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# Who Wants a Buffalo?: South Dakota's Fenced Herds and Experiments in Management, 1901-1952

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WHO WANTS A BUFFALO?  
SOUTH DAKOTA FENCED HERDS  
AND EXPERIMENTS IN MANAGEMENT, 1901-1952

By David A. Nesheim

A Thesis

Submitted in Partial Fulfillment

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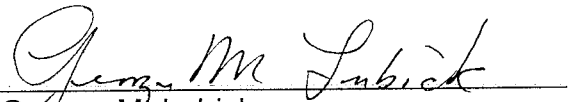
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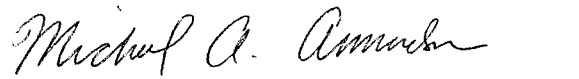
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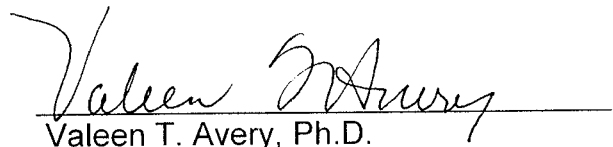
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## ABSTRACT

WHO WANTS A BUFFALO? SOUTH DAKOTA FENCED HERDS  
AND EXPERIMENTS IN MANAGEMENT, 1901-1952

David A. Nesheim

By 1890, the number of North American bison (*Bison bison*) in the United States was reduced to about 500 animals. At that time, a few private ranchers started small herds from remnant survivors of the hide trade. Fredrick Dupree saved nine calves on his ranch near the Moreau River in South Dakota.

Between 1901 and 1913, three fenced preserves were created in the state. James Philip, a Pierre rancher, purchased the Dupree herd in 1901. The state of South Dakota created Custer State Game Preserve in 1913. The Federal government, in concert with the American Bison Society, created the Wind Cave National Game Preserve in that same year. The future propagation of the species was thereby assured.

During the 1920s and 1930s, the herds grew began to grow beyond the capacity of their perspective enclosures. After James Philip's death, his heirs dismantled the herd through a series of sales and hunts. Custer State Park (renamed in 1919) briefly attempted live sales of the surplus animals, but by the mid 1920s was slaughtering animals for their meat. Wind Cave National Park (renamed in 1935) distributed its excess to public zoos and parks and private individuals. After the demand for live buffalo decreased in the 1930s, Wind Cave

began to give surplus animals to Indians, first as meat and later creating a new herd on the Pine Ridge Reservation.

The shortages of WWII led to increased demand for buffalo meat beginning in 1942. Custer State Park (CSP) expanded its slaughtering operations. The Pine Ridge herd was terminated in 1945 and most of the animals were sold to a Michigan entrepreneur. The remaining head were added to CSP. After the war, as a result of efforts to control brucellosis, the surplus from Wind Cave was driven into CSP where they were slaughtered for meat.

The preservation of the buffalo is considered a conservation success story. Much of that success is attributable to the prodigious rates of reproduction of the animals. The history of the first South Dakota herds suggests it is one thing to create a reserve, and quite another to manage it.

## TABLE OF CONTENTS

ABSTRACT	2
TABLE OF CONTENTS	4
INTRODUCTION	5
CHAPTER ONE: "A VERY SATISFACTORY INCREASE"	25
CHAPTER TWO: SUCCESS EQUALS SURPLUS	56
CHAPTER THREE: ALL TRAILS LEAD TO CUSTER	79
CONCLUSION	106
BIBLIOGRAPHY	116

## Introduction

Buffalo once roamed North America in numbers that stagger the mind. Estimates of the total number of bison, their scientific name, vary widely.<sup>1</sup> The largest estimate states there were as many as 125 million; more recent computations lower this total to around 27 to 30 million.<sup>2</sup> By 1890, there were only 500 or so left in the United States.<sup>3</sup>

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<sup>1</sup> Bison and buffalo will be used interchangeably in this paper, because they appear in the historic literature in the same way.

<sup>2</sup> Mari Sandoz, *The Buffalo Hunters: The Story of the Hide Men* (New York: Hastings House, 1954), xii; Andrew C. Isenberg, *The Destruction of the Bison: An Environmental History, 1750-1920* (New York: Cambridge University Press, 2000), 25.

<sup>3</sup>William T. Hornaday, *The Extinction of the American Bison* (Washington DC: Smithsonian Institution Press, 2002), 464.

The first Europeans to encounter the American bison (*Bison bison*) saw a reflection of their cattle. Alvar Munez Cabeza de Vaca, the first European to travel the interior of North America, described the creatures by comparing them to Spanish cattle, although he considered the buffalo's meat sweeter. Another Spaniard used the term "vacas de tierra," or cattle of the country, and Frenchmen referred to the animals as "les boefs," meaning oxen or beef cattle. It is from the later term that buffalo derives.<sup>4</sup> To these Europeans the similarities between bison and domestic cattle were apparent. Both are grazers, congregate in herds, and supply meat to humans. Later, the North American mammals were identified as wildlife, beyond the control of humans and impediments to the spread of cattle ranching. However, the Spaniard who called the animals the cattle of the country was very close to defining the reality of the pre-contact relationship between Indians and buffalo.

The Lakota Sioux have at least thirty terms to refer to parts of the buffalo, differentiating between leg meat, thigh meat, back meat and shoulder meat, among others. The Lakota also had several terms to distinguish between the animals, including terms for bulls, cows and calves. There were more descriptive words for old bulls, large cows, white cows, fat dry cows, lean ones and scabby creatures.<sup>5</sup> Such specific nomenclature is not surprising; Lakota people have co-

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<sup>4</sup> Michael S. Sample, *Bison: Symbol of the American West* (Helena, MT: Falcon Press, 1987), 10; David A. Dary, *The Buffalo Book: The Full Saga of the American Animal* (Athens, OH: Swallow Press/Ohio University Press, 1989), 6-11.

<sup>5</sup> A Lakota/English dictionary lists eleven terms for types of buffalo, and an additional thirty-nine terms describing parts of the animal; Rev. Paul Manhart,

existed with the animals for hundreds, perhaps thousands of years. All this changed in the 19<sup>th</sup> century. By 1890, the Lakota were confined to reservations and the buffalo were nearly exterminated. Neither had a place in the expanding United States.

Buffalo have acquired different meanings over time and across cultures. Today, they are perhaps the iconographic image of the North American West. And for many, they are sacrosanct. Beginning with the first artists to travel across the Mississippi River in the early 19<sup>th</sup> century, the animal has been portrayed in countless paintings and etchings. Many of these images also featured the Indians of the Plains. For thousands of years before the coming of Columbus, the buffalo was a source of material and spiritual well being for the first peoples of North America. Much has been written about buffalo, most focusing on the hunting and their near destruction in the 19<sup>th</sup> century. There is a significant lack of scholarship dealing with the restoration of the creature, especially after the initial success of the 1920s.<sup>6</sup> What follows is a study of South Dakota buffalo in the first half of the 20<sup>th</sup> century. Two factors make South Dakota a fitting choice to chart the trajectory of the American bison. First, it is in the heart of the Great Plains, the center of buffalo country. Over the last five thousand years, buffalo have evolved and adapted to the North American grasslands. Second, between 1901 and 1951, the state was home to a large private herd, a South Dakota state herd, a federally managed herd, and, between

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ed., *A Dictionary - Oie Wowapi Wan of Teton Sioux, Lakota - English: English - Lakota* (Pine Ridge, SD: Red Cloud Indian School, Inc., 1983), 674-75.

<sup>6</sup> George W. Arthur, *A Buffalo Round-Up: A Selected Bibliography* (Regina, British Columbia: Canadian Plains Research Center, 1985), vii.



1934 and 1945, a herd on the Pine Ridge Indian Reservation. By examining four different management experiences, the full spectrum of human uses of bison emerges.

Fifty years is but the blink of an eye when one considers the scope of geologic time. It is impossible to tell the story of the modern buffalo without first considering what Fernand Braudel calls the “*longue duree*,” a period of thousands of years when change was slow, almost imperceptible, and measured in geographic, climatic, or geologic divisions.<sup>7</sup> There are three main geographic regions in present day South Dakota. The Black Hills, in the southwestern corner of the state, is the oldest region, created about 70 million years ago. The continental uplift responsible for their creation also formed the Rocky Mountains further west. This uplift slowly drained a shallow inland sea that covered all of South Dakota and most of the interior of the United States for the previous 500 million years. The two remaining areas are dissected by the Missouri River, which separates the Great Plains in the west from the Central Lowland Plains in the east. About two million years ago, huge ice sheets advanced southward from Canada. These glaciers advanced and retreated several times during the Pleistocene period, rerouting the Missouri River in the process. The current path of the Missouri roughly corresponds to the greatest extent of the glacial advance, occurring between 12,00 and 14,000 years ago.<sup>8</sup>

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<sup>7</sup> Fernand Braudel, *The Mediterranean and the Mediterranean World in the Age of Phillip II*, trans. Sian Reynolds, vol. I (New York: Harper and Row, 1972), 20-23.

<sup>8</sup> Donald E. Trimble, *The Geologic Story of the Great plains: A nontechnical description of the origin and evolution of the landscape of the Great Plains*(United

As the glaciers receded from North America, major changes occurred to both the climate and plant life. Grasses gradually displaced coniferous forest as the climate became warmer and drier. The grasslands that dominate central North America reached their maximum extent around 7,000 years ago. There was a period of relative stability for about 3,000 years, when a cooling trend began, resulting in a much drier climate. This period is known as the Altithermal, which lasted until about 2,500 years ago. It was during this period that modern bison begin to enter the archeological record.<sup>9</sup>

The ancient ancestors of the American bison entered North America during the Pliestocene by crossing over Beringia. *Bison latifrons* probably entered North America about 300,000 years ago, although precise dating is hampered by the small number of specimens discovered in the fossil record. *Bison latifrons*, the first creature of the bison genera to be considered a autochthonous, or native, North American species died out during the late Pleistocene.<sup>10</sup> This giant mammal existed at the same time as another North American autochthon, *Bison antiquus*. *B. antiquus* survived into the middle of the Holocene, gradually separating into two sub-species, *B. antiquus antiquus* and *B. antiquus occidentalis*. The latter was a highly variable species, and between

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States Government Printing Office, 1980, accessed July 13 2004); available from <http://www.lib.ndsu.nodak.edu/govdocs/text/greatplains/text.html>, 1-8, 14-5.

<sup>9</sup> Jerry N. McDonald, *North American Bison: Their Classification and Evolution* (Berkeley: University of California Press, 1981), 27-31, 107; Elliot West, *The Contested Plains: Indians, Goldseekers, and the Rush to Colorado* (Lawrence, KS: University of Kansas Press, 1998), 21-24.

<sup>10</sup> Jerry McDonald considers *Bison latifrons*, *Bison antiquus*, and *Bison bison* autochthonous because they evolved under the specific environmental conditions of North America, McDonald, 56.

10,000 and 5,000 years ago it increased in number. Then, in a very brief period of about one thousand years, the variation ceased and the modern *Bison bison* appeared. This evolution likely occurred mainly on the northern and central Great Plains, with the creatures later spreading northward and southward. The Great Plains is truly buffalo country.<sup>11</sup>

There is some debate as to why these changes occurred; that humans had a role in the transformation is not questioned. Some argue that the transition to smaller bison was largely based on the pressures exerted by predators, mainly humans. The aggressive buffalo that attacked hunters would be easily killed; therefore, a bison that fled would have a greater chance of reproductive success. Over time, smaller animals able to run long and hard had an evolutionary advantage and reproduced more prodigiously. From the perspective of evolution the larger *Bison antiquus* lost out.<sup>12</sup> Another explanation acknowledges that human hunting was an important factor, but for different reasons. The human hunters kept bison populations below the carrying capacity of the land, so animals that reproduced often and matured quickly would have an advantage over larger animals that matured more slowly. Whatever the specifics, and the exact causes will likely never be known, the combination of physical characteristics, social behavior, and grassland ecology resulted in a new taxon, *Bison bison*. It is equally clear that human hunting was important in the evolution of the species. Although bison are currently considered wildlife, their historic

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<sup>11</sup> Ibid., 56, 59, 92, 102-5; Valerius Geist, *Buffalo Nation: History and Legend of the North American Bison* (Stillwater, MN: Voyager Press, Inc., 1996), 23-25.

<sup>12</sup> Geist, 30-35.

evolution was influenced by human interaction. Bison were not herded, nor did Indians control their breeding directly, but in a real sense humans influenced their behavior and physiology. They are cattle of the country indeed.<sup>13</sup>

Bison are a grassland species. Their evolution and that of the grasslands of the Great Plains occurred at the same time. They are adapted to the grassland environment, and their behavior impacts many key ecological processes in the region. Their grazing increases plant diversity. Bison urine and dung redistribute nitrogen and other nutrients back to the soil. Their wallowing creates small depressions in the landscape that hold moisture and offer habitat for ephemeral wetland plant life in the spring. The carcasses, when left to decompose, initially killed the plant life nearby, but over time allowed for greater nutrient concentration and the re-growth of plants that added to floral diversity of the grasslands.<sup>14</sup> In turn, the animal's digestive systems are able to process coarse grasses and extract nutrients from a wide variety of plant life. In a word, the relationship was mutually beneficial the grasslands and bison.<sup>15</sup>

At the time of European contact, bison were the largest mammal of North America and one of the most prolific. Buffalo once ranged across North America, from Canada in the north to Mexico in the south. From east to west, buffalo roamed from the Atlantic coast to the Rocky Mountains, spilling over into the Great Basin and the Pacific Northwest as well. It is likely they evolved on the northern Great Plains and radiated out from there. The greatest concentration of

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<sup>13</sup> McDonald, 250-58.

<sup>14</sup> Alan K. Knapp, et al., "The Keystone Role of Bison in North American Tallgrass Prairie," *Bioscience* 49, no. 1 (1999), 44-46.

<sup>15</sup> Geist, 49-52.

buffalo was on the Great Plains; the rest of the continental range was their secondary habitat.<sup>16</sup>

Historians continue to debate the number of bison in North America. For much of the 20<sup>th</sup> century, Thomas Seton's estimate of 70 to 75 million was considered sound.<sup>17</sup> Beginning in the 1970s, scholars refigured this total, significantly reducing the estimate to around 30 million. Seton used the census of 1900 to arrive at his numbers and figured a total range for buffalo at three million miles, including the forests of the east. The more recent computations are all based on a much smaller computation of the range. When these estimates are figured for equal areas, the numbers are similar.<sup>18</sup> Seton's estimate was based on pre-contact numbers; by 1830 he figured there were perhaps 40 million buffalo.<sup>19</sup>

Regardless of the maximum number of buffalo, their numbers continually fell beginning in the 18<sup>th</sup> century. By 1770, they were extirpated from the Atlantic coast. By 1830, no buffalo were found east of the Mississippi. The greatest reduction, however, occurred in the second half of the 19<sup>th</sup> century.<sup>20</sup> The reasons for this decline are numerous. In part, the destruction was an element of

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<sup>16</sup> McDonald, 104-105.

<sup>17</sup> Dary, 29.

<sup>18</sup> Tom McHugh, *The Time of the Buffalo* (Lincoln: University of Nebraska Press, 1972), 16-17; Dan Flores, "Bison Ecology and Bison Diplomacy: The Southern Plains from 1800 to 1850," *The Journal of American History* 77 (1991), 470; Isenberg, 25.

<sup>19</sup> Harold Danz, *Of Bison and Man: From the annals of a bison yesterday to a refreshing outcome from human involvement with America's most valiant of beasts* (Niwot, CO: University Press of Colorado, 1997), 39.

<sup>20</sup> Ted F. Belue, *The Long Hunt: Death of the Buffalo East of the Mississippi* (Mechanicsburg, PA: Stackpole Books, 1996), 164-65.

a larger campaign to pacify the Plains Indians. Additionally, the extension of railroads into the West hastened the demise, both by diminishing the range available to buffalo and by providing an easy means of transport for buffalo products. After 1871, the demand for buffalo hides as a source of industrial leather dramatically increased the slaughter. Whatever the causes, by 1890, the buffalo was nearly extinct.

The most recent interpretations of the demise stress the interaction of complex environmental processes and the culpability of Indians in addition to the pressures of the Anglo hide trade. Periodic droughts, predation by wolves, and competition for forage with horses are all factors considered by scholars emphasizing an environmental approach. Valerius Geist cautions that these were important factors, but suggests that in the past bison had weathered various catastrophic events that seriously diminished their numbers. The difference in the late 19<sup>th</sup> century was that buffalo were not allowed to recover by natural reproduction.<sup>21</sup>

The role of the military in the bison's decline is a hotly debated topic. Although no official policy called for the army's active intervention, there is considerable evidence of individual officers, including generals, aiding the hide hunters.<sup>22</sup> However, the famous account of General Phil Sheridan addressing the Texas legislature - suggesting that rather than passing a law to protect

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<sup>21</sup> Valerius Geist post to h-nexa, 17 December 1999, photocopy in possession of author.

<sup>22</sup> David D. Smits, "The Frontier Army and the Destruction of the Buffalo: 1865-1883," *Western Historical Quarterly* 25, no. 3 (1994): passim.

buffalo, they give buffalo hunters a medal - is almost certainly apocryphal.<sup>23</sup>

According to Richard White, various military commanders encouraged the practices of the hide hunters because, "without the buffalo, the Plains Indians could not effectively resist American Expansion."<sup>24</sup>

Indians had hunted buffalo for thousands of years, but the arrival of Europeans and horses changed the nature of the chase. Current interpretations highlight the limited duration of the Plains horse cultures and perhaps overstate the impact of the horse on Indian culture.<sup>25</sup> Others take a longer view of history and argue that the "nomadic impulse is in no way originally traceable to the horse."<sup>26</sup> It seems that crediting the horse with the creation of nomadic culture is similar to crediting the automobile with the birth of the American "mobile society," ignoring centuries of mobility including the first oceanic crossings and later overland migrations to California and Oregon.

The extension of railroads certainly was an important element of the overall destruction. As the Union Pacific spread across Nebraska in the late 1860s, the buffalo herds of the American West were divided into a northern and southern herd, completing a process that began with the overland trails along the

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<sup>23</sup> At the time the speech was supposedly given, Sheridan was in command of the Division of the Missouri, headquartered in Chicago, William A. Dobak, "The Army and the Buffalo: A Demur," *Western Historical Quarterly* 26, no. 2 (1995), 197.

<sup>24</sup> Richard White, *It's Your Misfortune and None of My Own: A New History of the American West* (Norman: University of Oklahoma Press, 1991), 219.

<sup>25</sup> One example is Isenberg, 80.

<sup>26</sup> Frank Gilbert Roe, *The Indian and the Horse* (Norman: University of Oklahoma Press, 1955), 201.

Platte River.<sup>27</sup> When the Union Pacific, Eastern Division (Kansas Pacific after 1869) began crossing Kansas in the 1860s, the end of the Great Southern herd was soon to follow. The Atchison, Topeka and Santa Fe Railroad followed suit along the path of the Santa Fe Trail, reaching Dodge City in 1872. The ability to move hunters and sportsmen into the region, and the products of the hunt out, facilitated the buffalo trade.<sup>28</sup>

Two technological advances were, in the final analysis, the most important in sounding the death knell for bison. Between 1870 and 1872, tanning firms in England, Germany, and Philadelphia developed new methods to produce pliable leather from buffalo hides. Previous to this discovery, buffalo robes were the main trade article. Robes could only be procured in the fall and winter, when the bison had all their winter fur. The demand for the hides led to year round hunting and an explosion in the number of buffalo hunters. Soon, the hunters were calling for better weapons with greater stopping power over long distances. Both Remington and Sharps answered the call with new weapons, but the most famous was the Sharps .50. Armed with effective weapons, the hide hunters became proficient killers.<sup>29</sup> The industrial revolution, with its railroads, burgeoning industrial production and techniques, and improved weapons, provided all the necessary tools and motivation for the near elimination.

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<sup>27</sup> Dary, 84; John A. Rorabacher, *The American Bison in Transition: A Historical and Economic Survey of the Bison in America* (Saint Cloud, MN: North Star Press, 1970), 38; J.A. Allen, *The American Bison, Living and Extinct* (New York: Arno Press, 1974), 183.

<sup>28</sup> Eugene D. Fleharty, *Wild Animals and Settlers on the Great Plains* (Norman: University of Oklahoma Press, 1995), 13.

<sup>29</sup> Dary, 94-95, 100-102.



After 1872, the demise of the buffalo was extraordinary quick. Within three years the Southern Plains were almost devoid of buffalo. Ten years later, the same fate befell the Northern herd, hastened by the extension of the Northern Pacific Railroad into Montana. The Northern Pacific began construction across Dakota Territory (present day North Dakota) in 1870, but was delayed by the Panic of 1873. The discovery of gold in the Black Hills and the subsequent Sioux War, which culminated in the Battle of the Little Big Horn, further delayed the extension of the railroad west. By the time the rails reached Miles City in 1881, the northern buffalo hunt was in full force. In 1882, 200,000 hides were shipped east from Montana. The next year, the hide hunters returned home empty handed. The last of the great herds was gone.<sup>30</sup>

Although the destruction of the vast bison herds of the American West was monumental, they were not the only creatures to suffer horrendous population loss in the late 19<sup>th</sup> century. Just as the buffalo had blackened the prairies as if one great mass, the passenger pigeon once filled the skies of North America. One nesting in Wisconsin in 1871 was estimated at 136 million. With the aide of the telegraph to spread the news of this incredible host, thousands of hunters descended upon the flock. Millions of pigeons were killed, and the dead birds were shipped east on the railroad, selling for fifteen to twenty-five cents a dozen. This was the last huge assembly of Passenger pigeons, but eight years later the birds were still numerous enough to be used as live targets for trap

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<sup>30</sup> Ibid., 116-120.

shooting. The 1880s were a period of general decline for the passenger pigeon, and by 1900, the last known wild specimen was killed.<sup>31</sup>

Added to the list of creatures killed in great numbers are antelope, elk, deer, and wolves, plus numerous smaller animals. Although they are rarely mentioned in most accounts, Indian ponies were also killed in mass. A total could easily run as high as five hundred million animals killed in the late 19<sup>th</sup> century in North America. Of all these creatures, the recovery of bison has received the most attention.<sup>32</sup>

Eventually, a number of groups and individuals called for the preservation of bison. However, in 1883, few realized that the “end” was so near at hand. People had been prognosticating the eventual and inevitable demise of the buffalo for decades. George Perkins Marsh, writing in 1856, commented that the buffalo “are likely soon to perish.”<sup>33</sup> Marsh was concerned about deforestation and environmental degradation. He was as close to an “ecologist” as existed at the time, but even he accepted the eventual demise of bison as a necessary event. For many, the passing of the bison was such a foregone conclusion that it took a few years to notice when it actually occurred. The transition of the buffalo from an obstacle to progress to a symbol of American identity was a necessary element of its preservation. This process started well before 1883.

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<sup>31</sup> Peter Matthiessen, *Wildlife in America*, Second ed. (New York: Viking, 1987), 158-161.

<sup>32</sup> Barry Lopez, *Of Wolves and Men* (New York: Charles Scribner's Sons, 1978), 183.

<sup>33</sup> George Perkins Marsh, *The Camel, His Organization, Habits and Uses Considered with Reference to his Introduction to the United States* (New York: Boston Gould & Lincoln, 1859), 189.

The beginnings of this transformation can be traced at least as far back as the 1830s. Titian Peale was one of the artists on Major Stephen Long's expedition of 1820, and one of his images from this journey, *Indian Hunting Buffalo*, was perhaps the most widely disseminated image of the West in the 1830s.<sup>34</sup> George Catlin is often recognized as the first person to suggest a national park to preserve bison, doing so in 1832. Around this time, he traveled in the West and studied the Indians of the Plains and Upper Missouri River, recording sketches and observations of their daily life. Upon his return to the East, he published his travel accounts, and in 1833 he started to give public exhibitions of his drawings, eventually including Indians in the cast of these exhibitions. Catlin published his *North American Indian Portfolio of Indian Hunting Scenes and Amusements* in 1844. Thirteen of the 25 large lithographs included in the volume featured bison.<sup>35</sup> Alfred Jacob Miller also traveled in the West in the 1830s, and much of his reputation as an artist came from his western scenes, including *A Surround of Buffalo by Indians*.<sup>36</sup>

The iconographic images continued throughout the 19<sup>th</sup> century. In the 1850s, John Mix Stanley accompanied the Northern Pacific Railroad Survey, and his *Herd of Bison, near Lake Jesse*, a panoramic image of one huge mass of creatures stretching as far as the eye could see, was published in the official

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<sup>34</sup> William H. & William N. Goetzmann, *The West of the Imagination* (New York: W.W. Norton, 1986), 14.

<sup>35</sup> Paul Reddin, *Wild West Shows* (Urbana: University of Illinois Press, 1999), 8, 9, 43-46.

<sup>36</sup> Joni L. Kinsey, *Plain Pictures: Images of the American Prairie* (Washington, DC: Smithsonian Institution Press, 1996), 54.

report of the survey.<sup>37</sup> Albert Bierstadt painted buffalo frequently, and conceived *The Last of the Buffalo* (1888) as his masterpiece, submitting a version of it to the American jury of the Paris World's Fair. The two most famous late 19<sup>th</sup> century artists of the West, Frederic Remington and Charles M. Russell, both memorialized the Indian and buffalo at the close of the century. Remington's *The Buffalo Hunt* (1890) and Russell's *The Buffalo Hunt #2* (1900) portrayed the moment of the kill in dramatic and romantic fashion.<sup>38</sup> For the real Indians of the West, the demise of the bison was closer to a tragedy.

After the near elimination of the buffalo in 1883, Indians were some of the earliest to advocate their return. The first call for restoration was part of a larger movement known as the Ghost Dance. Historians have focused on the massacre at Wounded Knee in 1890 and the belief that ghost shirts were impervious to bullets. A more central element of the Ghost Dance was the return of the buffalo. It is not clear when this became part of the Ghost Dance doctrine, but it does not appear in the initial version of the early 1870s, nor in the original versions of the Cheyenne and Arapahoe. In 1881, a Kiowa named Da'tekan began to "make medicine" to bring back the buffalo. He died a year later, but in 1887, another Kiowa named Pa'-ingya claimed the powers of Da'tekan but added that since the white man was responsible for the buffalo's disappearance, the whites would be destroyed when the buffalo returned. By the time the Ghost Dance reached the

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<sup>37</sup> Ibid., 58-59.

<sup>38</sup> Paul Fees and Sarah E. Boehme, *Frontier America: Art and Treasures of the Old West from the Buffalo Bill Historical Center* (New York: Harry N. Abrams, Inc., 1988), 38, 45; Patricia J. Broder, *Great Paintings of the Old American West* (New York: Abbeville Publishers, 1979), 96.

Sioux in 1890, the return of the buffalo was a central part of the doctrine. This vision would be silenced on the banks of Wounded Knee Creek in December of that year.<sup>39</sup> Indians would not play any role in the return of the creatures for several decades.

Before 1900, several western ranchers captured remnant bison and started protected herds. Charles Goodnight in Texas, Charles Jones in Kansas, Charles Allard and Michael Pablo in Montana, and Fredrick Dupree in South Dakota all started herds in the 1870s and 1880s. These early herds would provide many of the animals for the protected enclosures of the 20<sup>th</sup> century. Private individuals took any early lead in protecting bison.<sup>40</sup>

There were only two federally protected herds at the beginning of the 20<sup>th</sup> century. A small herd had been established at the National Zoological Park in Washington D.C. in 1888. Yellowstone National Park held the other herd, but poaching had reduced the numbers of buffalo in that park to about twenty animals by 1900. Charles Jones lobbied for a federal appropriation to restock Yellowstone with bison. His efforts were successful. He was appointed warden of Yellowstone in 1902. That same year Congress spent \$15,000 for live buffalo, which Jones used to acquire twenty-one new animals for Yellowstone. Although

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<sup>39</sup> James Mooney, *The Ghost-Dance Religion and the Sioux Outbreak of 1890* (Chicago: University of Chicago Press, 1965), 2-3, 22-3, 41, 163-4.

<sup>40</sup> George D. Coder, "The National Movement to Preserve the American Buffalo in the United States and Canada Between 1880 and 1920" (Dissertation, The Ohio State University, 1975), 2-41 passim.

the federal government provided land and funds for fencing for many preserves in the 20<sup>th</sup> century, this would be the only time Congress paid for live bison.<sup>41</sup>

The most famous early spokesman of the fate of the buffalo was William Hornaday, who was the chief taxidermist at the Smithsonian Institution in 1886 when he became personally aware of the extent of the devastation to bison. In an effort to procure specimens for the Smithsonian, whose collection he felt inadequate, Hornaday organized two excursions to Montana. Although unsuccessful in his first trip, Hornaday eventually acquired twenty-five buffalo.<sup>42</sup> The fact that Hornaday killed the last buffalo he found in an effort to preserve the animal seems paradoxical today. But Hornaday thought the extinction was complete and that by creating a museum display he could at least preserve the image of the bison as a moral reminder of man's destructive power.<sup>43</sup> In addition to his museum display, Hornaday wrote *The Extermination of the American Bison*, published in 1889. Originally included in an annual report for the Smithsonian, this influential text was eventually published separately as a single volume. Organized into three sections, this work includes a natural history, a

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<sup>41</sup> Martin S. Garretson, *A Short History of the American Bison: Distribution, Habits, Trails, Extermination, Etc., for Use in Schools* (Freeport, N.Y.: Books for Libraries Press, 1934), 45-7.

<sup>42</sup> Hornaday, 529-545.

<sup>43</sup> Sally Gregory Kohlstedt, "Reflections on Zoo History," in *New Worlds, New Animals: From Menagerie to Zoological Park in the Nineteenth Century*, eds. R.J. Hoage and William A. Deiss (Baltimore: The John Hopkins University Press, 1996), 6; Helen Lefkowitz Horowitz, "The Origin and Development of American Zoological Parks to 1899," in *New Worlds, New Animals: From Menagerie to Zoological Park in the Nineteenth Century*, eds. R.J. Hoage and William A. Deiss (Baltimore: The John Hopkins University Press, 1996), 128.

history of the extermination, and an assessment of contemporaneous efforts to preserve the creature, including a census of existing herds.<sup>44</sup>

When Hornaday published his survey of private herds of bison, he placed William “Buffalo Bill” Cody’s herd fourth in order of importance. Cody’s group was part of his Wild West exhibition that toured from 1883 until 1913. Although Cody would not approve of the comparison, the Wild West was like a circus, but a circus that recreated the “wild life on the plains.” It was a large show, comprised of “Indians, cow-boys, Mexican vaqueros, famous riders and expert lasso throwers, with accessories of stage coach, emigrant wagons, bucking horses and a herd of buffaloes.”<sup>45</sup> Although the Wild West was constantly changing its program and some events lasted just a season, the buffalo hunt was a staple of the show for three decades.<sup>46</sup>

Buffalo Bill’s Wild West was hugely popular in its day. It traveled to Europe several times, performing for royalty and the average citizen. Although estimates of the total number of spectators over years are difficult to compile; the total attendance for certain seasons is better known. In 1885, the show played to an estimated one million people, the next year over a period of six months the attendance was at least two million.<sup>47</sup> In the summer of 1893, an estimated six

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<sup>44</sup> Hornaday.

<sup>45</sup> W.F. Cody, *Story of the Wild West and Camp-Fire Chats* (Philadelphia: Historical Publishing Company, 1888), 698.

<sup>46</sup> Sarah Blackstone, *Bullets, Buckskin, and Business: A History of Buffalo Bill’s Wild West* (Westport, CN: Greenwood Press, 1986), 72.

<sup>47</sup> Roger A. Hall, *Performing the American Frontier, 1870-1906* (New York: Cambridge University Press, 2001), 142-43.

million saw the Wild West during an extended engagement in Chicago.<sup>48</sup> When one considers the thirty years that the Wild West was performed, it is clear the total number of people who saw the show runs in the tens of millions. However, as historian Paul Reddin notes, “the show emphasized hunting bison more than preserving them.”<sup>49</sup> Nevertheless, the show’s program did promote their herd as the “last of the only known native herd.”<sup>50</sup> It seems quite possible that the audience interpreted the Wild West in ways that differed from the narrative intended by the show’s creators.<sup>51</sup> The show exposed millions of Americans to the idea that buffalo were fast disappearing from the earth.

At the close of the 19<sup>th</sup> century, bison populations were at an all time low. As the physical presence of the species diminished, its symbolic stature as a representative of the passing of the Great West increased.<sup>52</sup> Humans hunted bison for thousands of years, but by the 19<sup>th</sup> century the pace of the slaughter quickened. The industrial revolution provided the tools, technology and markets that enabled the escalation.

A few ranchers started small collections of remnants from the great herds, and the creatures moved from ubiquity to curiosity. Because humans had nearly had exterminated the species, their protection was paramount. After 1900, the

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<sup>48</sup> “Scatter to the Wind,” *Chicago Herald*, 5 November 1893.

<sup>49</sup> Reddin, 73.

<sup>50</sup> “Program for Buffalo Bill’s Wild West, 1893,” Cody Scrapbook 1893, Buffalo Bill Historical Center, Cody, W.O.

<sup>51</sup> Jonathan D. Martin, “‘The Grandest and Most Cosmopolitan Object Teacher’: Buffalo Bill’s Wild West and the Politics of American Identity, 1883-1899,” *Radical History Review* 66 (1996), 106-7.

<sup>52</sup> David M. Wrobel, *The End of American Exceptionalism: Frontier Anxiety from the Old West to the New Deal* (Lawrence: University Press of Kansas, 1993), 95.



preservation movement gained momentum. The question remained whether the animals would be regarded as sentimental reminders of a bygone age or would they have a future as a viable, functioning part of the Western landscape.

## Chapter One: “A Very Satisfactory Increase”<sup>1</sup>

As the cowboys closed the gate on the new pasture, they decided to nail it shut. The six exhausted men wanted to take no chances their new charges might escape. Over the last weeks they had driven fifty-seven head of buffalo south from near the Moreau River in South Dakota to Scotty Philip’s “Buffalo Pasture,” a few miles north of Fort Pierre. In 1901, it was the first such drive for the cowboys, and the first fence for the creatures. Their descendants would never exist outside of a fence.

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<sup>1</sup> The title quote comes from H.S. Hendrick, *Fourteenth Annual Report of The Game and Fish Department of South Dakota*, 1923, p. 6, South Dakota State Historical Society, Pierre, S.D. [hereafter SDSHS].

Protected inside the pasture, the recovery that began with the Duprees continued. At the time, this handful was believed to be the last in South Dakota. The men of the roundup knew that some buffalo, mostly older bulls, remained at large fully able to elude the best efforts of the horsemen. Within a decade, Philip's success with his animals, resulting in 285 head by 1911, made these remnant creatures less important.<sup>2</sup> One of the last of these "renegades" was killed near the town of Faith in 1912 as area cattle ranchers considered it a nuisance.<sup>3</sup> By 1920, the Philip herd numbered 825. The remarkable increase was not unique; the Yellowstone National Park population staged a similar recovery during the same period growing from under fifty to 502 animals.<sup>4</sup>

Bison reproduce at an astonishing rate, thriving on the grasslands of the Great Plains. In the 20<sup>th</sup> century they would be confined to small sections of the Plains, but the basic ecology continued. Their teeth and digestive systems enable them to efficiently digest the hardy grasses of the region.<sup>5</sup> Although cows do not reproduce until their third year, when well-nourished 85 to 90 percent give birth every year.<sup>6</sup> It is not uncommon for the creatures to live thirty years;

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<sup>2</sup> "Census of American Bison in North America on January 1, 1911," *Forth Annual Report of the American Bison Society*, (Boston, American Bison Society, 1911), 34.

<sup>3</sup> Faith Historical Committee, *Faith County Heritage: 1910-1985* (Pierre, S.D.: The State Publishing Company, 1985), 251.

<sup>4</sup> Martin S. Garretson, "Twelfth Census of Living American Bison as of January 1, 1920," *Annual Report of the American Bison Society*, (Brooklyn, American Bison Society, 1920), 27, 28.

<sup>5</sup> Geist, 49, 52.

<sup>6</sup> Dale F. Lott, *American Bison: A Natural History* (Berkeley: University of California Press, 2002), 19.

reportedly some cows live into their forties.<sup>7</sup> These factors ensured that the enclosed, protected herds established in South Dakota in the 20<sup>th</sup> century would rapidly increase, as much as 23 percent a year.<sup>8</sup> The same biological motors that created the vast throngs that once blackened the prairies of North America assisted in the recovery in the 20<sup>th</sup> century.

Although the destruction of the late 19<sup>th</sup> century is a well-known tale, the continuing saga of this so-called “most American of animals” is less well known. What follows is the history of the enclosed, protected herds established in South Dakota between 1901 and 1921. Beginning with James “Scotty” Philip in 1901, private individuals as well as state and federal authorities have managed fenced bison populations in South Dakota throughout the 20<sup>th</sup> century. The state government of South Dakota and the federal government of the United States became involved in 1913 with the creation of the Custer State Game Preserve and Wind Cave Game Reserve, respectively. The American Bison Society (ABS) was a vocal and effective lobbyist for the creation of federal reserves including Wind Cave. This convergence of interests is a western example of a progressive era reform movement. It also highlights the tensions between so-called conservationists and preservationists. Both Philip and the South Dakota legislature envisioned a future when buffalo would be a source of economic benefit. The ABS and Congress never expected the animals to have any worth

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<sup>7</sup> Dana Close Jennings, *Cattle on a Thousand Hills, a Story of Modern-Day Ranch Life: The Sutton Bros. of South Dakota* (Aberdeen, S.D.: North Plains Press, 1968), 66.

<sup>8</sup> Dirk and Martin P. Bray Van Vuren, "Population Dynamics in the Henry Mountains, Utah," *Journal of Mammalogy* 67, no. 3 (1986), 509.

above their sentimental value. These different approaches influenced the creation and management of the preserves. However, the overall effort was successful in its main goal, the restoration of the species.

Historians who have investigated the restoration movement generally resort to a sort of historical reductionism, focusing on eastern conservationists and western ranchers as two relatively distinct groups. Andrew Isenberg sees the movement comprised of “Easterners who sought to preserve it [bison] as a symbol of masculine frontier culture, and Western ranchers who sought to profit from the species.”<sup>9</sup> Another scholar concluded that the Easterners were preservationists who saw the creatures as “one strand of a complex ecological web,” who deserved to be preserved simply because they existed.<sup>10</sup> Others suggest a more nuanced interpretation. David Dary argues that the ranchers were partially motivated by profit but also sincerely desired to preserve the animal.<sup>11</sup> Ken Zontek considers the demarcation between “developers and conservationists” a myth. He argues that all of the early “front-line” conservationists were involved in both the exploitation and protection.<sup>12</sup>

The effort to protect buffalo is more fully understood as an extension of the progressive era. The demise of the buffalo in the late 1900s occurred at a point when some began to question the direction of the United States as a result of the

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<sup>9</sup> Andrew C. Isenberg, *The Destruction of the Bison: An Environmental History, 1750-1920* (New York: Cambridge University Press, 2000), 175.

<sup>10</sup> George D. Coder, “The National Movement to Preserve the American Buffalo in the United States and Canada Between 1880 and 1920” (Dissertation, The Ohio State University, 1975), 328-29.

<sup>11</sup> Dary, 222.

<sup>12</sup> Ken Zontek, “Hunt, Capture, Raise, Increase: The People Who Saved the Bison,” *Great Plains Quarterly* 15, no. 2 (1995), 146.

rapid expansion of the nation into a more industrial and urban country. There were many who felt that the costs of this change were too high. Between 1890 and 1915, a loose coalition of private citizens and state and federal governments sought to reform society. Known as the progressive movement, this was primarily an eastern phenomenon. However, the campaign to preserve bison was one western extension of the attempt to mitigate the worst excesses of the modern industrial age. Historian Richard Hofstadter characterizes the progressive movement as a widespread and largely good-natured effort to “achieve some not very clearly specified self-reformation.” Progressive reformers believed in the positive powers of the government to actively remedy social problems. This reform often came from a combination of private citizens and lobbyist groups working in concert with state and federal governments. The general consensus was that bison should be protected and allowed to increase. Because a coalition of interests defined the problems and engineered the solutions, there was the potential that the results were somewhat at odds. For buffalo, the disagreement occurred between those advocating for “nature preservation” and those dedicated to “resource conservation” over how best to manage the animals in the future.<sup>13</sup>

The terms conservationist or preservationist are typically applied to the followers of Gifford Pinchot and John Muir, respectively. Both valued “wilderness

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<sup>13</sup> Richard Hofstadter, ed., *The Progressive Movement, 1901-1915* (Englewood Cliffs, NJ: Prentice-Hall, Inc., 1963).; 4-5; Richard Hofstadter, *The Age of Reform: From Bryan to F.D.R.* (New York: Alfred A. Knopf, 1956)., 5; Michael P. Malone and Richard W. Etulain, *The American West: A Twentieth-Century History*, (Lincoln: University of Nebraska Press, 1989), 69.

in and for itself,” but feuded over how best to preserve it for future generations. Muir and his followers argued that public lands should be preserved without economic development for the edification of humans and the continued existence of wildlife. The ABS and the National Parks Service represent this end of the continuum.<sup>14</sup> Gifford Pinchot stressed professional management with extensive economic development, and employed the concept of “wise-use” to generate the greatest good for the most people. James Philip and CSP envisioned a time when buffalo would be profitable and advocated for their economic development, similar to the beliefs of Pinchot.<sup>15</sup>

The preservationists sought to redefine the meaning of wilderness from an exploitable, economic resource to a source for edification and metaphysical repose.<sup>16</sup> President Theodore Roosevelt reminisced in his autobiography that “greed and wantonness” threatened the existence of wild life, a situation that was remedied between 1902 and 1909 with the creation of several national parks, game refuges, and bird reservations.<sup>17</sup> William Hornaday testified before Congress in 1907 that bison would never yield any practical or economic value to the United States; their value would be wholly sentimental. However, he also felt that preservation was the least that could be done “to atone for some of our sins

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<sup>14</sup> The National Parks Service was not established until 1916, and would not manage buffalo in South Dakota until the mid 1930s, however.

<sup>15</sup> Malone and Etulain, 69.

<sup>16</sup> Bruce Pencek, "Saving Wilderness for Sacramental Use: John Muir," in *Conservation Reconsidered: Nature, Virtue, and American Democracy*, ed. Charles T. Rubin (Lanham, MD: Rowman & Littlefield Publishers, Inc., 2000), 21.

<sup>17</sup> Theodore Roosevelt, *Theodore Roosevelt, An Autobiography*, (New York: Charles Scribner's Sons, 1929), 420, 21.

against the bison millions of the past.”<sup>18</sup> Likewise, Senator John Lacey argued that if they were not preserved our children’s children would curse us, and rightly so.<sup>19</sup> For many, buffalo were preserved from human hunting for the future benefit of Americans with little thought to their management. The natural increase of the creatures was not a major consideration of the preservationists.

Within twenty years of the first fenced enclosure, the increase of bison forced the preservationists and the conservationists to consider how best to manage the protected herds. The exponential growth of the animals occurred within limited fenced preserves, outstripping the ability of these reserves to support them. The question of “wise-use” rapidly shifted from a philosophical debate over the purpose of nature preservation to a practical question of the health of the animals.

Fredrick Dupree was the first to capture and raise buffalo in South Dakota. Dupree was a French-Canadian who came to the Cheyenne River region in 1838. He was first employed in the fur trade and turned to cattle ranching as the fur trade waned. He became aware of the diminishing numbers of bison and decided to act in the 1880s. Dupree captured five calves after the last large bison hunt of the Cheyenne River Lakota in 1882-1883.<sup>20</sup> These animals were allowed to range among the Dupree cattle herd, which was not fenced.

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<sup>18</sup> William T. Hornaday, *Thirty Years War for Wildlife: Gains and Losses in the Thankless Task* (New York: Charles Scribner's Sons, 1931), 250.

<sup>19</sup> U.S. Congress, House of Representatives, Committee on Public Lands, *Bison Preserve*, House Report No. 985, Prepared by Senator John Lacey, 56th Cong., 1st sess., 1900, CIS microfiche, 4024, 4.

<sup>20</sup> Coder, 23-4.



Occasionally, bison would be slaughtered for a large party at the Dupree ranch; otherwise, the animals were left to multiply. Within five years, there were nine buffalo and seven crosses between cattle and buffalo, known as cattalo.<sup>21</sup> After Fred Dupree died in 1889, his son Pete oversaw the herd.<sup>22</sup> When the younger Dupree died in 1900, it had increased to over fifty head.<sup>23</sup> Although these animals had recovered from near elimination, the issue of their continued protection was unresolved when Pete Dupree died.

James "Scotty" Philip first came to South Dakota following the Black Hills Gold Rush in 1874. He was evicted from the Hills by the U.S. Cavalry, as were many miners before the westernmost portion of the Great Sioux Reservation was confiscated. Philip stayed around the area, first near Fort Robinson, Nebraska, where he provided hay for the Army post and worked as a freighter and small-scale rancher. Later he moved north into what was then still Sioux land, after marrying Sara Larabee, the daughter of a Cheyenne woman and a French trader. Soon after their marriage in 1879, Scotty and Sara moved north onto the Great Sioux Reservation in what would become South Dakota. He moved his ranch a few times, finally locating near Fort Pierre, on the banks of the Missouri River.

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<sup>21</sup> C. Stanley Stevenson, "Buffalo East of the Missouri in South Dakota," in *South Dakota Historical Collections*, ed. State Historical Society (Pierre, SD: Hipple Printing Co., 1912), 392.

<sup>22</sup> Dana C. Jennings and Judi Hebring, *Buffalo Management and Marketing* (Custer, S.D.: National Buffalo Association, 1983), 343.

<sup>23</sup> James M. Robinson, *West From Fort Pierre: The Wild World of James (Scotty) Philip* (Los Angeles: Westernlore Press, 1974), 126-7.

Philip continued to operate as a freighter, a trade he had also worked at Fort Robinson, while expanding his cattle ranching operation.<sup>24</sup>

When James Philip learned of the death of Pete Dupree, he began to think about having a buffalo herd of his own. Also in 1900, he received a letter from William Hornaday regarding the preservation of the creatures. The two had met by chance fourteen years earlier, when they first discussed the danger of extinction.<sup>25</sup> Aware of the national situation, there were several reasons that Philip decided to take over the Dupree herd. Profit was not an important consideration as Philip was already wealthy, having made a fortune in cattle ranching.<sup>26</sup> First and foremost, he wanted to help prevent the extinction. Furthermore, he wanted to keep “pure-blood” bison around, as he felt the buffalo/cattle hybrids were “not worth a damn.” Second, he believed humans could learn from the creatures as they provided an object lesson on the value of solidarity. Finally, his wife, Sara, was a multi-heritage Indian who believed if the buffalo passed away it would be the end of her people. Philip may have gotten involved partially at her behest.<sup>27</sup> Based on these reasons, Philip could easily be viewed as a preservationist, but he also valued the creatures as an economic resource.

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<sup>24</sup> Ibid., 49, 54.

<sup>25</sup> Nancy Veglahn, *The Buffalo King: The Story of Scotty Philip* (New York: Charles Scribner's Sons, 1971), 156.

<sup>26</sup> Hazel Adele Pulling, "History of the Range Cattle Industry in South Dakota," in *South Dakota Historical Collections*, ed. State Historical Society (Stickney, S.D.: Argus Printers, 1949), 504.

<sup>27</sup> The three biographers of James Philip list different reasons. The preceding are an amalgamation of those given by Wayne Lee, James Robinson, and Nancy Veglahn.

Philip had first-hand knowledge of bison. Although never a professional buffalo hunter, he did kill at least one and had witnessed the tail end of the slaughter in Kansas in 1874. He also observed the free-roaming herds on the Northern Plains. Philip admired the way they faced a storm, staying together as a group. Philip once told a reporter, "If a man wants to get a fine lesson in the advantage of 'sticking together' he need only watch a buffalo herd in stormy weather."<sup>28</sup>

Philip contacted Doug Carlin, the executor of the Dupree estate, about purchasing the herd. Carlin agreed to sell but only if Philip would take the hybrids as well as the full bloods. Although he had little use for these, he agreed to the deal. After arranging the transaction, Philip's first step was to create a fenced enclosure for his new animals. One of the most compelling reasons for Philip to build the fence was to keep undesirable hybrids from occurring. However, another reason prevailed upon Philip. The buffalo did not wander far from the Dupree range, but they had been raised there from birth and were acclimated to the area. After being relocated, they might not remain near the Philip ranch. The popular wisdom indicated that a very strong fence was needed to contain buffalo.<sup>29</sup>

The fence was unlike any other and very expensive; this cost alone made the venture unlikely to ever be profitable. The posts were set eight feet apart and

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<sup>28</sup> Wayne C. Lee, *Scotty Philip: The Man Who Saved the Buffalo* (Caldwell, ID: The Caxton Printers, Ltd., 1975); Veglahn, 3, 6.

<sup>29</sup> George Philip, "James (Scotty) Philip," in *South Dakota Historical Collections*, ed. State Historical Society (Stickney, SD: Argus Printers, 1949), 393; Robinson, 124-127.

were larger and more sturdy than those used for standard barbed wire; some of the posts were actually discarded railroad ties. Heavy woven wire was strung between the posts and nailed in place. The woven wire was three feet tall with two sheets stacked together, making the fence nearly six feet in height. As an added measure, two strands of barbed wire were stretched on top of the woven fence. The high fence was intended to discourage any from trying to jump over it, although the builders conceded that a bull could knock the fence over if so inclined.<sup>30</sup>

In September of 1901, the fence was complete and the roundup began. Six cowboys attempted to gather the herd located near the Moreau River. The buffalo were driven about 100 miles, but not without incident. Several times the cowboys had to chase the animals for miles after a few veered away, leading the rest in the wrong direction. Much time was wasted attempting to get several older bulls to follow, a plan eventually abandoned. By the time they were driven to the Philip's pasture, fifty-seven full-bloods, as well as a few hybrids, remained. The next day, the hybrids were separated from the rest and slaughtered. During the regular fall roundup of cattle on the Cheyenne River Reservation, several more buffalo and cattalo were discovered and driven to their new home, with the hybrids then being sold for meat.<sup>31</sup>

Despite the two roundups, soon word of large, intractable bulls filtered back from the Cheyenne River country. As per his purchase agreement with

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<sup>30</sup> Lee, 226-27; James Philip, "Truths About Buffalo," *Stock Growers News*, 22 February 1905.

<sup>31</sup> Lee, 231-32; Robinson, 126-27.

Carlin, these bulls legally belonged to Philip and were his responsibility. Philip consulted with his ranch foreman, Si Hiatt, and decided that the possibility of moving these animals was extremely slight. The mature bulls weighed nearly a ton and were not easily herded. They could not stay where they were, as they were interfering with the cattle ranchers in the area. Therefore Philip organized a hunt, and about a dozen of the bulls were killed. The heads and hides were preserved and sold for 500 dollars, and the meat was processed and sold as well. In this instance, Philip did indeed profit from hunting his buffalo, but the hunt was not instigated with gain in mind. Moving the bulls was unlikely and unnecessary, as he had other males already in the pasture. Technically he owned the animals and was responsible for them, yet he could not control them. The solution to this management dilemma was killing the creatures. This option would become more common in the future.<sup>32</sup>

When it was time to settle his account with Doug Carlin, Philip had 83 head in his possession. Although it is not clear how much Philip paid for the animals, a record of a partial payment of \$10,000 survives. One witness later stated that Philip paid about \$150 each, which would bring the total to \$12,450. Together with the cost of the fence, his total expenditure for his buffalo herd was considerable. When figured at 2003 dollar values, he spent over a quarter of a million dollars for the animals alone.<sup>33</sup>

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<sup>32</sup> Lee, 232-34; Robinson, 127.

<sup>33</sup> Lee, 322 n.5, 323 n.4; Conversion figures taken from [http://oregonstate.edu/dept/pol\\_sci/fac/sahr/sahr.htm](http://oregonstate.edu/dept/pol_sci/fac/sahr/sahr.htm), accessed 1/3/05.

Almost from the beginning, tourists came to the Buffalo Pasture to get a closer look at the herd. While most were content to observe from outside the fence, occasionally Philip would take a wagon and venture inside with his guests. Usually this was without incident, as the buffalo would scatter at the sight of the wagon. However, Philip lost a few wagons to the onslaught of a charging bull. No one was ever injured, as the bulls seemed content to dispatch the wagons and allow the people to flee. A safer vantage for viewing the herd was offered by steamboat, as the Buffalo Pasture was on the banks of the Missouri River. Beginning in 1904, steamboats offered free rides to see the buffalo as part of a larger marketing campaign to bolster the image of Pierre, the state capital. Philip never personally profited from the river excursions, nor did he charge admission for his impromptu, albeit dangerous, tours.<sup>34</sup>

In the summer of 1905, twelve of the Philip buffalo entered show business. Ed Senechal, a local riverboat owner and ferry operator, decided to stage a Wild West show, hoping to emulate some of the success of Buffalo Bill Cody.<sup>35</sup> He converted a ferry into a barge with a corral and planned to travel down the river to New Orleans, giving performances along the way. In addition to acquiring animals from Philip, Senechal hired some Indians from the Pine Ridge Reservation. After a successful run in Fort Pierre and Sioux City, Iowa, the

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<sup>34</sup> Ibid., 255, 257.

<sup>35</sup> Buffalo Bill's Wild West was the most successful of the wild west shows that were prolific during this time. For an overview of the phenomena, see Paul Reddin, *Wild West Shows*, (Urbana, IL: University of Illinois Press, 1999).

fledgling venture hit hard times in Omaha, where the show was disbanded and the buffalo were sold.<sup>36</sup>

Philip believed strongly in the conservation of bison, but shared some sentiments of the preservationists. He did not develop his herd as a commercial enterprise, although he did sell animals occasionally to limit the population growth. Philip wrote an article calling for the government to get involved in the preservation effort. "Truths About the Buffalo" was published in *Field and Stream* in January of 1905 and re-published in the *Stock Growers News* in February of that year. He stated that he would only sell his animals to the government, so that they could become "a mighty source of usefulness and revenue for the nation." In addition to his plea for government intervention, Philip decried the practice of crossbreeding cattle with bison. He also stated that his herd was fed only native grasses. His management prefigures a more ecological approach that would gain national acceptance beginning in the 1960s. In some ways Philip was ahead of his time, but he was part of the larger movement to preserve bison.<sup>37</sup>

Philip had contact with other conservationists and preservationists. Gordon "Pawnee Bill" Lillie, a conservationist, raised buffalo and also published on the restoration of the bison. Lillie got his start in management as an extension of his role in Wild West shows. Lillie had his own Pawnee Bill's Wild West and toured with William Cody's Wild West. By 1906, he had 60 head on his

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<sup>36</sup> Lee, 262-64.

<sup>37</sup> Philip, "Truths About Buffalo." For a treatment of the historical development of ecological thinking see Donald Worster, *Nature's Economy: A History of Ecological Ideas*, 2d ed. (New York: Cambridge University Press, 1994).

Oklahoma ranch.<sup>38</sup> He wrote an article in 1905 calling for the government's intervention. He argued that the job was too big for a single individual and went so far as to draft a bill for the federal government to purchase land and buffalo somewhere on the Great Plains.<sup>39</sup> Also in 1905, The American Bison Society (ABS) formed as an organization dedicated to "the preservation of the last few hundred head of the grandest animals which ever trod American soil."<sup>40</sup> William Hornaday and Ernest Baynes were two of the most influential members of this group, and Theodore Roosevelt was elected as honorary president. Both Hornaday and Baynes published on the low populations of bison and urged the creation of federal herds to "save the race."<sup>41</sup> In addition to their efforts in publicizing the fate of bison, the ABS was influential in raising funds and lobbying Congress for the creation of several bison preserves including Wind Cave in South Dakota.

James Philip was aware of these other individuals. He was a member of the American Bison Society.<sup>42</sup> Philip also visited Gordon Lillie at his Oklahoma ranch and may well have been influenced by Lillie's drafting of a bill for the

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<sup>38</sup> Glenn Shirley, *Pawnee Bill: A Biography of Major Gordon W. Lillie* (Albuquerque: University of New Mexico Press, 1958), 152.

<sup>39</sup> Gordon W. Lillie, "Restoring the Bison to the Western Plains," *Cosmopolitan Magazine* 37, no. 6 (1905).

<sup>40</sup> Ernest Harold Baynes, "In the Name of the American Bison: A Plea for the Preservation of the Buffalo, and Some Experiments in Its Domestication," *Harper's Weekly* 50 (1906).

<sup>41</sup> *Ibid.*, William Hornaday, *The Extinction of the American Bison*, (Washington DC: Smithsonian Institution Press, 2002).

<sup>42</sup> U.S. Congress, Senate, Committee on Indian Affairs, *To Establish a Permanent Bison Range*, Senate Report 467, Prepared by Joseph M. Dixon, 60th Cong., 1st sess., 1908, CIS microfiche, 5219, 30.



United States Congress.<sup>43</sup> Although it is unclear how much his relationship with the ABS and Lillie influenced his decision, Philip approached Congress in 1906 for assistance.

In 1906, Congress passed a bill to lease 3,500 acres to Scotty Philip “to be used exclusively for the pasturing of native buffalo.” As part of the Congressional debate, Representative Charles Burke from South Dakota stated the proposed pasture on the west bank of the Missouri River was undesirable to homesteaders. The land had lain unclaimed for over fifteen years at that point. Representative Burke was responding to a query from Representative John Williams of Mississippi about the value of the land. Williams agreed that Philip was “doing a very useful work from a zoological standpoint” but was concerned about the precedent of allowing public lands to be leased by an individual “at the expense of the federal government.” In the end Congress decided to set the lease for ten years with a yearly payment of fifty dollars.<sup>44</sup> Congress was willing to support the preservation effort, but within limits. These limits would become clearer with the creation of federal reserves throughout the Plains.

This issue of preserving buffalo at the expense of the federal government surfaced again in the creation of the National Bison Range (NBR) in Montana. Senator Joseph Dixon, in a 1908 Senate report, argued that the proposed preserve should not interfere “with the settlement of the country.” This vague reference to settlement is clarified by the Senator’s direction to insert “unalloted”

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<sup>43</sup> Nancy Veglahn, "The Buffalo King," *Buffalo*, August 1975, 4-7.

<sup>44</sup> Congress, House, Floor debate on Leasing Lands in Stanley County, S.Dak., for a Buffalo Pasture, H.R. 13542, 59th Cong., 1st sess. *Congressional Record*, (9 February 1906), vol. 40, pt. 3, 2347-48.

before the word “lands” in the bill. The NBR was carved out of the Flathead Indian Reservation.<sup>45</sup> Unallotted lands on the reservation were not available for white settlement. From 1887 until 1934, 720,000 acres on the Flathead Reservation were allotted. Whites purchased 640,000 of the acreage - nearly ninety percent.<sup>46</sup> The policy certainly seems to prejudice the interests of Indian people, but a letter from the ABS to a Congressman in 1908 stated that “the Indians will receive just compensation.”<sup>47</sup>

The ABS played a crucial role in the establishment of the National Bison Range. Congress established the NBR in Montana in 1909 and President Theodore Roosevelt signed it into law. The creation of this preserve set the precedent of Congress setting aside the land and appropriating funds for the construction of fences while the ABS provided the stock. The ABS raised \$10,000 for the purchase which came from a public subscription, “including the nickels and dimes of schoolchildren.”<sup>48</sup> Thirty-four head formed the nucleus of the NBR, purchased from the Conrad herd of Kallispell, Montana.<sup>49</sup> This stock was augmented by donations from other ranchers.

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<sup>45</sup> U.S. Congress, Senate, Committee on Indian Affairs, *To Establish a Permanent Bison Range*, Senate Report 467, Prepared by Joseph M. Dixon, 60th Cong., 1st sess., 1908, CIS microfiche, 5219, 2.

<sup>46</sup> Janet A. McDonnell, *The Dispossession of the American Indian, 1887-1934* (Bloomington: Indiana University Press, 1991), 122.

<sup>47</sup> Edmund Seymour to Geo. E. Foss, 18 April 1908, CONS 4, Box 1, FF 4, Conservation Collection, Denver Public Library, Denver [hereafter DPL].

<sup>48</sup> James B. Trefethen, *An American Crusade for Wildlife* (New York: Winchester Press, 1975), 141.

<sup>49</sup> Martin S. Garretson, *A Short History of the American Bison: Distribution, Habits, Trails, Extermination, Etc., for Use in Schools* (Freeport, N.Y.: Books for Libraries Press, 1934), 48-9.

James Philip planned to donate some animals to the National Bison Range. After the purchase from the Conrad herd, a total of six buffalo were given to the NBR by ranchers, including one from Charles Goodnight. William Hornaday wrote to Philip in October of 1909, advising the delay of the shipment of his yearlings until the following spring. Hornaday worried about the “young buffaloes” surviving through the winter.<sup>50</sup> The following August, Hornaday wrote to Philip again, suggesting that September was the best month to make the transfer. Hornaday enclosed instructions on the proper size for crates that “any carpenter could make.” Hornaday relayed that he would try and arrange free shipping to Montana, stating that both the American Express Company and Wells Fargo shipped gratis in the past but wondered about the logistics of making a connection with the Northern Pacific from Pierre, South Dakota.<sup>51</sup> In the end, no buffalo were ever delivered from Philip’s herd to the NBR. It seems likely that the shipping charges were exorbitant, and the routing too difficult, to make the gift expedient.

James Philip died in 1911. In the ten years from the herd’s formation until his death, the herd had become locally famous, attracting tourists from the surrounding area.<sup>52</sup> Over time, both the size of the pasture and the number of creatures increased. By 1911, the Buffalo Pasture comprised 8,000 acres and

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<sup>50</sup> William Hornaday to James Philip, 22 October 1909, Cons 4, Box 1, FF 1, DPL.

<sup>51</sup> William Hornaday to James Philip, 30 August 1910, CONS 4, Box 1, FF 1, DPL.

<sup>52</sup> Veglahn, "The Buffalo King." August 1975, 4.

held 315 head.<sup>53</sup> The movements to establish governmental preserves in South Dakota began, coincidentally, soon after Philip died. Beginning in 1911, there were two independent initiatives in South Dakota, occurring at the state and federal level. The result was the creation of the Custer State and the Wind Cave national herd.

Senator Peter Norbeck is often credited with the birth of Custer State Park.<sup>54</sup> However, the creation of the park is more complicated. Originally, Custer State Forest was established as a reserve in the southwestern corner of the state, bordering the Black Hills. In 1913, the South Dakota legislature designated the state forest as the Custer State Game Preserve, appropriating \$15,000 for stocking and fencing. Interestingly, the necessary votes for this measure came from a “booze for bison” compromise between temperance voters and those in favor of the game preserve, with each camp agreeing to support the other regarding pending legislation. The state legislature also decided that the park should operate free of expense to the state.<sup>55</sup>

At first glance, this mandate seems similar to the notion that the preservation should not occur at the expense of human settlement. However, the distinction lies in the term “operate.” Congress was concerned about taking

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<sup>53</sup> J. Alden Loring, “Report on Certain Lands in South Dakota Suitable for a Buffalo and Game Preserve” in *Fifth Annual Report of the American Bison Society* (Boston: American Bison Society, 1912), 31.

<sup>54</sup> At the time of the Park’s creation Norbeck was a state senator (1909-1915), he later served as Governor (1917-1921) and as a U.S. Senator (1921-1936), Nancy Tystad Koupal, ed., “Lydia Norbeck’s ‘Recollections of the Years’,” in *South Dakota Historical Collections*, ed. State Historical Society, vol. 39 (Pierre, SD: State Publishing Company, 1979), 7.

<sup>55</sup> Jessie Y. Sundstrom, *Pioneers and Custer State Park: A History of Northcentral Custer County* (Custer, SD: Jessie Y. Sundstrom, 1994), 8-10.

lands out of the public domain that were open to settlement. In the history of Custer State Park (as it became known in 1919), there were 117 homesteads filed on the land occupied by the park. Many of these claims predated the park's existence, some dating back to 1892. The South Dakota Game and Fish Commission allowed most settlers to remain within the park's boundaries. The Commission did not acquire the last of these claims until 1943. The issue in Custer State Park was not the availability of land but rather the yearly cost of operations. The legislature envisioned an operating policy that would generate revenue.<sup>56</sup> Over the years, this mandate would influence the management of the park buffalo herd emphasizing conservation over preservation.

The State of South Dakota purchased thirty-six head from Philip's heirs for the Custer State Game Preserve. A total appropriation of \$15,000 was designated, with \$8,000 set aside for fencing the preserve and \$7,000 for the stocking of game.<sup>57</sup> Pronghorn antelope and elk were the first animals to be re-introduced and in December of 1914, Philip's buffalo were added.<sup>58</sup> For a brief period, they were kept in a 700-acre enclosure originally constructed to hold elk.<sup>59</sup> Soon, however, the group grew and required forage beyond that provided

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<sup>56</sup> Ibid., 10, 61-62.

<sup>57</sup> H.S. Hendrick, *Fourth Annual Report of the Department of Game and Fish of South Dakota*, 1913, p. 4, SDSHS.

<sup>58</sup> Sundstrom, 112.

<sup>59</sup> H.S. Hendrick, *Seventh Annual Report of the Game and Fish Department of South Dakota*, 1916, p. 11, 19, SDSHS.

by the small paddock. Released into the larger park in 1914, by 1920 the herd had increased to 70 head.<sup>60</sup>

The concerted effort to establish a federal bison preserve in South Dakota began in 1911. At that time, the ABS hired J. Alden Loring to make a survey of possible locations within the state of South Dakota for such a reserve. Loring was also instructed to contact the various federal senators and representatives from South Dakota and other interested persons. Following the pattern set with the creation of the National Bison Range, Loring was encouraged to examine the Indian reservations in South Dakota as possible locations.<sup>61</sup> Loring's report recommended Wind Cave National Park, with the purchase of some adjacent property to secure adequate water. He also mentioned the availability of buffalo from Philip.<sup>62</sup>

The possibility of establishing the preserve on any of the South Dakota Indian Reservations was thought to be "difficult, if not impractical" due to the number of settlers that occupied those lands.<sup>63</sup> The reservations in western South Dakota had been eligible for allotment since the late 1800s. However, the Lakota resisted the implementation of allotment until 1900. In the period from 1904 to 1915, the lands that were not claimed by Indians, but were allotted, were open to white settlement. As had happened on the Flathead Reservation, fully 80 percent of allotment lands passed into the hands of land speculators and crop

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<sup>60</sup> H.S. Hendrick, *Fifth Annual Report of the Game and Fish Department of South Dakota*, 1914, p. 9, SDSHS; H.S. Hendrick, *Eleventh Annual Report of the Game and Fish Department of South Dakota*, 1920, SDSHS.

<sup>61</sup> Edwin Seymour to J. Loring, 1 June 1911, CONS 4, Box 7, FF 13, DPL.

<sup>62</sup> Loring.

<sup>63</sup> Edwin Seymour to J. Alden Loring, 1 June 1911, CONS 4, Box 7, FF 13, DPL.

farmers.<sup>64</sup> After the bulk of reservation lands passed into private control, creating a large single block of land for a preserve would be complicated. Had the creation of a federal bison preserve occurred a decade earlier, before the rush of white settlers, there might have been enough reservation land available. Fortunately, a sizeable portion of federal land was set aside in the state.

Wind Cave National Park was established on January 9, 1903. At that time, the underground cavern was the object of preservation. The cave was already being developed as a tourist attraction, and the Department of the Interior and the Geological Survey were interested in the cave for its scientific merits. The two agencies believed that only by the federal government assuming control of the cave could it be protected from “spoliation and defacement.” There was no debate as to what extent western settlement would suffer due to the cave’s preservation, as the park was established in a flurry of national park creation.<sup>65</sup> Additionally, a few homestead and mineral claims made on the cave were terminated by the Interior Department. This highlights the ambiguous position that buffalo occupied in the minds of Congress. There was little or no question as to the worth of a cave as an object of geologic importance. No such certainty is apparent when the acquisition of bison is investigated.<sup>66</sup>

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<sup>64</sup> Herbert S. Schell, *History of South Dakota*, 3d ed. (Lincoln: University of Nebraska Press, 1975), 334, 337.

<sup>65</sup> Interestingly, historians have since viewed Wind Cave as an “inferior” National Park, and the addition of the buffalo herd proved to be significant to the Park’s future. See Alfred Runte, *National Parks: The American Experience*, 3d ed. (Lincoln: University of Nebraska Press, 1997), 214-17.

<sup>66</sup> U.S. 57th, Senate, Committee on Public Lands, *Wind Cave National Park*, Senate report 1944, Prepared by Senator Robert J. Gamble, 57th Cong., 1st sess., 1902, CIS microfiche, 4264, 1; U.S. 57th, House, Committee on Public

Wind Cave Game Preserve was created for the preservation of buffalo and other native game on August 10, 1912 by an act of Congress. Initially the Wind Cave Game Preserve fell under the direction of the Department of Agriculture's Biological Survey. As was the case with the National Bison Range, the ABS provided the initial animals for the preserve, and the federal government provided the land and the funds for fencing.<sup>67</sup>

The procurement for Wind Cave underscores the reluctance on the part of Congress to purchase buffalo. Franklin W. Hooper was the president of the ABS during the creation of the Wind Cave preserve. He wrote to William Hornaday, the former president and arguably the most influential member of the society, suggesting the desirability of purchasing Philip's herd. Hornaday responded that it was very doubtful that Congress would appropriate the necessary funds for the purchase of live bison. He stated that the society's success in the past was partially due to the fact that private individuals helped to share in the costs of creating the preserves.<sup>68</sup> Hooper continued to advocate for the purchase of animals from the Philip pasture, which induced Hornaday to suggest that Hooper "press South Dakota" for a contribution of at least \$5000 toward the purchase of animals for a preserve "within her gates." Hornaday reminded Hooper that South Dakota did not contribute any funds toward the creation of the National Bison

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Lands, *Wind Cave National Park*, House report 2606, Prepared by Representative Eben W. Martin, 57th Cong., 1st sess., 1902, CIS microfiche, 4407, 1, 6.

<sup>67</sup> Coder, 281

<sup>68</sup> William Hornaday to Franklin Hooper, October 7, 1911, CONS 4, Box 7, FF 13, DPL.



Range.<sup>69</sup> The question of the Philip herd was still open, at least to Hooper, a year later in 1912. At this time an exasperated Hornaday stated that a member of the House of Representatives Conference Committee told him in confidence that the reason earlier appropriations for bison preserves had passed was because Congress did not have to buy live animals. In fact, the members had “solemnly pledged” each other that they would not agree to have Congress spend any money to buy buffalo.<sup>70</sup> Congress was willing to appropriate funds for fencing, which was a capital improvement with an economic value. Buffalo had only a sentimental value, at least according to the testimony of Hornaday.

Hooper was not the only one advocating for the purchase of the Philip herd. T.S. Palmer, the Assistant Chief of the Biological Survey, wrote to both Franklin Hooper and Senator E.W. Martin from South Dakota about the possibility of acquiring at least some of the Wind Cave stock from Philip’s heirs.<sup>71</sup> George Philip wrote to Palmer about the possibility of purchasing animals from his family’s pasture.<sup>72</sup> Likewise, J. Alden Loring wrote to Franklin Hooper suggesting the same.<sup>73</sup> Despite these pleas, none of these animals became part of Wind Cave.

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<sup>69</sup> William Hornaday to Franklin Hooper, August 25, 1911, CONS 4, Box 7, FF 13, DPL.

<sup>70</sup> William Hornaday to Franklin Hooper, August 19, 1912, CONS 4, Box 7, FF 13, DPL.

<sup>71</sup> Franklin Hooper to T.S. Palmer, 15 August 1912, CONS 4, Box 7, FF 16, DPL; E.M. Martin to Franklin Hooper, 19 August 1912, CONS 4, Box 7, FF 16, DPL.

<sup>72</sup> George Philip to T.S. Palmer, 17 May 1912, CONS 4, Box 7, FF 16, DPL.

<sup>73</sup> J. Alden Loring to Franklin Hooper, 1 June 1912, CONS 4, Box 1, FF 5, DPL.

In the end, the buffalo for Wind Cave came from the New York Zoological Society. Fourteen arrived on November 25, 1914.<sup>74</sup> Hornaday was the director of the New York society at that time, and the donation was in concert with the efforts of the ABS. By 1920, the Wind Cave herd had increased to 55 head.<sup>75</sup>

With the establishment of the Wind Cave herd, William Hornaday felt that the “future of the American bison is now quite secure.” He argued that the society should move on to other projects, specifically the preservation of “the Prong-Horned Antelope.” Hornaday considered the state of the animal as desperate, and the cost involved in their recovery minimal.<sup>76</sup> William P. Wharton, Secretary of the ABS, expressed similar concerns to Franklin Hooper. Wharton felt that the society “must either undertake new work, or begin to close up its affairs.”<sup>77</sup> Despite these concerns, Hooper was moving ahead with plans for more bison preserves. The proposition to establish another national herd caused Hornaday to raise a prescient question. Writing to Hooper, Hornaday wondered about the possibility of “stocking the government with a larger number of animals than it will care to maintain twenty-five years hence!”<sup>78</sup> The success of the ABS in establishing herds combined with the natural reproductive increase of bison

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<sup>74</sup> William Hornaday, “A Study in Offspring Herds,” *Scientific American*, November 1921, 46.

<sup>75</sup> Martin S. Garretson, “Twelfth Census of Living American Bison,” in *Report of American Bison Society* (Brooklyn: American Bison Society, 1920), 27.

<sup>76</sup> William Hornaday to Franklin Hooper, 3 December 1913, CONS 4, Box 7, FF 17, DPL.

<sup>77</sup> William P. Wharton to Franklin Hooper, 5 January 1914, CONS 4, Box 1, FF 5, DPL.

<sup>78</sup> Hornaday to Franklin Hooper, 16 June 1913, CONS 4, Box 1, FF 6, DPL.

ensured that after 1915 issues of management would eclipse those of preservation.

Too many buffalo was exactly the situation facing the heirs of James Philip. The Philip herd continued to multiply after James's death, and by 1916 numbered 600 head.<sup>79</sup> Hornaday wrote to C.M. McElhany in 1916 in response to his announcement of the availability for sale of the Charles Goodnight ranch and its bison. Hornaday wished McElhany luck in selling the herd but cautioned that the Philip herd had been "literally begging for a buyer for a year and more." Hornaday stated that the desire of Philip's heirs to generate top dollar for their animals was the biggest stumbling block to the sale, but also mentioned a herd in Colorado that was for sale at high prices.<sup>80</sup> For the private sector, the problem of overpopulation was already a reality.

Concern over the slaughter of live buffalo began to surface at the same time. Edmund Seymour, then President of the ABS, received a letter from a man in Illinois who was concerned about the legality of some of the Philip bison being slaughtered for "commercial purposes."<sup>81</sup> Seymour replied that, regrettably, there was nothing to prohibit the slaughter. He also forwarded these concerns to T.S. Palmer of the Biological Survey.<sup>82</sup> Palmer replied that although the possibility of a sustained industry was unlikely due to the scattered nature of

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<sup>79</sup> William Hornaday, "Census of American Bison," *Tenth Annual Report of the American Bison Society* (New York: American Bison Society, 1916), 38.

<sup>80</sup> William Hornaday to EC. M. McElhany, 28 November 1916, CONS 4, Box 1, FF 6, DPL.

<sup>81</sup> John T. Trout to Edmund Seymour, 8 October 1917, CONS 4, Box 1, FF 10, DPL.

<sup>82</sup> Edmund Seymour to T.S. Palmer, 10 October 1917, CONS 4, Box 1, FF 10, DPL.

the private herds and their relatively small numbers, it was imperative that the ABS found some “practical” way for the society to “*control* the business to prevent undue killing” (emphasis in original).<sup>83</sup> William Hornaday entered into the discussion days later. He advised that the necessity of disposing of surplus creatures may indeed arise in the not too distant future, but even then such an outcome must be publicized before hand. Hornaday closed his letter by saying, “But for heaven’s sake, no killing at present! That would be as fatal to us as the surplus bison.”<sup>84</sup>

By 1919, the tone of these conversations had changed. T.S. Palmer wrote to Seymour stating that with the number of private herds available for sale, “it is practically impossible to do more than save some of the best younger animals.”<sup>85</sup> A year later, Palmer informed Martin Garretson of the ABS that the Philip herd showed an increase in spite of the fact that 130 were sold the previous winter. This was not terribly surprising, as the herd numbered 825 animals by 1920.<sup>86</sup> An annual increase of twenty percent would result in 165 calves being born each spring. The point at which the surplus buffalo were more problematic than the uproar over disposing of animals had arrived for Philip’s heirs.

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<sup>83</sup> T.S. Palmer to Edmund Seymour, 9 November 1917, CONS 4, Box 1, FF 11, DPL.

<sup>84</sup> William Hornaday to Edmund Seymour, 12 November 1917, CONS 4, Box 1, FF 11, DPL.

<sup>85</sup> T.S. Palmer to Edmund Seymour, 13 March 1919, CONS 4, Box 1, FF 18, DPL.

<sup>86</sup> T.S. Palmer to Martin Garretson, 20 March 1920, CONS 4, Box 1, FF 24, DPL.

Fifteen years after the formation of the American Bison Society, the recovery of American bison seemed secure. An editorial in the *New York Times* from 1920 celebrated the increase in bison numbers, while doubting the return of the bison to “a possession of much material value.” The anonymous author felt that the animal was unsuited to domestication, or at least inferior to cattle.<sup>87</sup> An article commenting on a census from the ABS three years later stated, “the buffalo, is not doomed” - the total U.S. population having increased 2,583 in the previous twenty years.<sup>88</sup>

The idea that easterners were motivated by a genuine desire to preserve the buffalo belies the fact that most easterners saw the buffalo as having no economic value, thereby precluding them from seeing any ability to profit from the species. It is clear that Congress was unwilling to purchase buffalo, largely because the animals, as it understood them, only had value as sentimental reminders of the Old West. Capital improvements, including the construction of fences, had a tangible and enduring value; Congress was much more willing to appropriate money for their construction. Equally telling was the reluctance of Congress to support the preservation of buffalo at the expense of western settlement. Although the close of the frontier in 1890 is accepted as an article of faith by many today, it is important to remember that more homestead claims were filed in the twentieth century than in the nineteenth. In the early years of the 20<sup>th</sup> century, the West may have been “won,” but it was not completely occupied.

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<sup>87</sup> "Saved on the Verge of Extinction," *New York Times*, 11 January 1920.

<sup>88</sup> "Bison Are Increasing," *New York Times*, 10 January 1923.

James Philip was not opposed to making money from his bison, but profit was not his primary motivation. The fact that he sold some of his animals does not offer credible proof that profit was his only motive. However, Philip was nothing if not practical. He often remarked, "All I want is a reasonable profit, and I don't care how much the other fellow makes. No one ever went broke taking profits."<sup>89</sup> The incredible expense incurred by Philip to enclose and stock his Buffalo Pasture was a major impediment toward ever showing what could reasonably be considered to be a profit. Additionally, Philip's willingness to donate buffalo to the National Bison Range suggests his level of commitment to "zoological works" for the sake of preservation. Finally, Philip was willing to entertain guests at his Buffalo Pasture for no monetary reward. This is hardly the action of one solely motivated by cupidity alone.

The creation of the Custer State herd also exposes the binary formation of preservation/conservation as a historical inaccuracy. The state of South Dakota was willing to purchase and fence the buffalo for the park at considerable expense. However, the legislature was forward looking as well. Legislators envisioned a park that would support itself by generating revenue, although they did not provide guidelines for that production. Perhaps the legislature took Philip at his word that someday the bison would be "a mighty source of usefulness and revenue." Whatever the state of the industry in 1913, the legislature anticipated the day when buffalo would be a marketable commodity. This is quite different

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<sup>89</sup> George Philip, "James (Scotty) Philip," in *South Dakota Historical Collections*, ed. State Historical Society (Pierre, S.D.: Hipple Printing Company, 1940), 401.

from the approach of the American Bison Society who only saw bison as a sentimental relic of a bygone era.

The conclusion readily apparent from this study is that the eastern/western binary articulated by so many historians is artificially discrete. The history of the first herds in South Dakota is one of complex interaction. It is impossible to discuss the creation of buffalo preserves in South Dakota without considering the possible inclusion of animals from the James Philip herd. Although Wind Cave never received any animals from the Philip herd, this was not clear at the time. The reluctance of the U.S. Congress to purchase buffalo was the most influential factor in this outcome. Ironically, the statements of William Hornaday likely prejudiced Congress against purchasing animals that had no foreseeable economic value. Hornaday ensured that his organization, the New York Zoological Society, would play a major role in stocking Wind Cave by arguing that buffalo had no practical value. If bison were not valuable from an economic standpoint, the only sensible way to acquire the animals was through charity, either through a public fundraising drive, as was the case with the NBR, or an outright donation in the case of Wind Cave.

Once the buffalo preserves were established, the increase of the herds was immediate and dramatic. To be clear, the rapid recovery of the animals in the first decades of the twentieth century was facilitated by the efforts of private ranchers, eastern conservationists, and the government. However, the main source of the increase came from the buffalo themselves. The same biological

processes that enabled buffalo to number in the tens of millions before the late 19<sup>th</sup> century destruction ensured their rapid recovery in the 20<sup>th</sup>.

By 1920, the preservation of the buffalo was a success, requiring the “conservation” of the enclosed herds. However, the idea of “wise use” was complicated by the fact that buffalo had limited economic value. At the same time, the demand for buffalo to stock zoos and parks was finite, and there were few interested individuals in the private sector. The protected herds increased every year, but the size of the reserves did not. It would be irresponsible management to ignore the problems associated with the increase of the herds. Theoretically it was possible to establish new reserves to house the yearly increase. In practice, the demand simply did not exist. The pressing concern in the next twenty years would be how to handle the very satisfactory increase of the American bison.



## Chapter Two: Success Equals Surplus

In the winter of 1923, a chain of butcher shops in Iowa advertised the sale of buffalo meat. This notice caught the attention of Norman Hinkle, a Philadelphia man who happened to subscribe to a Sioux City newspaper. He was shocked that “they are already beginning to slaughter this noble animal when he is again coming into his own.” His indignation was so great he wrote a letter to the editor of the *New York Times*. Hinkle’s letter generated a response from Marten Garretson, the Secretary of the American Bison Society (ABS), who pointed out that people had never ceased slaughtering bison “since America was discovered.” He went on to suggest that the animals were safe from extinction,

highlighting the role of the ABS in the creation of nine governmental preserves with an aggregate population of around 1,400 head. Finally, Garretson advised that the meat came from “a well-known privately owned herd of 800 and 900 animals” that would not be diminished at all by the sale of a few.<sup>1</sup>

It is not surprising that Hinkle was unaware of the recent return. Just fifteen years earlier the ABS solicited funds for the animal’s preservation. If Hinkle had investigated the matter, he would have realized there were bison in all of the then 48 states except for Maine, Vermont, Rhode Island and Connecticut in the Northeast, and Virginia, West Virginia, and Florida in the Southeast. The Biological Survey of the U.S. Department of Agriculture reported, “buffalo steaks may be had at city markets or at restaurants.” It further estimated there were 4,500 buffalo in the U. S. in 1924, 1,600 of which were managed by the federal government.<sup>2</sup> The following year, the Department of the Interior, “with the future of the buffalo assured,” began offering heads and robes for sale. Heads varied from \$35 to \$60, and a robe could be had for \$40 to \$80. Live creatures were available for the bargain rate of \$115.<sup>3</sup>

The rapid recovery of bison left its managers, both private and governmental, with a difficult dilemma. The protected herds tended to outgrow their limited enclosures. Each year brought a new yield of calves, resulting in as much as a 20 percent annual increase. The issue of growth beyond the carrying

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<sup>1</sup> Martin Garretson, "Buffalo Meat," *New York Times*, 12 March 1923.

<sup>2</sup> "A Census of Buffaloes," *New York Times*, 3 February 1924; "Finds Buffalo Increasing," *New York Times*, 3 March 1924.

<sup>3</sup> "Government Offers Buffalo Heads at \$35," *New York City American*, 15 April 1925.

capacity of its range was a problem for the Wind Cave Game Preserve by 1923, forcing reductions in numbers.<sup>4</sup> The issue for Custer State Park (CSP) was not whether to dispose of surplus animals, but how to do so with the best financial return as generating revenue for its own operating costs was part of CSP's mandate. The heirs of James Philip were faced with a group much larger than the Buffalo Pasture could support. They were the first to confront large-scale population reduction.

The main problem with population control was the lack of management experience. Just twenty years earlier, the issue was how to preserve the animals. The rapid recovery required an abrupt shift in direction. One approach was to expand the size of the pasture, but this method had practical limitations. Even if adjacent tracts were available, purchasing more land was expensive. Another method was the creation of new groups, either by establishing a new herd outright, or adding to existing ones with the release of a few animals. The final option was to slaughter the surplus and sell the meat. There was a limited danger of adverse public reaction, but perhaps a larger constraint was relative lack of demand for bison, either as breeding stock or for meat.

Lack of demand for buffalo in the 1920s and 1930s paralleled a period of low prices for beef cattle. Following a boom during World War One, the agricultural economy fell into a deep depression. On the whole, U.S. farm prices fell by 40 percent between 1919 and 1921. There would be a brief return to prosperity between 1926 and 1928, but the national depression of the 1930s was

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<sup>4</sup> E. W. Nelson, *Report of the Chief of the Biological Survey* (Washington D.C.: Government Printing Office, 1923), 29.

a continuation of hard times in the West. The appeal of bison ranching was certainly circumscribed by the faltering cattle economy. For many ranchers there was little incentive to diversify into an unproven market when the returns generated by beef were already marginal.<sup>5</sup>

The major event in bison history in South Dakota during the 1920s was the dismantling of the James Philip herd. For many years after his death in 1911, the group was left to multiply. Beginning in 1920, the heirs of Philip began to sell off surplus animals; some were sold live to individuals and zoos, but most were butchered and sold as meat for the holiday trade. It is very likely that Sioux City buffalo meat so objectionable to Norman Hinkle came from Philip.<sup>6</sup> The money from the proceeds went to pay off debts and to “maintain the Philip heirs.”<sup>7</sup>

After the sale in 1914 to Custer State Park, the next attempt at a reduction occurred in June of 1920. A group of eight or ten cowboys assembled in the Buffalo Pasture and tried to drive about 100 head into a corral. The plan was to place a few into wooden crates in preparation for their shipment to zoos and parks. Initially the cowboys succeeded in moving some toward the corral, but at the last minute a large mature bull dashed away. The rest of the animals

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<sup>5</sup> Michael P. Malone and Richard W. Etulain, *The American West: A Twentieth Century History* (Lincoln: University of Nebraska Press, 1989), 19; John T. Schlebecker, *Cattle Raising on the Plains, 1900-1961* (Lincoln: University of Nebraska Press, 1963), 72, 104.

<sup>6</sup> Martin S. Garretson, “Seventeenth Census of Living American Bison as of January 1, 1926,” *Report of the American Bison Society: 1924-26*, (New York: American Bison Society, 1927), 29.

<sup>7</sup> James M. Robinson, *West From Fort Pierre: The Wild World of James (Scotty) Philip* (Los Angeles: Westernlore Press, 1974), 194-95; “To Hunt Buffalo as in Old Times,” *St. Paul Minn. Press*, 7 December 1924, CONS 4, Box 10, FF 18, DPL.

followed behind and the round-up was aborted. A week later another attempt was made but this time with some successfully corralled. The result was ten one- and two-year-old bison crated and shipped east.<sup>8</sup>

During the next three years harvesting was a regular event in the Buffalo Pasture. In December of 1921, fifty-five head were butchered, probably for meat during the Christmas season. In the spring of 1922, thirty-five were shipped live to "western points."<sup>9</sup> The following December, the largest hunt yet was staged, resulting in the death of 125 bulls.<sup>10</sup> Andy Leonard, who married one of Philip's heirs, was the foreman and sales manager of the ranch during this period. In addition to his activities on the ranch, he traveled to Washington, Oregon, and Wyoming to solicit orders for meat.<sup>11</sup>

While Leonard was handling the day-to-day operations of the ranch, others were working to find a buyer for the whole Philip ranch. The will of James Philip expressly stated that the ranch should not be divided. During 1922, E.R. McBride of Blunt, S.D., expended considerable effort to find a buyer for the ranch. It is not clear what interest McBride had in the affair, although his opinion of Philip's heirs is apparent. He wrote that "the heirs, half breed Indians, have neither the vision nor the money," to maintain the ranch as Philip wished. McBride wrote to the ABS to inquire if it knew of any wealthy individuals interested in such a purchase. McBride tried to entice potential buyers by suggesting the motion picture rights for the ranch alone, including its "Indian

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<sup>8</sup> Robinson, 191-193.

<sup>9</sup> Ibid., 195.

<sup>10</sup> "The Ugliest Bulls of the Lot," *New York Times*, 30 December 1923.

<sup>11</sup> Robinson, 195.

atmosphere,” should be worth a million dollars for an “All American picture.”<sup>12</sup>

McBride’s estimate proved to be inflated.

There was little interest in purchasing the Philip ranch. Edmund Seymour, President of the ABS, advised McBride that he probably over-estimated the value of the movie opportunities. Seymour stated that Charles Goodnight spent \$7,000 filming his herd and had not sold the film five years later. The authentic “Indian atmosphere” of the Philip ranch offered no advantage, as Goodnight “imported Indians from Indian territory” and his film included “the killing of buffalo by bow and arrow.” Seymour doubted whether any member of the ABS would be interested in the ranch, nor did he think the federal government would be much help. He suggested that the state of South Dakota purchase the herd.<sup>13</sup> With the creation of several preserves in the preceding fifteen years, the Philip stock was largely redundant to the future of the species.

Undaunted by Seymour’s response, McBride continued to advocate for the sale of the entire ranch. After an offer from a British firm fell through, McBride sent a letter to Henry Ford. He was reasonably sure that his communication was never actually seen by Ford and again asked Seymour to use his good offices to arrange “some point of contact” between Ford and Philip’s heirs.<sup>14</sup> Ford maintained a 2,150 wildlife preserve in Dearborn, Michigan, and received national attention for his ardent support of the Weeks-McLean Migratory

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<sup>12</sup> E.R. McBride to American Bison Society, 4 February 1922, CONS 4, Box 2, FF 2, DPL.

<sup>13</sup> Edmund Seymour to E.R. McBride, 22 March 1922, CONS 4, Box 2, FF 3, DPL.

<sup>14</sup> E.R. McBride to Edmund Seymour, 25 March 1922, CONS 4, Box 2, FF 3, DPL.

Bird Bill which passed Congress in 1913. It seems that Ford's appreciation of wildlife was limited to birds, or at least did not extend to bison.<sup>15</sup>

Because no buyer was found for the entire ranch, the reduction of the herd, numbering around 700, began in earnest. The hunt planned for the winter of 1924 approached the level of spectacle, which included a pow-wow attended by members of the Lower Brule and Cheyenne River Reservations. The Lakota participated in the hunt, using their traditional weapons of bow and arrows. Motion picture cameras recorded their exploits, although it is unclear if the footage survived. A rodeo of sorts was also held, with bronco riding, roping, and bulldogging as part of the festivities. The number of animals killed totaled 200, and another 100 were shipped live to parks in eastern cities. At this rate, the pasture would soon be empty.<sup>16</sup>

The last hunt was held in 1925. The number of bison killed reached 250, and meat was shipped to twenty-one states. A Pittsburgh man ordered an entire railroad car of meat in anticipation of the holiday trade. Andy Leonard predicted that more people would be eating bison that Christmas than at any other time in the past, displaying his own sense of hyperbole. Prior to the final hunt, Leonard sold a large number of bison to wealthy individuals and interested ranchers.<sup>17</sup>

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<sup>15</sup> David L. Lewis, *The Public Image of Henry Ford: An American Folk Hero and His Company* (Detroit: Wayne State University Press, 1976), 56.

<sup>16</sup> "To Hunt Buffalo as in Old Times," *St. Paul Minn. Press*, 7 December 1924, CONS 4, Box 10, FF 18, DPL; "Last Buffalo Hunt," Unidentified Clipping, CONS 4, Box 10, FF 18, DPL.

<sup>17</sup> C.M. Sarchet, "Plains to Echo Again with Big Buffalo Hunt," *Herald Tribune*, 4 October 1925, CONS 4, Box 10, FF 18, DPL.

The live animals sold during the 1920s started many new private herds. Some of the more notable purchasers were publisher William Randolph Hearst, oil magnate Waite Phillips, and the Miller Brothers 101 Ranch, which bought up to one hundred animals each. Phillips and Hearst established new collections in California and New Mexico, while the Miller Brothers added to their own in Oklahoma.<sup>18</sup> Smaller sales were made to several lesser-known ranchers as well. Ted Marquiss, a Wyoming rancher, purchased two cows and a bull in 1922. Marquiss purchased the buffalo “just for fun,” although by the 1950s he had nearly 500 animals.<sup>19</sup> Edwin Sutton of South Dakota purchased some, his group eventually grew as large as 125 head.<sup>20</sup> Milton Thompson of Lees Summit, Missouri purchased fifty-three head in early 1925 as a hobby, but soon began planning a commercial venture. Because the local demand for bison meat far exceeded the supply, Thompson anticipated expanding to 200 head and selling the surplus as meat.<sup>21</sup> The remaining were sold to Henry O’Neil of Rapid City, South Dakota. He kept fifteen animals at least until 1934.<sup>22</sup> In the end, the heirs of James Philip were unwilling or unable to continue the operation. However, the sales created several new herds thereby perpetuating his legacy.

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<sup>18</sup> David A. Dary, *The Buffalo Book: The Full Saga of the American Animal* (Swallow Press Ohio University Press, 1989), 232.

<sup>19</sup> Dana Close Jennings and Judi Hebring, *Buffalo Management and Marketing* (Custer, S.D.: National Buffalo Association, 1983), 257.

<sup>20</sup> Bob Lee and Dick Williams, *Last Grass Frontier: The South Dakota Stock Grower Heritage* (Sturgis, S.D.: Black Hills Publishers, Inc., 1964), 345.

<sup>21</sup> Cecelia Kelly, "Lees Summit Farmer Sees Profit in Herd of 53 Buffalo Bought Two Months Ago as Hobby," *Kansas City Journal-Post*, 21 February 1925, CONS 4, Box 10, FF 22, DPL.

<sup>22</sup> Martin S. Garretson, *A Short History of the American Bison: Distribution, Habits, Trails, Extermination, Etc., for Use in Schools* (Freeport, N.Y.: Books for Libraries Press, 1934), 54.



As the Philip ranch was being dismantled, the governmental preserves in South Dakota were experiencing issues of surplus population. Established at roughly the same time in the same area, Wind Cave National Game Preserve and Custer State Park were both controlled by the governmental agencies but operated under different mandates. CSP was much larger in area, and the South Dakota state legislature intended it to be a self-supporting enterprise. Wind Cave was part of a larger system of federal operations, each managed separately, with funding provided by Congress. Despite these differences, during the first years the parks developed on a similar trajectory. By 1920, Custer had sixty-four and Wind Cave had fifty-five. Although well below the capacity of their range, both were subject to small reductions.<sup>23</sup>

During the 1920s, Custer State Park experimented with ways to control population. As the herd increased in size, individuals were sold to raise money. By the end of the decade, a pattern of selling the surplus population for the meat trade was established. At the start, most animals were sold to ranchers. In 1919, five were sold to a South Dakota rancher for \$300 each.<sup>24</sup> The money generated from this sale was considerable, but the demand for breeding stock was limited. The following year one bison was sold to a meat company for the holiday trade bringing in \$430 to the operating fund. Edwin Sutton, who also purchased some of the Philip animals, purchased a bull in 1921 for \$287.50. The

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<sup>23</sup> William Hornaday, "Census of American Bison," in *Report of American Bison Society* (Brooklyn, American Bison Society, 1921).

<sup>24</sup> That rancher was L.F. Smith of Mansfield, S.D., H.S. Hendrick, *Eleventh Annual Report of the Game and Fish Department of South Dakota* 1920, p. 8, SDSHS

demand for live buffalo was limited and sporadic so CSP searched for an alternative.

The demand for buffalo meat during Christmas provided a yearly outlet. In 1922, six mature bulls were slaughtered.<sup>25</sup> Two years later, ten animals were butchered for the holiday trade producing \$1398 for the Park.<sup>26</sup> Three years later, Custer received \$519 from the sale of meat. Although the record of what occurred in the 1930s is spotty, a small butcher and locker plant was built in CSP sometime during this period, suggesting a commitment to meat sales as a form of revenue.<sup>27</sup> It is likely that disposing of surplus animals as meat offered a more consistent and more lucrative return than the sale of breeding stock.

The first publicized reduction of federally managed herds had occurred in 1919, when Congress authorized the Department of Agriculture to give surplus bulls to municipalities and public institutions, including zoos. Private individuals involved in husbandry were able to exchange or borrow bulls for breeding purposes, although there was no provision to give away stock to individuals. There were eight national preserves at this time, and the Biological Survey supervised six. The oldest, Wichita National Forest and Game Preserve, had the

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<sup>25</sup> H.S. Hendrick, *Thirteenth Annual Report of the Department of Game and Fish of South Dakota*, 1922, SDSHS; H.S. Hendrick, *Fourteenth Annual Report of The Game and Fish Department of South Dakota*, 1923, p. 6, SDSHS.

<sup>26</sup> H.S. Hendrick, *Sixteenth Annual Report of the Department of Game and Fish of South Dakota*, 1925, p. 7, SDSHS.

<sup>27</sup> Fred H. Hildebrandt, *Nineteenth Annual Report of the Department of Game and Fish of South Dakota*, 1928, p. 10, SDSHS; Jessie Y. Sundstrom, *Pioneers and Custer State Park: A History of Northcentral Custer County* (Custer, S.D.: Jessie Y. Sundstrom, 1994), 118.

largest surplus. Given that this group had reproduced for the longest period, the abundance of animals was not surprising. By 1919, the Wind Cave herd was not large enough to adversely affect the range but was included in this reduction, as its future increase was likely.<sup>28</sup>

Overpopulation was a major concern during the 1920s. For Wind Cave, the first official recognition of the dangers of overstocking came in 1923. E.W. Nelson, Chief of the Biological Survey, noted in his annual report that reductions to the population would be necessary in the near future. Three years later he announced that all of the Survey's game preserves were being developed as game farms, encouraging the transfer of animals to zoos and parks. Following this directive, five bulls and five cows were shipped from the park in 1926. The next year a new chief, Paul Redington, was appointed. He continued the reduction at both Wind Cave and the National Bison Range, removing sixty-one from the two preserves in 1927. The following year, the range available to buffalo at Wind Cave was increased with the construction of a fence enclosing an additional 4,000 acres. The new paddock did little to alleviate the crowded conditions.<sup>29</sup>

Although the new pasture doubled the size of preserve, the issue of too many animals continued into the 1930s. In May of 1929, seventy-seven buffalo were released into the new enclosure. The herd was further reduced by the

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<sup>28</sup> "Has your Zoo a Buffalo?," *The American City*, Dec 1919.

<sup>29</sup> Nelson; E. W. Nelson, *Report of the Chief of the Biological Survey* (Washington, D.C.: Government Printing Office, 1923), 29; Paul G. Redington, *Report of the Chief of the Biological Survey* (Washington, D.C.: Government Printing Office, 1927), 14-15; Paul G. Redington, *Report of the Chief of the Biological Survey* (Washington, D.C.: Government Printing Office, 1928), 25.

disposal of forty-one, bringing the total to 174 head. The next year an additional sixty-one buffalo were removed from the park, thirty-eight shipped alive and twenty-three butchered for meat. The inclusion of details about the destination of the live animals was included for the first time in 1930. Of the thirty-eight shipped live, five went to municipal zoos and parks, ten were sent to the states of Arizona and South Dakota, and twenty-three were sold to ranchers for breeding stock. The following year, twelve were shipped to South Dakota and Nebraska, seven to city parks, and four to ranchers, for a total of twenty-three buffalo removed. In 1932, ranchers purchased 18 surplus animals for breeding purposes, and one bull was transferred to another preserve managed by the Biological Survey. The demand for animals then dropped off. By 1933, Wind Cave had an all-time high 235 head. In the following years, the bulk of the surplus animals were given to Indian Reservations.<sup>30</sup>

The Great Depression of the 1930s had a tremendous impact on the management of Wind Cave bison. In the past, most of the surplus population was distributed to individuals and governmental agencies interested in exhibiting and breeding. By 1932, the number of requests for live animals had dropped, likely as a result of the economic downturn. Following the suggestion of E. T. Scoyen, superintendent of Glacier National Park, the meat from a 100 of

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<sup>30</sup> Paul G. Redington, *Report of the Chief of the Biological Survey* (Washington, D.C.: Government Printing Office, 1929); Paul G. Redington, *Report of the Chief of the Biological Survey* (Washington, D.C.: Government Printing Office, 1930); Paul G. Redington, *Report of the Chief of the Biological Survey* (Washington, D.C.: Government Printing Office, 1931); Paul G. Redington, *Report of the Chief of the Biological Survey* (Washington, D.C.: Government Printing Office, 1932), 21.

Yellowstone National Park's animals was distributed to the Blackfeet, Tongue River, Fort Belknap, Fort Peck, and Rocky Boy reservations in the winter of 1932.<sup>31</sup> Two years later, Wind Cave adopted this practice. However, there was one important difference. Most of the bison removed from Wind Cave were transferred to Pine Ridge for the creation of a new herd.<sup>32</sup>

The return of buffalo to Pine Ridge occurred under the backdrop of the Indian New Deal. In the wake of Franklin Roosevelt's 1932 election, John Collier was appointed Commissioner of Indian Affairs. Collier was an outspoken critic of United States Indian policy in the 1920s. Building on these criticisms, his administration quickly implemented reforms. Collier, during a visit to Pine Ridge, outlined three proposed policy changes in December of 1933. Most importantly, he proposed ending allotment, halting the leasing of tribal lands to non-Indians, and eliminating the checkerboard pattern of land tenure on the reservation. Second, in a major reversal, Collier proposed religious freedom for the Lakota and the preservation of Indian heritage. Third, he proposed the transfer of authority and administration from the Bureau of Indian Affairs to the Tribe.<sup>33</sup>

The Indian New Deal provided the ideological foundation for the return of bison to Pine Ridge, but the Civilian Conservation Corps (CCC) provided the

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<sup>31</sup> "Cherished Meat Again to Supply Indians," *Cincinnati Enquirer*, 1 January 1932, CONS 4, Box 10, FF 12, DPL.

<sup>32</sup> J.N. Darling, *Report of the Chief of the Biological Survey* (Washington, DC: Government Printing Office, 1934), 35.

<sup>33</sup> Thomas Biolsi, *Organizing the Lakota: The Political Economy of the New Deal on the Pine Ridge and Rosebud Reservations* (Tucson: The University of Arizona Press, 1992), 61-63

funding for the fencing and management of the pasture. The CCC was extended to Indians on April 14, 1933, with the Office of Indian Affairs (OIA) handling the supervisory details.<sup>34</sup> One year later, John Collier authorized the expenditure of \$10,000 for the fencing of a tract of timber reserve on Pine Ridge for the creation of a bison pasture. Collier also stated that the fence would protect the area from soil erosion and over-grazing by keeping cattle out.<sup>35</sup> This pasture was similar to one already established on the Crow Reservation. Collier hoped that the herds would help the Indians to become self-sufficient, but believed that “even if the experiment has chiefly a sentimental value it will be worth undertaking.”<sup>36</sup>

Buffalo returned to the Pine Ridge Reservation in November of 1934. Wind Cave transferred forty-four bulls and thirty-two cows to the Pine Ridge pasture, two miles north of Allen, in Bennett County.<sup>37</sup> The animals were released in a 3,800 acre pasture enclosed by over ten miles of fence seven feet in height. A ceremony and barbeque were held on November 23 to commemorate the return. James Mc Gregor, Superintendent of the Pine Ridge Agency, gave an address in which he asked the Sioux to remember how the buffalo turned to face oncoming storms and to take courage from that

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<sup>34</sup> The Emergency Conservation Work (ECW) was the official name of the CCC until 1937: John A. Salmond, *The Civilian Conservation Corps, 1933-1942: A New Deal Case Study* (Durham, NC: Duke University Press, 1967), 27, 33.

<sup>35</sup> John Collier to James McGregor, 16 April 1934, Record Group 75, Box 718, Series 922, FF Buffalo 1934-40, National Archives and Records Administration-Kansas City, MO [Hereafter NARACR].

<sup>36</sup> Frank E. Hill, “Back to the Indian Goes the Buffalo,” *The New York Times Magazine*, 26 May 1935, 23.

<sup>37</sup> An additional nine buffalo arrived from Yellowstone in December of that year. James H. McGregor to M.S. Garretson, 18 March 1935, CONS 4, Box 7, FF 12, DPL.

characteristic. Several Lakota chiefs also spoke, some hoping the buffalo's return was symbolic for the future, and all mentioned that the stock belonged to the tribe.<sup>38</sup> Despite the pronouncements during the ceremony, there were restrictions on the tribe's access to the animals.

The tribe had limited control over how the herd was managed, and even less control over where it was placed. The freedom of religion proposed by Collier was slow in arriving. Bison had returned to Pine Ridge, but the spiritual ceremonies that linked the animals to the people were forbidden. Even the land had been taken out of the official reservation boundaries. The herd was an example of the limitations of reform brought by the Indian New Deal. Despite the historic and abiding relationship between the Lakota and the animals, their reunion in 1934 occurred under quite different conditions dictated by federal policy.

Buffalo were central to the Sioux's way of life in the 19<sup>th</sup> century. It was the most important of all the animals and symbolically represented the universe, the totality of existence. All things, including humans, were embodied in the creature. In addition to its symbolic significance, it also provided food, clothing, shelter and tools for the Lakota. It was so meaningful and pervasive in Lakota religious belief that no matter what the context, the animal and all its parts retained some aspect of the sacred.<sup>39</sup> The best cuts of meat were often used as

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<sup>38</sup> "Return of the Buffalo," undated press release, Record Group 75, Box 718, Series 922, FF Buffalo 1934-40, NARACR.

<sup>39</sup> Joseph Epes Brown, ed., *The Sacred Pipe: Black Elk's Account of the Seven Rites of the Oglala Sioux* (Norman: University of Oklahoma Press, 1953), 6n;

offerings to the spirits, thereby providing both physical and spiritual sustenance. Likewise, buffalo chips provided an important source of fuel, but were perhaps more significant as sacred incense for hunting ceremonies, or any ceremony that pertains to the creature, including the Sun Dance.<sup>40</sup>

The buffalo returned to Pine Ridge during a period of religious intolerance. The place of the animal in Lakota cosmology and spirituality was not shaken, but the Lakota's ability to use the animal was. The suppression of Indian religion was a mainstay of United States Indian policy between the 1880s and 1934. Performing the Sun Dance was a punishable offence after 1883, as part of a larger program of forced assimilation. The Sun Dance was central to Lakota spirituality, and its continued celebration was felt to impede the Indians' transition from "savagery" to "civilization." Suppressing Indian religion was one of the modes of domination used by the federal government to control the reservations. Even though this suppression was relaxed during the Collier administration, the Lakota were not allowed to perform the Sun Dance until the 1950s, and then in restricted form.<sup>41</sup> The OIA allowed the use of bison as meat, but refused to allow

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Joseph Epes Brown, *Animals of the Soul: Sacred Animals of the Oglala Sioux* (Rockport, MA: Element, Inc., 1992), 14.

<sup>40</sup> James R. Walker, *Lakota Belief and Ritual*, ed. Raymond J. DeMallie, Elaine A. Jahner (Lincoln: University of Nebraska Press, 1986), 67, 77.

<sup>41</sup> Complete freedom of religion was not granted to Indians until 1978, with passage of the American Indian Freedom of Religion Act. James V. Fenelon, *Culturicide, Resistance, and the Survival of the Lakota ("Sioux Nation")*, ed. John Wunder, Cynthia Willis Esqueda, *Native Americans: Interdisciplinary Perspectives* (New York: Garland Publishing, Inc., 1998), 143; Biolsi, 7; Jesse Larnier, *Mount Rushmore: An Icon Reconsidered* (New York: Thunder's Mountain Press, 2002), 311-12.



the Sun Dance to be performed. The “natural” relationship between the Lakota and animals was altered by federal policy.

The relationship of the people to the land was equally tenuous. Strictly speaking, the Pine Ridge herd was not even on the reservation. We tend to think of appropriation of Indian lands as a 19th century phenomena, but the last ceding of Lakota, or Sioux, lands occurred in 1910. Between 1904 and 1910, Gregory, Tripp, Mellette, and Bennett Counties were ceded and opened to homesteading. These areas were deemed “surplus,” classified as lands unclaimed after allotment.<sup>42</sup> Allotment was part of the 1889 “Great Sioux Agreement,” also known as the Crook Treaty. Eleven million acres of the Reservation established by the Fort Laramie Treaty of 1868 were “returned” to the public domain, and the remaining lands were divided into six reservations, which were then subject to the provisions of the Dawes act and allotted in severalty to individuals. A \$3 million trust fund was also established to provide allottees with livestock, materials, and cash. Although Congress approved an earlier reduction of tribal lands despite having the signatures of only ten percent of adult males, this agreement was passed with a three-fourths majority.<sup>43</sup>

In the 20<sup>th</sup> century, the government ceased asking for consent when it took Indian land. In *Lone Wolf vs. Hitchcock*, the Supreme Court decided that Congress had “plenary power in Indian affairs,” including the ability to cede Indian land without the tribe’s consent. This 1903 decision was a reversal of the tactics employed in the 1889 “agreement” when a three-fourths majority of males

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<sup>42</sup> Biolsi, 6.

<sup>43</sup> Ibid., 40.

approved the cessation of lands. Even then, this majority was achieved at the aggregate level, but on some individual reservations, including Pine Ridge, less than half of adult males signed the agreement. After 1903, the lands of the Lakota could be taken at will by the government, which was the case for Bennett County, the home of the Pine Ridge pasture.<sup>44</sup>

It is necessary to view the history of the Pine Ridge herd in its historical moment. Just as bison were no longer free to roam the plains at will, the activities of the Lakota were also restricted. The past could not be erased; buffalo continued to occupy a central place in Lakota spirituality. However, the specifics of the interaction had changed. The people no longer had cultural autonomy, nor did they have much control over their land. The historic connection could not be re-created under the conditions of the 1930s. Although the herd was ostensibly a tribal possession, the ultimate authority over its management and utilization rested with the OIA. In the 1940s, the tension between the desires of the tribe and those of the OIA over the ownership of the animals would reach the breaking point.

The creation of the Pine Ridge reserve was the last in a series of experiments in management that occurred in South Dakota between 1921 and 1941. After the flurry of new preserves in the first twenty years of the 20<sup>th</sup> century, the issue shifted from how to “save” the species to how best to direct the growing population. The inherent limitation of a fenced enclosure and the

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<sup>44</sup> Ibid., 41-42.

exponential growth rates of buffalo ensured that over-population would be an issue for all. The managers of each reserve made different choices. Broadly speaking, three choices were available. First, transfer live animals to new locations, either by adding to an existing group elsewhere or creating a new one. Second, increase the acreage available for the animals to graze by adding to the original pasture. The final option was to kill the excess creatures, usually taking the meat and offering it for sale. These measures were not mutually exclusive, and in almost all cases a combination of these strategies were utilized.

After James Philip died, his bison multiplied unchecked for a number of years. By 1920, the growth was significantly impacting the range, even though the pasture had been expanded over the years. His heirs needed a plan to manage that increase. The first strategy was to find one buyer for the whole herd, but as discussed above, no single buyer was ever found. Consequently, the reduction proceeded on a piecemeal basis. The first animals removed were transferred to zoos and parks. Soon, private individuals, including wealthy hobbyists and small-scale ranchers, purchased animals. At this time, a decision was made to dismantle the operation. As a result, large hunts were held in 1924 and 1925. The annual hunts were certainly the most colorful and, viewed from current sensibilities, potentially troubling forms of population reduction. However, the Philip heirs were left with few choices. If there was not sufficient demand for live bison, slaughtering for meat was a practical alternative. Since the creation of several preserves in the prior fifteen years, the Philip Buffalo Pasture was no longer critical to the preservation effort.

Custer State Park was given a managerial mandate by the South Dakota legislature. It did not include specifics on how to turn a profit, and the market largely determined the policy. At first live sales were attempted, and they were profitable on a per capita basis. However, the demand for breeding stock was limited largely because of the unproven value of buffalo in an economic depressed period in the West beginning in the 1920s. Additionally, the sales by Philip's heirs in the early 1920s helped to saturate the market, especially in South Dakota and neighboring states. The slaughtering of animals for the holiday trade offered an annual outlet. Although the demand was limited to a seasonal niche and offered less return per animal than a live sale, it was a consistent source of revenue.

Wind Cave was in unique position as the only herd with a national constituency. The Department of Agriculture oversaw the Bureau of the Biological Survey, and the Secretary of the Interior had ultimate jurisdiction after 1935. The Department of Agriculture advertised the sales from all the Biological Survey's preserves, thus generating national exposure. The municipal parks and zoos that requested animals from Wind Cave were drawn from across the U.S. The park could also draw on a national pool of private ranchers interested in propagation. It is likely that Wind Cave's greater ability to distribute live animals is partially built on this larger geographic reserve. After 1932, the requests for breeding animals ceased. With a main avenue of population reduction closed, the need for an alternative led to the Indian reservations.

In the interest of administrative efficiency and economic practicality, the management of the above ground and below ground features of Wind Cave were consolidated within the National Park Service in 1935. The brief flirtation under the Biological Survey of developing Wind Cave as a game farm was discontinued and interior fences were removed in an effort to more closely replicate a “natural environment.” When Wind Cave was transferred to the National Park Service, the donation of animals to Indian reservations continued. In 1938, Congress authorized the Secretary of the Interior to dispose of surplus buffalo from Wind Cave. The legislation anticipated that most of the creatures would be donated to “needy Indians or charitable institutions.” However, the act allowed for sales as well. In practice, the NPS followed the precedent established by the Biological Survey and gave its surplus to nearby reservations.<sup>45</sup> In 1938, sixty-four head were transferred to the Pine Ridge Reservation. The following year an additional fifty-seven animals were transferred, most to nearby Indian reservations. The herd numbered at 115 by the end of the decade.<sup>46</sup> This was the smallest it had been since it numbered 107 in 1923, when the concern about over-grazing first appeared in the official documents.<sup>47</sup>

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<sup>45</sup> Harold L. Ickes, *Annual Report of the Secretary of the Interior* (Washington, D.C.: Government Printing Office, 1935), 198; U.S. Congress, Senate, Committee on Public Lands and Surveys, *Disposition of Surplus Buffalo and Elk of the Wind Cave National Park Herd*, Prepared by Alva B. Adams, 75th Cong., 3d sess., 1938, CIS microfiche, 10230.

<sup>46</sup> John W. Bohi, “Seventy-Five Years at Wind Cave,” in *South Dakota Historical Collections*, ed. State Historical Society (Pierre, S.D.: State Publishing Company, 1962), 459-60.

<sup>47</sup> E.W. Nelson, *Report of the Chief of the Biological Survey* (Washington, D.C.: Government Printing Office, 1933), 453.

The proximity of many federal preserves to Indian reservations facilitated an exchange. Only a few tribal herds were started, the bulk of the transfers occurred in the form of meat donations.. Although procuring animals was not difficult, the substantial costs of fencing an enclosure and the need for a large amount of land surely limited the creation of more. After the Pine Ridge herd was established, Wind Cave continued to donate its surplus as meat to other reservations. It was much easier to move a side of meat than a living animal, and the former required much less preparation on the part of the recipient. In many ways meat was an ideal way to limit growth while respecting the “natural” relationship between Indians and buffalo. However, that relationship was forever altered by the time of the return in 1934.

The managers had a limited number of choices available to regulate population growth. The continuing maintenance of the preserves was given little thought in their creation. Yet the animal’s yearly increase required that some measures be taken. The lack of a substantial demand for live animals either for exhibition or breeding stock led to slaughtering animals for their meat. It is somewhat paradoxical, but in order to “save” the species it was necessary to kill some of the animals. Although the main impetus for preserving the animals was for sentimental reasons, the continued existence and subsequent growth of the herds required that the managers have a practical strategy for handling that surplus. CSP decided to foster a market for the meat, building on an existing seasonal demand that itself was partially based in a sentimental throwback to frontier diets. Wind Cave, once taken over by the National Park Service,

attempted to manage the animals in as “natural” a manner as possible. This led to the transfer of the surplus to Indian reservations, a solution that was at least partially based on the historic connection between the Sioux and buffalo.

The first forty years of management within fenced enclosures ensured the future survival of bison. That success led to surplus population without a corresponding demand for those animals. The strategy of CSP was to create a demand in the market economy for the meat. The strategy of Wind Cave, and subsequently the OIA, was to attempt to replicate a historic connection under drastically altered circumstances. By 1940, both approaches appeared to work. World War Two would temporarily reorder the American economy and helped to redefine the buffalo’s place within it.

### Chapter 3: All Trails Lead to Custer

After an hour of prodding and cajoling, twelve buffalo charged into the holding pens of the 52<sup>nd</sup> International Livestock Exposition in Chicago in November of 1951. They traveled from Custer State Park (CSP) by rail in a modified boxcar originally designed to carry horses. Their arrival marked the first such exhibition in the history of the event. The animals were three-year-old steers, precluding their use as breeding stock and ensuring they would be purchased for their meat. This event was the symbolic capstone to the first fifty years of bison management in South Dakota. By mid-century, slaughtering the surplus for meat was the solution to managing population growth.<sup>1</sup>

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<sup>1</sup> "Chicago Bound," *Rapid City Journal*, 21 November 1951; "Last of 420,00 Spectators See Stock Show End," *Chicago Tribune*, 2 December 1951; "Roundup: Jeeps Corral Wild Buffalo," *Minneapolis Star*, 23 November 1951;



Having struggled with solutions to the problem of overpopulation, bison managers in South Dakota were granted an answer as a result of World War II. Briefly, the remedy begins with the restructuring of the American economy to meet wartime demands. A rationing system on meat was imposed, and game was excluded from the list of rationed meats because it was not part of domestic agricultural production. Bison was classified as game, and that designation led to an increase in consumption. As fresh meat became harder and harder to acquire, Americans searched for alternatives. Buffalo was one source. This development fit nicely with the existing strategy of population control utilized by Custer State Park. After the war, the sales from CSP remained brisk. For Wind Cave, a new issue unrelated to wartime demand created another wrinkle in its management plans. Brucellosis was discovered in the Wind Cave herd in 1945. After briefly flirting with an eradication program, Wind Cave decided in 1952 to transfer its surplus animals to CSP where they would be slaughtered. CSP benefited by the addition through increased sales, and to reciprocate released some buffalo meat to the nearby tribes, a role filled by Wind Cave prior to the 1952 agreement. After fifty-one years of bison management, the solution to overpopulation was slaughter for meat. By a strange combination of increased consumer demand, fears of bovine disease, and a sense of obligation to the Indians, the CSP slaughterhouse was the final destination of most South Dakota

bison. Martin Garretson's 1923 statement proved to be prophetic; "we have never ceased to kill buffalo."

Planning of the wartime economy required new federal organization. The Office of Price Administration (OPA) was established to prevent inflation and protect the civilian economy from product shortages. Headed by New Dealer Leon Henderson, the OPA was committed to rationing as an indispensable tool of price control from the start. In 1942, the OPA began rationing sugar and coffee. In August price ceilings were placed on live hogs, with similar action proposed for beef cattle in the near future. This action by the OPA went against the wishes of the livestock industry but was implemented when the Secretary of Agriculture, Claude A. Wickard, dropped his opposition to the move. Although the measure was unpopular with the livestock industry, President Franklin Roosevelt called on both agricultural and labor groups to sacrifice in order to help curb inflation.<sup>2</sup>

Although American agricultural production was at an all time high, the demands of the war ensured a reduction in civilian consumption. The burden of supplying the United States military was substantial. In addition, the Lend-Lease program further taxed American agricultural supplies. These two factors consumed a quarter of U.S. food production during 1943. Sugar and coffee were rationed because of a reduction of imports, but beginning in late 1942, restrictions were placed on beef, lamb, and pork. A shortfall of 3 1/2 billion

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<sup>2</sup> "Office of Price Administration Prepares to Put Ceiling on Live Hogs Now, Beef Later," *Washington Post*, 27 August 1942; Franklin D. Roosevelt, "The President's Radio Address of April 28," *Current History* 2, no. 10 (June 1942): 312-13.

pounds between supply and demand of meat was forecast for 1943. The OPA attempted to regulate the industry by establishing a "quota control system" for all meat processors who produced more than 500,000 pounds of meat in any three-month quota period. This system encountered problems almost immediately, with producers exceeding their delivery limits in the first quota period.<sup>3</sup>

Extreme shortages of meat plagued the United States in the winter of 1942. The War Production Board issued an order on November 1, 1941 restricting meat packers to 70 percent of their retail sales of the previous year. This percentage attempted to balance civilian and military demands and was based on monthly totals. The first pinch was felt in December of 1942 when New York City, Chicago, and San Diego all faced shortages. The situation was the same in Rapid City, South Dakota. The Black Hills Packing Company met its December quota rapidly and had to stop retail sales. The company resumed sales on January 2, and in the interim purchased ten bison for resale. In Pennsylvania, twenty were sold to relieve the meat shortage and to control the population of a local game preserve.<sup>4</sup>

The intent of the quota system was to ensure even distribution and steady supplies of meat. Soon, it was deemed necessary to begin a rationing program

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<sup>3</sup> U.S. Congress, House, Committee on Banking and Currency, *Fourth Quarterly Report of the Office of Price Administration*, House Document No. 248, Prepared by Leon Henderson, 78th Cong., 1st sess., 21 January 1943, CIS microfiche 10798, 27, 31.

<sup>4</sup> "Meat Shortage in Chicago Forces Shops to Close," *Rapid City Journal*, 4 Dec 1942; "Meat Shortage May Shut Down 1,500 N.Y. Shops," *Chicago Tribune*, 2 Dec 1942; "Meat Shortage Seen for City, West River," *The Rapid City Journal*, 5 Dec 1942; "Offer Buffalo Meat to Market," *New York Times*, 11 December 1942; "San Diego Hunts in Vain in Worst Meat Shortage," *Chicago Tribune*, 5 Dec 1942.

to regulate consumer demand. Ration Order 16 placed meat and fats (including cheese and canned fish) on the list of rationed goods effective March 29, 1943. The crux of the system was that every individual involved in the meat-market had to use ration coupons. From the consumer, to the retailer, to the wholesaler, the purchase of a rationed commodity required both cash and ration coupons. The ultimate accounting in this system occurred in the wholesale sector at some “desired level” where coupons collected could be compared to goods sold. In this way the burden of compliance was removed from the individual retailer and consumer and was placed in the wholesale distribution sector.<sup>5</sup>

The actual implementation of the rationing system relied on volunteers. Often boards were organized at local schools, where ration coupons were distributed. Volunteers, usually women, staffed these boards. For example, in Seattle during 1944, 77 percent of OPA workers were volunteers. After coupons were distributed to individuals, one member of the household was to be in charge of the coupons. Ration Book Number One was distributed in early May of 1942. When meats were rationed in 1943, Ration Book Number Two was issued. The purchase of buffalo meat did not require ration coupons, and the meat was therefore referred to as “point free.”<sup>6</sup>

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<sup>5</sup> U.S. Congress, House, *Fifth Quarterly Report of the Office of Price Administration*, House Document No. 302, Prepared by Prentiss M. Brown, 78th Cong., 1st sess., 30 April 1943, CIS microfiche 10798, 14, 16.

<sup>6</sup> Karen Anderson, *Wartime Women: Sex Roles, Family Relations, and the Status of Women During World War II* (Westport, CT: Greenwood Press, 1981), 89-90; Geoffrey Perrett, *Days of Sadness, Years of Triumph: The American People, 1939-1945* (New York: Coward, McCann, and Geohegan, Inc., 1973), 370; Mark Jonathan Harris, Mitchell, Franklin D., Schechter, Steven J., *The Home Front: America During World War Two* (New York: G.T. Putnam and Sons, 1984), 70;

The demand for fresh meat brought significant changes to Custer State Park. In 1940, the sale of bison meat resulted in “considerable revenue accruing to the park.” For the first time in its history, the park failed to fill all of its meat orders during the winter of 1942.<sup>7</sup> The following year, however, work began on a new processing plant. The old plant was too small and the equipment needed updating. The new facility had state-of-the-art slaughtering, cooling, and freezing equipment. The sale of the meat was one of the main sources of park revenue, and the plant was expected to pay for itself in short order. The freezers were the most important upgrade, because orders were now coming in during warmer weather, in addition to the usual Christmas demand. The strategy of selling meat begun in the 1920s was now paying dividends.<sup>8</sup>

At the same time that CSP was expanding its operations, the continued existence of the Pine Ridge tribal herd was being questioned. Over a two-year period, the Oglala Sioux Tribal Council (OSTC) voted several times to remove the buffalo from the reservation. The substance of these votes never changed, but the Office of Indian Affairs (OIA) repeatedly asked the council to pass resolutions stating its intention. In part a reflection of the lack of real authority of the council, these successive votes also suggest the tension between voting members. Another issue concerned the future relationship between the tribe and

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Constance J. Cooper, "Make It Do or Do Without: Delawareans and Rationing During World War II," *Delaware History*, 26, no. 3-4 (1995-96), 217-18; Mike Wright, *What They Didn't Teach You About World War II* (Novato, CA: Presidio, 1998), 59.

<sup>7</sup> *Annual Report of the Custer State Park Board to the Governor*, 1940, South Dakota State Historical Society, Pierre, S.D. [hereafter SDSHS].

<sup>8</sup> *Annual Report of the Custer State Park Board to the Governor*, 1943, SDSHS.

bison. In the end, an offer from Ed Butters, a Michigan entrepreneur, to purchase the entire group prodded the OIA and the Tribal Council to resolution. However, once the offer from Butters was accepted, a new debate ensued after Custer State Park officials voiced their desire to merge the Pine Ridge animals with their own.

The first resolution to remove the bison from Pine Ridge was passed in autumn of 1942. Early in 1943, W.O. Roberts, Superintendent of Pine Ridge Agency, wrote to the Commissioner of Indian Affairs apprising him of the situation. Roberts made four arguments why the OIA should authorize the disposition of the herd, "as opportunity arises." The first argument was logistical. The herd had been fenced and maintained with Civilian Conservation Corps (CCC) funds, and the CCC was no longer in operation.<sup>9</sup> The fences needed continuing maintenance in addition to the manpower required for the daily operation. These represented a demand that Roberts felt neither his office nor the Tribal Council could afford to bear. The second reason was opportunistic. Because of the wartime demand, the herd could be sold for a reasonable return with little difficulty. He contrasted this with the prewar period when it was difficult to sell even a few of the animals. Then, Roberts offered a practical justification. During normal market conditions, cattle were a better economic choice. Although there was a demand for buffalo during the war, after the war cattle would provide more economic advantage to the tribe. Finally, Roberts offered a cynical reason

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<sup>9</sup> John A. Salmond, *The Civilian Conservation Corps, 1933-1942: A New Deal Case Study* (Durham, NC: Duke University Press, 1967), 208-217.

for elimination of the herd. He stated that there was some conflict on the council over the herd, and removal would settle the issue.<sup>10</sup>

Soon, the OIA was asking the Tribal Council to clarify its position. In what would prove to be an understatement, William Woehlke, Assistant to the Commissioner, advised that the resolution passed by the council would not be sufficient in itself to effect the removal of the animals. The pasture represented a substantial investment on the part of the federal government “which cannot be lightly disregarded or canceled.” Woehlke advised that the replacement of bison with cattle would be more profitable, but several other factors should be considered. First, if the buffalo were removed, the tribe would again be reliant on the National Park Service or the division of Fish and Wildlife for animals, and that supply was uncertain given the current demand. Additionally, the tribe received social, recreational, and ceremonial benefits in the form of meat for needy families and feasts and hides for craft work. Furthermore, Woehlke stated that keeping the herd at its present size was “presumptuous” of the Indian Service, given the success of other federal agencies in preserving the species.<sup>11</sup>

The OSTC responded by again requesting the transfer of ownership to the tribe. Perhaps because a similar request had been denied in 1940, the council informed Francis Case, a South Dakota Congressman, of its request. His inquiry

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<sup>10</sup> Akim D. Reinhardt, “A Government Not of Their Choosing: Pine Ridge Politics from the Indian Reorganization Act to the Siege of Wounded Knee” (PhD Dissertation, University of Nebraska, 2000), 111; W. O. Roberts to Commissioner of Indian Affairs, 6 January 1943, Record Group 75, Box 718, Series 929, FF Buffalo 1944-43, National Archives and Records Administration- Kansas City, MO [Hereafter NARACR].

<sup>11</sup> William V. Woehlke to Peter Dillon, 13 January 1943, Record Group 75, Series 929, Box 718, FF Buffalo 1944-43, NARACR.

on the behalf of the council did not change the outcome. The appeal was denied based on the same logic used in 1940. The maintenance and operation of the herd would be a serious drain on tribal funds, and the tribe would receive no increased benefits as a result. Why did the council petition for the transfer? Woehlke had stated it was presumptuous for the Indian Agency to maintain the animals, but said nothing of the tribe. In fact, he urged further deliberations to the wisdom of eliminating the herd altogether. If the tribe was going to keep the bison, it would make sense to own them.<sup>12</sup>

Denied ownership, the council again resolved to remove the bison in two different resolutions passed on July 15, 1943, one for the Pass Creek pasture, another for the Allen pasture. These two areas were connected by a narrow causeway and served as the winter and summer ranges, respectively. The council voted unanimously to terminate the Allen pasture, and the motion for Pass Creek passed by an eleven to seven margin. These votes represent a clear consensus on reducing the size of the operation. The seven votes against the termination of the Pass Creek pasture suggest that some members of the council felt the continuation of a smaller herd was prudent. Although the council had spoken, the bureaucratic wrangling would continue. It seems that the power of the OIA was not absolute, itself mitigated by the political clout of individual Congressmen.<sup>13</sup>

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<sup>12</sup> William Zimmerman to Francis Case, 2 June 1943, Record Group 75, Series 929, Box 718, FF Buffalo 1944-43, NARACR.

<sup>13</sup> Reinhardt, 111-112.



During the winter of 1943 and into the spring of 1944, three proposals were discussed for the Pine Ridge bison. Congressman Francis Case investigated the possibility of transferring the administration of the animals over to the National Park Service. He wrote to both the OIA and the National Park Service, but was unsuccessful in garnering much support. W. O. Roberts called for the complete elimination of the herd, as the fences were in need of considerable repair, the council had repeatedly asked for the eradication, and finally, because in his estimation the reservation had neither the personnel nor the territory for such a herd. William Woehlke responded to Roberts by stating that the Office of Indian Affairs would take no action until the Tribal Council “fully considered the question and expressed its wishes in an appropriate resolution.” He implied that his office was in favor of the tribe keeping at least a small number. By now, it was clear that a single resolution by the council would not be sufficient to remove the animals from the reservation.<sup>14</sup>

The council passed one more resolution in the summer of 1944 clearly stating its desire. The title of the July 12 declaration left little room for interpretation. The “Resolution of the Oglala Sioux Tribal Council Regarding the Termination of the Tribal Buffalo Reserve and Proposing that the Area be Utilized as a Part of the Livestock Breeding Program” was even more explicit in its wording:

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<sup>14</sup> Francis Case to W.O. Roberts, 29 December 1943, Record Group 75, Series 929, Box 718, FF Buffalo 1944-43, NARACR; W. O. Roberts to Francis Case, 5 January 1943, Record Group 75, Series 929, Box 718, FF Buffalo 1944-43, NARACR; Walter V. Woehlke to W.O. Roberts, 12 April 1944, Record Group 75, Series 929, Box 718, FF Buffalo 1944-43, NARACR.

Whereas it is believed that the operations of the buffalo herd does not contribute materially to the best economic development of the tribe, ...the tribal council hereby authorizes and instructs the Superintendent of the Pine Ridge Indian Agency to take such steps as necessary to terminate the activities of the buffalo herd.<sup>15</sup>

The council wanted the bison replaced with cattle, and the entire herd eliminated.

As Roberts agreed with this decision, it seemed the end was in sight, despite the wishes of the OIA to keep a few animals.

The wartime demand for bison changed the nature of the debate, presenting an actual opportunity to reduce the herd. In August of 1944, Ed Butters of Cold Water, Michigan, offered to purchase the entire tribal herd of 285 head for \$15,000. He agreed to pay for all costs of removal and transportation, including any necessary repairs to handling facilities in the pastures. When this proposal was discussed with the Commissioner of Indian Affairs, Collier was still considering the gradual reduction by slaughtering a few animals a year and distributing the meat to needy Indians. M.G. Ripke, Acting Superintendent of Pine Ridge during a brief absence by Roberts, wrote a detailed three-page letter arguing for the acceptance of Butters' proposal. In light of the fact that several resolutions by the tribal council called for the removal, Ripke recommended the sale. He felt that a piecemeal distribution scheme was impractical, and keeping even a few animals would require resources in land and manpower that could be better used to maintain cattle, which corresponded to the express wishes of the council. Roberts was also an advocate of developing the tribal livestock base through loans from the revolving credit fund, which made cattle an even more

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<sup>15</sup> Reinhardt, 112.

attractive alternative. Ripke asked for an immediate decision. He would be disappointed.<sup>16</sup>

Ed Butters unwittingly complicated the process in a fact-finding visit to Custer State Park. Butters purchased his first buffalo in 1942, in an effort to profit from the sale of the point-free meat. He sold nine of the original twelve in short order, and began making plans for a larger operation. Butters was an entrepreneur of the first order and had a varied employment history but limited experience in bison management. Having once worked as a structural steelworker, Butters became a farmer. He then diversified into the trucking business and renting out harvesting machinery. In order to learn more about handling large numbers of bison, Butters stopped at CSP and Wind Cave after his visit to the Pine Ridge. In what he termed a “costly misappraisal” of E.L. Burns, the Acting Superintendent of the CSP, Butters set off a protracted bureaucratic battle over the eventual destination of the Pine Ridge animals.<sup>17</sup>

Before the issue was settled, E.L. Burns involved the highest levels of the South Dakota government in the discussion. Previous to Butters’ purchase offer, William Zimmerman, Assistant Commissioner of Indian Affairs had proposed the sale of the Pine Ridge bison to CSP. After meeting with Butters, Burns was concerned about the potential loss of animals and the competition to

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<sup>16</sup> M.G. Ripke to the Commissioner of Indian Affairs, 5 August 1944, Record Group 75, Series 929, Box 718, FF Buffalo 1944-43, NARACR; Graham D. Taylor, *The New Deal and American Tribalism: The Administration of the Indian Reorganization Act, 1934-1945* (Lincoln: University of Nebraska Press, 1980), 90.

<sup>17</sup> Lewis Nordyke, "The Great Buffalo Roundup of 1945," *The Saturday Evening Post*, June 1945, 14; Ed Butters to W.O. Roberts, 9 November 1944, Record Group 75, Series 929, Box 718, FF Buffalo 1944-43, NARACR.

their own sales of meat. He advised Zimmerman that the park had built up a market for buffalo meat in the last ten years, and now had customers in thirty-eight states, several of which were near Michigan. In addition to contacting Zimmerman's office, Burns recruited M.Q. Sharpe, the Governor of South Dakota, and Congressman Case to lobby his cause. In the ensuing conversation, the issue of keeping a few head on the reservation again surfaced.<sup>18</sup>

The debate over the tribal herd now had three factions, with some overlap of desired outcomes. The Office of Indian Affairs, despite the numerous statements of the council, wanted to keep a number of animals on the reserve and held that if the herd were eliminated the tribe would soon regret the action. Ed Butters wished to purchase the entire herd. CSP also desired the entire herd. Superintendent Roberts, now back in his office at Pine Ridge, considered the three plans. He stated that if the OIA was going to ignore the request of the tribal council, a definite plan was needed if the herd was to continue. He tried to remain impartial, but argued that Butters' offer should be accepted. He reminded Zimmerman that there was a time when there was no demand for bison, and Butters' offer was for a considerable sum. Additionally, he did not want to be party to granting a monopoly to Custer State Park. He recommended that if Butters' offer was to be rejected, the sale should be re-advertised and opened to

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<sup>18</sup> E.L. Burns to William Zimmerman, 9 August 1944, Record Group 75, Series 929, Box 718, FF Buffalo 1944-43, NARACR; William Zimmerman to Francis Case, 18 December 1944, Record Group 75, Series 929, Box 718, FF Buffalo 12-8-44, NARACR; William Zimmerman to M.Q. Sharpe, 18 December 1944, Record Group 75, Series 929, Box 718, FF Buffalo 12-8-44, NARACR.

bidders. The wishes of the OSTC remained a secondary consideration, the power to decide the fate of the herd rested somewhere in the federal bureaucracy.<sup>19</sup>

In October, a new proposal came out of a meeting at the Pine Ridge Agency. In attendance were Congressman Case, E.L. Burns of CSP, members of the South Dakota Park Board, and Superintendent Roberts. The proposal was that either a portion or the entire herd would be added to CSP; a set number would be slaughtered annually and the meat made available to the tribe until adequate reimbursement was achieved. Roberts argued that this proposal made good economic sense, as transporting butchered animals would be much cheaper and easier than moving live ones. Furthermore, Congressman Case and Roberts discussed the retention of a small herd on the Pine Ridge for sentimental purposes provided funds were available for its maintenance. Roberts forwarded this idea to William Zimmerman, in the hopes that the matter might be finally settled.<sup>20</sup>

When Butters learned of this proposal, he made a personal visit to the Office of Indian Affairs in Chicago to plead his case. He reiterated his understanding that in August his purchase offer was accepted, and as a result he had contracted with companies in New York to provide bison meat. Butters acknowledged the wishes of Custer State Park and agreed to accept part of the

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<sup>19</sup> William Zimmerman to W.O. Roberts, 28 August 1944, Record Group 75, Series 929, Box 718, FF Buffalo 1944-43, NARACR; W.O. Roberts to Commissioner of Indian Affairs, 5 September 1944, Record Group 75, Series 929, Box 718, FF Buffalo 1944-43, NARACR.

<sup>20</sup> W.O. Roberts to William Zimmerman, 9 October 1944, Record Group 75, Series 929, Box 718, FF Buffalo 1944-43, NARACR.

herd, despite his initial bid to purchase the entire group. In light of this good faith effort, the OIA recommended that Butters receive favorable consideration in acquiring at least part of the herd. Additionally, Roberts was authorized to proceed with sale “at not less than the highest sum offered therefore.”<sup>21</sup>

After years of protracted negotiations, the official sale of the Pine Ridge buffalo was at hand. On November 25, Roberts mailed five invitations to bid on two lots of 125 animals. The bids would be opened on December 8. In addition to Butters and Custer State Park, three other bids came from Nebraska and South Dakota. Butters was the only party to make two separate bids, one for 125 animals at \$7505 and another for 250 head at \$12,505. Custer State Park’s bid was for the whole lot and was five dollars less than Butters. E.L. Burns, Superintendent of the park, was present at the opening. Not surprisingly, Burns immediately engaged in a letter writing campaign to secure the rejection of Butters bid.<sup>22</sup>

If Butters was awarded the contract, Burns felt that the operation of Custer State Park was in danger of being disrupted. He wrote letters to the OIA, the Governor of South Dakota, Congressman Case, and members of the State Park Board. Burns stated that nearly half of the operating budget of the park came from sales of buffalo meat. Butters’ entry into the market was a direct

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<sup>21</sup> Ed Butters to W.O. Roberts, 9 November 1944, Record Group 75, Series 929, Box 718, FF Buffalo 1944-43, NARACR; Paul Fickingrer to W.O. Roberts, 20 November 1944, Record Group 75, Series 929, Box 718, FF Buffalo 1944-43, NARACR.

<sup>22</sup> One bid was from a private individual in Alliance, Nebraska, another from a hotel in Belle Fouché, South Dakota, and the third came from a meat company in Omaha, Nebraska. All of these bids were less than those offered by Butters.

threat to the continued viability of that source of revenue. Burns reminded all that the park had always maintained a good relationship with the OIA. In addition to providing bison for various Indian activities, the park had recently lost over \$2500 in a failed venture to offer employment to Indian girls in the park. Burns closed with an appeal that awarding the contract to the park would generate “the greatest amount of good to the greatest number of people.”<sup>23</sup>

Burns’ campaign was partially successful, and another sale was set for December 28. The OIA accepted Butters’ December 8 bid for 125 head at \$7500 and rejected the others. The OIA then advertised another sale by bid for December 28, 1944. William Zimmerman confided to Case that the whole situation was “somewhat embarrassing,” given that his office had previously proposed a transfer of the animals to CSP. Additionally, Zimmerman explained to Governor Sharpe that this action would allow Butters to meet his obligations while giving the Park the opportunity to acquire some of the animals. When the bids for the second sale were opened, the only bid was from Butters. He increased his offer to \$9410 for 125 head, assuming that the second bid would be more competitive. Inexplicably, Burns submitted no bid.<sup>24</sup>

Despite the failure to place a bid for the second sale, Custer State Park eventually procured some of the Pine Ridge herd. After Butters removed his

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<sup>23</sup> E.L. Burns to William Zimmerman, 9 December 1944, Record Group 75, Series 929, Box 718, FF Buffalo 12-8-44, NARACR.

<sup>24</sup> William Zimmerman to Francis Case, 18 December 1944, Record Group 75, Series 929, Box 718, Buffalo Bids 12-28-1944, NARACR; Zimmerman to M.Q. Sharpe, 18 December 1944, Record Group 75, Series 929, Box 718, Buffalo Bids 12-28-1944, NARACR; William Zimmerman to W.O. Roberts, 8 January 1945, Record Group 75, Series 929, Box 718, FF Buffalo Bids 12-28-1944, NARACR.

buffalo, forty-one animals remained on the reserve. Congressman Case intervened on behalf of the park in January of 1945 with a personal visit to William Zimmerman, who told him that these animals could likely be transferred to the park if an agreement was reached whereby the park would reimburse the tribe with a few bison each year. Zimmerman possessed a telegram from the President of the Tribal Council urging the disposition of the remaining herd. In April, the tribal council approved the removal of the final buffalo and granted Custer State Park the right to drive these animals overland across the reservation. The vote for this resolution was far from unanimous, with thirteen for and twelve against. In July, fifty head were moved from Pine Ridge to CSP. Although, the physical disposition of the bison herd was finally settled, the issue of legal title was not.<sup>25</sup>

An act of Congress finally ended the saga of the Pine Ridge buffalo. The tribal council had twice requested the transfer of ownership from the federal government. In all of the discussion about the sale of the animals, the issue of ownership was never resolved. The proper remittance of the proceeds from the sale was still in question in 1947, when it was discovered that the \$16,915 paid by Butters was improperly credited to the tribe. Two years later, Congress finally approved the transfer of this money. The bill also provided for the granting of

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<sup>25</sup> William Zimmerman to Francis Case, 20 January 1945, Record Group 75, Series 929, Box 718, FF Buffalo 1944-43, NARACR; Oglala Sioux Tribal Council, Resolution #255 "To Grant a Crossing Permit of the Buffalo Herd," April 13 1945, Record Group 75, Series 929, Box 718, FF Buffalo 1940-1946, NARACR; Walter Woehlke to Matthew High Pine, 22 February 1945, Record Group 75, Series 929, Box 718, FF Buffalo Bids 12-28-1944, NARACR; "Buffalo on New Range," *Rapid City Journal*, 13 July 1945.



unrestricted title for any future tribal bison herds. For the Pine Ridge, this decision came nine years too late. Had the tribe received title when it was first requested in 1940, the fate of the herd may have been quite different. As it was, the OSTC was not interested in continuing a pasture for animals it did not own.<sup>26</sup>

For most of its existence, little was certain about the Pine Ridge tribal herd. Superintendent Roberts concluded in 1944 that the “herd has been handled in a haphazard, makeshift, and uneconomical way.” He later admitted that there was no evidence that the tribal council ever formally endorsed its creation. The tribe never requested the creation, owned the animals, or controlled the management of the herd. Given the nebulous position of the herd, it is somewhat amazing it lasted as long as it did. While the last animals left in the summer of 1945, the proceeds for this sale did not return to the tribe until 1949. Ironically, effective title was granted by this same action. Had the tribe been awarded ownership in 1940, the outcome might have been quite different. When buffalo returned to the Lakota in the 20<sup>th</sup> century, there was nothing “natural” or assured about the relationship. The reintroduction of bison occurred under immense restrictions on Lakota spirituality and autonomy. The OSTC were not allowed to use the buffalo as it saw fit. Ultimately, it favored their replacement with cattle.<sup>27</sup>

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<sup>26</sup> M.G. Ripke to Walter Woehlke, 25 March 1947, Record Group 75, Series 929, Box 718, FF Buffalo 1940-1946, NARACR; The Pine Ridge action was contained in section 2 of this bill, U.S. Congress, House, Committee on Public Lands, *Transfer Title of Buffalo to Crow Indian Tribe of Montana*, Prepared by Toby Morris, 81st Cong., 1st sess., 1949, CIS microfiche 11301.

<sup>27</sup> W.O. Roberts to Commissioner of Indian Affairs, 5 September 1944, Record Group 75, Series 929, Box 718, FF Buffalo 1944-43, NARACR; W.O. Roberts to

On a winter day in 1945, Butters finally transferred the bulk of the Pine Ridge tribal herd onto his land. This move finished the job he started in December of 1944, after successfully bidding for the first lot of 125 head. With an electric cattle prod in hand, Ed Butters climbed into the railcar holding several nervous, intractable bison. His wife had seen enough and quietly went inside, fearing for Ed's life. After having traveled 1,100 miles with his group of 175 buffalo, the Michigan rancher was determined to turn his new charges into the waiting 600 acre pasture. New York City meat wholesalers and restaurateurs anxiously awaited the steaks and roasts that could be sold "point free."<sup>28</sup> Ed Butters was officially in the bison business. All total, he brought 250 head to Michigan from South Dakota. Butters invested thousands of dollars of his savings into strengthening the fence on his farm. To ensure the safety of curious visitors, he placed a sign on his fence stating "Certain Death Inside." The sign was meant as a warning to visitors, but also accurately described the fate of the residents.<sup>29</sup>

The first large shipment of buffalo meat arrived in New York City in December of 1944. Many residents had their first taste as a result of 25,000 pounds being shipped to the city.<sup>30</sup> A month later, it appeared on the menus of several New York City restaurants. The firm of E. Joseph, Inc., under contract with Ed Butters, brought in 20,000 pounds in January. David Sperling, the

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Commissioner of Indian Affairs, 1 January 1945, Record Group 75, Series 929, Box 718, FF Buffalo 1944-43, NARACR.

<sup>28</sup> Nordyke, 14, 39.

<sup>29</sup> *Ibid.*, 37, 39.

<sup>30</sup> "Strike Gives Chickens to Nassau Villages," *New York Times*, 8 December 1944.

manager of E. Joseph, reported that another carload was scheduled for delivery in the next couple of weeks, with advance orders on 4,000 pounds already processed. Sperling noted that “some restaurants are pretty badly strapped for ration points.”<sup>31</sup>

The switch to bison was a relatively straightforward adaptation. The same cuts were available as from beef, including porterhouse, sirloin, and T-bone steaks. The cost of the meat was higher than beef, but did not require ration coupons. Buffalo steak retailed for around \$1.25 a pound, and chopped bison could be had for 75 cents a pound. The OPA ceiling on beef steak was 57 cents and 29 cents for hamburger. However, the difference in price was offset by the “negligible amount of waste in buffalo steak.”<sup>32</sup>

Another reason for the popularity of the meat was the implementation of “meatless days” in New York. Mayor Fiorello La Guardia decreed that on Tuesdays and Fridays public eating-places could not serve meat from any “four-legged domestic animal.” Poultry and game were exempt from this ban, and later salami, bologna, and other non-rationed cold-cuts were approved for sale on “meatless days.”<sup>33</sup> The Hotel Plaza offered “Dakota bison” roast for \$2.50 a la carte four times a week. Other restaurants including the Hotel Lexington confidently served it everyday. The Lexington offered a buffalo stew on its luncheon menu, and for dinner a popular entrée was “buffalo steak served in an

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<sup>31</sup> "Diners-Out Relish Meat of Buffalo," *New York Times*, 3 February 1945.

<sup>32</sup> Harvey Breit, "Meat? Meet the Buffalo," *New York Times Magazine*, 4 March 1945.

<sup>33</sup> "Ban on Meats Amended for Delicatessens Here," *New York Times*, 3 February 1945.

old-fashioned iron skillet.” The Harmonie Club offered similar meatless day specialties.<sup>34</sup>

With increased demand, the value of the meat likewise grew, resulting in at least one case of larceny. At the Hotel Madison, 400 pounds of buffalo steaks were stolen in February of 1945 during a delivery from Samuel Switzer, a New York meat wholesaler. The theft occurred as the driver was making his seventh stop out of a scheduled ten deliveries. The meat was valued at \$3,000. The thieves also took the truck used in making the deliveries, increasing the losses for the company. For the criminals and the restaurateurs, bison were at least as valuable as cattle, if not more so.<sup>35</sup>

Although the increased demand for buffalo in the early 1940s did not change the management strategy at Wind Cave National Park, by the early 1950s its surplus bison population was also transferred to CSP, where it was slaughtered for meat. During the 1940s, the National Park Service became concerned with the existence of brucellosis in Wind Cave. For Wind Cave National Park, the issue was not bison versus cattle, but how to handle animals that were infected with a bovine disease. The concern first surfaced in 1941, as an extension of attempts by the Department of Agriculture to eradicate the disorder from cattle. Brucellosis, also known as Bang’s disease, caused spontaneous abortion in livestock. Although it was unclear what effect the malady might have on bison, the anticipation of restrictions on the interstate movement of infected animals prompted the concern. The first test of Wind Cave

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<sup>34</sup> "Diners-Out Relish Meat of Buffalo." *New York Times*, 3 February 1945.

<sup>35</sup> "Tuesday Meat Ban Accepted in City," *New York Times*, 7 February 1945.

animals occurred in February of 1945. Of the sixty head that were tested, over half were positive reactors for the disease and another third were suspected of having the contagion.<sup>36</sup>

Between 1945 and 1949, efforts at eradication continued. More comprehensive testing over the winter of 1946 revealed an infection rate of twenty-five percent, far less than was believed in 1945. Despite the existence of the disease, the buffalo appeared to be in good condition. In February 1948, in addition to vaccinating all calves, all positive, strong suspects and untested bison were eliminated, reducing the herd to 304 animals. If operations were to continue at those levels, increased funds would be necessary within two years.<sup>37</sup>

In 1950, the brucellosis eradication program at Wind Cave was terminated. The calf vaccination program was deemed unlikely to eradicate the disease, and biologists feared the possibility of an “explosive” outbreak if the disease was accidentally reintroduced. Finally, control measures were deemed unnecessary since similar measures were not underway at cattle ranches adjacent to the park. In an effort to comply with federal regulations on the

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<sup>36</sup> J.E. Schillinger to Victor Cahalane, 7 March 1941, Record Group 79, Box N14, FF N1427 WICA Buffalo Sept 1952-Dec 1953 [Hereafter N1427], NARACR; Harry Like to Lawrence Merriman, 3 March 1945, Record Group 79, Box N14, FF N1427, NARACR.

<sup>37</sup> William J. Watson, “Condition of Mammals, Wind Cave National Park,” 17 July 1947, Record Group 79, Box 5, FF N2621 Annual Wildlife Reports, NARACR; Harry Like, “Wildlife Conservation Activities,” 29 February 1948, Record Group 79, Box 5, FF N2621 Annual Wildlife Reports, NARACR.

interstate shipping of animals, live shipments from Wind Cave were also terminated.<sup>38</sup>

The short-term solution was to increase the fenced acreage of Wind Cave. In August of 1946, Public Law 708 divided land known as the Custer Recreational Demonstration Area (RDA) between Wind Cave and Custer State Park. The national park was increased to 28,059 acres, more than doubling its size from 11,718 acres. Custer State Park gained approximately 6,000 acres. With the termination of the brucellosis control program, the Superintendent of Wind Cave was instructed to fence the RDA lands. The two parks now shared a boundary, and the highway that ran between them became a wildlife parkway of sorts.<sup>39</sup>

The increased proximity encouraged a new management strategy for Wind Cave. With the option of live shipment of animals unavailable, officials had no choice but to consider some means of slaughter. In April of 1951, over a hundred buffalo left Wind Cave and entered Custer State Park, possibly by traversing a cattle guard. This exodus presented a resolution to a problem that seemed to have “no ready and feasible solution,” according to former Wind Cave Superintendent Harry Liek. Wind Cave officials considered three choices to keep the herd at about 400 head. Two options involved slaughtering the surplus on

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<sup>38</sup> Newton Drury to Lawrence Merriman, 29 Dec 1949, Record Group 79, Box N14, FF N1427, NARACR.

<sup>39</sup> John W. Bohi, “Seventy-Five Years at Wind Cave,” ed. South Dakota State Historical Society, *South Dakota Department of History Report and Historical Collections*, vol. 31 (Pierre, S.D.: State Publishing Company, 1962), 462. Congress, House, Representative Francis Case speaking on Boundary Revision to Wind Cave National Park, H.R. 7004, 79<sup>th</sup> Congress, 2<sup>nd</sup> sess., *Congressional Record* (16 July 1946) Vol. 92, pt. 7, 9169.

the park grounds, either in the field or in special enclosures. Both were undesirable, mainly out of concern that tourists might witness the reductions in a national park wildlife preserve. The recommended alternative was to drive approximately one hundred animals a year into Custer State Park, in order to keep the herd within the carrying capacity of the range, as the annual increase of the herd was estimated to be around twenty-five percent. This option was also an attractive solution from an economic standpoint, as the manpower for the annual reductions would be provided by Custer State Park.<sup>40</sup>

For ten years, beginning in 1952, Custer State Park agreed to accept the surplus bison from Wind Cave National Park. Under the terms of the agreement, eighty percent of the animals successfully driven into the park immediately became the property of South Dakota. The remaining twenty percent were to be held by CSP for later dispersal without charge to Indian tribes upon written order from the National Park Service. The Superintendent of Wind Cave maintained full control of the removal process, but the South Dakota Department of Game, Fish and Parks was responsible for the materials, equipment and personnel for the operation. The agreement specifically prohibited hunting by the public of any animals removed from Wind Cave. After fifty-one years, it seemed all trails led to Custer State Park.<sup>41</sup>

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<sup>40</sup> Bohi, 462; Harry Like to Howard Baker, 12 February 1952, Record Group 79, Box N14, FF N1427, NARACR; James E. Cole, "Wind Cave National Park Buffalo and Elk Management Plan," 6, 29 February 1952, Record Group 75, Box 5, FF N16 Wildlife Management, NARACR; Howard Baker to Conrad Wirth, 3 March 1952, Record Group 75, Box 5, FF N16 Wildlife Management, NARACR.

<sup>41</sup> "Cooperative Agreement Between the National Park Service and the South Dakota Department of Game, Fish and Parks Relating to the Disposition of

After the war, Custer State Park sales of buffalo meat continued to increase. Beginning in 1950, sales increased every year for the next four. In 1950, the sales generated nearly thirty thousand dollars for the Park. The total increased by seven thousand the next year, and by sixteen thousand the next. For the year of 1953, the sale generated nearly seventy-five thousand dollars for the Park.<sup>42</sup>

With a viable commercial market, CSP officials sought to maximize their profits. First, they expanded their ability to process the meat by constructing a modern locker plant and freezer system. They then attempted to corner the market, at least as far as possible. While unsuccessful at derailing the purchase of the Pine Ridge herd by Ed Butters, they nevertheless acquired the last of the herd. Finally, they worked out an agreement with Wind Cave to add an additional eighty animals a year to their slaughter count. It would be easy to view their actions as crass commercialism, but it is important to remember that the CSP herd was second only to Yellowstone National Park in size.<sup>43</sup> Buffalo were not cheap to maintain, and the state legislature required the park to generate its own operating revenue. Meat was a solution to the pragmatic issue of population control and the economic question of operational costs.

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Excess Buffaloes and Elk from Wind Cave National Park," 25 August 1952, Record Group 79, Box N14, FF N1427, NARACR.

<sup>42</sup> R.D. Albaugh, *Forty-Fifth Annual Report of the South Dakota Department of Game, Fish and Parks*, 1954, SDSHS; Cecil W. Duncan, *Forty-Fourth Annual Report of the South Dakota Department of Game, Fish and Parks*, 1953, SDSHS.

<sup>43</sup> Henry H. Collins, *1951 Census of Living American Bison (Bison bison)* (Bronxville, NY: Blue Heron Press, 1952), 7-8.



With limited control and no ownership, the Oglala Sioux Tribal Council repeatedly voted to terminate their herd. There was some support for maintaining a small number, both from members of the council and officials at the Office of Indian Affairs. However, the political pressure from Congressman Case and Custer State Park eventually ended this option. There was also the unanswered question of how to fund the herd. The termination of the Pine Ridge herd was indirectly instigated by the existence of a motivated purchaser and the termination of the CCC. Four years after the herd was eliminated, Congress finally transferred title to the tribe.<sup>44</sup> Had the herd truly belonged to the tribe from the beginning, the outcome might have been different.

Wind Cave National Park was in an equally difficult position. The existence of brucellosis and the need to comply with federal regulations precluded the shipping of live animals. However, killing bison in a national park was not a satisfactory solution to the problem of maintaining the herd within the carrying capacity of the range. After the expansion of the park in 1946, the shared boundary with CSP presented a more acceptable solution. Allowing CSP to slaughter the surplus population allowed the control of the population and the benefit of providing Indian tribes with bison meat. Additionally, this operation required no expense to be borne by Wind Cave. It was an attractive and practical proposition.

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<sup>44</sup> The buffalo were already removed, but Congress awarded the proceeds from the sale to the tribe and allowed that Indians would receive title of any future transfers of buffalo.

By 1952, the buffalo trails in South Dakota led to Custer State Park. The solidification of this management strategy was a historical accident, given impetus by the conversion to a wartime economy. World War Two brought tremendous change to America. Buffalo management was not exempt from this transformation. The war was able to achieve what fifty years of human management could not: a viable commercial market for the creatures. Humans had always utilized bison for their meat. For a brief period, they were again valued for solely protein; there was no public outcry surrounding the killing. Although this transformation was relatively short lived, the resulting changes for the South Dakota managers of the animals were profound and enduring.

## Conclusion

From the brink of extinction at the end of the 19<sup>th</sup> century, the recovery of bison population was swift. Once the animals were protected from human predation, the natural increase of the species ensured that outcome. Although their ecology did not change, their existence was dramatically confined. After 1901 in South Dakota, no buffalo lived outside of a fenced enclosure. The limited forage available in these paddocks restricted the amount of increase. For thousands of years, the creatures were able to seek new terrain that could support their numbers. As the interaction between humans and buffalo became more direct, the issue of population control grew to be a yearly concern for the managers of the fenced preserves.

James Philip was the first individual to create a fenced bison preserve in South Dakota. His effort began as an independent venture, purchasing his animals from the estate of Peter Dupree. In addition to his financial outlay for the nucleus stock, he fenced a pasture on his ranch at considerable expense. He joined the American Bison Society after its formation in 1905. His involvement was aided by the federal government in 1906, when Congress leased a portion of the public domain for the pasturing of his herd. Philip desired the government to take a more active role by purchasing his bison outright in order to establish a national preserve. Although this never occurred, the state of South Dakota purchased thirty-six of his animals in 1913 and transported them to the Custer State Game Preserve.<sup>1</sup> Philip also planned on donating a few animals to the National Bison Range in Montana, but it is unclear if this transaction was ever finalized. In addition to his preservationist activities, he also sold a few of his animals for display and others were sold for meat. Overall, his actions are a good example of the interaction between private individuals and groups and governmental agencies in the Progressive Era.

The South Dakota legislature created the Custer State Game Preserve as a result of an agreement between two reformist groups. The legislators advocating the creation of the reserve reached a compromise with their colleagues who favored temperance legislation by which each supported the other. The legislature allocated funds to purchase the initial animals and to fence the range, but mandated that in the future the reserve would generate its

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<sup>1</sup> In 1919, Custer State Forest and the Game Preserve were renamed Custer State Park.

operating revenue. Existing homestead claims within the boundaries of the reserve were allowed to continue. The legislature signified that bison were worth preserving, but their continued maintenance was not a funding priority, nor did the reserve require the eviction of previous human occupants.

The federal government created the Wind Cave Game Preserve in 1913 at the behest of the ABS. Following a pattern established with the creation of the National Bison Range in Montana, the federal government provided the land and funds for the fences. The ABS initiated the search for a suitable location in South Dakota and donated the animals. Congress desired that the preservation of buffalo did not impact the settlement of the West, and was unwilling to take land out of the public domain. The existence of Wind Cave National Park provided an ideal location, as the park protected an underground cavern and the land above the cave was not being utilized. Congress refused to purchase live buffalo, suggesting the animals' dubious value in the eyes the legislators.

The creation of the first three buffalo herds in South Dakota highlights the varied value assigned to the animals. Philip sought to propagate the species, but was mindful of its practical value. His attitude contrasts with that of the ABS, who mainly sought to preserve buffalo for their sentimental value as reminders of the frontier past of the American West. Both the state of South Dakota and the federal government placed financial limits on their support of the preserves. Both the ABS and the Federal government did not expect the bison to have economic value in the future; the preservation was purely sentimental. Philip realized its value at the time and anticipated even greater worth. The state of South Dakota

hoped the herd would become profitable, and linked that assumption to the preserves' operating mandate. The buffalo continued to reproduce, raising concerns of overpopulation and overgrazing, and forcing the managers of the reserves to confront the issue of the future of the species. Having restored bison to South Dakota, it became necessary to control the population growth.

The methods adopted to handle the surplus populations of each herd were reflections of the managing parties. After James Philip's death, his heirs attempted to find a buyer for the whole ranch, thereby continuing Philip's legacy. When this was not possible, the herd was eventually dismantled, although several animals were sold to public organizations and private individuals. A large portion of the herd was sold as meat, at least partially due to the limited demand for live animals. CSP was required by the state legislature to generate its own income and therefore sought an economic return on its surplus. After a few sales of live animals to private ranchers, the park settled on slaughtering a few head each year and selling them during the winter holiday market. Wind Cave remained committed to the distribution of live animals much longer, both under the Biological Survey and the National Park Service. It was managed by federal officials and therefore was subject to requests from across the U.S. for animals. All three of these herds were also subject to the larger economic climate.

Beginning in the 1920s for the West, economic depressions strongly affected the demand for live bison. By the 1930s, the larger U.S. depression also impacted the requests received by Wind Cave. Bison were an unproven commodity; the main demand for the meat was during the Christmas season.

When prices for cattle fell and the risks of that market increased, the incentive to enter into speculative ventures in buffalo also decreased. This is reflected in the lack of requests for live buffalo from Wind Cave after 1932. The growth of the protected herds required that some measures were taken to limit the population, but the lack of demand in the mainstream economy limited the managers' options. This was less of a problem for CSP because the size of the park was considerably larger than Wind Cave and could support more animals.

The New Deal provided temporary relief for Wind Cave and facilitated the creation of a new herd on the Pine Ridge Reservation. Under John Collier the Office of Indian Affairs (OIA) instituted reforms in federal Indian policy, ushering a new era of increased autonomy for the Sioux, both governmental and cultural. These reforms also brought a commitment to economic development. Another New Deal institution, the Civilian Conservation Corps (CCC), provided funds for projects that created jobs and enhanced the development of natural resources. When the CCC was extended to Indians, the creation of a buffalo pasture on Pine Ridge was financially feasible. Wind Cave now had a place to transfer its surplus population, and the OIA had a tangible example of their new approach to Indian policy.

The entry of the U.S. into World War Two drastically altered the demand for buffalo. Domestic agricultural production could not meet the needs of civilians, the armed forces, and our allies. The Office of Price Administration instituted a national system of meat rationing, but excluded game, including bison, from the rationed goods. CSP felt the surge in consumption and was

unable to fill all of its orders for meat for the first time in the winter of 1942-1943. The Pine Ridge herd was terminated during the war, in part because of the increased demand for bison meat. The Oglala Sioux Tribal Council requested title to the animals in 1940, but the OIA denied the request. The tribal council then asked for the herd to be replaced with cattle. In the midst of a protracted bureaucratic struggle between the council and the OIA, Ed Butters, a Michigan entrepreneur, offered to buy the whole group in order to profit from the wartime market. CSP learned of this offer and requested the animals for its own. In the end, the Pine Ridge herd was terminated and Butters and CSP each received some of the creatures. The market for buffalo remained strong after the war and meat sales from CSP remained brisk.

By a historical accident, the exigencies of the war provided what decades of human management could not, a viable market for buffalo and a solution to the problem of surplus population. The solution was so effective that six years after the war, Wind Cave was transferring its surplus into CSP. The decision to move these animals was aided by the failure of the Pine Ridge experiment, reducing the options available for relocation of live animals inside South Dakota. The detection of brucellosis, a bovine disease, within the Wind Cave herd restricted the interstate movement of live buffalo, further reducing the options. Another factor that led to the transfer was the desire to maintain Wind Cave in as natural a setting as possible. The National Park Service was leery of killing wildlife inside of a national preserve lest any tourists witness the act.



The killing of buffalo seems antithetical to their preservation. William Matthews, in his poem *Why We Are Truly a Nation*, wrote, “we all dream of saving the shaggy, dung-caked buffalo, shielding the herd with bodies.”<sup>2</sup> Yet, the evolutionary development of the species *Bison bison* was a partially a result of human hunting. The history of the interaction between humans and the animals shows that we have always killed bison. When confined to a limited fenced enclosure, the protected herds rapidly grew beyond the carrying capacity of those pastures. Responsible management required reductions or the animals would eventually overgraze the paddocks and animals would die of starvation. In theory, the surplus animals could be transferred to new pastures and there would be no need for killing. However, between 1901 and 1952 there was not sufficient demand for live buffalo to make such a strategy practical.

The recovery of the American bison is a conservation success story. However, the animals themselves deserve much of the credit. It was their prodigious rates of reproduction that ensured that the recovery was so swift. The most important lesson from the first fifty years of buffalo management in South Dakota is necessity of having a strategy to handle that population increase.

Recently several individuals have articulated “buffalo commons” proposals that envision the creation of huge herds. Frank and Deborah Popper originated the term, but have never given any specifics for their plan. To be fair, they

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<sup>2</sup> William Matthews, *Ruining the New Road* (New York: Random House, 1970), 24.

consider the idea as more of a metaphor for the future than a definite proposal.<sup>3</sup> Ernest Callenbach suggests that public lands could easily support at least a million bison, if not three times that amount. However, a million creatures would produce approximately 200,000 calves a year. Surely such an undertaking would require some extensive planning on how to handle that surplus. A more modest proposal known as the “Big Open” would place 75,000 bison in eastern Montana, which would generate about 15,000 calves a year.<sup>4</sup> Ecologist Daniel Licht proposes two reserves, one in the near the Badlands of South Dakota that could support 25,000 and another in the Sandhills of Nebraska that could maintain over 86,000 buffalo. He estimates that the latter reserve would supply an annual harvest of 17,500 head.<sup>5</sup> Any one of these proposals would require extensive planning to process that surplus as well as a significant market for the products.

The market for buffalo has increased in recent years. There are an estimated 270,000 head in the United States, most on private ranches. Beginning in 2000, the Department of Agriculture began to record the number of bison slaughtered in federally inspected plants. This is itself an indication of the increasing importance of buffalo meat in the American economy. However, the

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<sup>3</sup> The Poppers have published several articles. Deborah Epstein Popper and Frank J. Popper, “The Great Plains: From Dust to Dust,” *Planning* 53 (December 1987): 12-18; Deborah E. Popper and Frank J. Popper, “The Buffalo Commons: Metaphor as Method,” *The Geographical Review* 89 (October 1999): 491-510; A four article collection “The Buffalo Commons Debate” is found in *Focus* 43 (Winter 1993): 16-27.

<sup>4</sup> Ernest Callenbach, *Bring Back the Buffalo! A Sustainable Future for America's Great Plains* (Washington DC: Island Press, 1996), 101, 201.

<sup>5</sup> Daniel S. Licht, *Ecology and Economics of the Great Plains* (Lincoln: University of Nebraska Press, 1997), 168-69.

total number slaughtered in those plants was only 17,674. This figure should not be taken to represent the total number killed in the U.S., but it does suggest that the market for buffalo meat is still limited. The annual surplus from the Sandhills reserve proposed by Licht is roughly equal to the total slaughter reported by the Department of Agriculture for 2000. A herd of a million would generate an annual surplus nearly as large as the present population for the entire U.S. There is no reason to believe that demand for buffalo meat will automatically rise with increased supply.<sup>6</sup>

There is an extensive body of literature on wildlife management. Aldo Leopold was a pioneer in the field in the United States, who published *Game Management* in 1933.<sup>7</sup> Since that time, the number of publications has expanded considerably. A recent text for undergraduates synthesized the information from over 2,500 references. Despite the growth of this field, the issues of population control remain highly controversial in the public sector.<sup>8</sup>

There was little thought given to how best manage the first protected herds of the 20<sup>th</sup> century. It took fifty years and the incredible tumult of the Second World War to generate a consistent strategy to manage those herds. The future of buffalo management appears to be bigger herds with an even greater surplus. It is important that considerable thought is given to how best administer

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<sup>6</sup> By 2003, the number of bison slaughtered in federally inspected plants had risen to 34,804. U.S. Department of Agriculture data taken from <http://www.nass.usda.gov:81/ipedb/report.htm> (Accessed 1/14/2005).

<sup>7</sup> Aldo Leopold, *Game Management*, (New York: Charles Scribner's Sons, 1948);

<sup>8</sup> Eric G. Bohlen and William L. Robinson, *Wildlife Ecology and Management*, (Upper Saddle River, NJ: Prentice Hall, 1999), xii, 344-45.

that surplus. The history of the first South Dakota herds suggests it is one thing to create a reserve, and quite another to manage it.

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