Horticultural Humbuggery Among The Western Farmers, 1850-1890

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With the occupation of the western lands, early settlers from the very beginning displayed a marked interest in matters pertaining to horticulture. There is evidence that the quantity of timber, as well as the distribution of it, played a leading role in the selection of new homes in the West. Where there were ample supplies for fuel, buildings, and fences, the land as a rule was not only higher in value, if other things were equal, but it was also the first choice among the frontiersmen and speculators as well.1 So important was timber in the agricultural economy of the West that when new sections were opened for settlement, mad scrambles ensued in order to obtain a track of land nearest a river course or one possessing a grove of trees. As a matter of fact, the initial settlements in the prairie regions were made along the rivers, extending, as for example in Illinois, like ribbons far into the interior of the State.2 When subsequent settlers were forced to the open country, they would cluster about the isolated groves like bees in a hive. In many cases these islets of trees on the broad prairies served as nuclei for whole communities.

This timber complex, in connection with settlement, has often been explained by the simple fact that Eastern peoples coming into the West had already been conditioned by a sylvan environment and as a consequence were reluctant to

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2 M. V. Pooley, The Settlement of Illinois from 1830 to 1850 (Madison, Wisconsin, 1908), passim.
settle on the prairies. This psychological background might have had some influence, but the scarcity of trees and the resulting effects it might have on their economy offers a more plausible interpretation of this reluctance. Early settlers were quick to realize that without timber, they would be compelled to alter their traditional way of life; on the open frontier where a change in the older methods of farming would be a necessity, its ramifications would reach out in a multitude of ways—even to the kind, size and number of houses and barns they could build. Moreover, they were well aware that the shortage of timber would affect their social relationships; for example, without fencing materials the people in a community would be unable to enclose adequately their crops or their animals. Under such conditions it would be a constant source of irritation between neighbors. Furthermore, they would have no sheltering windbreaks to protect them from the prairie gales or from the blistering heat of the summer sun and many associated the prevalence of fevers and the lack of rainfall with the scarcity of trees. Finally, and certainly one of the most important factors connected with timber shortage, was the deterring influence it had in keeping new settlers from taking up land in any given community. Older residents realized that the value of their farms would rise or fall depending on the number of people they could attract to their area.

With these influences at work there developed in the forties and fifties of the past century and extended well into the eighties, an extraordinary enthusiasm for tree culture. In the West it grew to the proportions of a mania including trees suitable for fences and windbreaks, as well as for orchards, shrubs, and vines. In the East this trend was also noticeable though on a smaller scale, for in that section of the country there were still some natural resources that had not been entirely exploited. It is this tremendous demand for nursery stock, especially those connected with the orchard

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* Prairie Farmer, I (1841), 84.
varieties which gave rise to the practice of humbuggery. How extensive it was among the farmers and just how much discontent it created would be difficult to determine. It was a “grass-root” type of disturbance, but from the amount of publicity that was given it in the agricultural and horticultural press of the day, one is led to assess it at least as another factor in helping to form the protest type of mind so characteristic of the Western farmer.

There was extensive swindling in the process of securing and planting horticultural products of the orchard variety. Farmers coming from the East or from Europe, had been reared in an environment where there was plenty of fruit in their diet and upon coming to the prairies of the West they naturally looked forward to the idea of carrying on the practice of cultivating a family orchard. Many of them brought various varieties of seeds with them, and often they had stowed away in their scanty baggage scions of fruit trees, vines, and shrubs capable of propagation. To secure further supplies of orchard trees, the farmers had three possible sources: (1) they could raise seedlings which as a rule produced an inferior fruit and was generally resorted to only in the initial stages of settlement, (2) they frequently could secure a minimum amount of improved nursery stock from the local nurseries in the East that sold their products through traveling agents or from swindlers who claimed to represent them—the latter being known as bogus tree peddlers because of the stigma attached to them. It was the activities of these peddlers that produced most of the complaints among the Western farmers and fruit growers.8

Much of the humbuggery that centered around tree peddlers could be traced to the slow development of local nurseries. They were usually not only slow in coming into the newer areas, but were naturally small and financially "

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2 Ohio Cultivator (22 vols., Columbus, Ohio, 1845-1886), XII (1856), 330; Michigan Farmer (Third Series, 53 vols., Detroit, Michigan, 1862-1908), II (January 14, 1871), 11; Wisconsin and Iowa Farmer and Northwestern Cultivator, VII (Janesville, Wisconsin, 1855), 274. The latter periodical was published under various titles as the Western Farmer, Vol. I to Vol. II, number 3, and Wisconsin Farmer, Volumes XII to XX. Altogether there were 26 volumes published at various Wisconsin cities from 1849 to 1874.
unable to distribute their goods among the settlers. What limited stock they were able to grow was generally better adapted to the region, but because they were unable to advertise their products or to send salesmen into the field to sell their wares, they did not command a very large patronage. Nevertheless, the evidence seems to indicate that those who did depend upon the local nurseries not only secured a better and more reliable product, but also found them generally cheaper in price. Most of the business, however, was taken away from the local nurseries by the larger concerns in the East, who sold through their legitimate agents, and by the activities of the bogus tree peddlers.

The swindling practice of marketing trees by the use of hawkers going about the countryside was only one phase of the economic infractions that prevailed among the Western farmers in a number of ways. This same technique had been prevalent in the East at an early date but moved west with the line of settlement. The farmer was not only victimized by dealers in trees, but he was also duped by patent right agents, quack doctors and veterinarians, pseudo clergymen, lightning rod installers, land speculators, seed distributors, and even tombstone swindlers. In fact, there was open season on these rural people most of the time by a class of Eastern producers and vendors who had been brought up in a much more sophisticated type of urbanism that had not as yet established itself in the West. Agricultural editors were constantly lamenting the fact that most of the farmers lacked even the primary elements of awareness and critical intelligence, being contented to live merely a mundane existence of "idleness, shiftlessness and indolence ...". "Too many farmers," says the Illinois Farmer, "still think that reading, reflection, reasoning . . . is of no use to them. They laugh at science; call it book farming with a sneer . . . ."

*Illinois Farmer, II, 3-4. In reading the biographical sketches of early Indiana nurserymen one finds that on an average they established their small businesses about twenty years after the first settlements were made. Indiana Horticultural Society Transactions, XII (1872), 103-105. Even as late as the eighties a Western editor observed that "the extension of nurseries in the West has not kept pace with the settlement and improvement of the country. . . ." Western Farmer, II (Madison, Wisconsin, March 31, 1883), 1. The latter periodical was published under the title of Western Farmer from 1881 to March, 1891, and as the Wisconsin Farmer from 1891 to 1929. Altogether 58 volumes were published.

10 Illinois Farmer, I, 260.
Horticultural Humbuggery Among Western Farmers

The farmer, they think, need not know much . . . .”

Besides possessing this lack of insight, life on an ordinary prairie homestead was lonely, dull, and monotonous, and when a stranger appeared in the yard, he was more than welcome. Especially was this so when a tree merchant arrived with articles for sale that might help to bring a little cheer and beauty to the solitary farm.

The Western farmers, through their experiences with these tree missionaries soon discerned that they fell into two distinct classes: (1) there was the legitimate agent who could be relied upon as a genuine representative of some responsible nursery, and (2) the tree peddlers who were neither nurserymen nor their representatives, but merely buyers and sellers and were likened “to a cyclone on account of the wreck they left behind.” The problem for the farmer, of course, was to be able to make the differentiation between the two. This second class could be further refined into two separate groups, and they were well described by one of the Western journalists:

One is a rough, horny handed man with duck overalls, who only goes out in his own and adjoining counties, seldom or never out of his State . . . . He is like the flatheaded borer, and does but little harm . . . . The other kind is the kid-glove tree peddler. He wears a plug hat, high heeled boots all “shined up,” with a carpet bag full of fine fruit plates, and large whole fruit made of wax, sealed and preserved in glass jars filled with bitters. This tree peddler is your horticultural dude. He does not work at home. He goes abroad seeking whom he may devour. He wants pastures new and pastures green, for he has no county of his own, no State and probably no nursery. He goes West. He drops down on Kansas. He represents the “Home Hill” or some other great nursery in the East. His trees are borer proof. They are the Russian variety, or they are grafted on hard wood stock. Your dude tree peddler is a man of gab. His tongue is as long as your arm, as oily as a piece of bacon, and as loose as a calf’s tail in fly-time. He pays his attention to your wife and shows his wax fruit to your daughters. He knows he will sell second-class trees that he will get from some neighboring nursery when it comes time to make his delivery.

These men, as the above description attests, were amply prepared to influence the innocent farmer when they

11 Ibid., II, 75-77.
12 Western Rural (21 vols., Chicago, 1862-1883), XXI (1883), 240; American Agriculturist (New York, 1842— ), XXIX (1880), 419. The Western Rural was published under various titles until 1898 when it was merged in the Farmers’ Voice.
came to his farm. They left nothing undone that might add to their effectiveness in selling their nursery stock. They drove the best, as well as the fastest horses, with the finest harnesses and carriages. They had the necessary vocabulary to convey the impression that they were scientific and well-trained for their "profession." They were quick to discover the farmers' interests and backgrounds. When they contacted a person who had come from New York, these ubiquitous peddlers were sure to enlarge upon the qualities of certain kinds of fruit that "Mr. New Yorker grew in his native State . . . . If the party to be victimized is from some other State, the same dodge is played off by substituting such varieties as grow well in that State."13 They always had, no matter what the variety might be, exactly what the farmer wanted and each new season found them with specially developed plants which they could use as leads. Such a peddler might have in his possession a catalogue or book of plates showing the most highly colored specimens of some reputable nursery such as those in Rochester, New York, a concern familiar to most westerners. He might have the proper credentials, signatures, and seals, together with a sample of the bottled fruit magnified several times beyond the natural size.14 Finally, to secure and cinch the farmer's signature to a large order and to guard against any remonstrances from the female portion of the household, the peddler might frequently throw in gratuitously a flowering vine or rosebush with a "jaw-breaker" of a name.15

These irresponsible men found it easy to sell to the

13 Wisconsin Farmer, XII (Madison, Wisconsin, 1860), 339. See footnote 8 for an explanation about this periodical. Western Rural, XVIII (1880), 402; Michigan Farmer, II (January 14, 1871), 11.
14 Prairie Farmer, L (1879), 210; Michigan Farmer, XIII (1855), 246; Ohio Cultivator, XI (1855), 202. The story was told of one vendor who showed a farmer the large plums in his glass container and by accident he dropped and broke the bottle thus reducing the size of the fruit to those of a "gooseberry." American Agriculturist, XLVI (1887), 233.
15 Prairie Farmer, LVIII (1886), 505; Cultivator and Country Gentleman, XI (Albany, New York, 1876), 119. The latter periodical was published as the Country Gentleman from 1833 to 1866, from 1866 to 1897 as the Cultivator and Country Gentleman, and from 1897 to the present as the Country Gentleman. It was published at Albany, New York, and Philadelphia. Peddlers, in order to expedite their sales, employed a second party, that is they would "buy up some one in each town to go with them and recommend them." Wisconsin and Iowa Farmer, VII, 274. Western Farmer, VI (1887), 185. For an explanation of the latter periodical see footnote 9.
farmer because of the novelties and the endless number of new varieties that they were always introducing. It was a period when everyone, not merely the farmer, was attracted by something new and out of the ordinary. Naturally, such a craze for the unusual made it easy for the tree peddler to sell large numbers of horticultural humbugs. There were few agencies at that time to enlighten or to protect the innocent farmer from these frauds, for experimental stations were as yet undeveloped, and too many of the newspapers were willing to accept snide advertisements because of the money involved. The better journals were constantly promoting protective legislation and the commendable work of the Orange Judd publications in securing the first agricultural experiment station as well as exposing popular swindles was of inestimable value to the American farmer. Moreover, the activities of the Commissioner of Agriculture in procuring, propagating, and distributing new and valuable seeds and plants among the farmers was a factor in protecting the agricultural interests.

The purchasing of these bogus novelties gives one the real insight into the innocent farmer's thinking, for only the most unsuspecting type of mind could have been induced to purchase such monstrosities. A good example of these "rare varieties" were those connected with grapes. It was a time when most people were interested in grape culture and yet it was also a time when such an interest might put one under suspicion due to the temperance movement which was beginning to frown upon all alcoholic beverages. In this conflict of interests the tree peddler found a lucrative field for exploitation. In order to increase his sales, and yet not interfere with the moral idealism of the people, he came forward with a grape stock that was so "mild" that the wine

18 Ohio Cultivator, XI, 293; American Agriculturist, XXVIII (1869), 7, 169; ibid., XXX (1871), 45; ibid., XXXI (1872), 39, 85; ibid., XLIV (1885), 431; Prairie Farmer, L, 284; ibid., LVI (1884), 581; Western Rural, IX (1871), 48; ibid., 21, 36; ibid., XXXIV (1886), 584.

17 Prairie Farmer, LV (1883), 472. Farmers who were victimized often wrote to the farm journals to have the peddlers exposed. Colman's Rural World (69 vols., St. Louis, Missouri, 1848-1916), XXXVI (1883), 5; American Agriculturist, XXXIX (1886), 116.

15 E. D. Ross, "The United States Department of Agriculture during the Commissionership," Agricultural History (Chicago, and Baltimore, Maryland, 1927- ), XX (1946), 133, 146.

19 Illinois Farmer, IX (1864), 76-77.
produced from its fruit was nonintoxicating. Under such circumstances winemaking still remained respectable and as a result great quantities of this deceptive variety, as well as others with superior features, were sold. The farmers were swindled with what the peddler called the “winter grape,” or one that would produce a fruit which would “keep all winter,” and still another that was so superior that it would “prune itself.”

There were likewise many attractive oddities in berry and flower bushes. Most of the peddlers had pictures of a strawberry that grew on bushes or small trees as large as oranges which would naturally appeal to those who had the backbreaking experience of picking them from the regular plants. They took orders for a sweet chestnut, an everbearing mulberry, a thornless gooseberry that bore twice a year, and asparagus roots that matured into stalks “as large as a broom handle” in as short a time as three months. They displayed pictures of many flowers, shrubs, and bulbs that were heretofore unknown for their excellency and beauty. The one that was the most attractive to the uncritical eye of both rural and urban people alike was what they called the “blue rose.” One firm in New York alone sent out itinerants to every section of the country selling this horticultural humbug at enormous prices.

It was in the selling of fruit trees that most of the swindling took place, and it was the consensus of opinion of the agricultural press that no other business afforded so many opportunities for cheating the ignorant farmer.

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20 Indiana Horticultural Society Transactions, XI (1871), 183.
21 Prairie Farmer, XLVIII (1877), 138; ibid., LII (1881), 66; American Agriculturist, XXXVIII (1878), 332; Des Moines, Iowa State Register, April 13, 1877.
22 Illinois Farmer, III (1858), 88; ibid., VII (1862), 117-118; Prairie Farmer, L, 210; American Agriculturist, XXXVIII, 332.
23 American Agriculturist, XXXV (1876), 207; ibid., XXXVII (1878), 208; ibid., XLV (1886), 267; Prairie Farmer, LI (1880), 209. One farmer complained to a vendor that his gooseberry bushes sold him last year bore currants. “Nothing wrong about that,” said the vendor, “that sort always bear currants the first season.” Cultivator and Country Gentleman, XLIII (1878), 118.
25 Cultivator and Country Gentleman, XXXI (1868), 168; ibid., XXXIII (1869), 394; American Association of Nurserymen, Proceedings (n.p., 1876- ), V (1890), 27.
Judd, in an address before the American Association of Nurserymen, stated that in one-third of a century's experience in dealing with agricultural problems he "had heard of more swindling of the meanest kind by tree agents than by any other class, except perhaps the lightning rod operators." The best trees were sold by the larger nurseries in the East and the poorest "culls" and "refuse stock" were shipped to the Western states where they found a ready market. This was largely due to the fact that in the East the buyers of nursery stock would buy only the choice trees while in the West, as one nurseryman put it, "worthless sort of trees can be sold at high prices if they are large enough." The peddlers soon discovered that all they needed to do to get an order was to secure some large robust trees and the Eastern concerns had plenty of them on hand for among experienced orchardists it was the small tree that was in demand.

Among the novelties carried by these tree missionaries was a whole category of "borer-proof" trees to be sold at a much higher price than the old stock names and brands. They had pears that were blight-proof, cranberry and cotton trees, sweet Chinese crabs, weeping peaches, and trees that would produce an apple "half sweet and half sour," to list only a few. But the one scheme that was certain to sell any of their trees, even to the most credulous customer, was merely to attach the word Russian to its name. For years the Western fruit growers had been in search of new nursery stock that would withstand the arid and cold climate of the West and most of the Eastern varieties had not proven to be too successful in subzero weather. As a result trees and plants from all parts of the earth had been imported, and especially desired were those from certain sections of Russia where the natural conditions were somewhat comparable to those

28 American Association of Nurserymen, Proceedings, XII (1887) 98.
27 Indiana Horticultural Society, Transactions, XI, 181; American Agriculturist, XLI (1882), 320.
25 Western Farmer and Wisconsin Grange, Bulletin (Madison, Wisconsin, IV, November 21, 1885), 6. The Western Farmer merged with the Wisconsin Grange Bulletin in 1885 and was the official organ of the Wisconsin Grange for that year. Western Rural, XI (1873), 354: Prairie Farmer, LI, 209; ibid., LII, 66; ibid., LIX (1887), 695.
in the Western states. Experiments were carried on extensively at some of the agricultural colleges with these importations and in spite of the differences of opinions among the learned horticulturists, the farmers in general were led to believe that the Russian types were the answer to their problems. This tendency opened the way for the tree peddler to humbug the farmer, for he would simply learn the foreign names of trees and then sell and deliver to his buyers any "hospital stock" that he was able to buy from the nurseries. It was a bonanza as long as it lasted.

Along with the tree peddlers came another type of swindlers who called themselves the tree grafters. It was not difficult for this group to sell their services to the farmers for many of the early settlers looked upon grafted fruit "as a curiosity, and . . . an innovation upon the works of nature." They usually traveled in groups, placing their advertisements in the local newspapers previous to their arrival. Their approach was somewhat similar to that of the peddler. They displayed the necessary specimens of wax and bottled fruit and "exaggerated colored drawings and bombastic descriptions." A good account of their operations was reported by the horticultural editor of the Michigan Farmer. He described this innovation upon nature as follows:

They traverse the country, and take orders to do grafting at so much apiece for all that live. When the season of grafting comes, a few workmen come along with a wagon load of scions, containing every variety that could possibly be called for, all procured from the most responsible source; and as a proof of this, a catalogue of some well known nurseryman is exhibited, and, it may be a forged bill or invoice, while the scions were most likely, cut from some of the orchards they had been grafting in. Thousands of orchards have been ruined in this way. We have now one in our possession which the previous owner had had grafted by one of these rogues, and instead of having some three or four select sorts, as he ordered, he

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21 Western Farmer and Wisconsin Grange, Bulletin, IV (October 3, 1885), 6; Western Farmer, II (February 8, 1883), 4; Prairie Farmer, LIII, 66; Western Rural, XVII (1879), 51, 221; ibid., XXIV, 274; Michigan Farmer, XIV (November 20, 1883), 4.
22 Indiana Horticultural Society Transactions, XII, 108.
Horticultural Humbuggery Among Western Farmers 215

had a collection of vile rubbish, mostly natural fruit, and in some cases three or four different sorts on a tree.83

The third group of swindlers in this category of itinerants was the tree invigorator or restorer and who become in time the precursor of what we call the tree surgeon in our modern society. His function was not only to restore decayed parts of trees but to invigorate them to higher production. They had cures for most of the blights, and repellants for the common borers and other insect pests, as well as injections which they sold in the form of copyrighted and patented recipes or prescriptions. As a rule they masqueraded under the title of “doctor” and much of their nefarious work was carried on through circulars and advertisements.84 This particular group of swindlers found that most of the tree growers were in need of their services for two reasons: (1) the farmer who purchased his fruit trees from the itinerant peddler almost invariably received an inferior grade of stock to begin with, and (2) the careless manner in which he handled his orchard, after the initial enthusiastic impulse for planting had subsided, created the need for such a craftsman.85 With these two handicaps against them it was no wonder that most orchards were in continuous need of attention. One horticulturist, in commenting on this topic, stated that although many trees were lost and worthless from improper treatment in the nursery, . . . yet more were lost by unskillful planting, and neglect afterwards, . . . . In all my observations . . . . I think I can safely say that I have not seen one orchard . . . . in a hundred

83 Michigan Farmer, XIII (1855), 246; Ohio Cultivator, III (1847), 44; Western Rural, XX (1882), 93.
84 Wisconsin Farmer, I (1869), 84; Illinois Farmer, IV, (1859), 345; American Agriculturist, XXX, 206; ibid., XXXVI (1877), 247; ibid., XLII (1884), 131; ibid., XLV (1886), 267; Prairie Farmer, XL, (1869), 27, 178; Western Rural, IX (1871), 48; ibid., XXII (1884), 341. Frauds were extensive in many kinds of fertilizers. Recipes were sold to “restore fertility to worn out land, bring orchards into bearing, drive away insects, save labor, produce great crops, and do wonders generally for the farmer.” American Agriculturist, XXX, 6; ibid., XXXI, 126; ibid., XXXVIII (1879), 8; ibid., XLI, 240; Prairie Farmer, XLVII, 122. Laws were passed in some states to regulate its manufacture and sale. Ohio State Board of Agriculture, Annual Report for the year 1880 (Columbus, Ohio, 1881), 351-352. Importations of Guano from South America grew to a sizable business in the fifties and due to high prices and monopolistic controls by the British adulterations were common. Plough. The Loom and the Anvil (10 vols., Philadelphia, 1848-1857), III (1850), 128.
85 Cultivator and Country Gentleman, XLI, 119; ibid., XLIV (1879), 758-759; Ohio Cultivator, XIV (1858), 184-185; Farmers’ Review (50 vols., Chicago, 1877-1918), IV (1890), 402.
even tolerably managed . . . Blown over to one side, anchored in a tough grass sod, buried up in groves of corn-stalks, torn and broken by cattle, barked and bruised by the plough, pruned with an axe—thus they perish in their youth, or become old, deformed, covered with lichens, and a prey to swarms of insects, before they have yielded their first fruits.86

There was still a fourth type whose business was the construction and maintenance of live fences and who were sometimes called professional hedgers. Their particular skill was in great demand during this period, not only because hedges had become the principle type of fencing on the Western prairies, but also because of the fact that it generally took more time and patience than the ordinary farmer possessed to build and maintain a successful live fence. During the summer months, they grew so luxuriantly that at least two trimmings were necessary to keep them in proper order. Few farmers could afford the time during this busy period, and, as a consequence, poor hedges were the rule rather than the exception.87 Out of this need, there came into the field these professionals who went about the countryside contracting with the farmers to build and maintain their hedges. They generally represented companies from the midwestern states, but according to those who engaged their services, most of them were not reliable.88

The modus operandi used by the hedgers was to contract with the farmer to plant and maintain a hedge for four years at a stipulated sum—usually one dollar and twenty-five cents per rod; the company to secure a percentage of this amount each year after the services were rendered.89 Following the planting, in the spring of the first year, there was little for the hedgers to do but to reset the dead plants and do the trimming until the fourth year came around when it was necessary to perform the most difficult service of them all, namely, the plashing operation. This was a process where the small branches near the ground had to be partly cut, then bent and intertwined in order to close the gaps. It

88 Western Rural, XXI, 87; ibid., XXVI (1888), 34; Western Farmer, VII (1888), 722.
89 The contract usually called for thirty cents a rod for the first three years and thirty-five for the fourth. Western Farmer, VII, 641.
was at this juncture of the contract that the swindle took place. A Kansas reporter pointed out that in his state these professional hedgers not only "roped the farmers in right and left with their Osage Orange fence" but after "collecting for three years they left the farmer with an unsightly fence—plashing undone." It was in this fourth year that the farmer really needed the expert services of the hedger, but instead, the latter being a swindler and having already made his easy profit without too much work, failed to return.

Returning to the ways of the fruit-tree peddler, we find that once he had secured his orders the next step would be that of making deliveries. It was in this part of the transaction that most of the chicanery was practiced. His methods of operation have been described in the following manner:

An expert at the business will go to a nurseryman and purchase all the trees, good, bad or indifferent, on a certain plat of ground, for which the nurseryman will cut down the price to the very lowest figures, because he is getting rid of everything and having his ground cleared for other stock. So soon as this contract is closed the tree peddler puts himself and his agents into the market to sell what he has thus purchased. They are usually prepared with catalogues and books having not only a description but cuts and plantings, which they insist are correct representations of what they are offering for sale . . . . Having made their sale of worthless stuff at fabulous prices, . . . they hurry back to the nursery where they have made their purchases.41

Back at the nursery, which often was not at all the one represented in their catalogues and pictures, they proceeded to make up their orders for delivery.42 During the early years of tree peddling most of the stock was secured

40 Western Farmer, VII, 641; Prairie Farmer, LIX (1887), 695. Professor W. A. Henry of Wisconsin estimated that these companies made in the first three years a net profit of $100 on each 160 rods, leaving the farmer without a fence and the contractor without any liability.

41 Western Rural, XVI (1878), 315; Wisconsin and Iowa Farmer, VII, 274; American Garden, VIII (1887), 362.

42 Michigan Farmer, II (January 14, 1871), 11; Wisconsin Farmer, XII, 339. It was not difficult to secure a catalogue from a large nursery for they sent them to any one upon request. Michigan Farmer, II (January 14, 1871), 11. Cases were known where the nurseries were paid large sums just to use their names and catalogues with the privilege of the peddler to purchase his stock where he pleased. Prairie Farmer, LIX (1887), 684.
from the Rochester nurseries, there being twenty different nurseries in and around that city. In later years they were apt to contract for part of their stock with nurseries in the Western states.43 This was especially true if the peddler could find nurserymen who would let him practice his frauds in the billing out process. The technique of deception was perpetrated in somewhat the following manner, deviating occasionally in some detail to fit a particular situation. The peddler would come in from the field where he had been selling, with an aggregate of orders sometimes amounting to ten or twenty thousand apple trees of different varieties. The particular nurseryman, being unable to furnish all the various kinds, would allow from his own billing grounds, "large quantities of stock to go out under false names, . . . .")44 If a nurseryman were solicitous of his own reputation he might insist on having the proper labels put on the trees, in which case the peddler would conform only to change the tags after they had left the nursery. Or, not infrequently the peddler would buy the trees at a given nursery and then have them removed to another concern where they were "heeled in . . . with the privilege to label . . . [them] as they please, or as their cupidity may suggest, . . . ."45 This fraudulent method of mislabeling trees was not only difficult to detect at the time, but it generally took from three to five years before the innocent buyer actually discovered that he had been victimized; by that time the peddler was out of reach and restitution was impossible. Such a

43 Michigan Farmer, II (January 14, 1871), 11; Illinois Farmer, VII (1862), 117-118. In the fall of 1853 the Rochester nurseries shipped out 800,000 trees to various parts of the country. Moore's Rural New Yorker (36 vols., New York, 1849-1877), IV (1853), 367. The Heikes nurseries in Dayton, Ohio, became prominent for their activities with peddlers. Western Rural, XVIII (1880), 169, 179. Some of the nurseries had special advertisements listing trees for peddlers "at a very material reduction from our regular prices." Illinois Farmer, V (1860), 139. European nurseries often shipped inferior stock to this country and sold it to the western tree peddlers. Orange Judd Farmer, V (1889), 374. The latter periodical was published as the Farmer, Vol. I to Vol. IV, No. 9, Orange Judd Farmer, Vol. IV, No. 10, to Vol. LXXXII, No. 9, Orange Judd Illinois Farmer, Vol. LXXII, No. 10, to Vol. LXXXV, No. 16, and was then merged into the Prairie Farmer. Seventy-eight volumes were published at St. Paul, Minnesota, and Chicago from 1886 to 1930. American Agriculturist, XXXIX, 116.

44 Orange Judd Farmer, IV (1888), 231; Michigan Farmer, II (January 14, 1871), 11.

45 American Association of Nurserymen, Proceedings, VIII (1883), 12; American Agriculturist, XXXIII (1874), 406.
Horticultural Humbuggery Among Western Farmers 219

revelation often discouraged some farmers to such an extent that they gave up the idea of raising fruit and "decided not to try again."46

The trees were duly packed and frequently marked with the imposing label "From Rochester Nurseries" and sent to a central point in each community where trees had been sold. Most of them were sent by boat or on open cars because the charges were less and unloaded at the docks and stations where they were left exposed to the weather.47 Notices were mailed to the buyers that their trees would be delivered at such a point and at such a time. The person in charge of delivery would frequently not be the one who had sold the trees, so all the agreements and promises that the buyer had with the sellers were ignored. Some farmers were shrewd enough to see that they had been swindled—in such a case they might attempt to resist payment. But this was not easy, as one victim reported, for the peddler "has made his papers to fit his designs so exactly that you are in a net from which you cannot escape."48 Negotiable notes were taken from the farmers at the time of selling and resold to the party who was to deliver the trees or were "shaved" at the local bank. If the farmer refused to pay for his stock the agent would threaten suit in which case it would involve legal costs and this amount would generally be higher than the actual bill. Furthermore, to prosecute a tree peddler, a farmer would have to prove that the trees delivered were a misrepresentation, and to do that it would take several years under growing conditions, so that with these difficulties confronting them most farmers in the end chose to pay these bills, however unjust.49

The selling of trees in this manner was indeed a lucrative business, resulting in high prices to the buyer and high profits to the seller. The preponderance of evidence attests

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46 Prairie Farmer, XLVIII (1877), 114; ibid., LI, 66; Cultivator and Country Gentleman, XLIV, 470.
47 Illinois Farmer, II, 211; ibid., VII, 117-118; Indiana Horticultural Society Transactions, XII, 38. One Illinois writer stated that in the fall of the year there could be "seen at most of the railroad stations piles of Rochester trees." Illinois Farmer, III, 190. Another reported that the trees by the time of their arrival were "so dried and withered that there was not one chance in a hundred of their ever growing." Cultivator and Country Gentleman, XLI, 119.
48 Illinois Farmer, IV (1859), 269.
49 Cultivator and Country Gentleman, XLI, 119; Ohio Cultivator, XII (1856), 380; Western Rural, XIX (1881), 75.
to the fact that the peddlers prices were from two to three times higher than those listed by the responsible nurseries. In the case of their novelties the margin was still higher.\textsuperscript{50} The profits of the nurseryman who sold the bogus trees was usually only about twenty-five per cent, as he was anxious to clear his ground for new planting, while the tree peddler received the balance, and his profits in some cases ran as high as six thousand dollars a season.\textsuperscript{51}

The extent of this practice took in practically all of the Western states but was confined largely to the period from the early fifties to the late eighties, by which time the farmers had either been educated to the ways of the peddler or laws had been enacted regulating the nursery business. In some of the years during this period there was more fraud than in others, depending upon the general economic conditions in the country. Various states were troubled more than others but even those in the Great Plains areas, where trees were difficult to grow, too often heard “the cry of the tree peddler in the spring of the year.”\textsuperscript{52} Certain sections of a state might be affected more than other sections since the peddlers usually traveled in groups of a dozen or so.\textsuperscript{53}

The extent of the fraud in any one section is difficult to determine in spite of the numerous estimates made by those who had been victimized, for such reporters were usually not in a very good frame of mind to make really accurate statements. Perhaps the most accurate accounts were those given by observers in Wisconsin where, due to so many farmers of foreign extraction, tree peddlers were as numerous as “candidates at a town caucus.” J. C. Plumb of Rock County, a prominent and respected nurseryman and fruit leader, made this observation:

For forty years I have had good honest competition from eastern and southern tree agents . . . . They have the same right of trade as we, . . . . But when the business came to the proportions of organized fraud, with tens of thousands of dollars backing, the employment of

\textsuperscript{50} Illinois Farmer, II, 14, 197-198; \textit{ibid.}, VII, 117-118; \textit{Wisconsin and Iowa Farmer}, VII, 274; \textit{Cultivator and Country Gentleman}, LII (1887), 713.


\textsuperscript{52} \textit{Cultivator and Country Gentleman}, LII, 713; \textit{Prairie Farmer}, LVII (1885), 54; \textit{ibid.}, LVIII, 280; \textit{Western Rural}, XXIV, 274.

\textsuperscript{53} Des Moines, \textit{Iowa State Register}, April 20, 1877.
Horticultural Humbuggery Among Western Farmers 221

hundreds of traveling salesmen to push their sales of bogus stock of fictitious values, then forbearance ceased to be a virtue. . . . For five years or more Wisconsin has been infested with several gangs of these pirates . . . . In this line probably over $100,000 have been drawn from the state by them, leaving nothing but the “ashes of disappointment” . . . . I have collected evidence enough against them to damn any but the devil himself.54

There were several reasons why this form of dishonest business was allowed to continue for so many years before it was brought under control. In the first place nurserymen themselves profited from it. It served as an excellent outlet to get rid of their old stock every year, and furthermore, it did not seem irregular to many of them since they were merely following the example of others in various business activities.55 In the second place there was a genuine fear on the part of many nurserymen and journalists alike that “if it were not for peddlers there would be fewer orchards.” It was true that these itinerant merchants did encourage tree planting, even though they were of inferior stock, for most farmers were gullible enough to buy from them instead of ordering direct from the responsible nurseries. N. J. Colman, in his address before the American Association of Nurserymen, challenged the members to put their house in order, while at the same time he recognized the benefits in the past of this particular evil. “Tree peddlers” he said, “have done much harm as well as good. They have induced hundreds of thousands to plant trees . . . [and] are a sort of necessary evil . . . . It is to regulate the business so as to keep dishonest men under proper restraint. . . .”56 In the third place some of the responsibility for the continuance of these practices fell deservedly upon the shoulders of the consumers, most of whom were not only ignorant of which varieties were adaptable to their climates but were grossly negligent in tending the trees once they were planted. Often

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54 Western Farmer, VI (1887), 185; Western Rural, XXIV, 776; Western Farmer and Wisconsin State Grange, Bulletin, V (October 30, 1886), 5. One nursery in Troy, Ohio, was reported to have no less than 200 persons making a living out of the bogus fruit business. Western Rural, XI (1873), 354. Fruit tree peddling reached such proportions in Wisconsin that the Grange, through their county and state agents, went into the business of handling nursery stock. Wisconsin State Grange, Bulletin (January, 1875), 2-3.

55 Western Rural, XXIV, 139; Prairie Farmer, LV, 552; American Agriculturist, XLIII, 273; ibid., XLV, 225.

56 American Association of Nurserymen, Proceedings, VIII, 12.
their trees would die after only a season or so and the farmer would then lay the blame upon those who sold them. Furthermore, there were some peddlers who were honest to begin with and who would deliver the regular warranted stock to their buyers, but if any of the trees were slightly crooked or were small in size the farmer would complain and request them to be reduced in price. In such cases, the peddlers soon learned that it was expedient to deliver what they knew would please the customer rather than what they knew to be suitable. Those who refrained from this practice sooner or later had to withdraw from the business in order to remain honest.57

There were numerous proposals made throughout this period to reduce the problem. Many such proposals came from the legitimate trade itself, but the farmers were quite vociferous in expressing their grievances. Hardly a state or national nurserymen's convention was held without finding on the program an essay, address, or resolution dealing with the evils of the dishonest tree agents.58 By the late eighties the problem had become so acute that some form of action was imperative. A stigma had become so attached to the nursery business that a marked decrease was noticeable in sales of horticultural products of all kinds. L. R. Bryant, a prominent Illinois nurseryman, in an address before the American Association, stated that it was necessary to take some action not only as a matter of dollars and cents with the trade, but as a question of moral responsibility. "The reform, if it comes at all," he said, "must come from the association as a whole."59

Reforms by the nurserymen themselves, however, were adopted slowly for there were some in the trade organizations who profited from the dishonest practices and thus were reluctant to make changes. It was not until the business as a whole fell into such low repute as to make it possible at last to secure a majority who were willing to take some action. A few of the important proposals that were made by

57 Western Agriculturist, XI, 6; Vick's Monthly Magazine, II, 300-301.
58 Western Rural, XVII, 213; ibid., XVIII (1880), 203; Cultivator and Country Gentleman, XLII (1878), 438; ibid., XLIV, 345; Western Farmer, II (February 3, 1883), 4; Illinois State Horticultural Society Transactions (11 vols., Springfield, Illinois, 1856-1866), XI (1866), 63; American Association of Nurserymen, Proceedings, V, 27.
59 Orange Judd Farmer, IV, 231.
the nurserymen were (1) that sound horticultural knowledge be disseminated by them to the buyers so that they would be able to discriminate properly, (2) that every nurseryman adopt a set of copyright trade-marks, credentials, and signatures which could be furnished to their agents in the field, (3) that they make their advertisements and illustrations of fruit correspond to natural specimens, thus eliminating the "picture fruit" which were in most instances gross exaggerations, and (4) that they ask the federal government for legislation permitting them the right to secure letters patent for all new developments in plants in order to prevent tree peddlers from selling them without a license.60

These suggestions were wise ones and if they had been put into effect as law, would have gone far toward eliminating many of the questionable practices, but they were merely treated as voluntary helpful procedures and consequently proved to be ineffective. Stricter measures were necessary and inevitable. In some of the Western states farmers and horticultural societies alike requested regulatory laws from their legislatures.61 By 1886 they had been successful in securing such legislation in Kansas and Minnesota while some other states followed at a later date.62 With these enactments, a new day had dawned for the buyers of nursery stock for they outlawed the old practices of swindling the farmers with humbugs by subjecting the bogus-tree peddler to a fine, an imprisonment, or both, and requiring all nursery firms from outside the state to post bonds guaranteeing their horticultural products.

From the following discussion it is evident that this form of humbuggery in the sale of nursery stock, which was only one phase of the various forms that were perpetrated on the Western farmer during this period, existed for nearly a half century before it was brought under control. It was

60 American Association of Nurserymen, Proceedings, V, 24; ibid., XI (1886), 34-35; Farmers' Review, IV, 402; Prairie Farmer, XLVIII, 370; ibid., LIX, 684; Cultivator and Country Gentleman, XXXIII, 158.
61 Vick's Monthly Magazine, X (1887), 53; Indiana State Horticultural Society Transactions, XXIV (1884), 22; Orange Judd Farmer, V, 55, 279; Western Rural, XIX, 75.
62 Minnesota State Horticultural Society, Annual Report for 1887 (St. Paul, Minnesota), 237ff; Ohio State Horticultural Society, Annual Report for 1885 (Columbus, Ohio), 127; The Farmer, II (1887), 51, 180; ibid., III (1888), 83. See footnote 43 for an explanation about the latter periodical.
an outgrowth of the nursery business setup before public means of communication was adequate. Nurseries in the East, and more specifically in New York, found a lucrative outlet among the innocent farmers for their inferior nursery stock which they unloaded mainly through bogus-tree peddlers. These westerners, as far as horticultural knowledge was concerned, were grossly ignorant as to the suitable varieties best adapted to their climate and soil, and as a result it was possible for itinerant peddlers to sell them almost any kind of stock at fantastic prices. Local nurseries were scarce and those that did establish themselves in the West were not large enough to compete with the Eastern concerns, since its success required traveling agents to sell trees, for most farmers were slow in buying trees on their own initiative from local nurseries but were gullible in the presence of show-off swindlers. Besides bogus trees these swindlers sold many kinds of novelties that were nothing more than humbugs. They further victimized the farmers by selling them a professionalized service in the form of plant and tree grafting, invigorating, and hedging. They also frequently bribed local nurserymen into allowing them the right to use their vacant grounds in order to heel-in or bill-out inferior trees purchased from the Eastern concerns. These frauds had been exposed for years by the agricultural press, but with the development of experimental farms and stations, scientific journals and other public agencies, the information ultimately reached the rural areas. The innocent farmers were slowly being educated to a higher level of thinking until finally they were able, in co-operation with the activities of the state horticultural associations, to secure laws which drastically reformed the methods of buying and selling nursery stock.