Early Recovery and Protection of Plains Bison

Hornaday estimated that in 1889, all that remained of the once immense herds in North America were 1,091 plains and wood bison (Danz, 1997). The citizens of Montana recognized that all wild game, including bison, were rapidly disappearing from the landscape. In 1872, the Montana territorial legislature passed an act that established a closed season for "mountain buffalo, moose, elk, black-tailed deer, white-tailed deer, mountain sheep, white Rocky Mountain goats, antelope or hare, between the 1st of February to the 15th of August" (Brownell, 1987). Though the intention of the 1872 Act was clear, its passage did little to guarantee enforcement. "In Idaho, Wyoming, and Montana, where protection laws were on the books, the animal was protected only on paper and not on the plains or rolling prairies or in the mountains" (Dary, 1989, pp. 125). One Montanan recalled that he did "not consider they (the laws) are worth the paper they are printed on for the simple reason that apparently no one is appointed to see that they are carried out" (Brownell, 1989). The lack of governmental enforcement prompted citizen groups such as rod and gun clubs to focus on supporting the protection of wildlife. The Helena Rod and Gun Club stated its primary purpose as "protecting and enforcing game laws," and the shooting club in Billings was formed for "social and sporting purposes, but particularly with a view of enforcing the game laws and protecting the game" (Brownell, 1989).

Congress passed a bill in 1874 "to prevent the useless slaughter of buffaloes within the Territories of the United States. The first section made it unlawful for any person not an Indian to kill a female buffalo and the second prohibited the killing of more males than could be used for food or marketed" (Allen, 1954, pp. 14). However, when the bill was sent to President Ulysses S. Grant, it was never signed (Allen, 1954; Dary, 1989).

In what is believed to have been an attempt to prevent federal intervention, the 1872 Act passed by the Montana territorial legislature was revised in 1876 to include a provision that prohibited the killing of animals "for the purpose of procuring the hide only," and "not making use of the carcass . . . for food, for himself or for the purpose of selling the same to others for food" (Brownell, 1987). Had enforcement of this act occurred, it would have had a large impact on robe hunters, who usually harvested only the bison hides, leaving the carcasses to rot.

A bill sponsored by a Helena-area rancher, Edward G. Brooke, was passed in 1879, protecting bison for a ten-year period in Lewis and Clark, Jefferson, Deer Lodge, and Madison Counties. This bill was not concerned with the slaughter of bison that was occurring on the Montana plains, but only with the protection of a small herd located in "Whitetail Park" in Jefferson County (Brownell, 1987). Ten years later, in 1889, the territorial legislature passed a law making it illegal to shoot any bison for ten years within the territory (Brownell, 1987).

The key to the protection of bison was the ability of the state to enforce game laws. In 1895 the legislature made it mandatory for county commissioners to appoint a game warden when presented with a petition signed by 100 residents of the county, but only four

of the 24 counties (Silver Bow, Gallatin, Lewis and Clark, and Fergus) had appointed a warden by 1900. More uniform protection came with the passing of an act in 1901 that provided for the appointment of a state game and fish warden, deputy game and fish wardens, and special deputy game and fish wardens, which were responsible for investigating and enforcing any violations of game and fish laws (Brownell, 1989).

A few hundred bison had found refuge in Yellowstone National Park (YNP), despite the fact the park lay outside of the plains bison's preferred habitat (Isenberg, 2000). Although set aside as the country's first national park in 1872, Congress had not appropriated any funding to run the park, and poachers viewed Yellowstone as their own personal hunting grounds (Dary, 1989). In 1886, Captain Moses Harris, First U.S. Cavalry, took over as superintendent of Yellowstone National Park and brought soldiers in to police the park (Dary, 1989). The only action that Harris could take against poachers was to escort them out of the park; he was unable to enforce stricter legal punishments (Dary, 1989). With such lenient repercussion, poachers continued to utilize the park and used Livingston as their headquarters. Several taxidermists set up shops along Park Street, and poachers would sell bison heads and hides to them, which the taxidermists would then ship east (Dary, 1989). The inability to prevent poachers from harvesting bison and other wildlife within the park led to a reduction in the YNP herd to fewer than 25 free-ranging bison by 1902 (Meagher, 1973; Geist, 1996). This small herd, coupled with a small herd that had found refuge in Texas, were all that remained of free-ranging bison in the United States (Geist, 1996). The National Park Protective Act, which took effect in 1894, imposed a jail sentence and fine for poaching within the national parks, and became the first law to provide specific protection for bison within the National Park System (Boyd and Gates, 2006). As of 1895, Seton estimated that only 800 bison remained worldwide (Danz, 1997).

Officers of the Sixth U.S Cavalry with bison confiscated from poachers in Yellowstone National Park circa 1894. COURTESY NPS

Outside of the two small free-ranging herds, there were a small number of privately owned bison. Six men have been credited with establishing the private herds, mainly with captured orphan bison calves, from which the majority of present-day bison have since descended (Geist, 1996). One of these men was Samuel Walking Coyote, a member of the Pend d'Oreille tribe. In 1873, Walking Coyote captured between four and seven bison calves while on a hunting trip on the Milk River, and held them in a corral at a trading post on the Marias River (Geist, 1996; Wood, 2000; Lott, 2002; Picton and Lonner, 2008). Most reports claim that Walking Coyote captured the calves near the town of Buffalo, but this town is not located near the Milk River. It is believed that the calves were actually captured

near "Buffalo Lake," which is located in Glacier County near the Canadian border (Whealdon, 2001). Walking Coyote took the calves to the St. Ignatius Mission on the Flathead Reservation (Wood, 2000). There his herd grew to 13 bison by 1884. He sold 10 of them to Michel Pablo and Charles Allard, who formed the Pablo-Allard herd on the Flathead Reservation (Geist, 1996; Wood, 2000; Lott 2002). There is also speculation that Pablo and Allard had acquired additional bison from Jock Miller, who had a ranch on the Teton River near Choteau in Teton County. Miller is rumored to have captured three buffalo calves in the Teton Basin, near Freezeout Lake (Whealdon, 2001).

Horse being chased during the famed roundup of the Pablo-Allard herd. PHOTOGRAPH BY N. A. FORSYTH; COURTESY MONTANA HISTORICAL SOCIETY

The Pablo-Allard herd played a key role in the preservation of the bison, and bison from the herd were used to restock and supplement many of the public conservation herds, including the small herd in Yellowstone National Park. It was "thanks to a wildly improbable turn of chance, combined with the extraordinary vision displayed by a pair of tough, practical Montana cowmen, the buffalo did survive . . ." (Kidder, 1965, pp. 52). Tony Barnaby, Pablo's son-in-law, stated that "Many people today, while appreciating the fact that Indian Samuel, Michael Pablo, Charles Allard, Sr., and Andrew Stinger, were the ones who saved the buffalo from extermination, question their motives. Some say that the plan was to build up a vast herd, that later could be sold at a great profit. Perhaps that is a very natural view; but we, who were associates of these four men, know it is erroneous. The acquisition of money meant little to men of their type, but the preservation of the bison was their duty, privilege, and pleasure" (Whealdon, 2001, pp. 83).

The Pablo-Allard herd became the largest herd in the United States, numbering 300 head. It is reported that although several men were employed as "buffalo herders" to keep the bison within their home range, these riders apparently had little to do, as there is no record that the bison ever attempted to leave the valley (Whealdon, 2001). The herd was split in 1896 following Allard's death, and half of the herd was sold to Charles Conrad in Kalispell (Wood, 2000). Following his death Conrad's widow, Lettie, sold many of the bison to zoos, conservation groups, government organizations, and private herds throughout the country. In 1902, around 20 of the Pablo-Allard bison were sent to restock Yellowstone National Park (Kidder, 1965; Geist, 1996; Wood, 2000). In 1908, 34 of the Pablo-Allard bison were selected by the American Bison Society to form the nucleus of the National

Bison Range (NBR) herd near Moiese, in northwestern Montana (Kidder, 1965; Wood, 2000).

The National Bison Range was established by an act of Congress in 1909. Montana Code 87-1-711 gives consent by Montana for the acquisition by the United States of land for the "establishment of an exhibition park for bison and other big game animals, reserving, however, to the state of Montana full and complete jurisdiction and authority over all such areas not incompatible with the administration, maintenance, protection, and control thereof by the United States under the terms of applicable federal regulations" (87-1-711). Montana Code 87-1-712 allows for the development of the National Bison Range, stating that "upon the acquisition or establishment of any such park in Lake County and Sanders County, the Fish and Wildlife Service, United States Department of the Interior, agrees to develop, improve, and maintain the park for the display of such native big game as are available on the national bison range" (87-1-712).

Pablo surveys his herd. PHOTOGRAPH BY N. A. FORSYTH; COURTESY MONTANA HISTORICAL SOCIETY

The U.S. government initiated plans to open the Flathead Indian Reservation, which was home to Pablo's herd, to homesteaders in 1906 (Kidder, 1965). Pablo sought but was denied a large grant of grazing land for his bison. He then attempted to sell his herd to the U.S. government, with the support of President Roosevelt. Congress, however, did not mandate the funds for this project (Kidder, 1965). Pablo eventually sold his herd to the Canadian government, which used the bison to establish their public herds (Wood, 2000; Boyd and Gates, 2006). During his observation of the wild roundup of Montana bison for shipment to Canada, Montana cowboy-artist Charlie Russell wrote, "if it has not been for this animal the west would have been the land of starvation for over a hundred years he fed and made beds for our frounteer (frontier) an it shure (sure) looks like we could feed an protect a fiew (few) hundred of them but seemes (seems) there aint maney (many) thinks lik (like) us . . ." (Kidder, 1965, pp. 63).

Other private herds were also started from bison captured in Montana. James McKay and Charles Alloway captured a few bison calves in 1873 and raised them in Deer Lodge. These bison were eventually sent to Canada (Wood, 2000). Fredrick Dupree (originally Dupris) captured nine bison calves near the Yellowstone River in Montana in 1882 and transported them to South Dakota (Geist, 1996; Wood, 2000).

The concern over the vast decline of bison led to the formation of the American Bison Society in 1905, which was a preservation organization (Isenberg, 1997). The American Bison Society worked with the U.S. government to establish several public herds including the National Bison Range in Montana (Isenberg, 2000; Boyd and Gates, 2006). The National Bison Range was established in 1908 on land that was originally part of the Flathead Reservation, and was the area in which the Pablo-Allard herd had flourished (Berger and Cunningham, 1994a; Isenberg, 1997). The area was partly chosen due to its accessibility for tourists, who could take the train to Ravalli (Isenberg, 1997). The bison that had been purchased for the range were fenced in 1909 (Isenberg, 1997; Lott, 2002). Pablo was unable to round up 75 of his bison for shipment to Canada, and these bison ranged freely on the reserve (Isenberg, 1997). The State of Montana later gained control of the free-ranging bison, declared them wild, and stopped Pablo from having a hunt, but was unable to prevent poachers from slowly eliminating them (Isenberg, 1997).

The plains bison slowly increased in numbers between 1900 and 1970, with most of the increase in public herds (Gates et al., 2010). Public herds were eventually established in Alaska, Arizona, California, Colorado, Illinois, Iowa, Kansas, Kentucky, Minnesota, Missouri, Nebraska, North Dakota, Oklahoma, South Dakota, Texas, Utah, Wisconsin, and Wyoming (Boyd, 2003; Gates et al., 2010).