforcement agencies, especially about the Federal Bureau of Investigation. As Table 14 shows, class sessions devoted

strictly to explaining the mission and operations of the FBI appeared eight times during the decade while those of the state's Bureau of Criminal Investigation (BCI) were held six times.

TABLE 14
STATE AND FEDERAL AGENCIES EXPLAINED

Other Agency	Number	Percent
BCI	6	
US Secret Service	2	
FBI	8	
Iowa Highway Patrol	4	
Total	20	10

Least interesting of all to the sheriffs was their own agenda. Only 4 percent of the Schools' sessions discussed the Iowa State Sheriffs' Association's goals or impending legislation affecting law enforcement in Iowa.

TABLE 15
ISSA'S OWN AGENDA EXPLAINED

ISSA	Number	Percent
Impending Legislation	3	
ISSA	4	
Total	7	4

Being practical men, the sheriffs were choosy about who they would accept as instructors. They only invited law enforcement practitioners to teach. With the exception of Dr. W. I. Teets, a University of Iowa chemistry professor, who spoke in seven of the ten years on toxicology, and two University of Iowa law professors, no academicians appeared before the sheriffs. Neither did they invite to their Schools a criminologist, social worker, or member of a parole board. The sheriffs showed no interest in the cause of crime, only in apprehending criminals. The percentage of University of Iowa faculty, which appears in Table 16 at 25 percent, is deceptively high because the repeated appearance of a handful of faculty members inflates the university's participation. The sheriffs' interest in enforcement law and in firearms brought professors Rollin Perkins and Mason Ladd to the Annual Schools each year. Colonel G. F. N. Dailey and Major J. F. Butler of the University's Military Science Department likewise appeared often to supervise the firearms and tactics sessions. In each of these cases the men, although academic professionals, were also practicing criminal defence attorneys and active duty soldiers.²²

The practical bent held for all of the sheriffs' instruction. When crime scene photography was the topic, the Eastman Kodak Company's crime expert Edward Burke or Chicago

Police laboratory technician Fred E. Imbau conducted the sessions. For a class on liquor enforcement the ISSA brought in Chief (Iowa) Liquor Control Officer and former Des Moines Police Chief W. W. Akers. Fingerprinting, which appeared at every School, was taught by state BCI Agent Nebergall. It was he who got Arthur H. Bishop, a Scotland Yard Detective Inspector, to come from a Chicago court proceeding where he was testifying to describe his famous law enforcement agency to the sheriffs. Pursuing the New Deal Justice Department's ambition to lead the 1930s "war against crime" brought thirty-nine FBI agents, or 19 percent of the total speakers to the Annual Schools. As Table 16 shows, only the University of Iowa and the ISSA sent more instructors than did the FBI.²³

TABLE 16

HOST ORGANIZATION OF INSTRUCTORS

Host Organization	Number
State Narcotics Dept.	4
US Secret Service	7
Iowa Judges	5
Agent Nebergall	14
Police Departments	13
Iowa Highway Patrol	23
BCI	24
ISSA	27
FBI	39
University of Iowa	51
Total	207

The technological emphasis at the Annual Schools stemmed in part from the postwar availability of military equipment that adapted easily to civilian police uses. Federal Laboratories, Incorporated, a private purveyor of police equipment, issued a "basic rural equipment list" that the ISSA endorsed. According to this list, each officer should have:

- Machine gun
- Bullet Proof Shield
- Bullet Proof Vest
- Tear Gas Gun
- Tear Gas Shells and Grenades
- Gas Mask
- Sound Detector (electronic eavesdropping device)
- Squad Camera
- Fingerprint Kit
- Mouflage Kit (for taking plaster paris imprints)²⁴

More than half of the list's items were either invented or perfected during the Great War.

One item not included on the Federal Laboratories' list (because they did not manufacture or sell it), and the one thing the sheriffs' wanted most was radio. They knew that nothing would reduce their isolation and the speed of crime reporting as much as radio. Rural police radio broadcasts began in the 1920s because of the efforts of the Iowa Bankers' Association. A series of dramatic rural bank robberies frightened the bankers in 1924 into pressuring the management of radio station WHO, Des Moines' first commercial radio

station, into broadcasting robbery information in hope of raising the hue and cry. Although WHO's transmitter was too weak to be received clearly beyond the city's limits, it demonstrated radio's police potential. Both the Iowa Bankers' Association and the Iowa State Sheriffs' Association ceaselessly agitated for the legislature to establish a state-wide police radio network.²⁵

In 1931 Iowa's General Assembly authorized the Attorney General to operate such a system from his Bureau of Criminal Investigation office in Des Moines. So anxious were the bankers that they agreed to split the cost of paying Chief (and sole) Operator E. F. "Gene" Brown's state salary to help get the system broadcasting. They also paid for a 400-watt low-frequency transmitter under station call letters KGHO to broadcast on a frequency reserved for police use since 1927 by the Federal Radio Commission. Among the first to "hook up" his car and office with the new state radio system was Iowa County Sheriff J. F. Voelkel. He convinced his county supervisors to pay half the installation costs, and the local Iowa Bankers' Association affiliate paid the other half. Two years passed before a permanent state police radio antenna was installed atop the Liberty Building in downtown Des Moines. The ISSA blamed the delay on the legislature's niggardly appropriations and on the reluctance of too many supervisors'

boards to connect with the system. On May 15, 1933, the system began transmitting regular continuous police broadcasts with the Liberty Building's antenna. The ISSA profusely thanked the state's bankers for their assistance in the June issue of its magazine.²⁶

Four years later the state was operating four satellite "booster" stations in each corner of Iowa, yet the sheriffs were not satisfied. At the Annual School and Convention in 1935 the ISSA demanded that the state start round-the-clock broadcasts. The sheriffs felt frustrated. They saw the value to themselves of a police radio network in incidents such as Winneshiek County Sheriff Graff's arrest of Hermann Spieklemeyer for passing a bad check at an Allamakee County gas station and fleeing before Sheriff John P. King could arrest him. Sheriff King contacted the state police radio, making it possible for Sheriff Graff to locate and catch Spieklemeyer twenty-five miles away in Decorah. Arrests stemming from radio broadcasts grew increasingly common. For example Ray Wiggins, a notorious forger wanted in Minnesota, was caught by Kossuth County Sheriff Casey Loss and Iowa Highway Patrolman West during an Algona traffic accident investigation. When the organic agreement binding the Iowa Bankers' Association to the state's radio network expired in 1936, the bankers did not renew their support. Although

unhappy about the increased expense, the Iowa legislature continued operating the radio network, even extending its hours of operation to 1:00 a.m, or for seventeen of twenty-four hours each day. The General Assembly also ordered the radio transmitter to be moved from the BCI office to a small building at the state fairgrounds in Des Moines.²⁷

The sheriffs delighted in the radio system. They thrilled to news of arrests such as those of Charles Kinman and Bob Cass, two Beatrice, Nebraska, teenagers who drove off without paying from a Jasper County (Newton) gas station. Poweshiek County Sheriff Milford Engelbart apprehended them at Grinnell, more than 120 miles removed, after hearing a state radio broadcast about the pair. The sheriffs' enthusiasm increased with each successful use of the technology. In 1937 they had a large radio system including satellite stations at Waterloo, Storm Lake, Atlantic, and Fairfield, each linked to the Des Moines headquarters serving ninety-nine sheriffs, seventy police departments, 128 highway patrolmen, and twenty BCI cars. The number of broadcast items expanded rapidly from 1,825 in 1935 to 3,670 in 1936 and 5,608 in 1937. In 1938 Iowa crowned its radio technology feat by becoming the first state in the union to introduce a mobile radio transmitter using dry cell batteries for power and a panel truck to convey the equipment and operator. It would, said the ISSA,

. . . do much to promote cooperation of the police, sheriffs, and all local enforcement organizations with the [state] Department of Justice.²⁸

Technology's emphasis at the Annual Schools combined with radio's benefits triggered an intense scramble for new technology among Iowa's rural lawmen. After radio, the most desired new technology among rural sheriffs was the U.S. Army's model "28 AC" Thompson sub-machine gun. This desire illustrates the power of Hollywood's silver screen heroes to influence not only popular culture but local law enforcement policies as well. Both newsreels and feature films such as 1935's "G-Men" portrayed hero-police prominently using the Thompson guns. The FBI had Thompsons, John Dillinger and Bonnie and Clyde used them, and Iowa's rural officers wanted them, too. Firing 600 rounds of .45 calibre ammunition per minute from a circular drum affixed to the bottom of the stock, these guns represented the most efficient and rapid firing weapon then obtainable. But it was a fad. Designed for military use, its suitability for police work, including the need for extreme accuracy and simplicity of use and maintenance, was highly problematic. The Thompson satisfied no police-use requirements. It was too heavy, too large, and too complicated to be carried in an automobile. Its intended use was enfilading fire--to "hose" approaching enemy columns or massed assaults. Such use is antithetical to the typical

police combat of a single round, exchanged at extremely close range. No matter, the sheriffs wanted Thompsons and having one became a status symbol.

The ISSA's monthly magazine congratulated each county sheriff who got a Thompson. Johnson County was the first in 1934; more than half the other county sheriffs' offices got them by 1936. When Sioux Falls and Mason City suffered bank robberies in the spring of 1934 Fort Dodge Mayor George Burnett claimed his city's banks were excluded by robbers because: "at both [cities] scouts for the bandits spent several days in a survey of the scene before the actual jobs were pulled. They . . . learned that the police in both cities lacked [Thompsons] and acted accordingly."²⁹ As counties across Iowa such as tiny Franklin (population 16,328), Emmett (population 12,856), and Monroe (population 15,010) rushed to buy machine guns, the Iowa Sheriff's editor, R. W. Nebergall, told his readers, "a few years ago we would have scoffed that necessity for such a weapon should ever arise in a community the size of Albia [Monroe County], but those days are past. The entire country is the range of gangsters who once worked only in cities."³⁰

The counties did not need Thompson submachine guns but their sheriffs thought that they did. Only one rural sheriff ever fired his machine gun at a criminal during the interwar

years. And by the end of 1939, they were already remembering the period nostalgically in articles such as the one titled "Hectic Bank Robbery Days are Recalled," in the Iowa Sheriff.³¹

Rural officers armed themselves with one other piece of postwar military apparatus in the 1930s: gas. The ISSA began urging its members to stockpile chloracetophenone tear gas in 1933. The 18-month period preceding the Iowa Sheriff's tear gas admonition witnessed an unprecedented period of rural civil disorder. Three separate violent episodes attracted the national media's limelight: (1) the so-called Cow War of September 1931 where farmers in extreme east central Iowa refused compulsory bovine tuberculosis testing, (2) highway picketing by farmers in August 1932 to prevent produce from reaching market, and (3) the attempted lynching in the spring of 1933 of a District Court judge near LeMars. Violent rural mobs perpetrated each of the three incidents. The Iowa Sheriff's editor believed none of them would have grown violent if the local sheriff had used tear gas to subdue the mobs involved. Saying the ". . . rebellious farmer feels that he is getting some-where with his protest when . . . he finds the State sending in . . . Guardsmen to restore order[,"]

which suggests formidability of a movement of revolt out of all proportion to its menace."³²

Several technical articles in succeeding months described how to use tear gas. When Crawford County Sheriff Art Greene used tear gas to clear his courthouse of a mob of protesting farmers the Iowa Sheriff lauded him extravagantly saying he,

could have . . . admitted defeat as officers in other states have done, . . . [or] mobilized a posse . . . at the expense of broken heads . . . [or] used firearms. . . . Instead, [he] used . . . the most modern technique indicated . . . with dispatch . . . and without endangering the lives or health of those who duty forced [him] to operate against."³³

Like the Thompson sub-machine gun, tear gas was popular with the rural sheriffs but it, too, was used only once during the decade. The importance of military paraphernalia lies in the psychological and emotional ties to the broader New Deal's FBI-led war against crime. Possessing, even if not using, army weapons became the sine qua non of rural law enforcement professionalization.

The final proof of professionalism sought by Iowa's rural sheriffs was fingerprinting expertise. Using fingerprints as a tool of criminal identification was an old idea by the 1920s. What was new was the sheriffs' urgent sense of needing to know to do it themselves. The discovery of fingerprints and of their unique value in criminal identification developed simultaneously and independently from two Europeans living in

Asia in the 1880s. William Herschel, a British bureaucrat working in Hooghly Province, India, and Henry Faulds, a Scottish physician teaching anatomy at Tokyo's Tsukiji Hospital, each reported in the 1880s the uniqueness of each person's finger tip's papillary lines. Another European, Francis Galton of London, invented a classification system and popularized its use for identification with his book Fingerprints in 1892. Police around the globe were using Galton's system by the turn of the century.³⁴

In 1921 the Iowa Bankers' Association lobbied successfully in the General Assembly for a fingerprint bureau to be added to the state's Bureau of Criminal Investigation. Iowa thus became only the fourth state in the union to have such a unit. As with the promotion of a state police radio network, a rash of rural bank robberies precipitated the association's agitation.³⁵ As early as 1924 Adair County's Sheriff Clark tried lifting fingerprints from fourteen beehives in an unsuccessful attempt to identify the thief of 140 pounds of honey from a local farmer. Sheriff J. F. Voelkel called in one of the state fingerprint experts to aid him in a jewelry store burglary investigation in Marengo in 1931. Despite the growing use of fingerprints in rural investigations, they were only very rarely instrumental in identifying rural perpetrators.

When successful, however, the system worked with absolute certainty. In another Marengo case, James O'Malley alias Burley, severely beat his dairy plant supervisor for refusing him permission to "spike" his near beer with moonshine during his lunch break one spring day in 1932. The sheriff arrested O'Malley for assault and battery and, as was his custom, sent a copy of his fingerprints to the FBI in Washington. The FBI notified the sheriff that his prisoner was an Illinois parole violator with an outstanding armed robbery warrant against him since October of 1925. Iowa BCI Chief and Iowa Sheriff editor Nebergall warmly endorsed another sheriff's use of fingerprints when Grundy County Sheriff M. G. Mammainga got his local merchants to ask for a thumb print from any stranger writing a check to pay for his purchases. At decade's end a large enough number of sheriffs were using fingerprints to justify a new column on the subject in the I.S.S.A's Iowa Sheriff.³⁶

Following the New Deal's FBI example in technology, many rural Iowa sheriffs also adopted two more pieces of equipment: cameras and electronic microphones. As early as 1936 the Iowa Sheriff urged its readers to buy simple cameras. New Jersey State Police Colonel H. Norman Schwarzkopf received ISSA endorsement for a motion picture camera he invented for filming criminals. More practical, however, was a new

light-weight battery-powered remote-controlled "Squad Camera" by Kodak that the Association championed in 1937. Iowa County's sheriff's office proudly announced its purchase in 1939 of a "Model 21 Squad Camera" made by the Federal Laboratories of Pittsburgh, Pennsylvania. The camera had a flash attachment and was capable of taking photographs of criminals as well as latent fingerprints at a crime scene.

The Association also extolled a new type of electronic microphone in 1937. Newly available, it was the same type of microphone that movie studios used and it required no electric cords to snoop. When Allamakee County Sheriff John P. King used such a microphone to eavesdrop on the conversation of two liquor store robbers in his jail he overheard one of the men confess to the crime. Sheriff King used the confession to win a conviction in court and a full page Iowa Sheriff article praising him as a true member of the country's team making war on crime.³⁷

By the time Cerro Gordo County Sheriff Tim Phalen became Iowa's first uniformed sheriff's office (wearing bright red uniforms patterned after the Royal Canadian Mounted Police) Iowa's rural sheriffs had achieved professionalization. Lacking their urban comrades' political and economic infrastructure, the sheriffs could not use the national

progressive trend of forming "blue ribbon" commissions to solve their problems. They chose instead to rely on an older American tradition: the voluntary cooperative.³⁸

Theirs was not an urban route to professionalization. It could not be. Still, by decade's end they had drawn together into an influential and complex organization boasting its own full-time attorney and a full-time business manager.³⁹ More importantly, Iowa's rural sheriffs pursued exactly the same goals and for the same reasons as did urban officers. They adhered to the twin themes of professionalism and a war on crime. They accepted the leadership of the New Deal's Federal Bureau of Investigation. They clasped new technology such as the radio, the machine gun and tear gas with an ardor resembling concupiscence as they prepared themselves at their Annual Schools of Instruction to join the crime crusade.

Achieving the outward signs of the urban-model of professionalization did not greatly affect the sheriffs' internal enforcement attitude. The most successful sheriffs were those who learned to cope with the new model of professionalization while retaining the traditional or what might be called the "folksy" skills that fit them for service in their local communities. And many of these skills often had changed little from those first used by sheriffs in Anglo-Saxon times.

End Notes

¹The bulk of this material is available in, Douglas Wertsch, "The Evolution of the Des Moines Police Department: Professionalization and the Decline of Public Disorder Arrests in the Twentieth Century," The Annals of Iowa 48 (winter/Spring 1987): 435-49.

²Ibid., p. 439 [emphasis added].

³See Chapter 1.

⁴Douglas Wertsch, "Wallaces' Farmer's Crusade Against Rural Crime in the 1920s," The Annals of Iowa 50 (Spring 1990): 375-76.

⁵Paul Walton Black, "Lynchings in Iowa," The Iowa Journal of History and Politics 10 (April 1912): 158; Iowa Sheriff (May 1937): 1; (January 1938): 5; (November 1939): 32; (December 1939): 9; Ruth Laird, "The First 100 Years," The Gold Star (October 1983): 22.

⁶Iowa Sheriff (December 1940): 1; "Biennial Report of the Attorney General, 1923-1924," Iowa Legislative Documents, p. 15; Ibid., 1925-1926, p. 9.

⁷Ibid., 153.

⁸Iowa Sheriff (July 1933): 1.

⁹Iowa Sheriff (December 1931): 20; (July 1933): 1; (March 1936): 1; (May 1937): 13; (August 1937): 1; "Biennial Report of the Attorney General, 1927-1928," Iowa Legislative Documents, pp. 96-97; Nathan Douthit, "Police Professionalism and the War Against Crime in the United States in the 1920s and 1930s," in Police Forces in History, ed. George L. Moose (Beverly Hills, 1975), p. 326.

¹⁰Iowa Sheriff (December 1929): 24-25; (July 1933): 1; (March 1936): 1; Laws of Iowa, 1931, Chapter 132.

¹¹Adair County Free Press 18 February 1932; Pioneer-Republican of Iowa County 10 March 1932; Waukon Republican and Standard 5 October 1932.

¹²Richard Sid Powers, G-Men: Hoover's FBI in American Popular Culture (Carbondale: Southern Illinois University Press, 1983), pp. 37-39, 42; Richard Sid Powers, Secrecy and Power: The Life of J. Edgar Hoover (New York: The Free Press, 1987), pp. 184, 195.

¹³Sean Dennis Cashman, America in the Twenties and Thirties: The Olympian Age of Franklin Delano Roosevelt (New York: New York University Press, 1987), pp. 343-46; Powers, J. Edgar Hoover, pp. 195-201; Powers, G-Men, p. 42; Curt Gentry, J. Edgar Hoover: The Man and His Secrets (New York: W.W. Norton, 1991): pp. 178-79.

¹⁴Gentry, Secrets, pp. 178-79, reports some of Hoover's critics said the tough talk was meant to counteract homosexuality rumors emerging about the FBI's director at the time.

¹⁵Iowa Sheriff (September 1938): 1; (November 1937): 1; (May 1939): 1; (December 1938): 1; (October 1939): 1; (July 1940): 1; (April 1937): 19.

¹⁶Iowa Sheriff (June 1936): 1, 14.

¹⁷Ibid. (December 1931): 20.

¹⁸Ibid. (March 1936): 1; (August 1937): 1.

¹⁹Lewis Atherton, Main Street on the Middle Border (Bloomington: Indiana University Press, 1954), p. 109.

²⁰Iowa Sheriff (April 1937): 3.

²¹Despite the attendance of many rural constables, marshals, and vigilantes, the term "sheriff" is used throughout to refer to all of the conferees as they dominated both in influence and in number throughout the period.

²²The ISSA listed its Annual School course offerings and schedule beforehand. See: Iowa Sheriff (November 1934): 1; (May 1937): 3; (August 1937): 1; (December 1937): 1; (June 1938): 18-19; (November 1938): 1; (June 1939): 1, 24.

What motivated the University of Iowa faculty members to participate can only be conjectured as a search of the University's archive unearthed no materials concerning the Annual Schools.

²³Ibid. (November 1939): 1; (December 1934): 1; (January 1936): 1.

²⁴Ibid. (March 1939): 1.

²⁵Robert Wallace Shea, "History and Administration of the Iowa Bureau of Criminal Investigation," Iowa Journal of History and Politics XXXIV (August 1938): 294-95; Iowa Sheriff (May 1940): 14; Ruth Laird, "The First 100 Years: A Long Journey, a Long Way to Go," The Gold Star 4 (October 1983): 22-23.

²⁶"Report of the Insurance Committee," Proceedings of the Iowa Bankers' Association Convention (February 14, 1934): 1-4; Laird, "100," p. 23; Shea, "Bureau," p. 295; Pioneer-Republican of Iowa County 24 December 1931.

²⁷Iowa Sheriff (May 1940): 14; (January 1936): 3; (March 1937): 7; (April 1937): 4, 13; Waukon Democrat 8 April 1936.

²⁸Iowa Sheriff (February 1938): 3. See also: (May 1940): 15; (December 1939): 5.

²⁹Ibid. (April 1934): 3.

³⁰Ibid. (June 1935): 15.

³¹Ibid. (November 1939): 57.

³²Ibid. (May 1933): 11. See also: Joseph Frazier Wall, "The Iowa Farmer in Crisis: 1920-1936," The Annals of Iowa 47 (Fall 1983): 124.

³³Iowa Sheriff (February 1937): 4.

³⁴Jurgen Thorwald, The Century of the Detective, trans. Richard and Clara Winston (New York: Harcourt, Brace & World, 1965), pp. 13-20, 31-35.

³⁵Proceedings (June 6-7, 1921): 173; Shea, "Bureau," p. 284.

³⁶Adair County Free Press 23 October 1924; Pioneer-Republican of Iowa County 5 February 1931, 12 February 1931, 2 June 1932; Iowa Sheriff (May 1939): 19; (June 1939): 17.

³⁷Ibid. (September 1936): 9; (December 1937): 11; (March 1938): 1; (April 1938): 4-5; Pioneer=Republican of Iowa County 27 April 1938; Iowa Sheriff (June 1939): 3.

³⁸Ibid. (January 1938): 23.

³⁹Ibid. (February 1939): 4.

CHAPTER 6
STATE INVOLVEMENT

The power of the crime wave myth was such that rural police professionalization segued into the rise of state involvement with rural law enforcement. The advent of state police, in the guise of detectives and uniformed patrolmen, was an unfortunate development because it was unnecessary.

There was no rural crime wave, but the belief in one led the sheriffs to the mistaken conclusion that they required outside help. The sheriffs were performing their tasks adequately and professionally but emphasis on an urban model of professionalization caused them to seek the scientific expertise of the state's detectives while they called for the formation of a highway patrol to handle the myriad problems facing them as the automobile age came to the hinterland.

State involvement with rural law enforcement represented a great public relations coup. Iowans traditionally rejected the idea of placing police power in the state's hands; what little power it did have was diffused among more than a half-dozen departments.

Some of the concern Iowans felt about investing police power in the state's hands resulted from the frequent use of state police and militia in other states to quell labor

disturbances. Iowans, no less than other Americans, were aware of infamous clashes between strikers and police and militia units such as the violent suppression of a miner's strike at Ludlow, Colorado, in 1913, and the use of 8,000 militiamen at Andrew Carnegie's Homestead, Pennsylvania, steel mill in 1892. State troops and police units had been used, in fact, on more than 500 occasions across the nation between 1875 and 1910. Although Iowa was an agricultural and not an industrial state, the frequent use of state police and militia in such activities did nothing to encourage the public to give police power to state agents in Iowa.¹

Louisiana provided a contemporary example of the inappropriate uses to which a highway patrol could be used for Iowans skeptical about creating such a force in the state. Louisiana Governor Huey "Kingfish" Long surrounded himself with a large retinue of highway patrolmen. Among Long's favorite troopers was Joe Messina, a World War "shell shock" victim. When once asked what his duties for the governor were he replied, "Anything that he may ask me to do, that comes to hand that he wants done."² What Huey Long seems to have most often asked Messina to do was to, as historian T. Harry Williams describes, "slug with joyful passion any man who seemed about to threaten Huey."³ Among the Louisiana Highway Patrol's other duties under Governor Long was delivering

copies of his weekly newspaper, the Louisiana Progress, and his innumerable political circulars from the trunks of their police cars.

It is not surprising in light of such unsavory examples that many Iowans felt a real antipathy toward giving the state increased police powers. Several factors helped encourage Iowans to increase the state's policing role. The findings of an attorney general's investigation of police incompetence and graft scandalized the public; then came a spate of rural bank robberies and a dramatic increase in the number of deaths from automobile collisions on the state's highways.

Those who favored a more active policing role for the state would have remained stymied but for the efforts of three state leaders. Attorney Generals George Cosson and Ben Gibson parlayed local police scandals, the World War's xenophobia, and rural bank robberies into a justification for the creation of a powerful new unit of state police detectives. Ola Babcock Miller, Iowa's New Deal Secretary of State, brilliantly exploited her matronly appearance to create for her uniformed troopers a public perception as "gentlemen of the road" rather than as hard-boiled policemen.

At the turn of the century Iowa's law enforcement legacy had created a chaos of autonomy. Legislators had reactively created enforcement units whenever frontier exigencies

required, and the result was a hodgepodge of divided authority. For counties that meant dependency on a succession of popularly elected sheriffs, coroners and county attorneys. Townships also elected their constables, but the cities' marshals and police officers owed their jobs to appointments by mayors or city councilmen. The state enforcement power was likewise scattered among the offices of governor, attorney general and secretary of state, the departments of justice, fire marshal, health and agriculture, and the commissions of railroads and highways. Attorney General Howard W. Byers' 1907 investigation of law enforcement practices revealed a laxity among the state's local peace officers that shocked many Iowans into calling for greater enforcement efficiency and coordination. Particularly exasperating was the casual, even criminal, attitude toward the state's liquor laws. Graft was common, Byers' reported, with local officials often taking bootleggers' bribes.⁴

To facilitate malfeasance and impeachment proceedings, the General Assembly passed the Cosson Removal Act of 1909. In contrast to the previous statutes, it eased the burden of proof necessary to remove law enforcement officials. The Cosson Law's "teeth" resided in the provision that permitted the attorney general to enter any locality to investigate allegations of official wrongdoing. For the first time local

rural jurisdictions became answerable to state officers. Senator George Cosson of Audubon, the bill's author, knew his law's powers were illusory so long as the state had no investigators. Consequently, in 1911 Cosson joined the attorney general's office as an assistant. Once installed he agitated ceaselessly for the creation of a state detective force. So effectively did Cosson lobby that he made himself prominent in Iowa politics. First as an assistant, then as Attorney General from 1911 to 1916, Cosson generated public enthusiasm for his plan by using the governor's police agents to investigate sensational crimes even as he continued to lobby his former legislative colleagues to create a state detective service.⁵

George Cosson achieved his goal in 1915 when the Special Agents Act created a force of a dozen state detectives serving under his direction. His success probably stemmed as much from the First World War's rising anti-German xenophobia as from his assignment of agents to dramatic criminal investigations. State leaders were undoubtedly as interested in Cosson's police as agents provocateurs as much as for their investigative expertise. Having neither the time nor the facilities to train police, Cosson appointed his agents exclusively from the ranks of the state's sheriffs' offices and police departments. Under the act the governor retained

the power to appoint the agents and to fix their salaries even though they worked at the attorney general's direction.

From the very beginning the agents produced an impressive number of criminal convictions. By 1916 they had handled cases that resulted in forty felony convictions, 100 gambling, and 400 bootlegging convictions. Significantly, the agents disregarded their ostensible assignment of suppressing un-American activities in favor of repressing vice. They did so in large part because there simply were no significant un-American groups to suppress in Iowa at the time. Cosson disliked the law's limiting his control over his detectives by leaving the appointment power with the governor. He began campaigning with civil groups across the state to get the law amended in his favor. Cosson did not remain in office long enough to win this victory because Horace M. Havner of Iowa County defeated his 1916 reelection bid. Havner's four-year tenure produced no significant changes in the agents' operations; they continued to stress vice investigations over other types of criminal activity.⁶

A spate of rural bank robberies in 1920 permanently altered the mission of Iowa's police agents. As a part of the same anti-bank-robbery drive that saw the origin of a state police radio network, Iowa bankers also advocated the type of state detectives George Cosson had envisioned. The Iowa

Bankers' Association (IBA) lobbied the legislature for a state unit of professional detectives to investigate bank robberies and burglaries. Because the attorney general already had some detectives in his office, the General Assembly authorized him to create a permanent Bureau of Criminal Investigation and to appoint a bureau chief answerable only to himself. The attorney general that year was Ben J. Gibson who had defeated Havner in the 1920 general election. He appointed Oscar O. Rock of Logan, one of George Cosson's original men, to be the new BCI's first chief.⁷

Ben Gibson assumed power with gusto. His army service under General "Black Jack" Pershing both during the 1916-1917 Mexican border troubles and in France during the World War had given him a flamboyance that suited him well for what he thought of as being the chief state policeman's job. Lame duck Governor William L. Harding bitterly criticized Gibson's attitude and the legislature's decision to place the new Bureau of Criminal Investigation in the Attorney General's office instead of his own. In his biennial address he said, "The 'lawyer' for the state has been converted into a detective, and at great expense to the taxpayers [resulting in] chaos and failure."⁸

The legislators ignored Governor Harding, reconfirming in their extra session of 1923 the attorney general's power of

appointment for his Bureau of Criminal Investigation. They did, however, leave the governor four state agents of his own as a political sop. Gibson inaugurated a dual policy for his BCI that continued throughout the interwar period. First, local officers received credit for successful BCI work including press releases. Second, BCI agents helped local sheriffs only when one of them presented a written request.⁹

The BCI enjoyed a period of stable leadership between 1926-1933 under Attorney General John Fletcher. He doubled the number of agents to twenty-four and directed each of his chiefs, James E. Ridsen, who had replaced Oscar Rock upon his death in 1924, and Glen Schmidt to continue Gibson's dual policy. The policy was a great public relations success. Crediting local sheriffs assured the BCI of reciprocal acclaim and continuing requests for help. Between 1926 and 1928, ninety-two of the state's ninety-nine sheriffs and eighty-four of the ninety-nine county attorneys sought BCI help. The agents conducted 2,249 investigations that produced 461 arrests and 453 court convictions. They located forty-nine stills and 17,750 gallons of corn mash, destroyed 4,356 gallons of illicit moonshine, and recovered 1,761 stolen automobiles. The BCI developed five operational areas which served rural officers. The areas were: field investigations, criminal identification, criminal records, state radio, and

teaching sheriffs at the Iowa State Sheriffs' Association's Annual Schools of Instruction.¹⁰

Field investigations, the most dramatic of these tasks, occurred least frequently and appeared least important to the sheriffs. Their greatest value to rural law enforcement lay in the Bureau's Records division which acted as the state's central clearing house for information on stolen automobiles, liquor violators, fugitives from justice, and discharged prison inmates. The state's sheriffs used the BCI's services and they appreciated them, but they were not enough. The sheriffs' demanded more from the state. While they lauded the BCI's state police radio, it spurred them to look to Des Moines for greater state involvement in local law enforcement.¹¹

The sheriffs wanted muscle in the form of a state highway patrol, but it proved impossible to achieve that goal. When Attorney General Cosson tried to get authorization for a Public Safety Department in 1915, its sponsoring bill, House File 602, was withdrawn from the legislative calendar without debate. A few years later one rural editor, noting that the Illinois legislature was debating the establishment of a highway patrol on its side of the Mississippi River said, "the next Iowa legislature will be compelled to create . . . a mounted police system and . . . there will be no

opposition."¹² He was wrong. No such proposal surfaced at the General Assembly and none would have succeeded if it had appeared.

Among the great many Iowans who opposed creating a highway patrol was the state's chief rural spokesman, Henry Agard Wallace, publisher of the Wallaces' Farmer, one of the Midwest's largest rural newspapers. Like many rural Americans, Wallace considered a state patrol's suitability in the 1920s. He editorially rejected the idea stoutly in 1923 as being too costly and, like patrols in many states, likely to grapple with industrial troubles rather than perform for rural policing. The sheriffs could not hope to overcome the resistance of men as influential as Wallace. Although the advocates of a patrol could not then see it, in a few years' time a technologically fostered social revolution would, when wedded to a successful public relations triumph, sweep aside all opposition.¹³

Along with the rest of the nation, Iowa endured an automobile mania in the 1920s and 1930s. The Lynds found during their famous "Middletown" investigation that 60 of 123 working-class families in this most typical of American towns owned automobiles. Of these 60 with cars, 21 were without bathtubs, demonstrating that automobiles came before tubs for the average American of the 1920s. By 1930 there were more

than 26 million cars in America, the manufacture of which commanded 90 percent of the nation's petroleum, 80 percent of its rubber, and 75 percent of its glass. The effect on both urban and rural America was immediate and dramatic. The most serious problem at the 1918 Iowa State Fair was parking.

"Approximately forty-five thousand machines passed through the gates this year," said one state fair official, "every foot of available parking space was occupied early each day. The overflow filled the woods and the camp grounds." This was not surprising considering a 1920 report of Iowa farmers that showed there were 171,575 automobiles on the state's farms.¹⁴

To accommodate the rural tidal wave of automobiles, Iowans engaged in a massive road-building frenzy. They completed an astonishing 102,658 road miles before the interwar years ended, of which 8,318 were so-called primary or paved highways. Every town with a population greater than 400 was connected to at least one of these primary highways before decade's end. Between 1910 and 1930 the number of Iowans licensed to operate automobiles increased from 18,870 to a staggering 790,231. There was one automobile in Iowa for every three Iowans, man, woman and child, and by 1930 the state had the nation's third highest per capita automobile rate. Trucks too, experienced a phenomenal growth, rising to 81,937 in number by the mid-1930s. This plethora of motor

vehicles over-whelmed rural sheriffs. There were too many new laws regulating motor vehicles and too many drivers--including bad drivers--for them to manage.¹⁵

So many thousands of drivers on so many thousands of roads inevitably led to an increasing death toll. Between 1921 and 1925, 241 Iowans died in automobile collisions. In 1926 that number increased to 312; in 1930 there were 645 Iowa deaths from automobiles. To reduce the carnage the General Assembly turned to the Secretary of State's Department of Motor Vehicles' tax-collecting "inspectors." On April 3, 1925, these inspectors were given police power over certain specific traffic laws. The inspectors, ever mindful of the sheriffs' sensibilities, unerringly sent advance warning of their intended arrival in a county. When inspector John Taylor of Marion came to Iowa County two months after the new law took effect, the local paper announced his coming, his mission, and his authority. Iowa had very few John Taylors, only fourteen in all, and they were too few to have much influence. A fresh attempt in 1927 to establish a state highway patrol failed to get so much as serious attention in the legislature, however.¹⁶

When Iowa's highway death toll reached its interwar peak of 645 in 1930, the state's largest newspaper decried the lack of effective highway control. The editor of the Des Moines

Register said the sheriffs were "utterly incapable" of managing and that "the logical unit seems to be the state." The Iowa State Sheriffs' Association (ISSA) agreed with the Register, printing a two-page guest article entitled, "Thirty-One States Have Highway Police" by J. S. Baker of the National Safety Council praising the work of state highway patrolmen in other states.¹⁷

Baker's article marks the beginning of the ISSA's drive for a state highway patrol in Iowa. A serious attempt to create a highway patrol emerged during the 1931 legislative session. On January 28 identical bills appeared before both houses. The twin bills proposed authorizing thirty-five patrolmen to rove the state's primary highways under the Highway Commission's supervision. The Senate passed the measure; the House, with a twenty-nine to seventeen vote, worried about the political implications of farmer opposition, left the bill in committee and let it expire.¹⁸

Growing frustrated, the ISSA continued pressuring the state for a highway patrol in its magazine, the Iowa Sheriff. The magazine began by advancing economic arguments in favor of a patrol saying the depression had made it easy to pay the proposed officers very little money and that the reorganization that would surely follow the patrol would save the state money. The sheriffs noted the approach of another

legislative session in 1933, crediting "agitation by the Iowa Motor Clubs as to the establishment of a highway patrol . . ." with getting another authorization bill before the state's lawmakers. Already twice disappointed, the ISSA went on to blame political featherbedding for the previous bills' defeats.¹⁹

Without any doubt, there will be wide discussion of the bill when it is placed before the legislature. [We expect] that strong opposition will come from those who will lose their power of appointment and those who see their pleasant inspectorships on the way out.²⁰

The sheriffs were only partly correct in blaming politics for their repeated failure. It was not featherbedding or the fear of losing patronage jobs that primarily worried the politicians. Their quandary came from not knowing in whose hands to put the unprecedented power a highway patrol represented. Three possible governmental berths had their champions: the governor, the Highway Commission, and an independent agency. Since any of the three threatened to open a political Pandora's box, the legislators quibbled and frittered, hoping that the question would just go away of its own accord. But House File 286 introduced yet another highway patrol origination bill in 1933. This time the proposal called for placing the patrol in the governor's hands. The state's farm and labor leaders opposed the bill. Men such as Bert Nevill, leader of Ringgold County's Farmers' Holiday

Association and the president of the county's Taxpayers' League, drafted antagonistic resolutions for both groups and rushed them to the statehouse. Two factors also doubtless sapped the legislators' highway patrol enthusiasm. Farmers' had recently picketed to prevent produce from reaching market and a rural District Court judge had been manhandled and nearly lynched near LeMars. No one could forecast how highway patrolmen might react to such events, but the evidence of other states did not seem promising. Lawmakers again let the bills die in committee.²¹

Seeing that the legislature was deaf to their economic reasoning, the sheriffs tried to capitalize on the farmers' protests. Citing the disorders in Plymouth and Crawford counties, the ISSA called again for a highway patrol. Sending such a unit to trouble spots, the sheriffs said, would be quicker and cheaper than mobilizing the state militia. A highway patrol would also be more effective in quelling such disturbances, they said, adding that "a trained-disciplined force which does not have to answer to any politician or group will command the respect of Iowans."²² This was precisely the wrong approach for the sheriffs to use. The image of uniformed state officers facing angry mobs of Iowa farmers and laborers horrified and haunted the state's lawmakers.

They needed a gentler argument, one like the ISSA tried after a hit-and-run driver struck and killed two rural Calhoun County children as they walked home from school in June 1933. The sheriffs insisted that the children died because, "we . . . have turned [the] speedways over without regulation or supervision, to anyone, whether he be moron, imbecile, fiend or whatnot."²³ They repeated their safety theme when a school bus full of children tragically collided with a railroad train near Shenandoah that fall. If the state had a highway patrol, the accident would not have happened because, "all drivers would be made to learn to never cross a railroad track without slowing down and looking both ways before going onto the tracks."²⁴ Highway safety was the right tactic.

Although the sheriffs did not fully appreciate it, one state leader did share their concerns and would parlay the issue into a successful legislative bid for the creation of a highway patrol. Ola Babcock Miller, known always as Mrs. Alex Miller, was that leader. The widow of a crusading rural newspaper editor from Washington, Iowa, Mrs. Miller achieved the goal of getting a highway patrol for Iowa. On the surface she appeared to lack every ingredient for success. Except for campaigning for her husband during his unsuccessful 1926 run for the governor's office, she had no prior political experience. Her name appeared on the Democratic ballot

secretary of state's office in 1932 only after party leaders forgot to name anyone else to the spot. She came to power on Franklin Delano Roosevelt's coattails, narrowly defeating Republican incumbent G. C. Greenwalt. She arrived at the statehouse in Des Moines elated by her victory but with scarcely any idea of what she planned to do.

That quickly changed when she discovered that she controlled the state's Motor Vehicle Department. The large number of Iowa's highway fatalities troubled Mrs. Miller. Finding the department's fifteen motor vehicle "inspectors" at her disposal provoked her concern and gave her a project, a cause that she had previously lacked. During her first week in office she called together her fifteen underlings and told them that they were no longer the state's automobile tax collectors. She informed them of her planned highway safety campaign and that they were going to provide its brawn. She ordered them to forget their former tax collection role; from now on they would be her highway cops. Secretary Miller dismissed the men saying, "from now on, save lives first, money afterward."²⁵

While her inspectors worked the highways, Mrs. Miller worked the crowds. She appeared before dozens of civic, fraternal, patriotic, and church groups throughout 1933, calling the highways a "slaughterhouse" where even "the most

competent and courteous driver takes his life in his hands when he ventures upon it." She simultaneously published a series of highway safety booklets including, "The Four Horsemen of the Highway" (road hogs, speeders, drunken drivers, and operators of unsafe automobiles).²⁶

Mrs. Miller knew her campaign was risky. Using her inspectors to enforce highway safety laws in the face of the legislature's deep ambivalence about having a highway safety patrol could very well have serious political repercussions for herself and her Democratic Party. Aware that general acceptance of her safety efforts would wither in the face of stern police practices, she set about presenting herself and her inspectors in as domestic a role as possible. She cast herself as the "mother" of the highway in every public format. Not once did she refer to the farmers' rebellions or to any other distressing public event. Her sole concern was saving lives, she said, and her inspectors, whom she constantly called her "boys," were trying to help her make Iowa's roads safer places to use. Mrs. Miller's "motherhood" ploy worked. No public aversion against her plan developed. Instead she began receiving the plaudits of the state's press and national women's magazines.

Secretary Miller got a boost in 1934 when she reported that her efforts had resulted in 69 fewer highway deaths and

3,731 fewer injuries than during 1933. She made sure that Iowans knew their state had recorded a 15 percent decrease in the number of highway collisions that year even while the country as a whole recorded a seventeen percent increase. She carefully avoided mentioning that thirty-one states had highway safety patrols, claiming instead that the credit for the decrease was entirely due to her and to her "boys."²⁷

Iowa's sheriffs, meanwhile, continued pressing for a highway patrol. Number eight of their twelve point "Aims and Policies" published in May 1934 was "to encourage the state patrol of our paved state highways," despite the fact that Iowa had no such unit.²⁸ The state's tardiness in establishing a patrol forced sheriffs to start the unsavory practice of passing out postage-paid complaint cards for citizens to use to report on one another's bad driving habits. How much better it would be to have a highway patrol like the one in Pennsylvania. There, as a former Webster City man writing to the Iowa Sheriff that spring reported, "every law abiding citizen, who is a taxpayer and a square shooter, feels kind[ly] toward the . . . state police."²⁹

An academic symposia in favor of highway patrols hosted by University of Iowa political scientists and the Iowa Bar Association called for a highway patrol, and each obtained prominent attention in the July, 1934, issue of the sheriffs'

magazine. So did a quote from the Traer, Iowa, Star-Clipper that stated that, "the adoption of a state highway patrol is merely meeting modern crime conditions with modern weapons."³⁰ The ISSA joyously praised State Senator Paul Schmidt's announcement that he intended to resubmit his highway patrol bill, adding that Iowa's "unpreparedness policy" regarding crime must stop. The ISSA also praised state highway engineer Fred R. White that summer for his forthright support of a highway patrol and for his belief that it was "political infighting" that had so long stymied their efforts to get a patrol for Iowa. They happily noted the Shenandoah Sentinel's call for "two hundred good officers" to patrol Iowa's highways. They also announced their plan to invite an east coast state police chief to their next Annual School "to give us a working picture of such an organization."³¹

Despite all their efforts the sheriffs never succeeded in forcing the legislation they wanted for a highway patrol. They did, however, significantly contribute to Secretary Miller's efforts by helping to keep the issue before the public. They failed because they split their arguments between the safety tactic, which Iowans supported, and an enforcement tactic, which they did not. Mrs. Miller did not divide her focus. While the sheriffs continued to push, the Secretary of State pressed her highway safety campaign. So

quietly did she join those calling for a highway patrol that no one at first seemed to notice.

In late 1934 Mrs. Miller began observing that her "boys" needed some help. They were doing great things, she said, but so much more waited to be done because no highway patrol existed in Iowa. When a highway patrol proposal again surfaced during the 1935 legislative session, she showed her political acumen by serenely chaperoning it through both houses of the legislature. When an amendment to the bill threatened her by suggesting that her "boys" join the patrol under the Attorney General's BCI, she silently killed it by telling the Des Moines Register that, "the safety patrol and the [BCI] should not be combined. If we cannot have both . . . should we not establish the one for which the greater need exists?"³²

Her maneuvering was a masterpiece of political engineering. At no time did she mention the threat to herself that the amendment represented. She commented only on her "motherly" concern that blending the two forces was an unnecessary duplication that could only dilute her "boys'" success. Between February and April, 1935, the legislature deliberated what type of highway patrol it wanted. When the old dilemma arose about which government department should supervise the patrol, Mrs. Miller was already there running a

safety patrol and looking more like the middle-aged mother she was than a hard-bitten police overseer. The impasse dissolved as the law-makers hastened to offer the new highway patrolmen to Mrs. Miller. Designated House File 67, the bill placed the patrol under Mrs. Miller's Motor Vehicle Department, authorized the raising of a company of fifty-three uniformed troopers with full police power, and ordered a training school for them at the Camp Dodge National Guard grounds near the Des Moines suburb of Johnston. On May 7, 1935, Governor Clyde L. Herring signed the Highway Safety Patrol Act of 1935 into law.³³

Secretary of State Miller had her highway patrol, but she knew that great animosity still persisted in the state, especially in the rural districts. The success and effectiveness of her "boys'" jobs depended, she realized, on developing a broad-based, grassroots approval of them and of her. The way to mollify suspicion and to foster public goodwill was to continue emphasizing the patrol's highway safety mission while downplaying its police status. She designed the patrol's policy to be one of courteous education: traffic summonses were issued as official correctives to errant citizens, not as criminal complaints to law violators. Mrs. Miller created a policy marvel which involved strict

enforcement that nevertheless did not look or feel like law enforcement.

Window dressing became the watchword, and the patrol made every effort to avoid a martial appearance. Department of Motor Vehicle Commissioner Lew E. Wallace conformed to Mrs. Miller's wishes from the start, saying in his first public statement that his new highway patrol would be free of political influence peddling. "We are going to select the best . . . men we can find," he promised, "and then see how the political qualifications work themselves out."³⁴

In choosing a Highway Patrol Chief, Mrs. Miller once again displayed her political deftness by selecting a man to whom virtually no one could object. Knowing that her opponents feared she would appoint a political hack over a veteran lawman, instead she chose John Hattery, the Republican party sheriff of Story County. It was a shrewd choice. Hattery's solid Republican credentials silenced the accusations about the patrol becoming a patronage playground, and his long years' service as sheriff stilled fears of a novice being put in charge of the troopers. The ISSA, already pleased to see that the state had at last established a highway patrol, announced a day of jubilation when it learned that one of the organization's most popular members was the new chief. Hattery's announcement of his choices for

assistant chiefs made their ecstasy complete. One was E. A. Conley, one of Mrs. Miller's original "boys" and a national guard major. The other was Harry Nestle, the son of a Carroll County Sheriff who had heroically killed his bandit-murderer before dying of a gunshot wound several years before.³⁵

Chief Hattery and Mrs. Miller had more than 3,000 applicants from which to choose to fill their 53 slots. With good public relations as a primary determinant, aspirants with college educations or college athletic reputation like Russ Fisher, the 1934 University of Iowa's star football team captain, and Oran "Nanny" Pape, a celebrity fullback in the University of Iowa's 1928-1929 season, had an advantage over their rivals. In selecting the first group of highway patrolmen, everyone, including Mrs. Miller, scrupulously avoided asking anyone about political party affiliations. By the time the chief and the secretary had finished making their candidate selections, the Camp Dodge facility was ready.³⁶

Lacking any experience in running a highway safety patrol school, state authorities hired outside help in the person of Maryland State Police Sergeant David R. Petersen and several of his fellow Maryland troopers. National Guardsmen served the trainee troopers as guards, drivers and cooks. Ever mindful of Mrs. Miller's preoccupation with public relations, Chief Hattery invited R. W. Nebergall, editor of the Iowa

Sheriff and BCI agent, to visit the patrol's school. This gambit paid off handsomely in positive publicity for the patrol. Nebergall reported to his readers that the school was superb. He called the trainees "splendid" men and lavished accolades on Sgt. Petersen and his fellow instructors from Maryland.³⁷ When the trainees graduated and began their assignments in July 1935, the Iowa Sheriff applauded the new troopers and promised that they would find they already had the "ideal spirit of reciprocity" between themselves and the state's 99 sheriffs.

Only briefly did the specter of encroachment appear. In late 1935 the ISSA learned of discord arising between the Illinois State Sheriffs' Association and the proponents of an Illinois state highway patrol. So thoroughly had Mrs. Miller's public relations policy appeased the Iowa sheriffs, however, that the ISSA refused to feel threatened by their state's highway patrolmen. The Iowa Sheriff assured its readers that "we are for state police in its proper place [because] state police can never, by its very nature, ever take the place of . . . sheriffs."³⁸ The ISSA felt confident that the intimacy sheriffs enjoyed with their constituencies was so superior to anything a trooper could have that no strife was possible between the two law enforcement units.

Public relations remained a high priority of the highway patrol. By the end of their second year of operation the patrol's fifty troopers had delivered 439 talks in ninety-one counties to audiences averaging 100 persons on topics such as highway safety, first aid, and the mission of the highway patrol.³⁹ Relations with the state's sheriffs remained amicable throughout the 1930s. The ISSA did all that it could to keep relations that way including the publication of articles like the one written by Nebergall in 1936 relating his experience of being stopped by a trooper late one summer's Sunday night.

We found Patrolman [blank] to be first of all a gentleman, courteous and fair, with a desire and a will to be helpful. He explained the minor infraction of driving rules we had made and pointed out similar infractions which we were not aware were violations - that's where the profitable part came in. Not as a hardboiled policemen do they function - except, of course, in the case of hardboiled offenders for whom that is the only successful treatment - but rather as friendly, well informed, helpful public assistants who are earnestly striving through education to make driving on Iowa highways safer for all of us.⁴⁰

All Mrs. Miller lacked after a virtual love letter such as this was a martyr, someone to cement her public relations exploit in the public's mind. On September 28, 1936, she got one when Oran "Nanny" Pape, college gridiron hero, and new State Trooper, stopped a 1935 Chevrolet north of Muscatine that he thought might be stolen. Inside the Chevrolet a 23-year-old Davenport parolee named Roscoe Barton grabbed a .45

calibre army automatic and pointed it at Pape ordering him into the Chevrolet. As Barton, who was driving, started to change gears at the bottom of a hill, Pape grappled with him over the gun. Barton shot Pape, the slug entering his right groin, travelling through his lower abdomen and lodging in his left hip. Barton tossed Pape from the car where he hailed a passing car which took him to a nearby gas station. At the station another, faster car, transported the patrolman to Muscatine's Hershey Hospital where he died soon after surgery. Mrs. Miller buried Pape with all the panoply befitting a fallen champion. She herself led the procession and ordered that black mourning arm bands be worn by all of her "boys." She had Nanny's badge, number 40, retired from service as a memorial to him.⁴¹

That same summer the ISSA donated a page of its monthly magazine to the troopers, calling the section the "Iowa Highway Safety Patrol." Written by Assistant Chief J. H. Nestle, it was a pure public relations sheet given over entirely to Nestle's gushingly repeated promises to refrain from all but traffic duty unless specifically invited by a local sheriff to help in a criminal case. Nestle also used the "Iowa Highway Safety Patrol" as a format to charm the sheriffs with the patrol's humility, lack of political taint,

and genuine desire to be of service to rural people and to rural sheriffs.⁴²

By the time Mrs. Alex Miller died of pneumonia on January 27, 1937, the sheriffs of Iowa had the highway patrol that they had wanted in the early 1920s. Mrs. Miller's "boys" were few in number, eternally courteous to the public and carefully obsequious toward the sheriffs as they enforced the traffic laws that the sheriffs had never wanted to enforce in the first place. As with the BCI, the highway patrol developed through the political savvy of a state cabinet member who paid meticulous attention to the sensibilities of the rural sheriffs as they provided services to them that they could not or did not want to provide for themselves.

The sheriffs did not need the help. It was the perception that a crime wave was upon them that led them to the conclusion that they did. The state help that was available, the highway patrolmen and state detectives, were too few in number to allow the sheriffs to feel adequately prepared to deal with the crime wave crisis they believed they faced. To augment their ranks the sheriffs agreed to deputize vigilantes from among the citizens presented to them by the state bankers.

End Notes

¹Laws of Iowa, 1838-1839, pp. 71-72; "Biennial Report of the Attorney General," 1908, Iowa Legislative Documents, pp. 5-9.

²Laws of Iowa, 1909, Chapter 9, 17, 34, 78; Iowa Official Register, 1919-1921, p. 54; Robert Walker Shea, "History and Administration of the Iowa Bureau of Criminal Investigation," Iowa Journal of History and Politics XXXIV (August 1938): 267; "Biennial Report of the Attorney General," 1911-1912, Iowa Legislative Documents, p. 18; "Attorney General," 1915-1916, p. x.

³Ibid., 1917-1918, pp. 19-22, 1919-1920, pp. 25-29; Iowa Official Register 1921-1922, p. 126; Laws of Iowa 1915, Chapter 203; 1917, Chapter 231.

⁴Shea, "Bureau," p. 270; Proceedings of the 35th Annual Convention of the Iowa Bankers' Association (June 6-7, 1921): 168.

⁵"Biennial Message of Governor William L. Harding," 1921, Iowa Legislative Documents, pp. 22-23.

⁶Shea, "Bureau," pp. 281-82.

⁷Ibid., 277-79; "Biennial Report of the Attorney General," 1928, pp. 5-6.

⁸Shea, "Bureau," pp. 290-93.

⁹Waukon Republican and Standard 8 June 1921.

¹⁰Wallaces' Farmer 23 February 1923, p. 1.

¹¹Quoted in Earle D. Ross, Iowa Agriculture: An Historical Survey (Iowa City: State Historical Society Press, 1954), p. 144.

¹²"Annual Report of the State Highway Commission," 1936, Iowa Legislative Documents pp. 7, 100; "The Second Report of the Iowa State Planning Board," 1930, Iowa Legislative Documents, pp. 170-71; Literary Digest, 106 (2 August 1930): 43.

¹³Statistical Abstract of the United States: 1936 (Washington, D.C.: U.S. Government Printing Office): 368. See also: "Motor Vehicle Accidents: 1936-1937," Iowa Motor Vehicle Department pamphlet; Journal of the House of Representatives, 1925, p. 1308; Laws of Iowa, 1925, Chapter 7, p. 13; Marengo Pioneer 28 June 1925; Adair County Free Press 30 July 1931.

¹⁴Des Moines Register 14 December 1930, Editorial Section, p. 4; Iowa Sheriff (December 1931): 13.

¹⁵Journal of the House of Representatives, 1931, p. 219; Journal of the Senate, 1931, p. 172.

¹⁶Iowa Sheriff (February 1933): 2.

¹⁷Iowa Sheriff (December 1932): 7, 17, 19, 21; (February 1933): 2.

¹⁸Mount Ayr Record-News 9 March 1933; Joseph Frazier Wall, "The Iowa Farmer in Crisis: 1920-1926," The Annals of Iowa 47 3rd Ser. (Fall 1983): 124; Harlan Miller, "Iowa's Woman-Against-Death," Ladies Home Journal (October 1935): 99.

¹⁹Iowa Sheriff (May 1933): 10-11.

²⁰Ibid. (June 1933): 7.

²¹Ibid. (October 1933): 9.

²²Quoted in: Scott M. Fisher, "Mrs. Miller's 'Boys,'" The Iowan 39 (Summer 1991): 16-17.

²³Fisher, "Boys," pp. 18-19.

²⁴Des Moines Register 30 January 1935, p. 6; Miller, "Death," pp. 100-1.

²⁵Iowa Sheriff (December 1933): 10.

²⁶Ibid. (April 1934): 1; (May 1934): 9.

²⁷Ibid. (July 1934): 5.

²⁸Ibid. (July 1934): 5; (September 1934): 3; (November 1934): 1, 5.

²⁹Des Moines Register 30 January 1935, p. 6; 3 February 1935, p. 4; Miller, "Death," p. 26.

³⁰Journal of the House of Representatives, 1935, pp. 163, 493-95, 655-58, 1567-69, 1649; Journal of the Senate, 1935, pp. 1215, 1219; Des Moines Register 19 May 1935, p. 5.

³¹Ibid.

³²Fisher, "Boys," p. 18; Iowa Sheriff (May 1935): 10.

³³Des Moines Register 19 May 1935, p. 5; Iowa Sheriff (June 1935): 5.

³⁴Iowa Sheriff (June 1935): 5, 11.

³⁵Ibid. (August 1935): 12.

³⁶The Highway Patrolman (April 1937): xvi.

³⁷Iowa Sheriff (July 1936): 9.

³⁸Fisher, "Boys," pp. 22-23; Iowa Sheriff (April 1937): 13-14.

³⁹Iowa Sheriff (July 1936): 9.

CHAPTER 7
VIGILANTISM

Those who believed in the crime wave myth believed that the problem was manpower. Neither the county sheriffs nor the state authorities could afford to field a large enough constabulary to resist the crime wave. Vigilantism became the solution to the manpower shortage once the state's bankers offered to bear its maintenance expense and the sheriffs offered to deputize its membership.

A series of daylight rural bank robberies, though hitting only one-half of one percent of Iowa's banking towns, seemed to validate the myth of a general hinterland crime wave in the 1920s and 1930s. Two state institutions, the Iowa Bankers' Association (IBA) and the Wallaces' Farmer newspaper, believed the myth. They acted on their belief by inaugurating vigilante organizations of their own devising to halt crime in the countryside.

Having the infrastructure and the political and financial clout that their Association provided, the state's bankers created the first and the more carefully administered of the two vigilante groups. Whereas the IBA was concerned solely with bank robberies and enlisted the aid of the state, Wallaces' Farmer was concerned with all aspects of rural

crime, especially chicken theft, and chose to avoid the state government altogether. It relied instead on voluntary citizen-cooperatives under the paper's tutelage to combat the perceived rural crime wave.

The IBA's vigilantes, sanctioned by the state, equipped by bankers, and deputized by their local sheriffs, believed the enemies they faced in the 1930s were syndicated criminal gangs. It was an appealing corollary to the myth of rural crime of the period, but it, too, was without substance. By the time Bonnie and Clyde, perhaps the era's most infamous criminal team, died in 1934, Iowa's vigilante organizations were on the wane. The IBA especially believed it had won the victory over bank robbers, ironically citing 1937's bank robbery incidence rate of half of one percent as proof that vigilantism was no longer needed in Iowa.

The myth of a general hinterland crime wave seemed to receive validation when the number of bank robberies suddenly increased following the First World War and again during the Great Depression. Believing themselves to be facing a homeric struggle, the two state institutions resurrected the frontier Iowa practice of raising local vigilantes.¹

The appearance of rural bank robbers unnerved lame duck Iowa Bankers' Association (IBA) president J. H. McCorn. Between June 1920 and June 1921 IBA member banks suffered five

holdups and twenty-five burglaries. McCorn and president-elect L. A. Anderson sensed their members' growing panic as reports of an additional eight unsuccessful holdup attempts and twenty-three unsuccessful burglary attempts spread. Rural Iowa banks, the IBA maintained, were under criminal attack and something had to be done to stop it.²

The bankers overreacted. One thousand Iowa towns hosted banks, and a holdup success rate of half of one percent did not betoken a crisis. The bankers nevertheless believed they were in crisis. The combined pressures of the failed attempts, which brought the incidence rate total to 6 percent, the previous decade's lack of robberies and the year's accumulated losses of \$228,973.84 prodded the IBA's leaders to take unprecedented action.³ To meet the robbers' threat and to curtail their losses, the IBA instigated a three-part effort: they coerced state authorities to assign a detective to full time bank robbery investigations, they instituted a police radio system, and they raised the largest vigilante force in the state's history.

Organizing and administering their vigilantes was relatively easy. The IBA's own network of interlacing county affiliates provided a ready-made foundation. The potential of legal hurdles disappeared when local sheriffs, doubtless seeing the political benefits of such a force, happily

deputized the bankers' men. Joining a local vigilante group became the vogue as the units began to thrive under the harmonizing influence of the sheriff's aegis, the local banker's prestige and the bank building's meeting and storage space. Allamakee County Sheriff Gunda Martindale formed the first vigilante company because, she said, "the crime wave has been spreading over rural communities." ⁴ She accepted the IBA's offer of free army surplus weapons for the men she deputized. Within eighteen months all ninety-nine Iowa counties followed her example, allowing the IBA to boast of 3,791 "hand picked, brave, stalwart, law-abiding citizens" operating in 768 of Iowa's 1,000 bank towns, "constituting a 'state constabulary' practically the equivalent of the Iowa National Guard," at a cost of \$48,383.23 for arms and badges.⁵

Krag rifles and carbines and Colt pistols and revolvers came from the Rock Island Arsenal under special U.S. War Department purchase permits. Later the American Legion and the National Rifle Association added sawed-off shotguns to the vigilantes' arsenals. Colonel Stodter, the War Department's Director of Civilian Marksmanship, and the National Rifle Association's Brigadier General, Fred H. Phillips, mutually hosted state-wide shooting competitions and safety instruction classes for the IBA's men.⁶

The vigilante groups operated casually. They may have been "brave stalwart and law-abiding," but they were not zealots. Very quickly the groups assumed the air of social clubs. The men enjoyed the camaraderie and their sheriffs' and bankers' flattering attention. They also thrilled at the prospect of acquiring free guns and of participating in shooting contests. Indeed, a primary motive was having fun with guns. Of the 883 vigilantes for whom records exist, 70 percent took the IBA's free guns. Drawn almost exclusively from the farm population, the vigilantes doubtless had firearms before joining up. What excited them was the prospect of getting new types of guns. Particular favorites were sawed-off shotguns (29%), rifles (24%) and handguns (17%). Members from smaller towns and more rural communities (those containing fewer than 100 inhabitants) favored shotguns while those from larger towns fancied handguns. The men knew the likelihood that they would ever face a robber band was remote, but the IBA's standing reward of \$1,000 for the capture of one helped keep the members interested in serving should an emergency arise.⁷

The IBA's brand of vigilantism, known as the "Iowa Vigilance Committee Plan," soon attracted interest beyond the state's borders. National insurance companies began offering IBA banks with vigilante protection a 10 percent rate

reduction on their theft insurance policies. Other state banking associations began copying the IBA even to the point of buying the Iowans' forms. In 1923 the National Bankers' Association urged all its affiliates to adopt the "Iowa Plan." Interest became international when the bankers of Paris, France, wrote to the IBA to inquire about the feasibility of adopting the Iowa plan for their use.⁸ The state's sheriffs' magazine added a vigilantes' column before the decade's end noting that, "very few sheriffs are adequately equipped in firearms, fast automobiles or personnel to cope with [bank robbers]." ⁹

The vigilantes relished their success. After eighteen months of activity the IBA reported that their vigilantes had captured seventy-nine bank robbers and shot dead six more. Of the seventy-nine men captured, fifty-three, or 67 percent, received prison terms of a definite number of years. When only one bank robbery occurred in 1924 the IBA attributed that fact to their vigilantes.¹⁰

The rest of the 1920s remained quiet as well. In each of the years from 1924 to 1927 only one bank robbery occurred. The IBA continued its massive support of its vigilantes, convinced that they were holding back a crime wave. They continued handing out guns and badges freely until the IBA's cost for the decade totalled \$81,774.11. At least eighty Iowa

counties hosted nearly 3,000 local vigilantes, and 6,980 telephone operators belonged to their notification network.¹¹

Proud of their 1920s record of 137 apprehended robbers, nine of whom died from wounds during holdups, the vigilantes rested on their laurels. The decade's forty bank robberies yielded 118 convicts, 37 of whom received life imprisonment. Having accomplished so much, the vigilantes slipped into ennui. More than half of the groups quietly disbanded until, by 1930, only thirty-one counties with 1,338 vigilantes remained. Economic depression also contributed to their decline. By 1932 the number of towns with banks to protect had dropped from 1,000 to 706; all the other banks had failed or closed.¹²

Iowa's bankers were not the only state institution to form vigilance committees in reaction to the perceived rural crime wave. It was not bank robbery per se that worried Henry Agard Wallace. He believed the hinterland was under a general criminal attack. He ran pictures in his paper of "Chicken" Wilson and "Whitey" Lime, two farm thieves. Next to them on the page was a photograph of their captor, Woodbury County Sheriff Paul T. Beardsley. Beardsley thus received the acclaim of the Wallaces' Farmer for clever detective work in his "clean-up" of farm thieves in his county. The normally

conservative farm paper was beginning to read like a detective novel. Subscribers were regaled with stories about crime. These were not distant urban crimes, however, but chicken theft, fraud, and burglaries in their own communities.

Wallaces' Farmer was conducting a crusade.¹³

The crusade arose from a combination of pragmatic business considerations and rural circumstances new to the 1920s. As businessmen, the editors of Wallaces' Farmer knew expanded circulation meant higher profits. If they could identify and provide a unique service to their subscribers, the farm journal's circulation and profits would increase. The rural prosperity and good roads that developed between 1910 and 1920 generated an identifiable service the paper could provide. Prosperity meant that the farmers had money, but many of them were financially naive. The good roads that provided easy access to market likewise provided an unprecedented host of bunko artists with easy access to the farmer's door and mail box.¹⁴

Wallace's crusade both reflected and capitalized on the state's and the nation's growing perception that the country was in the throes of a "crime wave" and focused his reader's attention on rural incidents. By so doing Wallace combined those elements of calculated self-interest and genuine altruism typical of the American crusade. Whereas others

followed the national progressive trend of forming "blue ribbon" crime commissions to study the problem, Wallace chose instead to rely on an older American tradition of forming voluntary citizen-cooperatives to solve problems. He twice considered and twice dismissed a proposal that smacked of progressivism: establishing a state police. When he did agitate for state involvement it was for legislation, not patrolmen.

Wallace's crusade unfolded incrementally. Between 1921 and 1927 it passed through successive stages of awareness (1921), reporting and encouragement (1923-1925), solution-discovery (1925-1926), and, finally, direct participation (1926-1927). His awareness of the rural crime predicament began shortly after Henry Agard Wallace assumed the journal's editorship on March 4, 1921. He did not have to look far to find an example of what unique service his paper could provide.

For three years the Prairie Farmer, an Illinois farm journal, taking its cue from the Rural New Yorker and the Chicago-based Orange Judd Farmer had been warning subscribers of stock frauds and giving financial advice. The Orange Judd Farmer had run a column entitled "Our Service Bureau" since 1913. Henry Cantwell Wallace, Henry Agard's father, probably aware of the Orange Judd Farmer column, had earlier considered

but then rejected inaugurating a similar column in Wallaces' Farmer in 1912.¹⁵

H. A. Wallace revived the idea. On June 3, 1921, he announced the formation of a new department in his farm journal. Named the Service Bureau, this department acted as a consumer advocate and as an intermediary between companies that advertised in Wallaces' Farmer and its subscribers. The service was not free.

For a minimum three-year subscription each member of the service bureau received a membership certificate and a sign. "This sign," claimed Wallace, "will protect you from fake agents."¹⁶ The sign was also free advertising for the farm journal. Henry Wallace's awareness of the growing crime problem sharpened at this time. The state's largest daily newspaper, the Des Moines Register, had been routinely publishing front-page crime stories since the spring of 1919. Several states and two presidents established crime commissions during these years. What evidence was available seemed to indicate that an increase in crime was occurring in the 1920s. The state's total rate of convictions increased from 3.81 per 1,000 population to 5.57 between 1920 and 1925. More important, the conviction rate per 1,000 population in Iowa's twenty-one most rural counties nearly doubled from 2.29 to 4.50 during the same period. Moreover, the dramatic events

surrounding the 1920s rural bank robberies could not have escaped Wallace's attention.¹⁷

In 1923 Wallace believed that a serious rural crime problem existed and he began reporting rural developments and encouraging rural Iowans to take action. Rural lawmen were easy targets of Wallace's indignation. He maintained that these officers were "admittedly failing to cope with the situation."¹⁸ So bad had conditions become that Wallace went on to suggest that the answer might be to form local committees of shotgun-equipped farmer-vigilantes to protect their farms. While exploring alternatives Wallace tentatively proposed establishing a state police. In so doing, however, the editor was trying to prod into action the state's existing law enforcement officials rather than seriously proposing the formation of a state-wide program. He noted in an editorial the "increasing amount of thievery" in rural districts and a "renewed interest in the subject of a state police."¹⁹ Wallace's ambivalence regarding state police was plain. The expense to the state worried him, as did the use of such police in other states in grappling with industrial troubles rather than rural enforcement work. Still, he wrote, "conditions must be changed."²⁰

This editorial is revealing for two reasons. Wallace was not advocating a state police for Iowa; his two reservations

regarding their expense and potential misuse make that clear. Neither did he strongly support vigilantism. Wallace's real audience seems to have been the state's local, rural law officers. The alternatives suggested seem to be a goad, a means of getting local lawmen to pursue farm thievery cases more vigorously.

A better solution appeared in 1924 because it involved the volunteerism and local autonomy that Wallace cherished. It also promised an effective means of battling the rural "crime wave" his journal had identified. Vigilantism became the solution-of-choice for Wallaces' Farmer. Wallace wrote on May 9, 1924, that the service bureau was aware of the existence of protective associations and would like to learn more about them. "If your protective association has been making a good record in checking thievery, we wish you would write in and tell us how it was done." ²¹

Wallace vigorously threw himself into his anti-crime campaign. The front page of the December 5, 1924, edition carried the banner headline: "Getting Rid of the Sneak Thief: How the Vigilantes of Pioneer Days Put Down Horse Thieves and Bandits." An article summary placed within a box reads, "Stop Thief!" He wanted no one to miss this story. Wallace had no doubt about the cause of the sudden increase in farm thefts, writing that, "since the day of hard roads and the motor truck

has come, farmers have suffered greatly from organized thievery." Equally certain of the solution, Wallace said, "how can these depredations be stopped? There is an answer in the early history of the vigilante associations of the middlewest . . . And in the work of the local protective associations." ²² The entire front page and most of the eleventh in the December 15 issue contained a detailed description of the formation and operation of past Iowa vigilante groups.

H. A. Wallace knew of the Iowa Bankers' Association's vigilantes. At one point he wrote, "The bankers of Iowa have organized their vigilance committees . . . merchants of Iowa have hired detectives . . . now comes the farmer." ²³ The article carefully portrayed a positive image of extra-jurisdictional law enforcement, giving highest praise to the Anti-Horse Thief Association (AHTA). It was described as being more law-abiding than the vigilante associations and "a valuable aid to the officers of the law." ²⁴ Wallaces' Farmer had reached its first conclusion in the fight against farm thievery: crime-fighting worked best when it was a voluntary community-service activity. During the winter of 1924-1925, Wallace continued urging Iowans to establish protective associations of their own. Wallace blamed the inadequacies of

Iowa's rural law enforcement officers for the need of protective associations.

He wrote, "maybe it's politics and maybe it isn't, but many farm communities found a complaint about a dozen [stolen] chickens. . . . Was a good joke to law officers." ²⁵

Increased efforts were needed. Near Iowa Falls a considerable number of farmers reported poultry thefts. Farmers near Alta had hogs stolen. Kossuth county reported a "crime wave" in the vicinity.

The principal elements of the Wallaces' Farmer crime-fighting program was in place by 1925. The organization was voluntary. Many of the officers of the protective associations were farmers who already had leadership experience in their local Farm Bureau organizations. Pains were taken to prevent thefts by warning off potential thieves. Finally, local lawmen were becoming more aware of the seriousness of the farm theft problem.

Wallace began to help localities form protective associations. He announced in January, 1927, the creation of another Iowa protective association which owed its origin to the direct participation of Wallaces' Farmer. To aid those who wished to begin a protective association, the paper sent its employees out into the country to canvass farmers and to get them interested and enrolled into the new association.

Wrote Wallace, "their meeting was a fine example of what farmers can do to protect themselves and enjoy a good time thru [sic] association." ²⁶

Having passed through the stages of awareness, reporting, encouragement, and solution-discovery, Wallaces' Farmer moved into the final phase of its crime crusade in the summer of 1926. On June 25, Wallaces' Farmer announced its direct participation in the anti-crime crusade. "Stop farm thievery! Capture a thief and get a reward!" read the paper's headline.²⁷ No longer content to report developments or to encourage others to form protective associations, the paper was participating in events. Wallaces' Farmer had become its own protective association. The paper began a new policy directed at rural lawmen that winter. It stopped chastising them and began instead to praise them. Sheriff Paul T. Beardsley, who had captured "Chicken" Wilson and "Whitey" Lime in Woodbury County, was the first to receive the editors' applause.

Sheriff Beardsley warranted so much attention from Wallace not only because he subscribed to the paper's program, but also because he had created an innovation that Wallace wanted to share. Beardsley seems to have been among the first of Iowa's sheriffs to see the enforcement potential that telephones represented. Rather than personally respond to a

complaint of farm theft, the sheriff used the telephone to contact his closest association member. The Woodbury county sheriff, Wallace said, "has a man on the job practically as soon as the case is reported, and in this manner has been able to catch the thieves in every case." ²⁸

Putting the sheriff's photograph in the paper was a strong message; one no Iowa sheriff (an elected official) could miss. Undreamed of free publicity was available to sheriffs who pleased Wallaces' Farmer. Others who supported the newspaper's program received praise. Audubon county authorities caught cattle rustlers. Ex-sheriff William Northrup of Ross, Iowa, received Wallace's applause and a \$25 reward for capturing rustlers who had stolen from a Service Bureau member and for his observation that "this thievery campaign of Wallaces' Farmer is a move in the right direction." ²⁹ The character of the journal's anti-crime program had become complete by the end of 1927, and it continued to be a significant activity in succeeding decades.

The farm paper had rapidly progressed between 1921 and 1927 through successive stages of awareness, reporting and encouragement, solution-discovery, and finally, direct participation. The solution H. A. Wallace and W. E. Drips pursued was rooted in the state's traditions and consisted of voluntary, local community-oriented vigilantism. The paper

was able to encourage local lawmen and state politicians to support their approach by rewarding them with free publicity.

Wallaces' Farmer continued to pursue its anti-farm theft campaign until after World War II. Whether it was as successful as the editors believed is uncertain. Through this program the editors surely increased public awareness of the farm thievery problem. Furthermore, perhaps because of the reward and publicity potential, some rural sheriffs were demonstrably more responsive to farm theft cases at the end than at the beginning of the decade. The rate of reported misdemeanor convictions declined in the state after 1927. It is, of course, impossible to determine whether that reduction is directly attributable to the paper's anti-farm thievery activities. What is certain is that farm thievery was a problem in Iowa during the 1920s and that Wallaces' Farmer actively combatted it.

Just as the Wallaces' Farmer's crusade became established, the IBA's lassitude was shattered. During the winter of 1929-1930 three rural banks reported daylight holdups: Dean in Appanoose County lost \$1,667.30 on December 5, Quimby in Cherokee County lost \$7,808.62 on January 3, and Garnavillo (population 846) lost \$488.33. The combined losses totalled nearly \$10,000 and everyone expected more holdups.

Citing the "extensive outbreak of bank holdups" the bankers association pressured Governor John Hammill for state help.³⁰ He told the bankers that the key to suppressing the rash of holdups lay with their own vigilance committees if only they could be reorganized and energized. He added that the state had no money for such a project but that he was personally willing to do what he could.

The bankers responded with a request for a state detective's badge. They promised to pay for a new man to lead a vigilante task force if the governor would provide official sanction. Hammill obliged the bankers by asking for a recommendation as to whom he should appoint. Aware that the job required someone who could smoothly and effectively deal with the thirty-one county sheriffs who still had resident IBA vigilantes, the bankers chose R. W. Nebergall, Story County's popular sheriff, editor of the Iowa Sheriff, and a leader in the sheriffs' professionalization efforts.³¹

Agent Nebergall worked quickly to reorganize and reanimate the vigilantes from his offices at the IBA's headquarters in Des Moines. A clever man, he knew that using a war against crime or a patriotic appeal would fail to excite depression-weary Iowa farmers. Instead he set up a large display of the guns, ammunition, bullet-proof vests, tear gas grenades, and, inevitably, the Thompson submachine guns that

were newly available to the IBA's men. The guns were no longer offered free of charge because depression exigencies had affected the bankers', too, but Nebergall promised to sell them at the IBA's cost.³²

Governor Hammill reneged somewhat on his decision to spend no state money on Nebergall's undertaking following the dual robberies on March 7 of the bank at Winterset in Madison County and at Goodell in Hancock County. The governor assigned three BCI agents to full-time bank robbery investigations. These agents had instructions from Hammill to "cooperate directly with the Officers of the Iowa Bankers' Association." ³³ For their part, the bankers assigned their association lawyers, at IBA expense, to help local county attorneys, most of whom had little trial experience, to prosecute bank robbers. In eight of the fifteen prosecutions that year, the county attorneys gratefully accepted the help. Nebergall took to the road once his gun display was in place. His priority was to reactivate lapsed Vigilance Committees as he did during his visit to the Ringgold County courthouse in Mount Ayr that October. Before a large audience that included thirty-four area bankers, Nebergall displayed the IBA's new guns, enrolled thirty-seven local farmers, and observed the sheriff deputize them before leaving.³⁴

The state agent had reason to press his efforts because the robbery rate increased from fourteen in 1930 to sixteen in 1931. His IBA bosses were getting anxious for results. Although they were climbing, the bank holdups hit only 2 percent of the state's 820 remaining banking towns. No one seemed to notice, however, that Iowa was 98 percent free of bank robberies. They noticed instead events such as the one in which two well-dressed men entered the Benton County State Bank at Blairstown one Saturday afternoon. They robbed teller R. D. Kimm of \$1,382 before locking him in the bank's vault and fleeing in a stolen car. The Blairstown holdup was only one of the year's sixteen "bank jobs," the total losses from which amounted to \$31,816 according to IBA president I. O. Hasbrock.³⁵

Nebergall believed that a new type of foe, the so-called "syndicated gang" had appeared in the 1930s. He believed that the sheriffs and vigilantes no longer faced the independent small-town youths of the 1920s but an older, more vicious class of criminals. These new criminals were highly specialized professionals equipped with machine guns, tear gas and powerful automobiles fitted with smoke screen devices. Big city people, these criminals lived in the Midwest's largest cities where they benefitted from the protection of political and police graft and where they enjoyed the services

of the big city lawyers they retained in the event of their capture.³⁶

As with the "crime wave," the syndicated gang of the 1930s was a myth. Of the era's six most famous bank robbers: John Dillinger, Charles Arthur "Pretty Boy" Floyd, Lester Gillis, a.k.a. "Baby Face Nelson," Arizona Clark "Ma" Barker, Clyde Barrow and Bonnie Parker, only "Baby Face" had an urban childhood. John Dillinger grew up near Mooresville, Indiana, on his father's farm. "Pretty Boy" Floyd spent his earlier days as a farmer's son and as a farmer in Oklahoma. "Ma" Barker came from an Ozarks mountain farm. Clyde Barrow and Bonnie Parker shared rural origins. He was a farmer's son, she a small town country girl, both of whom came from the Texas panhandle near a tiny town called Denton. None of the six ever operated anything like a criminal "syndicate." Only "Baby Face" Nelson had any connection with organized crime, having briefly served Al Capone as an "enforcer" until his psychopathic love of killing made even Capone shun him. As with their more attention-getting comrades, Iowa's bank robbery gangs consisted of rural, often local, people.³⁷

Typical of Iowa's rural bank robbers was the McDonald Gang of Iowa County. Led by 26-year-old Mrs. William J. McDonald, Jr., of Victor, the gang included her husband and two friends from the McDonald's country school days, Richard

D. Ringler and Louis Burry. On June 16, 1938, Mrs. McDonald drove the men to the North English Savings Bank where she waited inside the getaway car while they robbed the bank. On September 1st, the gang repeated its success by robbing the bank at Hedrick. After the Hedrick holdup the gang separated. The McDonalds were apprehended in Chicago where they had gone to spend their share of the loot. Ringler and Burry were arrested on the highway near Grinnell while trying to find a safe hideout. Ringler led officers to his farm near Victor where he handed over to them a buried fruit jar containing \$229 of the stolen money. All four of the gang members pled guilty to bank robbery charges at their hearings. William J. McDonald, Jr. and his wife each received 25-year sentences.³⁸

Despite the ballyhoo, the number of Iowa bank robberies remained small throughout the 1930s. In 1933 there were only six holdups affecting not quite 1 percent of the state's 628 remaining banking towns. Iowa's bankers continued to concentrate on the robberies despite their low incidence rate as the New Deal Federal Bureau of Investigation's anti-bank robbery efforts made some of the robbery gangs famous.

None of the gangs coming to Iowa gained more notoriety than Bonnie and Clyde. Before they arrived in Iowa in July, 1933, Bonnie Parker and Clyde Barrow had been notorious for a year largely because of Bonnie's practice of corresponding

with local newspapers. As with almost everything else they did, their visit to Iowa was unplanned. Joined by Clyde's brother Marvin, a.k.a. Buck, and sister-in-law Blanche, the pair had been in hiding since an automobile accident left Bonnie badly burned that spring. In July the band left their tourist camp hiding place near Great Bend, Kansas, when some of their cabin neighbors showed too keen an interest in them. Meandering without a clear goal, the gang stopped in Fort Dodge long enough to rob three filling stations for travel money. From Fort Dodge they headed south, stopping to rest at a tourist camp at Platte City, Missouri, not far from the Iowa border. At the Missouri camp a gun fight erupted on July 17 between the gang members and local officers. The gang escaped capture but not before Buck was grievously wounded and Blanche caught flying slivers of windshield glass in her eyes.³⁹

For seven days Iowa's sheriffs searched for the Barrows. State agents believed they had spotted Bonnie in Mount Ayr the day following the Platte City battle and so they concentrated their efforts in and around Ringgold County. In fact, they were three counties too far south. On the afternoon of July 23, farmer Henry Penn watched from the cover of the berry bushes he had been picking. He saw Blanche Barrow enter a small clearing in the Dexfield Park between Dexter and Redfield in Dallas county some thirty miles southwest of Des

Moines. Henry Penn knew who it was he had seen. He told his friend John Love, a Dallas County IBA Vigilante, and Love immediately telephoned Dallas County Sheriff C. A. Knee with the information.⁴⁰

Knee summoned his vigilantes and led them to the Dexfield Park where he positioned them in small groups to ring the park and await the promised reinforcements from Des Moines. Knowing of Clyde Barrow's reputation for using military firearms, Sheriff Knee frantically tried to locate a machine gun for himself. He never got one for himself, but at midnight men from the Des Moines Police Department, the Polk County Sheriff's Office, the Iowa State Sheriffs' Association, the National Guard, and the Lewis System, a private security company, all arrived carrying Thompson submachine guns. Sheriff Knee remained in charge and placed his regular deputy, Burger, and a vigilante named Place on a slight hill overlooking the park's entrance bridge. The sheriff told his posse to try to sleep, there was nothing else to do until morning.⁴¹

At daybreak on the 24th BCI Chief Park Findley appeared at the park to take charge. He ordered the officers to arrest the Barrow gang. As officers approached what they thought was the sleeping gang, they came under machine gun fire. They scrambled for cover while other posse members returned the

gang's fire from the perimeter. They concentrated on the Ford V-8 Clyde was driving, and he ran the car into a tree stump when one of the officers' bullets struck his arm, making him lose control of the steering wheel. The Ford's axle broke as a result of the impact of the collision; and Clyde ran from it to the gang's other car, the one stolen the day before in Dexter. It would not run, having been literally shot to pieces by the officers' Thompsons. Clyde returned to the first car and pulled Bonnie from the seat. Together they ran into the woods. Buck and Blanche crawled a few hundred feet and lay behind a fallen tree still within sight of their night's camp. Deputy Burger and Vigilante E. A. Place heard the explosion of gunfire from their hillside perch overlooking the park's entrance bridge. When they saw Bonnie and Clyde approach, both officers fired their handguns at the pair, driving them off the path and into the creek below the bridge. Deputy Burger continued firing, finally hitting Bonnie in the back as she clawed her way up the opposite embankment. The officers lost sight of Bonnie and Clyde as they entered a thicket bordering the park. Afraid to charge blindly after them, the officers waited at the bridge hoping to catch the other gang members.⁴²

Wounded and on foot Clyde, carrying Bonnie, happened upon a fifth gang member, Jack Sherman, who was walking along the

road bordering the park. The three followed the road until they saw a nearby farm house. Farmer Valley Fellers and his family were standing in the farm yard listening to the sounds of the nearby gun battle when three bedraggled people carrying handguns walked up to them. Clyde ordered the family to stand still while Sherman placed Bonnie inside the family's Plymouth. Clyde got behind the wheel and drove away without saying another word to the surprised family. Clyde drove the threesome to a Polk City filling station. He had intended only to steal enough gasoline to continue running, but when he saw station attendant George Albright's new Chevrolet parked next to the office he stole it instead. Officers discovered Albright's car abandoned the following day in Broken Bow, Nebraska.⁴³

Officers continued to search Dexfield Park for the other members of the gang. Buck and Blanche remained hidden behind the fallen tree during Bonnie and Clyde's escape with Jack Sherman. They heard an airplane belonging to the Des Moines Register and carrying Chief Findley looking for them and surmised that Bonnie and Clyde must still be free. The Barrows remained hidden for two hours before being spotted by Des Moines dentist and guardsman H. W. Keller. Walking with Keller was Dallas County Vigilante James Young of Dexter, but Young did not notice the concealed pair until Keller shot Buck

in the head without warning. Officers transported Buck to the King's Daughters Hospital in nearby Perry where he died on August 1, 1933, of an infection from the head wound the dentist had inflicted upon him. Bonnie and Clyde died of gunshot wounds nine months later in rural Louisiana on May 24, 1934.⁴⁴

By that time, Iowa's vigilante movement had declined. During the nine months that the pair remained free the number of Iowa vigilantes plummeted from 1,588 in 262 banking towns to 885 in 163 banking towns. An occasional bank robbery still occurred, as when three men wearing sun glasses robbed the Monona State Bank of \$2,241 in July of 1935, but holdups were becoming rare.⁴⁵ In 1937 holdups befell only two banks, leading the IBA to start dismantling its remaining vigilantes. It is worth noting that, with 529 remaining banking towns, the bank robbery rate of .5 percent in 1937 exactly matched the 1921 incidence rate. Whereas in 1921 the IBA had taken a .5 percent incidence rate as proof of a crisis, in 1937 the same rate was considered as proof of their victory over crime. In fact, the perception of rural crime, not the reality, had changed.

By 1937 the IBA wanted their vigilantes to fade away. When Chickasaw County Vigilance Committee leader Joe Menges wrote to the state headquarters asking for help to keep his

group active, the IBA suggested that it be allowed to "lapse for a while" because of "the need for general great economy everywhere." ⁴⁶ Kossuth County Vigilante Chief H. L. Gilmore received a similar message when he wrote IBA Secretary Frank Warner saying that a social event to "sort of put a little new life into the organization" was planned. Warner discouraged Gilmore, noting that, the "Iowa Police Radio System" made it "less and less . . . necessary to maintain Vigilance Committees," and that Gilmore should let his band lapse.⁴⁷

By the decade's end the IBA's policy of neglect had worked. Fewer than 300 vigilantes remained active in forty-nine banking towns across Iowa. The IBA did not miss them. It said that the BCI, the State Police Radio, the sheriffs' professionalization, the Iowa Highway Patrol, the Federal Bureau of Investigation, and most of all the Federal Deposit Insurance Corporation that guaranteed depositors' losses, "have replaced the void in law enforcement that precipitated the need for IBA Vigilantes."

Iowa's vigilante experiment, born of the mistaken judgment that the state faced a rural crime wave, ended quietly through the bankers planned neglect in the late 1930s. It is fortunate that it did so. Arming hundreds of inadequately prepared citizens was a holdover idea that simply was not appropriate in 20th century America. Furthermore, it

was not necessary because the anticipated crime wave did not come. Worst of all, and most dangerous, the presence of vigilantes actually complicated the only major, large-scale "criminal" threat to rural Iowa's peace--the Cornbelt Rebellion.

End Notes

¹A sizable historiography exists concerning Iowa's frontier vigilantes. See: Paul Walton Black, "Lynchings in Iowa," The Iowa Journal of History and Politics 10 (April 1912), pp. 151-254; Frederick C. Smith, "The Green Goods Case," The Iowa Journal of History and Politics 38 (April 1940), pp. 163-81; Eliphalet Price, "The Trial and Execution of Patrick O'Conner at the Dubuque Mines in the Summer of 1834," The Palimpsest 1 (September 1920), pp. 87-99; John C. Parish, "White Beans for Hanging," The Palimpsest 1 (July 1920), pp. 9-28; Donald L. McMurray, "The Pacific City Fight," The Palimpsest 2 (May 1921), pp. 183-89; Jocelyn Wallace, "An Iowa Doone Band," The Palimpsest 4 (August 1923), pp. 267-80; Erik McKinley Ericksson, "The Boyd Wilkinson Case," The Palimpsest 6 (March 1925), pp. 95-104; Charles H. Babbit, "At the End of Their Rope," The Palimpsest 6 (December 1925), pp. 405-8; J. A. Swisher, "The Jones City Calf Case," The Palimpsest 7 (July 1926), pp. 197-208; N. Tjernagel, "The Last Horse Robbery," The Palimpsest 12 (October 1931), pp. 373-80; John Ely Briggs, "A Penitentiary for Iowa," The Palimpsest 20 (December 1939), pp. 400-10; John Ely Briggs, "Pioneer Gangsters," The Palimpsest 21 (March 1940), pp. 73-90; Thomas E. Tweitto, "Mississippi Pirates," The Palimpsest 23 (May 1942), pp. 185-88; Geo. F. Robeson, "Rough Justice," The Palimpsest 32 (January 1951), pp. 51-54; H. J. Mantz, "Audubon County's 'Troublesome Gang,'" Annals of Iowa 3rd Ser. 30 (April 1950), pp. 269-78; James E. Parker, "Pioneer Protection from Horse Thieves," Annals of Iowa 3rd Ser. 6 (April 1903), pp. 59-63. It is worth noting that the publication dates of these monographs roughly correspond to the periods of renewed interest in vigilantism in Iowa in the 1920s and 1930s.

²Proceedings of the 35th Annual Convention of the Iowa Bankers' Association (June 1921), pp. 171-72. Hereafter cited as ___ IBA, pp. ___.

³Ibid., p. 168.

⁴Waukon Republican and Standard 7 December 1921.

⁵37th IBA (1923), p. 202.

⁶35th IBA (1921), p. 169.

⁷IBA Collection Boxes 78-89. Available at the Parks' Library Special Collections Department, Iowa State University, Ames, Iowa.

⁸37th IBA (1923), p. 196.

⁹Iowa Sheriff (December 1929): 21.

¹⁰37th IBA (1923), p. 202.

¹¹Ibid., p. 195.

¹²60th IBA, p. 360.

¹³The bulk of the Wallaces' Farmer material appeared previously. See: Douglas Wertsch, "Wallaces' Farmer's Crusade Against Rural Crime in the 1920s," The Annals of Iowa 50, 3rd Ser. (Spring 1990): 375-89.

¹⁴Bruce Smith, Rural Crime Control (New York: Harcourt, Brace & World 1933), pp. 3-4.

¹⁵James F. Evans, Prairie Farmer and WLS: The Burr ridge D. Butler Years (Urbana: University of Illinois Press, 1969), p. 77; Wallaces' Farmer 27 December 1912 and 7 February 1913.

¹⁶Wallaces' Farmer 3 June 1921.

¹⁷Charles N. Burrows, "Criminal Statistics in Iowa," University of Iowa Studies in the Social Sciences 9 (July 1930): 106-9.

¹⁸Wallaces' Farmer 23 February 1923.

¹⁹Ibid.

²⁰Ibid., 21 January 1927, 23 February 1923.

²¹Ibid., 9 May 1924.

²²Ibid., 5 December 1924.

²³Ibid., 25 June 1926.

²⁴Ibid., 19 December 1924.

²⁵Ibid., 21 January 1927.

²⁶Ibid.

²⁷Ibid., 25 June 1926.

²⁸Ibid., 25 February 1927.

²⁹Ibid., 4 March 1927.

³⁰44th IBA, p. 379.

³¹Ibid., 374.

³²Iowa Sheriff (April 1932): 3.

³³44th IBA, p. 379.

³⁴Mount Ayr Record-News 16 October 1930.

³⁵Pioneer-Republican of Iowa County 3 December 1931; Iowa Sheriff (April 1932): 3.

³⁶Iowa Sheriff (April 1933): 1-3.

³⁷Timothy Jacobs, The Gangsters (Hong Kong: Brompton Books, 1990), pp. 80-89.

³⁸Pioneer-Republican of Iowa County 15 September 1928, 3 November 1928.

³⁹Jacobs, Gangsters, p. 80; Des Moines Tribune 28 July 1933.

⁴⁰Dallas County Record 26 July 1933; Des Moines Tribune 28 July 1933; Iowa Sheriff (August 1933): 2.

⁴¹Des Moines Tribune 24 July 1933; Des Moines Register 25 July 1933, p. 12; Dallas County Record 2 August 1933.

⁴²Ibid.

⁴³Ibid.

⁴⁴Dallas County Record 4 August 1933; Jacobs, Gangsters, p. 92.

⁴⁵60th IBA, p. 360; Waukon Democrat 17 July 1935.

⁴⁶IBA Collection, MSS 45, Box 87, Folder 7: letter dated October 29, 1937.

⁴⁷Ibid., letters dated January 24 and 25, 1934.

CHAPTER 8

SUBDUING THE CORNBELT REBELLION

During the Cornbelt Rebellion, the interwar period's only concentrated threat to rural Iowa's peace, each of the elements already discussed, police professionalization, the advent of state involvement with rural law enforcement, and the vigilante movement, came together and each played its part in its resolution.

Between the winter of 1931 and the spring of 1933 some of Iowa's sheriffs had their nascent professionalization tested to the full as northwestern Iowa farmers participated in the Cornbelt Rebellion. At first the sheriffs dithered in response to the mass lawlessness that confronted them. Then they tried using gentle words and quiet persuasion to quell the disturbances. When that approach failed, they tried the New Deal's "get tough" attitude which led to reprisals and finally to martial law. Finally, they returned to their traditional mode of enforcement which depended upon familiarity and community consensus to attain the consent of the governed necessary for them to keep the peace.

Some rural Iowa sheriffs found that their enthusiasm for being part of the New Deal's war against crime turned sour in the face of lawbreaking mobs of embittered neighbors and

voters. J. Edgar Hoover's image of a titanic struggle between good and evil withered before the reality of a struggle between good and good. During the period from August, 1932, and April, 1933, northwest Iowa's sheriffs found themselves to be utterly unprepared for the mass rebellion of their constituents. They were battling friends, not imaginary big city gangsters. It was not that rural unrest was unknown; civil strife had occasionally disturbed the hinterland. In 1922, for example, it had required twenty patrolling U.S. Marshals to calm Creston residents after a railroad guard had shot dead a railroad picketer.¹ In the 1930s, however, the scale of the violence and the number of local participants made the out-break of civil discord unique.²

Iowa's dispossessed farmers grew increasingly truculent as the agricultural depression of the 1920s became the all-encompassing Great Depression of the 1930s. A spectacular expression of rural anger occurred on March 19, 1931, when 1,500 farmers occupied the statehouse, protesting among other things the lawmakers' plans to establish a state highway patrol.³ American Farm Federation president Edward A. O'Neal III noted the heartland's dangerous atmosphere, warning Congress in January, 1932, that, "Unless something is done for the American farmer we'll have revolution in the countryside in less than twelve months."⁴

One sign O'Neal and others saw of brewing trouble was the number of farm foreclosures. Across the nation in 1929, 58 farms in every 1,000 changed hands, 19 of them through forced sales. In 1932 that number rose to the alarming figure of 77 in every 1,000 farms and worse, 42 of them were subjected to forced sales. After a decade of seeing their status slip, panicky farmers began observing their friends and neighbors ousted from their land. A whole generation watched its work come to count for nothing as the number of the dispossessed multiplied.⁵

In Iowa, as across the Middle West, the call for mutiny arose as farmers gathered in their county courthouses to hold mass meetings of protest. During the winter of 1931-1932, Iowa's angry farmers discovered the power of collective action as they saw their efforts halt farm-foreclosing sheriff's sales. Iowa's sheriffs walked the uncomfortable tightrope of public expectation. Their oath bound them to execute the court's order to take away farms from their neighbors; their constituents hotly demanded that they help them retain their farms. Knowledge that the upcoming elections with the all important June primaries were fast approaching exacerbated the sheriffs' position. They dawdled, they excused, they paused and finally, in the face of overwhelming voter acrimony, they stopped conducting sheriff's sales altogether.

They could not maintain stasis for long. Economic and political pressures continued to build. Spring became summer, the primaries passed, and Iowa's farmers found a new voice in the Farm Holiday Association. Milo Reno, the "Holidayayers'" leader, urged a buying, selling, and taxpaying farmers' strike to force Congress to provide relief. He called his strike a holiday in a bitter parody of the way bankers closed their banks to depositors on self-declared "holidays" when they could not serve their customers. An anonymous rural wag popularized the Association's name with a jingle:

Let's call a "Farmers' Holiday"
A Holiday let's hold.
We'll eat our wheat and ham and eggs
And let them eat their gold.⁶

Reno announced that the Holiday would commence on August 11, 1932. Iowa's hot spot was Sioux City.⁷ By the 14th more than 1,500 farmers had blockaded all five of the city's entry points. They stopped trucks carrying produce to town by laying thrasher's belts and debris across the highways. Pottawattamie and Harrison County pickets did the same thing at Council Bluffs to choke off deliveries to Omaha from the Iowa side of the Missouri River. Picketers even stopped trains on one occasion eighteen miles from Sioux City.

The sheriffs' first reacted to the strikes with gentle words and quiet persuasion. Hundreds of county vigilantes had

been organized by the Iowa Bankers' Association as anti-bank robbery constabularies, but the sheriffs called up only a handful of them to meet the emergency. Pottawattamie County Sheriff Percy Lainson is one who pursued the quiet approach. When he found more than a hundred picketers congregated at Council Bluffs' limits he admonished them softly and left them unmolested after extracting from them a promise to avoid violence while stopping trucks at their barricade.⁸

Harrison County Sheriff C. F. Cross also used a mild approach. When the first rumors of the incipient rebellion reached him he went to the home of the local county Holiday Association president, Clifton Savery. Sheriff Cross reminded Savery of his followers' ugly temper and told him that he would hold the president personally responsible for any violence that occurred. Cross knew that seeing Savery was a gamble. Neither he nor Savery could forecast the local picketers' response to the threat. But Cross' gamble worked. Admitting to the sheriff that his men were beyond restraint and that he could not guarantee their good behavior, he ordered his membership to halt the strike and go home.⁹

While passions cooled in Harrison County, they were heating up near Sioux City. Governor Dan Turner's statement to the press that the "highways will be kept open and mob rule will not be tolerated" helped not at all in quieting the

situation. Neither did the broken leg that blockade runner Harvey Harrison got when his truck smashed into a timber across a road near Washta. Still, the sheriffs' dependence upon friendly familiarity with the local picketers worked at first. Their tactic began failing when the sides hardened beyond familiarity's shadow.¹⁰

Rancor first appeared between the sheriffs and the striking farmers during the second week of strikes. One mile south of Council Bluffs, a clash occurred between three of Sheriff Lainson's special deputies and a crowd of wildcat strikers. The forest of accusation and counter accusation makes it impossible to know precisely what happened, but officers did use tear gas against the crowd which included women and children. Tempers flared following the gas attack. Sheriff Lainson deputized an additional fifty men, vowing angrily to sweep the highways of picketers. His deputies tried to do just that, at one point arresting thirteen strikers at the site of the gassing. More than thirteen new picketers replaced them within minutes.¹¹

Gentleness and toleration disappeared as violence on the highways escalated. Both sides abandoned any pretense of good will or calm after the drawing of blood. One of the worst episodes involved R. D. Markell, a 67-year-old farmer who despised the Holiday Association. He died with a picketers'

slug in him while trying to ram his truck past a barricade. The court later freed Niles Cochrane, Markell's alleged slayer, for lack of evidence.¹²

As violence begot violence, the sheriffs found themselves under attack. On August 29 eleven of Woodbury County Sheriff John A. Davenport's special deputies were attacked near Cushing while enroute from Merville to Sioux City. Farmer William Turner had six loads of hogs ready for market but feared confronting the pickets. Several hundred striking farmers stopped his convoy near Cushing and then charged the trucks, hitting the deputies with clubs and pipes, severely injuring many of them and turning the trucks around.¹³

Some sheriffs resorted to reprisals. The day after the attack on the Woodbury County deputies, A. N. Tilton, sheriff of bordering Cherokee County, joined in a shotgun attack against strikers near the county seat of Cherokee. On August 30 Sheriff Tilton and eight other masked men in two cars drove past a roadblock on Highway 21. They shot down fourteen strikers before racing away. Three of the assailants were accused of the drive-by shooting: Sheriff Tilton, Harrison Steele of Steele's Bank in Cherokee, and Ralph White, a former Cherokee police officer. The court freed Sheriff Tilton on a directed verdict; the other men never faced criminal charges.¹⁴

Back at Sioux City's barricades reprisals continued on September 7th and 8th. On the 7th more than 160 special deputies clashed with picketers at two different points. At the place where Highway 75 enters the city's north side, more than 100 Plymouth County deputies exchanged gunfire with picketers as they ran the blockade with a convoy of twenty-seven cattle trucks. At another location sixty deputies armed with police billy clubs assaulted thirty-five unarmed picketers sending them reeling into the cover of an adjacent corn field. In neither incident did the officers attempt to make arrests. Their purpose was revenge, not apprehension. Grudges began developing between the deputies and the picketers. The strike was nearly a month old when the reprisals began. It seems that the sheriffs were losing control of their deputies. In retaliation for the September 7 clubbing attack, the picketers arranged the next day for a phoney escort. The deputies passed into the city without incident but were brutally attacked with clubs on their return trip.¹⁵

County jails provided the setting for some of the strike's worst moments. Sheriff Percy Lainson's Pottawattamie County Jail in Sioux City soon filled to overflowing. On August 25 more than 2,000 bib-overall clad farmers surrounded his jail and shouted for the release of the forty-three

strikers he held inside. Lainson had advance warning of the mob's arrival and hastily organized a guard of 200 men, delighting those who carried the sheriff's new Thompson submachine guns. As tensions climbed with each exchanged cat call and insult, Sheriff Lainson took creative steps to avoid the carnage he believed would come if the mob charged his amateur deputies and their machine guns. He had hoped the sight of the Thompsons would subdue the mob, but when they only incited the crowd he quickly arranged for each prisoner's bail and set them free. The narrowly avoided catastrophe signalled Sheriff Lainson's return to a gentle and quiet strategy. His show of force at the jail produced a result opposite of what he intended, so he sent all but a handful of his deputies home and withdrew his patrols from the blockaded highways.¹⁶

Sheriff Lainson may have been influenced to free his prisoners by the Clay County sheriff's identical decision the day before in Spencer, ninety-five miles distant. There a stubborn farmer named L. E. Norman deliberately tried to increase local tensions, which were slight. Norman was one of several picketers who were in the jail on misdemeanor charges of obstructing a public highway. Each of his fellows had happily accepted the chance to leave jail under bonds the sheriff arranged. Norman refused to go, saying he wanted to

be a martyr. When a hundred sympathetic farmers arrived at the jail to demand his release, the sheriff secured a bond for Norman and bodily threw him from the jail's front door before the mob could become unruly.¹⁷

At the Clinton County Jail, 275 miles from Sioux City, 500 farmers appeared at the end of August demanding the release of picketers. The Clinton men were less agitated than those in northwest Iowa, and the sheriff held onto his prisoners by passing out shotguns to his special deputies. The shotguns subdued the Clinton crowd which left the jail house without further incident.¹⁸

The strike was broken by summer's end. The arrests and the violence, especially the shooting at Cherokee, shook the Holiday Association's leadership. Said one New York Times correspondent, "[they] blew up, frightened at the appearance of the ugly monster into which its innocent child had so unexpectedly grown."¹⁹ On August 26 officers arrested eighty-seven picketers, robbing the barricades of men in an impressive display of force. Milo Reno and other Holiday leaders declared September 1 to be the beginning of a "temporary truce." At Council Bluffs Pottawattamie County Grand jurors briefly considered investigating the farm strike but then declined because too many of their neighbors had been involved.²⁰ While the strike's violence had ended without

resort to outside enforcement assistance, the farmers were still without relief, they were still losing their farms, and they were still infuriated.

Rural Iowans did not abandon collective action following the failed farm strike. As the number of Iowa's farm foreclosures peaked at eight for every 100 farms in 1933, angry farmers drew upon their frontier past and the Farmers' Holiday movement for solutions to the growing farm foreclosure emergency. Their efforts to forestall sheriff's farm sales, like the farm strike, represented a spontaneous and unorganized grassroots phenomenon. Known as penny auctions, their first anti-foreclosure attempts closely imitated their forbearers' "claim clubs" of a century before. Like the claim clubs, penny auctions circumvented the law by complying with its letter and violating its spirit. On the appointed day a distressed farmer's friends and neighbors appeared to make penny bids on his land, livestock, and implements. At the proceeding's end, the penny bidders would pay up, thereby satisfying the legal specifications, and then return the property to the original owner. No doubt bemused, the sheriff then reported to the court the result of his foreclosure sale.²¹

The sheriffs did not initially see the penny auctions for the ominous signs of discontentment that they were. By drawing upon their frontier heritage for solutions, the farmers signalled their belief that they, like their ancestors, lacked legal protection. The timing of the penny auctions also was a portent of future conflict. They appeared just as Iowa's rural sheriffs had embraced J. Edgar Hoover's message that they were civilization's best defense against anarchy. A polarity emerged between the protectors and many of the protected who began to see sheriffs and courts as enemies instead of allies. While the sheriffs wrestled with some of their farmers' penny auctions they also had to deal with other farmers' petitions and demands as well.

As elsewhere in the state, farmers in Allamakee and Ringgold Counties gathered at their county seats to protest and to plan a confrontation in the foreclosure crisis in the months following the strike. Claiming that Iowa's farmers were fast becoming peasants, Jesse Sickles, the local Holiday representative, implored county farmers to sustain the Association at a mass meeting in the county courthouse. A few weeks later an Iowa Farmers' Union representative named Glenn Miller spoke for three hours before a throng of picnicking Allamakee County farmers. He blamed Presidents Coolidge and Hoover for the farmers' plight.²² Ringgold County farmers

gathered in the courthouse that winter to listen to the Farmers' Holiday local chairman, Bert Neville, discuss the farm mortgage crisis. More than 250 of them signed Neville's petition which said, "We, the undersigned, have assembled this 9th day of January 1933 . . . to protest the foreclosures of . . . [farm] mortgages."²³ A seven-point resolution followed, demanding:

- #1 a reduction of the county engineer's salary to \$1,000
- #2 direct election of the local school superintendent
- #3 the county farm's equipment remain on the farm
- #4 county road building halt immediately
- #5 a guaranteed hiring preference for married men on the county's highway maintenance crews.
- #6 the resignation of two unpopular members of the county board of supervisors
- #7 work on the county roads in lieu of paying the poll tax

A local constable named John Nissen was among those who participated in this meeting. He went so far as to second a motion that the county disconnect its support from the county Farm Bureau office. County Supervisor Dennis R. Shay also participated in the meeting, agreeing to keep the meeting's minutes during the afternoon session. Two weeks later a similar protest meeting occurred, this time attended by 1,500 area farmers. Protests such as these surfaced across the state and marked the second phase of farmer unrest.²⁴

In the northwest corner of the state such meetings presaged the second phase of the state's most famous rural rebellion. Chief of the state Bureau of Criminal Investigation Park Findley identified four reasons why farmer unrest became farmer rebellion in northwest Iowa. These were: drought, grasshoppers, depression, and communist propaganda. His analysis held some truth, nature did seem to conspire with economics that spring. Among the "cornbelt rebellion's" worst spots, Plymouth county had suffered all four of the calamities Parks identified. Residents and their livestock there both gratefully received American Red Cross food parcels that spring. Chief Parks erred in his assessment of the communist involvement, however. Three Moscow trained communist agitators were in the troubled area, but their contribution to succeeding developments proved negligible.²⁵

Like the farm strike and the penny auctions, the burst of violence in Plymouth, O'Brien, and Crawford counties happened unbidden and unanticipated. The spring's grim events began on April 18, 1933, at a small tenant farm 3.5 miles from the county seat of LeMars. Sheriff R. E. Rippey drove alone to Ed Durband's farm that morning. He expected no trouble from the usually quiet tenant farmer. The approach to the farm gave no clue, the place looked calm and deserted from the road. But as Sheriff Rippey approached the farm house with an eviction

notice in his hand, a large crowd of angry farmers appeared as if from thin air. They accosted the sheriff before he could speak, disarmed him, and took another gun from his car. Two in the crowd emptied the sheriff's guns and returned them to him. They were not going to break the law, they said. They were just not going to allow the sheriff to evict the Durband family. As Rippey stood listening to the crowd, one of its number moved to his car unnoticed to search his briefcase for additional eviction notices and to pour water into his gas tank. Rippey left the Durband farm abashed but unharmed. Behind him he left a multitude of contented farmers who spent the next few days enjoying the contents of their wives' picnic baskets as they awaited Sheriff Rippey's return.²⁶

It was a wearing wait. As had sheriffs Percy Lainson and C. F. Cross of Pottawattamie and Harrison counties before him, Rippey chose to pursue a gentle and quiet tactic in answer to the farmers' actions. Doubtless guiding Sheriff Rippey was the previous summer's violence. If gentle words and quiet persuasion failed, then he would try tedium. Eventually, he reasoned, the farmers would leave the farm out of boredom without his prodding.

Events proved the sheriff right but with disastrous results. After more than a week's wait some of the Durband farmers decided to resolve the muddle on their own. Since

Sheriff Rippey showed no sign of action, they left the farm in search of C. E. Becker, Durband's landlord, who lived in LeMars. Becker met the farmers with sharp words and a defiant refusal to rescind his eviction notice. After trading insults with Becker, the farmers left him unharmed.²⁷

If neither the sheriff nor the landlord could give satisfaction, the Durband farmers thought perhaps the court would, so they moved on to the courthouse. There they met several rebelling farmers who had just arrived after a pitched battle over a farm foreclosure at the O'Brien county courthouse, some fifty miles northeast of Le Mars in Primghar. At least two of the newcomers bore bruises from the fight. The Plymouth county farmers immediately lost all traces of the ennui that Sheriff Rippey had labored to produce. As a hundred angry farmers crowded through the courtroom's doors, they heard a sharp-toned command, "This is my courtroom! Take off your hats and stop smoking cigarets!" The voice demanding decorum belonged to District Court Judge Charles C. Bradley. With excited cries of, "This is our courtroom, not yours!" and "Get him!" the farmers ran to Bradley's side. The judge was already disliked for reasons that had nothing to do with the Durband family's predicament. County gossips had long ago charged the sixty-year-old bachelor with the profligacy of living "in sin" with an unmarried Le Mars woman. Hearing a

sharp rebuke from someone they considered their moral inferior triggered a vehement response from the mob. Repeatedly the crowd ordered Bradley to promise to stop all actions jeopardizing farmers; repeatedly he refused despite the blows he received.²⁸

The group then grabbed Bradley, drove him in a farm truck one mile out of town, slipped a rope around his neck, and affixed the other end to a telephone pole. Fortunately, Judge Bradley did not die. Perhaps a bit of the ennui Sheriff Rippey had worked to create was still lingering or perhaps the pleading of the Le Mars Globe-Post's editor, R. F. Starzl, was compelling. The farmers satisfied themselves with humiliating the judge by removing his trousers and dousing him with grease as he lay abandoned and semiconscious along the roadside.²⁹

Sheriff Rippey's tactic of gentle words and quiet persuasion would probably have worked if not for the chance appearance of the battered O'Brien county men and the presence of the discredited Judge Bradley. Had a different judge been sitting on the bench the lynching would not have occurred. At the landlord's house insults alone satisfied the farmers; social mores, not rebellion, motivated the LeMars lynchers. Late that night of April 27, Sheriff Rippey cabled Governor Clyde Herring: "Situation beyond control of civil authorities. Judge . . . assaulted and threatened with

hanging. Demand militia." Governor Herring mobilized militia units but not before blaming Rippey for the need to do so by describing the sheriff as a "weak sister [who] hadn't nerve enough to uphold the law" without using troops.³⁰

O'Brien County Sheriff Ed Leemkuil presumably suited the governor's taste better than did Rippey. The same day that Judge Bradley faced a lynch mob, Sheriff Leemkuil faced more than 600 infuriated farmers in a wild melee for control of his own courthouse in Primghar. John Shaffer's farm had fallen prey to a sheriff's sale, and a crowd arrived to protest the proceeding. At 10:00 a.m. a deputy appeared on the second floor balcony to open the sale by calling for bids. The mob rushed the building, trying to stop the deputy. Club-wielding deputies met them at the top of the narrow staircase inside. The deputies used the cramped landing to advantage and beat back the charging farmers. The fray ended when Leemkuil, aware that his deputies would lose a sustained battle, agreed to a symbolic flag kissing ceremony reminiscent of the state's World War patriotism mania. The ceremony mollified the Primghar farmers, who quietly dispersed. Several of the bruised men left Leemkuil's courthouse for Le Mars, but most of them went home.³¹

One more day of mass violence awaited a rural Iowa sheriff. Crawford County Sheriff Hugo B. Willy's heart must

have sunk as he neared the J. F. Shields farm three and one-half miles southwest of Denison on the afternoon of April 28th. Nervous already because he was executing his first-ever sheriff's sale, he also knew that the county generally expected brutal resistance to it from local Holiday Association members. To meet any eventuality Willy brought with him thirty special deputies plus six state agents who happened to in the area.

Willy found more than 400 farmers milling around the grounds of the farm. But they were quiet and orderly, so the sheriff began to hope that his company of officers was unnecessary. By 1:30 p.m. the sale was moving along amicably. Two cribs of corn had sold under reasonable bids, no worry about a penny auction at least, and Willy began the cry for bids on a third crib's corn. As he scanned the crowd for new bidders he spied a long convoy of cars and trucks. Inside were more than 800 Crawford, Monona, and Shelby county Holiday Association farmers. Around him Willy noted that the babble of voices had stopped, leaving only an eerie silence.

As the Holidayers scrambled from their vehicles, the state agents formed the special deputies into a circle around the sheriff. The officers' plan for meeting just such an emergency as this was to form a close circle and to escape the scene in cars. Before they could start for their cars,

however, State Agent Marion S. Stevens saw a V-shaped wedge of more than 200 Holidayers charging toward him. The deputies had only enough time to entwine their arms before the wedge rammed the circle, instantly fracturing it. The officers fought in isolated pockets alone or in pairs. A state agent with the foresight to wear bib overalls rather than his usual business suit saved himself and several of his companions from severe pommeling by telling a group of attacking farmers: "I wouldn't do that fellows, let [them] up."³²

The fighting was brief but so intense that two of the special deputies fought one another, one of them landing a blow across the other's stomach before recognizing him. An officer who drew his revolver was upended into a watering trough. Outnumbered as they were by more than twenty to one, the officers' resistance lasted only a few moments. Each one was beaten, several of them severely, before the mob stopped. The mob allowed Sheriff Willy and his bedraggled men to leave following the first brief skirmish. No longer nervous but furious, Sheriff Willy wired Governor Herring,

It appearing that the power of Crawford county is insufficient to . . . execute processes'. . . request is hereby made that you call out sufficient military force to handle the situation . . . immediately.³³

The Iowa National Guard arrived in Plymouth and Crawford counties the following morning. In Denison a crowd of several hundred farmers heard Lieutenant Colonel Folsom Everett read

the governor's proclamation of martial law. It had been drafted ahead of time by Attorney General Edward L. O'Conner, and it spoke of "a vicious and criminal assault upon a judge . . . endangering his life and threatening a complete breakdown of all law and order."³⁴ Feeling expansive only moments before, the crowd grew subdued and quiet at hearing martial law imposed. Rebellion turned to submission at the sight of troops patrolling small town streets with fixed bayonets. Roman Catholic leader Monseigneur J. D. Fisch added his authority to the militia's when he praised them in sermons and demanded that any of his parishioners who were involved with the troubles stop and instead support President Roosevelt and all other authorities as well.³⁵

The army came to Crawford county because of the Shields' farm riot and to Plymouth county because of the Bradley lynching. It occupied O'Brien county because of the Primghar courthouse battle. Major General Mat A. Tinley, the Iowa Guard chief, agreed with Attorney General O'Conner's instructions regarding the Guard's mission to, "restore peace and order, arrest the ringleaders of the assault [upon Bradley], gather evidence against the men involved, and then immediately to withdraw."³⁶

General Tinley knew he could not long sustain military operations; the Guard was understaffed and ill equipped to

function for long in the field. The general himself had worn his uniform so infrequently that when he put it on he found that his Sam Browne belt no longer fit. The last time he had worn it was along the Rhine eight years earlier.

Approximately 500 soldiers patrolled the distressed counties and they began making arrests immediately. Sheriff Hugh Willy helped because he could identify 13 of the 1,200 men at the Shields' farm. Sheriff Frank Buehheit of Carroll county, in Crawford county to help during the crisis, arrested two farmers while having a casual conversation with them. He noticed that one of them had a deputy's badge, a souvenir the farmer said, of the Shields' farm riot.³⁷

The attorney general's investigation was assigned to four Guard attorney-officers. They were Captain O. G. Harris of Jefferson, Captain Fred C. Clark of Waterloo, Major L. D. Mallonee of Audubon, and Judge Advocate General Frank Hallagan of Des Moines. Hallagan alone among the four was deputized as an assistant attorney general to facilitate the investigation. An important part of their mission was to unearth the presumed outside, meaning communist, agitation in the area. State leaders could not and would not believe that such an unprecedented rebellion would emerge spontaneously amid quiet communities of law abiding farmers. State BCI Chief Park Findley reported that his investigations had convinced him

that communists provoked the disturbances and that Sioux City was a "hot bed of communist activity." The state's sheriffs' association later concurred saying, "All the [agrarian] disturbances . . . have been caused by professional trouble makers."³⁸

When the four Guard attorneys arrived in the area under martial law, they announced that they had "definite evidence" that "professional agitators" had been seen in the vicinity several days before the insurrections erupted. They gave thanks to Chief Findley and Sheriff Willy for providing the Guard with an "agitation list" containing the ringleaders' names. Hunting chimerical "reds" proved as frustrating as it was fruitless. None of the local sheriffs supported the idea that outsiders of any stripe had participated in organizing what their own experiences told them was a spontaneous and exclusively local happening. The only notable action the four Guard lawyers took was to commit an insane man named Joe Genesner to the state mental hospital because the private courts were closed under martial law.³⁹

Those who participated in the violent episodes were unequivocally rural Iowans. They felt themselves abused and tried to regain their lost status and dispossessed farms. They were men like Sam T. Mosher, arrested by Guardsmen in Plymouth county for taking part in the Judge Bradley lynching.

Mosher was an active Holiday Association member who had manned the Sioux City barricades the summer before. The Guard and the sheriffs arrested 155 men in all in northwest Iowa. Plymouth county recorded ninety-two arrests and sixty-three more occurred in Crawford county. Having insufficient cell space, authorities housed many of the arrestees in barns, securing them by posting National Guard machine gun crews outside of the barns. The arrestees did not have to tolerate such primitive conditions long. On May 11 martial law ended and civil authority was restored.⁴⁰

Northwest Iowa judges meted out mild punishment in the disrupted counties. The O'Brien county court accepted guilty pleas from all the defendants on charges of resisting the service of civil process. Each received suspended sentences or light fines. Judge Earl Peters of Clarinda presided over the Plymouth county trials. Each man involved in the attack on Judge Bradley received a minor fine. A 75-year-old defendant, A. A. Mitchell pled guilty to the most serious charge that arose from the lynching: assault with intent to do great bodily injury. He served thirty days in the Le Mars jail. Crawford county's bench reopened at 9:00 a.m. on May 11 under the direction of Mount Ayr Judge Homer A. Fuller. The Shields' farm rioters each paid a \$50 fine. In concluding his sentencing remarks Judge Fuller summed contemporary feeling

about the men when he said, "I do not think a single man who has stood before me is a bad man or a bad citizen."⁴¹

Very few after effects followed the cornbelt rebellion. Eleven Holidayers unsuccessfully sued Sheriff Willy for wrongfully detaining them after their arrests. A Vail, Iowa, farmer likewise failed in his police brutality suit against two state agents. Chief Park Findley of the BCI continued doggedly to pursue the "reds" he believed had propelled the rebellion until his death in June of 1935. The sheriffs knew better than he that communists had not fostered the rebellion.

Northwest Iowa sheriffs alternated between competing law enforcement ideologies during the Cornbelt Rebellion. Neither of them ultimately proved successful. At the start of each phase of the rebellion, local lawmen tried the traditional enforcement custom of using familiarity and quiet persuasion to obtain legal obedience. When the traditional methods failed in the face of the growing tumult, they turned to the New Deal's "get tough" war against crime techniques. That failed as well and it exacerbated the farmers' hostility and escalated the violence as grudges and reprisals threatened the sheriffs' ability to control their own deputies. Finally, as with Sheriff Percy Lainson's prisoner release, the sheriffs reverted to the traditional practice of conforming to community expectations. As the degree of mordancy intensified

in the spring of 1933, local law enforcement officers floundered and called for the state militia. They did not, however, surrender themselves completely to the state's power. When state authorities initiated a hunt for foreign agitators to blame for the rebellion, the sheriffs stymied the effort through passive refusal to support the probe.

The ease with which the sheriffs reasserted their control and the rebels' moderate punishment from the courts reflect the minority status of the farmer participants. The cornbelt rebellion's law enforcement legacy was a realization that, while the New Deal's ideology served the sheriffs well as an organizing schema for the purpose of professionalization, the only way to maintain rule by consent of the governed lay with the traditional law enforcement practice of conforming to community expectations.

End Notes

¹Adair County Free Press, 3 August 1922.

²Iowa's early 1930s farmer activism has a rich historiography. See: Rodney D. Karr, "Farmer Rebels in Plymouth County, Iowa, 1932-1933," Annals of Iowa 47 (Winter 1985), pp. 637-46; Frank D. Dileva, "Farm Revolts in Iowa" (M.A. Thesis, Drake University, 1953); Howard Wallace Lawrence, "The Farmers' Holiday Association in Iowa, 1932-1933" (M.A. Thesis, University of Iowa, 1952); Julius Korgan, "Farmers' Picket the Depression" (PhD dissertation, American University, 1961); John Shover, Cornbelt Rebellion: The Farmers' Holiday Association (Urbana, Ill.: University of Indiana Press, 1965); Lowell K. Dyson, Red Harvest: The Communist Party and American Farmers (Lincoln, Neb.: University of Nebraska Press, 1982); Joseph Frazier Wall, "The Iowa Farmer in Crisis, 1920-1936," Annals of Iowa 47, 3rd Ser. (Fall 1983), pp. 116-27.

³Earle D. Ross, Iowa Agriculture: An Historical Survey (Iowa City: State Historical Society Press, 1954), pp. 164-65.

⁴Quoted in Sean Dennis Cashman, America in the Twenties and Thirties: The Olympian Age of Franklin Delano Roosevelt (New York: New York University Press, 1989), p. 128.

⁵Ibid., p. 126.

⁶Ibid.

⁷Shover, Cornbelt Rebellion, pp. 41, 44, 47; Des Moines Register 23 August 1932, p. 1, 25 August 1932, p. 9.

⁸Des Moines Register 23 August 1932, p. 1.

⁹Ibid.

¹⁰Ibid., 1 September 1932, p. 1, 21 August 1932, p. 4.

¹¹Ibid., 25 August 1932, p. 9.

¹²Ibid., 4 February 1933, p. 1.

¹³Sioux City Journal 30 August 1932, p. 1.

¹⁴Des Moines Register 12 September 1933; Cherokee Daily Times 15 September 1933, p. 1, 27 September 1933.

A directed verdict occurs when a judge believes the state has failed to adequately prove their case against a defendant or believes that a jury's prejudice is such that they will convict a defendant regardless of the evidence before them.

¹⁵Des Moines Register 8 September 1932, 16 September 1932.

¹⁶Council Bluffs Non-Pareil 26 August 1932; Des Moines Register 27 August 1932, p. 4.

¹⁷Des Moines Register 24 August 1932, p. 9.

¹⁸Ibid., 1 September 1932.

¹⁹Quoted in Shover, Cornbelt Rebellion, p. 49.

²⁰Des Moines Register 28 August 1932.

²¹For a detailed discussion of penny sales see: Ross, Agriculture, pp. 15-19. See also: Shover, Cornbelt Rebellion, pp. 78-82 contains several examples of penny sales; Willard W. Cochrane, The Development of American Agriculture: A Historical Analysis (Minneapolis: University of Minnesota Press, 1979), pp. 58; 181 also contains a very brief mention of these sales.

²²Waukon Republican and Standard 17 August 1932, 24 August 1932, 21 September 1932.

²³Mount Ayr Record-News 12 January 1933.

²⁴Ibid., 26 January 1933.

²⁵Des Moines Register 29 April 1933, pp. 1, 4; Dyson, Red Harvest, pp. 75-79, 104, 123-49.

²⁶Des Moines Register 19 April 1933, 24 April 1933.

²⁷Ibid., 28 April 1933; Shover, Cornbelt Rebellion, p. 117.

²⁸Ibid.

²⁹The sources disagree as to what the other end of Bradley's rope was attached. The Des Moines Register reports it was tied to a telephone pole, as does Shover in Cornbelt Rebellion. Frank D. Dileva's "Farm Revolts in Iowa," (M.A. Thesis, Drake University, Des Moines, Iowa, 1953) cites the Register.

Since road signs are too flimsy and too short to adequately serve as a hanging post the author believes the better guess is that the other end was affixed to a telephone pole.

³⁰Des Moines Register 28 April 1933, pp. 1, 12; 29 April 1933; 1 May 1933, p. 10; Rodney D. Karr, "Farmer Rebels in Plymouth County," Iowa, 1932-1933," The Annals of Iowa 47, 3rd Ser. (Winter 1965): 117-19.

³¹Des Moines Register 28 April 1933; Shover, Cornbelt Rebellion, p. 119.

³²Des Moines Register 29 April 1933, pp. 1, 4; 1 May 1933, p. 10; 16 May 1933, p. 14; Shover, Cornbelt Rebellion, p. 119.

³³Des Moines Register 29 April 1933, p. 4.

³⁴Quoted in Shover, Cornbelt Rebellion, pp. 119-20.

³⁵Des Moines Register 1 May 1933, p. 10.

³⁶Ibid., p. 1.

³⁷Ibid., 29 April 1933, pp. 1, 4; 16 May 1933, p. 14; 5 May 1933, p. 16; 18 May 1933.

³⁸Ibid., 29 April 1933.

³⁹Ibid., p. 4; Des Moines Tribune 2 May 1933; Iowa Sheriff (July 1933): 5; Des Moines Register 29 April 1933, p. 4; Shea, "Bureau," p. 279; Des Moines Register 1 May 1933, p. 10.

⁴⁰Des Moines Register 1 May 1933, p. 10; 2 May 1933, p. 7; 6 May 1933; 8 May 1933, p. 12; 13 May 1933, p. 7; Des Moines Tribune 9 May 1933, p. 13.

⁴¹Des Moines Register 17 May 1933. See also: Des Moines Register 24 June 1933, p. 4; 9 May 1933; 28 June 1933, p. 16; 11 May 1933, p. 6; Des Moines Tribune 9 May 1933.

CONCLUSIONS

Iowa's rural lawmen marshalled their resources during the years between the world wars as they prepared to resist the wave of lawlessness that they believed threatened to sweep across the hinterland. The "crime wave" never came.

Contemporary jail records show that crime continued basically unchanged from earlier periods, that is to say that it was perpetrated by local young men from the bottom rung of their society who preferred to target property rather than people.

The crime wave was a chimera. The idea of it took hold in the countryside shortly after appearing in the nation's press when newspaper publishers replaced waning war stories with thrilling, albeit exaggerated, crime stories in pursuit of increased readership and profits. It was a clever strategy that worked.

However much embellished, there was crime in America. It was not difficult for people already excited by the war's propagandists to embrace the myth of a threatening crime wave. Once believed the myth had an abiding power to alter the people's and the authorities' perceptions of crime. Incidents of rural crime, once seen as unfortunate anomalies, were held as proof of the wave. Rural lawbreakers were consequently apprehended and punished as quickly as possible to deter the

other criminals that were presumed to be haunting the hinterland.

Despite the new rural attitude toward offenders, the pre-myth pattern of criminality remained essentially unchanged. The sheriffs' jail dockets do not reflect a "crime wave." It is not a "wave," but a gentle "swell" (to extend the metaphor) of steadily rising and falling rates of crime centering on the year 1931. Rural crime remained the remarkably minor province of "booze and boisterousness." Rural interwar crime was not, as Governor William L. Harding believed, the work of "organized, cunning, high trained criminals." Crime in the countryside was the work of local, laboring-class men in their twenties. While serious felony offenses did occur upon rare occasion to help nurture the rural crime wave myth for contemporaries, historical objectivity allows us to return such incidents to their proper perspective. There simply was no rural crime wave.

Given the lack of criminal threat, the sheriffs responded both intelligently and inappropriately to the crime wave myth. Iowa's sheriffs reacted intelligently to the arrival of national prohibition. They found themselves squarely between the vocal few with their law and the mute many with their stills. Following an initially intense period of stringent liquor enforcement, rural law officers accommodated themselves

to rural realities. The sheriffs switched their enforcement strategies from the determined and aggressive pursuit of large-scale farmer moonshiners to apprehending a regular supply of small-scale violators. The quantity of prohibition enforcement remained high while the quality of that enforcement unobtrusively faded away.

The crime wave myth and its war on crime corollary served the sheriffs for both good and ill in many ways. Lacking their urban comrades' political and economic infrastructure to reach the goal of police professionalization, they relied on an old rural tradition: the voluntary cooperative. By adhering to the twin themes of professionalism and a war on crime under the New Deal's sponsorship, the sheriffs of Iowa found an ideology that served them well as an organizing schema. They also found, as in the case of the Cornbelt Rebellion, that following the new war on crime ideology too closely led to massive overkill when it included things like tear gas and Thompson submachine guns. The Rebellion helped the sheriffs learn to cope with the rhetoric and the technology of the new professionalization when it served them while retaining their traditional behavior patterns that fit them for rural service and which allowed them to maintain the balance needed for rule by consent of the governed to work.

The power of the crime wave myth was sufficient, when combined with the public relations savvy of a clever state cabinet member, to overcome the people's traditional hesitancy to grant police power to state officials. The sheriffs, feeling inadequately prepared to resist the wave of lawlessness they expected, turned to state detectives and highway patrolmen for the scientific expertise they offered.

Even so, the state's detectives and patrolmen were too few in number to permit the sheriffs to feel secure. To further augment their ranks the sheriffs agreed to deputize the vigilantes presented to them by the state's bankers. It was a particularly unfortunate response to the overblown crime wave. Arming hundreds of poorly trained citizens was a holdover idea that simply was not appropriate given that the anticipated crime wave never materialized.

The presence of armed vigilantes only served to increase the likelihood of violence during the interwar period's only concentrated threat to rural Iowa's peace and harmony, the Cornbelt Rebellion. The sheriffs' overreaction to the Rebellion is evidence of the over-preparation of lawman who alternated between competing law enforcement ideologies during the crisis. When the traditional methods of quiet words and gentle persuasion failed to elicit obedience, the sheriffs tried the New Deal's "get tough" war-against-crime approach.

The result was increased animosity and they quickly reverted to the traditional practice of conforming to community expectations.

The longer term consequences of accepting the crime wave myth have been largely deleterious. By embracing the tenets of the urban model of professionalization the rural sheriffs needlessly neglected the familiarity and community consensus that was their chief asset. They replaced their traditions with an alien, "G-Man" leadership, state involvement, and the trappings of urban policing, including firearms and practices unsuited for their rural environment--an unnecessary burden. Overall, the experiences of this period have bequeathed to rural law officers an unnecessary burden of learning to cope with an urban and accordingly foreign definition of professionalization that had to be grafted onto an already successful and therefore "professional," albeit "folksy," law enforcement practice that had changed little from those first used by sheriffs in Anglo-Saxon times.

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APPENDIX

JAIL DOCKET INFORMATION

Group I

Prohibition

- Illegal Possession of Liquor
- Illegal Transportation of Liquor
- Driving While Intoxicated
- Bootlegging

Misdemeanor Theft

- Obtaining Money Under False Pretenses
- Forgery and Embezzlement by Bailee
- Defrauding an Innkeeper
- Petty Larceny
- Larceny Under \$20.00
- Insufficient Fund Check

Public Nuisance

- Assault and Battery
- Disturbing the Peace
- Carrying a Concealed Weapon

Group II

Felony Theft

- Burglary
- Receiving and Concealing Stolen Property
- Breaking and Entering
- Possession of Burglary Tools
- Embezzlement
- Arson (insurance fraud)
- Grand Larceny
- Grand Theft -- Automobile
- Kidnapping
- Robbery (armed and unarmed)
- Bank Robbery

Agricultural Theft

- Poultry Larceny
- Animal Larceny (cattle, sheep, hogs)
- Wool Larceny
- Honey Larceny

Rape

- Attempted Rape
- Statutory Rape
- Rape

Group III

Criminal Justice

- Arrest Warrant
- Bench Warrant
- Perjury Warrant

Investigation

- Holding a suspicious person regardless of outcome

Insane

- Holding awaiting transportation to state mental facility a person judged to be legally insane

Welfare

- Sheltering abandoned, ill, lost and destitute persons

Group IV

Traffic

- Motor Vehicle Safety and Operations Violations

Liquor Nuisance

- Operating a saloon
- Operating a brothel

Family

- Wife Desertion
- Child Desertion
- Adultery
- Bigamy
- Bastardy

Fish and Game

- Trapping without a licence or out of season
- Hunting without a licence or out of season
- Fishing without a licence or out of season

Sex

- Lewdness
- Incest
- Seduction
- Pandering
- Sodomy

TABLE A-1
 GROUP I INDICENCE RATE OF CRIME BY YEAR

Year	Prohibition	Misdemeanor Theft	Public Nuisance
1920	02	05	04
1921	10	09	12
1922	22	05	01
1923	15	16	01
1924	32	23	06
1925	55	27	12
1926	35	26	08
1927	43	18	11
1928	64	51	16
1929	65	21	21
1930	70	50	18
1931	90	90	32
1932	54	58	35
1933	43	44	54
1934	51	44	56
1935	51	48	27
1936	68	55	39
1937	37	40	22
1938	43	43	23
1939	46	43	28
1940	25	55	31
1941	40	36	16

Source: Sheriffs' Jail Dockets, 1920-1941.

TABLE A-2
 GROUP II INCIDENCE RATE OF CRIME BY YEAR

Year	Felony Theft	Agricultural Theft	Rape
1920	13	00	00
1921	14	03	01
1922	06	00	02
1923	06	00	05
1924	13	05	01
1925	11	02	05
1926	19	06	01
1927	14	02	04
1928	23	13	03
1929	22	07	06
1930	20	01	06
1931	31	07	05
1932	31	02	06
1933	41	01	04
1934	37	02	06
1935	24	07	04
1936	22	04	02
1937	13	07	01
1938	10	03	02
1939	18	02	02
1940	17	03	04
1941	10	10	0

Source: Sheriffs' Jail Dockets, 1920-1941.

TABLE A-3
 GROUP III INCIDENCE RATE OF CRIME BY YEAR

Year	Investigation	Welfare	C.J.	Rape
1920	00	00	06	00
1921	00	00	10	06
1922	00	00	11	00
1923	00	01	02	06
1924	00	00	01	00
1925	02	02	06	04
1926	06	04	08	00
1927	05	02	03	03
1928	08	02	04	03
1929	07	05	05	04
1930	12	06	10	05
1931	12	01	19	04
1932	01	06	12	03
1933	05	06	13	07
1934	04	06	05	03
1935	06	06	09	04
1936	06	06	09	08
1937	12	06	13	00
1938	08	04	17	03
1939	11	09	15	00
1940	09	03	22	06
1941	01	02	03	00

Source: Sheriffs' Jail Dockets, 1920-1941.

TABLE A-4
 GROUP IV INCIDENCE RATE OF CRIME BY YEAR

Year	Family	Liquor Nuisance	Traffic	F&G	Sex
1920	00	04	00	00	00
1921	00	03	02	00	00
1922	05	03	00	00	01
1923	03	19	00	00	02
1924	07	16	01	02	01
1925	07	21	01	01	05
1926	11	13	03	00	08
1927	10	16	05	00	02
1928	05	15	04	00	02
1929	12	06	06	04	06
1930	05	18	05	03	04
1931	15	16	05	06	03
1932	08	08	05	03	00
1933	06	07	06	03	00
1934	04	03	05	05	03
1935	05	03	21	00	00
1936	07	03	16	02	00
1937	05	00	21	02	00
1938	04	00	19	02	00
1939	07	00	19	10	00
1940	07	00	34	02	01
1941	03	00	19	00	00

Source: Sheriffs' Jail Dockets, 1920-1941.