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The Minnesota Legislator and the Grasshopper, 1873-77

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A LOCUST, according to the *Encyclopædia Britannica*, is an insect which at times multiplies greatly and migrates long distances in destructive swarms. Entomologists say that it has two rather human sides to its character—it is both solitary and gregarious. Normally the solitary outlook prevails; presumably at such times the insect goes its ruggedly individualistic way and growls at invitations to swarm as distasteful exhibitions of mob psychology. When things become tough, however, and food is scarce, the gregarious side of the locust's character takes over, and supposedly he mutters that, after all, there is safety in numbers and a long flight somewhere, anywhere, would be better than staying where he is.

When he makes this shift in character, where he goes and how long he stays until he moves on remain almost as unforeseeable as the quirks and crotchets of mankind. Whenever his mood is gregarious, however, his appetite is boundless. Minnesota's history and its laws record a lengthy running fight between this insect in his gregarious mood and the legislator.

Melanoplus spretus, known as the Rocky

Mountain locust, and much more familiarly and contemptuously called a grasshopper by the frontiersmen, entered an irritable and gregarious phase in the early 1870s. He chose to visit southwestern Minnesota in June, 1873, and ate the harvest in parts of thirteen counties. Showing signs of taking up permanent residence, he ate his way through twenty-eight counties in 1874, nineteen in 1875, and damaged crops in varying degrees in about forty in 1876.¹

The outlook was ominous in 1877, when *Melanoplus spretus* was known to have laid millions of eggs that were ready to hatch in warm weather. Governor John S. Pillsbury set aside April 26 as a special day of prayer, which may or may not have been used for the purpose intended, but which for the faithful had the charm of being a Biblical way to deal with a plague. In spite of efforts material and spiritual, the eggs hatched. The state faced another season of gregarious grasshoppers. But instead of devouring crops, in July and early August

¹ William W. Folwell, *A History of Minnesota*, 3: 97, 102, 105, and map facing 106 (St. Paul, 1926).

the insects swarmed and for the most part inexplicably flew away. A relatively small swarm descended in 1887 on Otter Tail County, which had been badly chewed in the earlier years, but experience in controlling grasshoppers paid off; the pests were fought and subjugated.²

MINNESOTA'S experience in the 1870s was shared by much of the western United States. In 1875 Congress provided unorganized areas on the frontier with some relief under the administration and control of that indispensable instrument in the settlement of the West, the United States Army.³ Nevertheless, on January 17, 1877, the Minnesota legislature adopted a joint resolution intended for Congressional reading, reciting that in 1876 grasshoppers invaded Arkansas, Colorado, Nebraska, Nevada, Dakota, Idaho, Iowa, Kansas, Minnesota, Missouri, Montana, Texas, and Wyoming. Although not unique, Minnesota's difficulties could have been disastrous, since farming was important in the state from the beginning; it had no gold rush, no silver rush, no ranches. The grasshoppers ate everything in sight, but they had a dainty preference for the important grain crops, particularly wheat. As a result the farmers of an agricultural commonwealth faced ruin, and the state faced both the loss of settlers and a severe drop in revenue as taxes of necessity went unpaid.

Although legislative action during the grasshopper era shows a somewhat intelligent understanding of the problem, it reflects some uncertainty about how to meet the difficulty; and in the background there is always that puritanical uneasiness about

giving money to someone in distress because it might corrupt him and make him degenerate. In the 1870s there was a tendency to equate riches and freedom from trouble with virtue, and to associate adverse conditions with moral degeneration.

THE VISIT of *Melanoplus spretus* in 1873 created some legislative stir, but the resulting measures provided for immediate relief only. The legislature of 1874 appropriated the moderate sum of \$5,000 "for the relief of the destitute inhabitants and settlers upon the frontier" and left the distribution of these funds to the governor, Cushman K. Davis. During the same session, \$25,000 was appropriated for the purchase of seed grain for farmers in the locust-ridden areas. The distribution of the fund was again left to the governor, who was to limit to \$35.00 the value of the aid given to any one family. Both sums had been spent by November 30, 1874.⁴

If the legislature felt that it could legislate the grasshoppers away, events after adjournment in 1874 proved that it was wrong. By early July the eggs laid by the visitors in 1873 had hatched and the new grasshoppers, gregarious from birth, were eating their way farther into the state. In an effort to provide some help for the devastated areas, on July 7 Governor Davis addressed a general letter to the commissioners of all counties not affected by the grasshoppers, asking them to follow the example set earlier by Ramsey County and appropriate relief funds immediately.⁵

Although it was probably unlawful for the counties to spend public funds for such a purpose, some of these governmental units and numerous individuals responded to the governor's appeal. To administer the funds collected, he appointed General Henry H. Sibley chairman of a state relief committee. On January 2, 1875, the latter reported that he had collected \$18,959.12 in contributions and had spent \$15,551.56. He recommended that the legislature of 1875 appropriate at least \$100,000 for the relief

² Folwell, *Minnesota*, 3: 110, 111. For a more recent account of "Grasshoppers in American Agricultural History," see John T. Schlebecker, in *Agricultural History*, 27: 85-93 (July, 1953). Grasshoppers again damaged crops in western Minnesota in 1889, 1929, 1936, 1939, and, to some extent, in other years.

³ Minnesota, *Senate Journal*, 1875, p. 237-239; Minnesota, *General Laws*, 1877, p. 280.

⁴ *General Laws*, 1874, p. 251, 253; "Treasurer's Report," in *General Laws*, 1875, p. 263, 264.

⁵ *Senate Journal*, 1875, p. 97-99.

of about fifteen hundred Minnesota farmers who had lost their crops for two years in a row as a result of the grasshopper invasion. Provisions for reimbursing both the counties and the individuals, largely residents of Minneapolis, contributing to the relief fund were made in an appropriation act passed by the legislature and approved by the governor on March 4, 1875.⁶

SINCE the legislature of 1875 had to deal with a state which had played host to the grasshopper for two successive years, the pressure of farm constituents on its members can be imagined. As soon as that body convened and organized, it set up a special joint committee on frontier relief which continued in one form or another, with variations in name, membership, and size, until after the menace ended. Its first organization was completed on January 14, 1875, and most of the grasshopper laws stem from its work.⁷

During the same legislative session, an act was passed appropriating \$75,000 for the purchase of seed grain for sufferers from grasshopper depredations, but allowing \$25,000 for immediate relief, and requiring the governor to appoint three commissioners to handle the funds. On March 5, the very day the act was signed by the governor, the Senate duly confirmed his appointment of R. W. Johnson, David Day, and William Lindeke as commissioners. During the remaining months of 1875, they approved expenditures of \$50,000 for seed grain, \$10,000 for direct relief, and \$12,300 to repay moneys advanced in 1874, according to the state treasurer's report for 1875-76.⁸

In the meantime it became obvious that grasshopper appetites had eaten into funds important to other state uses. In an attempt to meet the difficulty, the legislature adopted a joint resolution on March 2, 1875, directing the state auditor to "abate all penalties for non-payment of interest" for 1874 and 1875 "on unpaid purchase money of school, agricultural, college or in-

ternal improvement lands, in such portions of the state or belonging to such persons as have suffered from ravages of grasshoppers or hail storms if paid prior to" October 1, 1875.⁹ Such relief plans obviously were based on the theory that in 1875 the buyers would raise crops which would yield money to pay the interest. Events did not sustain this hope.

GRASSHOPPERS were not new to Minnesota in 1873 and 1874. A swarm was reported in 1819 and others had arrived later, notably in 1856 and 1857, for indefinite stays. Since the settlers affected then were comparatively few in number, the early plagues did not attract wide attention. When the 1876 legislature met, however, the plagues of the preceding years presented a major problem. The representatives from the devastated counties had watched their own and their neighbors' crops vanish as millions of insects inexorably ate their way through the fields. Nevertheless, while it continued the special joint committee on grasshopper relief, the legislature proceeded to treat the question as a series of local problems, disregarding the fact that the whole state was affected. Whether or not an individual farmer got help depended on how politically agile his representative was in trading with those of other counties.

The legislature of 1876 took its first action on January 22, when it adopted a joint resolution asking the Minnesota Congressional delegation to push a "liberal" federal bounty for destroying grasshoppers and their eggs. Shortly thereafter, the Minnesota lawmakers took steps to "legalize" a series of local actions designed to meet the crisis of 1875. One legislative act related to the town of Rapidan in badly affected Blue Earth County, which had offered

⁶ *Senate Journal*, 1875, p. 100-107; *General Laws*, 1875, p. 183.

⁷ *Minnesota, House Journal*, 1875, p. 33; *Senate Journal*, 1875, p. 7, 30.

⁸ *General Laws*, 1875, p. 183; 1876, p. 202; *Senate Journal*, 1875, p. 511.

⁹ *General Laws*, 1875, p. 214.

*A corn field
stripped by
grasshoppers*



bounties for catching grasshoppers and had issued bonds and levied a special tax to pay them. Another applied to similar measures in the counties of Brown, Blue Earth, LeSueur, Meeker, Nicollet, Renville, Sibley, and Todd. Their offers to pay "bounties for the destruction of grasshoppers" were declared legal, and, with one exception, the counties were reimbursed by the state for the money paid out. Some of the amounts are of interest: Blue Earth, \$15,627.83; Nicollet, \$12,526.80; LeSueur, \$4,412.22; Sibley, 4,392.25. McLeod County was authorized to advance to distressed farmers enough seed wheat to sow fifty acres, provided certain safeguards for repayment were taken by the county commissioners.¹⁰

Strangely enough, during the session of 1876 the House flatly refused to join the Senate in appointing a joint committee to consider furnishing seed grain to grasshopper sufferers, and it failed, by a vote of 60 to 41, to pass a bill providing a state bounty for the destruction of the pests. The vote was recorded only four days after the counties noted above had been repaid for similar outlays made without lawful au-

thority. The session gave its final attention to the locust menace when it adopted a joint resolution piously exhorting farmers in the affected counties to preserve their prairie grass until after the insects hatched and to set fire to it before they could fly.¹¹

THIS SUGGESTION did not seem to solve the problem of the locust ravages, for the plague of 1876 was as bad as those of earlier seasons. Individuals and organizations had tried to control the pests by using man power, animal power, and special machinery, and private charities had furnished substantial relief, but the lawmakers had given them little encouragement. When the legislature of 1877 assembled, however, most of its members seemed to recognize that the grasshopper menace was the number one problem for the whole state. Nevertheless, early in the session, Representative William Webb, Jr., while speaking against direct state relief and in favor of paying bounties for destroying locusts and their eggs, expressed the belief "that gratuitous appropriations from the State Treasury for relief are unwise if not unconstitutional, and calculated to undermine the self-respect and independence of the people."¹² Obviously he was convinced that money for aid is good only if the battered and exhausted recipient has to work for it.

¹⁰ *General Laws*, 1876, p. 116, 140; *Special Laws*, 1876, p. 260, 261.

¹¹ *Senate Journal*, 1876, p. 59; *House Journal*, 1876, p. 386; *General Laws*, 1876, p. 116, 140.

¹² *House Journal*, 1877, p. 38.

As the session got under way, however, the legislature began to deal comprehensively with the problem, and the resulting grasshopper laws of 1877 represent what was probably the best honest effort for widespread control and relief possible under the circumstances. Taken as a unit, the series could almost be said to constitute a grasshopper code, ready for insertion in the permanent laws of Minnesota. The special joint committee on grasshoppers was reconstituted on January 10, and its personnel was greatly enlarged to include seven senators and fifteen representatives. Ignatius Donnelly, who described himself at that time as a farmer from Nininger, served as chairman of the Senate group, and William Crooks headed that of the House. With an appropriation of two hundred dollars, the committee set out to canvass the affected districts, interview witnesses, and prepare a thorough-going study. On January 20, the day that the special committee received its appropriation, an emergency act became effective which made available for immediate relief five thousand dollars to be disbursed under the direction of the governor.¹³

Like its predecessors, the legislature of 1877 hoped for help from Washington. A joint resolution, approved on January 17, urged the Minnesota Congressional delegation to press for federal laws setting aside for grasshopper bounties the proceeds of sales of public lands in states and territories affected by the insects. The benighted attitude of the United States in failing to pay such bounties was contrasted (by inference) with that of eight nations, including China and Russia, which were said to pay them. Another joint resolution, approved on January 23, followed the example of the 1876 session in urging Minnesota Congressmen "to secure, without delay, such legislation by Congress as will furnish a liberal bounty" for the destruction of locusts and their eggs.¹⁴

Since grasshopper damage was as bad in 1876 as in 1875, the legislature of 1877 re-

peated an earlier action by abating penalties for nonpayment of interest on the unpaid portion of the purchase price of school, agricultural, college, and internal improvement lands—in this instance, if the buyer paid his interest by December 1. A special law passed in 1877 extricated Sterling Township in Blue Earth County from the unlawful position in which it found itself after appropriating public funds to pay for destroying grasshopper eggs.¹⁵ As is not unusual in the case of municipal organizations, the township discovered belatedly that it had no lawful authority to take such action.

THE FIRST general law dealing with the grasshopper menace to be passed in 1877 went into effect on February 21, and set the policy for a good many future measures giving relief from various kinds of agricultural catastrophes. The act appropriated \$75,000 to purchase seed grain for distribution among farmers otherwise unable to buy it, with a limit of \$25.00 per person. The auditor and commissioners of each county constituted a board of examiners with which each applicant had to file an affidavit stating that "by reason of grasshopper ravages he or she is utterly unable, by any resource of their own, to procure seed grain." The applicant also had to agree that the state could levy a tax on his property to the value of the seed grain furnished, and that the amount advanced constituted a first lien on the crop raised. Half of the tax would be assessed in each of the first two years following receipt of the seed grain. In case of further locust damage, however, the law allowed an extension of time until after the applicant had raised a crop. Human nature being what it is, and profiteering in times of

¹³ *House Journal*, 1877, p. 32; *Senate Journal*, 1877, p. 7, 25; Minnesota, *Legislative Manual*, 1877, p. 170; *General Laws*, 1877, p. 177, 243.

¹⁴ *General Laws*, 1877, p. 280-282.

¹⁵ *General Laws*, 1875, p. 214; 1877, p. 205; *Special Laws*, 1877, p. 252.

shortages being highly lucrative, the law authorized the examiners "to require security of any applicant" that he would plant the seed grain advanced and would not deal in it otherwise.¹⁶ What security he could give if he made his affidavit in good faith is questionable.

On March 1, 1877, the special joint committee on grasshoppers filed a comprehensive report which summarized the damage and the measures taken to end the plague. It stated that locusts had already caused the loss of 5,804,000 bushels of wheat in Minnesota, representing a monetary loss of nearly six million dollars if the price of wheat were estimated at a dollar a bushel. On the same date Governor Pillsbury approved a general "act to provide for the destruction of grasshoppers and their eggs" by means of a comprehensive bounty system—a measure that the 1876 legislature had refused to enact.¹⁷

The statute appropriated \$100,000 and set up a bounty schedule of fifty cents a

gallon for grasshopper eggs, a dollar a bushel for grasshoppers caught before May 25, fifty cents for those caught after that date but before June 10, twenty-five cents between June 10 and July 1, and twenty cents between July 1 and October 1. Each township was to appoint a dignitary known as a "measurer" of grasshoppers, who would receive and destroy the insects and their eggs and certify the amounts of bounty to be paid. In case the financial inducements were insufficient, a draft was imposed. All males between the ages of twenty-one and sixty in the affected counties were made liable for one day's involuntary grasshopper catching each week between the last of May and July 1. If they wished, however, they could commute their duties by paying a dollar a day. The system was somewhat like that used during the Civil War in obtaining substitutes for military service, since the township board of supervisors was directed to spend the money to hire people for the work. Failure to report for the grasshopper draft was a misdemeanor, for which penalties of from two to ten dollars in fines or ten days in jail were imposed.

CATCHING
grasshoppers in
Minnesota



In addition to all this, the county commissioners were empowered to hire mechanical contrivances to destroy grasshoppers. Various machines generally known as "hopper-dozers" were in use; they may well have been more effective than men trying to fill bushel baskets with frisky locusts. To provide money for the bounties, the legislature authorized the issuing of \$100,000 in grasshopper bonds and pledged that the revenues of the state would be used for the payment of principal and interest.

The last general measure relating to grasshoppers to be passed by the 1877 legislature explicitly allowed the boards of supervisors of townships and the councils of organized municipalities to levy, with the voters' approval, special taxes to pay for local grasshopper bounties in addition to those of the state. It must be said that state appropriations to provide relief and to encourage destruction of the pests were generous, for they completely emptied the state treasury. Because there was not enough money in the general revenue fund to pay grasshopper bounties and relief, a joint resolution was passed on March 5, 1877, authorizing the state treasurer to borrow \$175,000 from St. Paul banks.¹⁸

The 1877 legislature provided for a bounty system, forced labor when needed, seed for unlucky farmers, relief funds, and bonds to furnish money for immediate indebtedness, and it authorized the men nearest the menace to take such financial measures as they deemed advisable. The resulting joint state and county effort, combining inducement and coercion, followed a pattern that has long proved workable.

AFTER 1877, a decade was to pass before locusts again did serious damage in Minnesota. Although the season's loss was substantially smaller than that of the preceding years, it was extensive enough to call for further aid and additional laws. Very early in the session of 1878, the legislature found it necessary to continue the special joint committee on grasshopper re-

lief. Among its members were Donnelly, J. M. Cole, Sumner Ladd, and C. E. Stacy. As in 1877, the committee made a thorough study and presented an intelligent and comprehensive report.¹⁹ Fundamentally, the problem had not changed, although it seemed less intense.

The legislature continued the general system established in 1877, adding to the funds and changing somewhat the method used in furnishing seed grain to distressed farmers. The law of 1878, anticipating present practices in crop allotments, required the applicant for seed grain to submit his specific planting plans for the year in addition to stating that he needed aid. The board of examiners and the lien and tax system were continued. Some irregularities in disposing of the seed grain furnished under the 1877 act must have come to light, since that of February 12, 1878, made any diversion from crop sowing a misdemeanor punishable by a fine of from ten to a hundred dollars and imprisonment in the county jail for "not less than 90 days." An appropriation of \$150,000 accompanied the seed grain act. As in 1877, the cost of immediate relief exhausted the general revenue fund; in this instance the state treasurer was authorized to borrow \$50,000 from St. Paul banks to take care of short-term needs.²⁰

Other grasshopper legislation of 1878 consisted of miscellaneous remedial measures, several of which dealt with situations that had arisen under earlier grasshopper laws. For the third time the penalties for nonpayment of interest connected with buying school, agricultural, college, and internal improvement lands were remitted, this time for 1877 and 1878 if the buyer paid the former year's interest by December 1, 1878, and the latter's by December 1, 1879. Complete failure of crops in many counties caused the state to abate, through

¹⁸ *General Laws*, 1877, p. 174, 207, 272.

¹⁹ *Senate Journal*, 1878, p. 14; *House Journal*, 1878, p. 30, 460-462.

²⁰ *General Laws*, 1878, p. 157-161, 174, 183.

December 1, 1878, all penalties and interest on 1876 and 1877 real property taxes on 160 acres of land. Because some crops planted with seed grain furnished by the state failed, it was not always possible to collect the special seed grain tax, and the county commissioners were authorized to postpone its collection for one year.²¹

As had happened earlier, a municipal subdivision had acted unlawfully in the heat of emergency. This time the village of Washington Lake in Sibley County received retroactive legislative approval for spending public funds in destroying grasshoppers in July, 1877. Other governmental subdivisions which asked for and received legislative authority to borrow money and issue bonds to buy seed grain for 1877 grasshopper sufferers were McLeod County, to the extent of \$12,000; Otter Tail County, \$5,000; and the towns of Spring Hill, Lake Henry, and Lake George in Stearns County, \$6,000 each. Those receiving seed grain from McLeod County were expected to pay ten per cent interest on the amount advanced.²²

THE ACTS of 1878 conclude for the most part Minnesota's extensive grasshopper legislation of the 1870s. The frequency and the provisions of the laws on the subject passed in the course of the decade reflect the rise and decline of the menace. Little, however, that has once been the subject of legislative attention seems to be free of later action, and the grasshoppers had a somewhat longer life in law than they did while chewing their way through Minnesota crops. Although the special committee

on grasshoppers disappeared in 1879, the legislature of that year, apparently because of crop failures, found it necessary to grant another extension of time on the collection of the special seed grain tax. That tax continued to receive attention in 1881, when the legislature again extended the time for "payment of the seed grain personal property tax . . . without interest, costs or penalties," and directed that half was to be paid on November 1, 1881, and half on October 1, 1882. The same law provided that the payment of half of the "seed grain real estate tax" could be postponed until June 1, 1882.²³

By 1885 the grasshoppers had become a memory, although probably a vivid one. The state was changing; so were its residents. The special seed grain tax, however, still presented a collection problem for the state treasurer. The legislature of 1885 finally ordered a complete examination of its status, with a report on recipients of seed grain who had died, left the state, or lost their lands in foreclosure sales. If the tax seemed uncollectable for any of these reasons, complete abatement was authorized. The examination must have been conducted somewhat sluggishly, for the legislature of 1887 found it necessary to extend the time until the end of 1889.²⁴ This must have settled the matter, since the session of 1889 failed to deal with the pests. Thus the subject was not dropped by the legislature until some twelve years after the last Minnesota locust of the 1870s took his gregariousness to other parts.

Although *Melanoplus spretus* is, relatively speaking, of insignificant size, his running fight with Minnesota farmers and legislators occupied a significant amount of time and used vast sums of the state's revenues; he looms large in the law; and the representative statutes summarized above, with the records of the executive and legislative proceedings that accompanied them, serve as reminders of his ability to create worry and cause destitution.

²¹ *General Laws*, 1878, p. 125-127, 128.

²² *Special Laws*, 1878, p. 365, 402-403, 405-408, 466.

²³ *General Laws*, 1879, p. 71; 1881, p. 199.

²⁴ *General Laws*, 1885, p. 299; 1887, p. 309.

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