

In Essentials, Unity

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Introduction

United by the strong and faithful tie of Agriculture, we mutually resolve to labor for the good of our order, our country, and mankind. We heartily [e]ndorse the motto, “In essentials, unity; in non-essentials, liberty; in all things, charity.”

—*Declaration of Purposes of the Patrons of Husbandry*¹

The Carrabelle and Thomasville Railroad Company received its corporate charter on 17 February 1881. A new railroad proposed at this time in US history was not surprising: total rail mileage across the reunified nation more than doubled in the ten years after the Civil War and would nearly double again in the following decade.² But one name on this particular charter—Oliver Hudson Kelley—is startling. In 1867, Kelley had founded the Patrons of Husbandry, also known as the Grange, a group centered primarily in the Midwest and best known for its association with Gilded-Age laws aimed at curbing the monopoly power of railroads.

Kelley’s involvement with the Carrabelle and Thomasville highlights the complex, ambivalent relationship between traditional agriculture and modern modes of business and transportation. The Grange movement itself constitutes a major episode in American economic history; the Grange organization made its mark on American legal history as well. Its crucial center in the Midwest helps us understand the importance of that region to the development of the US economy and US jurisprudence in the latter half of the nineteenth century and the first half of the twentieth. This book also explores a fascinating slice of social history from the American Midwest via a century of records left by a local Minnesota chapter of the Grange.

The heyday of the Patrons of Husbandry came just after the Civil War. Chapter 1 explores their origins, stated purposes, and structure. The war and its aftermath exacted a toll on small farmers, leaving them ripe for an organization that took their interests to heart. Fees charged by middlemen and railroads seemed particularly oppressive, and frequent financial upheavals throughout the nineteenth and early twentieth centuries created considerable anxiety for rural households. Oliver Kelley's vision of agricultural collaboration seemed providential to isolated, indebted smallholders.

Improving the economic status of farmers via collective action was the heart of the Grange's original mission. Kelley was an indefatigable organizer; his Masonic background helped shape the Grange's rituals and hierarchical form. Kelley's fondness for his niece Caroline Arabella Hall led to the nearly unheard-of inclusion of women in the association, as well as inspired the name of his railroad. Bylaws required each local chapter of the Grange to include at least one-third female enrollment. By 1875, the Grange boasted close to a million members, nearly half of them in the Midwest.

Tensions among competing economic factions gave rise to the so-called "Granger railroad laws"; chapter 2 investigates this legislation and case law. Statutes passed in four Midwestern states in the late 1870s launched a new role for government in regulating private industry. Subsequent lawsuits—most notably *Munn v. Illinois*³—were the first to invoke the due process clause of the newly ratified Fourteenth Amendment to the US Constitution. These "Granger cases" formed the foundation for modern transport regulation as well as provided key precedents for government intervention in privately held enterprises that were "clothed with a public interest." Although the Granger laws themselves were short-lived, they left a significant imprint on US jurisprudence.

Self-sufficiency and disdain for the middleman led the Patrons of Husbandry to undertake a variety of cooperative endeavors, including centralized purchasing, manufacturing, and sales. Chapter 3 looks at the early success and subsequent fizzling of most of these efforts, and the near demise of the organization itself. The remarkable explosion in the number of Grangers in the first half of the 1870s is matched by an equally precipitous decline in the second half. Organizations more politically active in representing agricultural

interests—such as the Farmers’ Alliance and the Greenback Party—emerged in importance, only to be supplanted later by the National Farmers’ Union and the Farm Bureau. The enormous success of the Farm Bureau stemmed in part from its association with farm extension programs in land-grant colleges, which are supported chiefly by public funding.

Although the Grange formed primarily for economic reasons, its early members also emphasized a commitment to education, community service, and fraternalism. After 1879, these features kept the Patrons alive. Unlike other nineteenth-century farmers’ organizations, the Grange continues to the present day and prides itself on being the longest-lived American agricultural society.⁴ Chapter 4 draws heavily on a new data source—the minute books and other materials from the Minnehaha Grange (Minnesota No. 398)—to present a lively picture of the inner workings of one of longest-lasting local Granges in the nation.

The Minnehaha met twice monthly between September and May from its founding in 1873 to its last official gathering in 1978. In 1880, it built its own hall, which still stands in the Minneapolis suburb of Edina, Minnesota. The chapter concerned itself with a wide range of issues, including gender equity at the University of Minnesota, the safety of electrical appliances, the suspect nature of oleomargarine, the admission of China to the United Nations, and the size of portions in local restaurants. In 1894, Sarah Baird of the Minnehaha became the first female ever to head a state Grange. For years, the women of the Minnehaha tended the grave of Caroline Hall in Minneapolis’s Lakewood Cemetery.

The final chapter of this book considers the legacies left by the Patrons of Husbandry. The early Granger efforts show how collective action can succeed when aspirations and talents are well matched, and how it can fail when they are not. These failures convinced even doubters that middlemen can serve a useful function and that specialization and comparative advantage are powerful economic concepts.

Yet the issues raised by Oliver Kelley and his followers remain fresh: What does “clothed with a public interest” mean? How do we interpret the due process clause? And what is the role of the government in regulating private behavior? Citations to the famous

Granger case of *Munn v. Illinois* appear in landmark Supreme Court opinions on topics ranging from minimum wage, rent control, and environmental regulation to birth control and lunch-counter sit-ins. Some scholars consider the Granger laws as a foundation for the Sherman Act and other antitrust statutes. Echoes of the Granger movement reverberate still, from the Occupy Wall Street protest that began on Constitution Day 2011 to the controversy surrounding the Patient Protection and Affordable Care Act.⁵ In short, the history of the Patrons of Husbandry exposes the classic tension between the desires for achieving overall economic success and for dictating how the spoils are split.