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THE UNIVERSITY OF OKLAHOMA
GRADUATE COLLEGE

A HISTORY OF THE ESTABLISHMENT OF THE
WICHITA NATIONAL FOREST AND GAME PRESERVE, 1901-1908
A HISTORY OF THE ESTABLISHMENT OF THE
WICHITA NATIONAL FOREST AND GAME PRESERVE, 1901-1908
A THESIS

APPROVED FOR THE DEPARTMENT OF HISTORY

A THESIS
SUBMITTED TO THE GRADUATE FACULTY
in partial fulfillment of the requirements for the
degree of
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BY
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of the Southern Plains together under natural conditions. Besides providing a living museum of natural history and an important outdoor research laboratory, it is also a popular recreational area. Indeed, it seems a most appropriate memorial to the early American conservationists who were largely responsible for its creation and development.

PREFACE

One of the most unique natural areas in the Southern Plains lies nestled in the heart of the main range of the Wichita Mountains of Southwestern Oklahoma. The federal government originally set aside the Wichita Mountains Wildlife Refuge as a forest reserve in 1901, at the same time it opened to settlement the Comanche, Kiowa and Kiowa-Apache Indian Reservation. Four years later the reserve became a national game preserve for the purpose of preserving some of the surviving species of the continent's vanishing wildlife. One of the earliest national wildlife refuges to be created, it was the first fenced preserve for big game animals to be established by the federal government. The first successful attempt to save the American bison from extinction took place on the Wichita preserve. Its almost immediate success prompted the creation of similar big game preserves comprising the present system of national wildlife refuges for big game animals.

Today, the Wichita Refuge is one of the most prized wildlife areas administered by the Bureau of Sport Fisheries and Wildlife of the Department of the Interior. It is the only place where one can observe most of the original wildlife

of the Southern Plains together under natural conditions. Besides providing a living museum of natural history and an important outdoor research laboratory, it is also a popular recreational area. Indeed, it seems a most appropriate memorial to the early American conservationists who were largely responsible for its creation and development.

Except for the legislative acts and executive proclamations, no one has ever recorded the complete story of the founding of the Wichita Wildlife Refuge. In 1901 the excitement of acquiring free land in the area largely obscured the setting aside of the Wichita Forest Reserve, although there was considerable agitation on the local level to reserve part of the scenic mountain lands from settlement. As is all too frequent, much of the institution's early history has been either lost or obscured from misinformation and neglect down through the years. While many of the records documenting the creation and early history of the Refuge have been lost, rich sources survive. These include interviews with several early-day residents who were closely connected with its early history, old local newspaper files and promotional tracts, and other scattered documents. Official documents supply additional information on the early history of the Wichita Refuge.

The purpose of this thesis is to trace the history of the institution's establishment and its early development. It includes a general survey of the movement to conserve forests and wildlife in the United States, which contributes

to a better understanding of the events leading up to the creation of the Wichita Forest Reserve and its later designation as a national game preserve. The chapter surveying the highlights of the national conservation movement to 1905 is, therefore, based primarily on a number of major secondary works devoted to the history of the conservation of forests and wildlife. Prominent early conservationists wrote many of these works. Other sources include the United States Statutes at Large and official documents relating to significant pieces of legislation on the federal level. Since it is intended only as a background chapter and because excellent works on the subjects already exist, no attempt was made to do primary research on the national movement.

Chapters two, three and four contain the main body of this thesis; they deal with the creation of the Wichita Forest Reserve and its first few years of existence, the establishment of the Wichita National Game Preserve in 1905, and the successful restoration of the buffalo to the area in 1907. The last chapter deals generally and briefly with the role of Franklin S. Rush in establishing the area as a big game preserve and its national significance in the struggle to preserve a part of the nation's natural heritage.

There is no large single body of materials which deal specifically with the founding and early history of the Wichita Refuge. The evidence used in the main body of this study was gathered over a period of several years from vari-

ous scattered sources. The early newspapers from Meers, Lawton, Oklahoma City and Guthrie provided considerable information. Published histories and reports of proceedings of certain organizations including the Boone and Crockett Club and the New York Zoological Society contain a great

ACKNOWLEDGEMENTS

deal of very useful information relating to the early years

The completion of this thesis would not have been possible without the encouragement and assistance of a number of persons. I am grateful to Dr. W. E. Hollon and Dr. Don-ald J. Berthrong who first encouraged me to undertake this project. I am greatly indebted to Dr. Arrell M. Gibson the Wichita as a Ranger from 1908 to about 1955, Ira Carr, whose confidence, encouragement, suggestions and enduring patience have been invaluable. Professors Norman L. Crockett a partner of the Driggers Cattle Company, and various other individuals who were associated with the area supplied valuable information. Research for the thesis would have been impossible without the cooperation of Julian Howard, former Supervisor of the Wichita Mountains Wildlife basement of Refuge Headquarters.

Refuge, and Arthur H. Halloran, former Game Biologist of the Bureau of Sports, Fisheries and Wildlife, who made the old records available and supplied other necessary data. My special thanks are extended to Mrs. June Witt, Mrs. Martha Jordan, Miss Alexis Rodgers, Miss Janet Jelen and Mrs. Jan Gattis for their help in preparing the manuscript, maps and photographs. Also, I am especially indebted to Dr. Arthur McAnally, former Director of the University of Oklahoma Libraries, for his prodding encouragement and for granting me a leave of absence from the Western History Collections to

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CHAPTER I

A SURVEY OF FOREST AND WILDLIFE CONSERVATION TO 1905

The first Europeans to set foot on the shores of North America found a continent richly endowed with a variety of natural wealth. Wholesale exploitation of the natural resources began with the arrival of the white man and continued almost unchecked for nearly three hundred years. The timber, fish and wildlife formed the basis of a lucrative international trade which early became the primary business of the colonies. In their haste to develop the land and harvest the seemingly inexhaustible wealth neither the commercial interests nor the colonists deemed it necessary to conserve or manage the multitude of valuable resources.

Forests along the eastern seaboard were the first victims of the settlers' war of attrition on the new land. The settlers rapidly cut easily accessible timber for the market or burned it to develop farms and settlements. Destruction of the forests also destroyed the vital natural habitat of wildlife. As settlement progressed inland, the readily available supplies of timber and game became increasingly scarce. It soon became evident that continued unrestrained use of the land and its resources would result in severe

consequences and during the seventeenth century early conservationists made the first feeble attempts to regulate and conserve the diminishing resources.

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consequences and during the seventeenth century early conservationists made the first feeble attempts to regulate and conserve the diminishing resources.²

Although there was little knowledge and less interest in the concepts of conservation during the early years, the evolution of the conservation movement dates from the colonial period. Recognizing the dire results of misuse of the resources, a few leaders in the colonies attempted to establish a better land-use relationship. Their efforts led to the prohibition of cutting and transportation of timber out of the Plymouth Colony without permission as early as 1626. In 1631, the Massachusetts Bay Colony placed restrictions on the burning of ground. Subsequent legislation in Massachusetts and other colonies further restricted the practice of burning and recognized the damage it caused to timber, new growth, soil and stock. William Penn's ordinance of 1681 required that one acre of timber be left for every five acres cleared.¹ The charter creating the Province of Massachusetts in 1691 prohibited the cutting of all trees twenty-four inches in diameter and reserved their use

²John Ise, The United States Forest Policy, New Haven, Ise, U. S. Forest Policy. Dana, Forest and Range Policy, pp. 11-15.

¹U. S. Department of Agriculture, "Highlights in the History of Forest Conservation," Agriculture Information Bulletin No. 83, Washington, Forest Service, Department of Agriculture, 1952, pp. 1-2; Samuel Trask Dana, Forest and Range Policy, Its Development in the United States, New York, McGraw-Hill Book Company, Inc., 1956, pp. 4-6, 372. (Hereafter cited as Dana, Forest and Range Policy.)

Policy, was subsequently extended with additional restrictions throughout the new world domain of Great Britain in 1729 and remained in effect until the American Revolution.² The hunter and the trapper systematically and quickly dispatched the eastern game animals and birds. Farmers clearing the land destroyed the natural habitat. It became evident very early that the supply of wildlife was no more inexhaustible than the supply of timber. The Rhode Island towns of Newport and Portsmouth passed the first local ordinance regulating the killing of deer in 1693 and 1646 respectively.³ The Portsmouth law provided for an annual closed season on deer between May and November and authorized a fine of five pounds for violation which was to be divided equally between the informer and the town. This law set the pattern for similar legislation passed by most of the other colonies by 1720. By 1776, all of the colonies except Georgia had enacted closed seasons for deer. New York passed the first closed season on upland game birds in 1708 and Massachusetts prohibited the use of camouflaged

²John Ise, The United States Forest Policy, New Haven, Yale University Press, 1920, p. 19-22. (Hereafter cited as: Ise, U. S. Forest Policy.) Dana, Forest and Range Policy, pp. 11-15.

³James B. Trefethen, Crusade for Wildlife: Highlights in Conservation Progress, Harrisburg, Pennsylvania, and New York, The Stackpole Company and the Boone and Crockett Club, 1961, pp. 73-74. (Hereafter cited as Trefethen, Crusade for Wildlife.) Glover M. Allen, "History of the Virginia Deer in New England," Proceedings of New England Game Conference, Boston, n.p., 1930, pp. 19-41.

canoes or boats equipped with sails to hunt waterfowl in 1710.⁴ The various colonies and the British government took other steps to regulate the consumption of natural resources throughout the colonial period. Most of the efforts were generally inadequate and difficult to enforce, however, and did little to curb the spendthrift attitude that prevailed. Colonists continued to harvest the timber and wildlife indiscriminately and expediently with little thought to future consequences. In many instances, the vast stands of virgin timber and the multitude of wildlife were considered a hindrance to the development of the country and they were exuberantly destroyed in the name of progress. While the feeble efforts to control the use of resources during the colonial period were not successful, the attempts to enact regulations indicates that a degree of awareness for the need of conservation measures did exist during those years. After the Revolutionary War, the embryonic conservation movement received little more attention from the new federal republic than it did in the colonial period. Between 1781 and 1802, the original states created a public domain of more than 200,000,000 acres when they ceded most of their western land claims to the federal government. Later addi-

⁴United States Statutes at Large, Vol. 4, p. 472. (Hereafter cited as Stats.); Ise, U. S. Forest Policy, pp. 22-27; Dana, ⁴Peter Matthiessen, Wildlife in America, New York, The Viking Press, 1969, pp. 281. (Hereafter cited as Matthiessen, Wildlife in America.)

tions enlarged the public domain to more than 1,800,000,000 acres by 1870. While Article Four, Section Three, of the Constitution gave Congress control over the public domain, it did not assume responsibility for protecting the forests and wildlife until near the end of the nineteenth century. For the first one hundred years, the national government focused its attention primarily on the use and the development of the public domain rather than the conservation of the resources thereon. The federal government did recognize the need to preserve timber for future naval supplies as early as 1799 when it made funds available for the purchase of naval timber lands.⁵ The first federal measure providing for reservation of public lands for naval purposes and prescribing penalties for unauthorized use of the reserves was not passed until March 1, 1817. Congress provided authority for the establishment of naval reserves and provisions for stricter enforcement in the acts of March 8, 1827 and March 2, 1831.⁶ The Act of 1831, which forbade the removal of any timber on public lands, was declared constitutional by the United States Supreme Court in a ruling rendered during 1850 in the case of the United States v. Briggs. That same

⁵United States Statutes at Large, Vol. 4, p. 472. (Hereafter cited as Stats.); Ise, U. S. Forest Policy, pp. 22-27; Dana, Forest and Range Policy, p. 374.

⁶Stats., Vol. 3, p. 347; Vol. 4, p. 242; Vol. 4, p. 472. Philadelphia, n.p., 1831.

year the government first appointed special agents to suppress timber trespass on public lands, but they were too few and ineffective. Except for naval reserves, the policies of the federal government prior to the 1870's did more to encourage exploitation of forest lands than it did to protect them.

The national government was even less concerned with the fate of the wild creatures than it was with the forests during its first century of existence. Other than a few attempts by state and local agencies to regulate the hunting of some game animals and birds by the enactment of closed seasons, laws protecting wildlife were either ineffectual or non-existent during the early years of the Republic. By the 1830's and 1840's, individual voices began to express alarm over the wanton destruction and slaughter of the nation's animal and bird life.

John D. Godman was one of the first articulate advocates of animal protection. In his two-volume American Natural History, published in 1831, he expressed concern that such a valuable and prolific animal as the beaver was threatened with extermination when it could be saved by a little care and management.⁷ Only a few years later, however, the fur trade had reduced the beaver to the point of near extinction.

George Catlin's two-volume work, North American Indians,
10As quoted from Audubon's Missouri River Journals in Audubon, John James, Audubon, By Himself: A Profile of John James Audubon, From writings selected, arranged and edited by Alice
⁷John D. Godman, American Natural History, 3 vols., Philadelphia, n.p., 1831.

published in 1841, also fostered interest in conservation. He first suggested that a "Nation's Park" for future generations be created in the Indian country of the upper Missouri.⁸ Catlin's proposal to establish a national or a public park did not take practical form until 1864 when Yosemite Valley was set aside as a California state park.⁹ Although he was preceded by other early noted naturalists, John James Audubon was the first to arouse the public interest in the plight of wildlife. His early and accurate warnings of the threatened extermination of various species of birds and animals received considerable attention. In his Missouri River Journals of 1843 he noted that there was already a perceptible difference in the size of the buffalo herds and he predicted the animal would soon disappear like the Great Auk.¹⁰ At that time, it is estimated that there were some sixty million buffalo, but the systematic slaughter came extinct. In the preface of the 1878 edition he fore-

⁸George Catlin, Letters and Notes on the Manners, Customs and Condition of the North American Indians, London, 1841, pp. 261-262. (Hereafter cited as Catlin, North American Indians.)

⁹Freeman Tilden, "The National Park Concept," National Parks Magazine, Vol. 33, No. 140 (May, 1959), pp. 2-5. (Hereafter cited as Tilden, "Nat'l. Park Concept."); John Ise, Our National Park Policy, A Critical History, Baltimore, Johns Hopkins Press, 1961, pp. 51-96. (Hereafter cited as Ise, Our National Park Policy.); Matthiessen, Wildlife in America, p. 155.

¹⁰As quoted from Audubon's Missouri River Journals in Audubon, John James, Audubon, By Himself: A Profile of John James Audubon, From writings selected, arranged and edited by Alice Ford, Garden City and New York, The Natural History Press, 1969, p. 258.

that took that magnificent beast to the brink of extinction had already begun by the middle of the nineteenth century.

Francis Parkman was another important early literary advocate of conservation who remained active in the cause until his death in 1893. His book, The Oregon Trail, which was first published in 1849, was probably the first well-known impression of the West to attract great public interest and it contributed greatly to the conservation movement. The work resulted from a trip he made over the Oregon Trail in 1846 and is especially outstanding in its description of the Indians and wildlife of the western lands. Like Audubon in 1843, Parkman also foresaw the doom that awaited the wild creatures from the ever expanding American settlement. He noted that the buffalo supplied the Indians with most necessities of life and trade and predicted that the Indian's would also disappear when the buffalo dwindled away and became extinct. In the preface of the 1872 edition he fore-

told: a time would come when those plains would be a grazing country, the buffalo give place to tame cattle, farmhouses be scattered along the water courses, and wolves, bears, and Indians be numbered among the things that were.¹¹

While the works of Catlin, Audubon and Parkman were well as the ever-increasing demands of the market hunters, especially significant to the early conservation movement, trappers, and the sportsmen threatened wildlife with ex-

¹¹Francis Parkman, The Oregon Trail, Sketches of Prairie and Rocky Mountain Life, Boston, Little, Brown & Company, 1900, p. ix. A reprint of the 4th edition printed in 1872.

many others also helped promote the cause through their the works. Literary people such as James Fenimore Cooper, Washington Irving, Henry David Thoreau, Ralph Waldo Emerson, James Russell Lowell and Oliver Wendell Holmes; artists such as Thomas Cole, Albert Bierstadt, and Karl Bodmer; naturalists such as Thomas Say, Thomas Nuttall, Titian Peale, John Townsend and John Muir; and many other distinguished and lesser known men spoke out in favor of preserving the country's natural scenic areas and wildlife. While these early advocates helped nurture the idea of conservation of the natural resources, their concepts did not realize success until after the most destructive period in the history of American forestry and wildlife.

Rampant exploitation of the land became almost a national pastime after the Civil War. The pillage of the nation's timber and wildlife resources rapidly increased with the expansion of industrial production, the application of science and technology in manufacturing and transportation, and the stimulation of land development and urban growth. Citizens cut and burned forests with reckless expediency, giving no thought to restoration or management of timbered areas for future production. The loss of its natural habitat as well as the ever-increasing demands of the market hunters, trappers, and the sportsmen threatened wildlife with extinction. Existing local laws were inadequate and unenforceable and concerned people recognized that only strong action

by the federal government could halt the plundering of the country's natural resources. It was during this period, however, that the heretofore solitary advocates of conservation first joined together to press for national legislation. Prodded by a growing group of militant conservationists, the country slowly awakened from its indifference and became aroused over the impending loss of its irreplaceable natural resources. As a result of the growing conservation sentiment, the concept of national parks and forests became a reality during the period from 1870 to 1900, but strong vested interests continued to block effective action to protect the areas until well after the turn of the century.

Except for the establishment of naval timber reserves, the national government had shown little interest in the conservation of forests until the 1870's. By that time, however, works by a number of people had begun to focus attention on the specific problems of resource use and misuse. In 1864, George P. Marsh set forth his ideas on the problems in a book entitled Man and Nature or Physical Geography as Modified by Human Action. This was the first major synthesis on the subject and it served as the prototype for other later works. Although it was not widely read, it presented a mature appraisal of the problems with suggested solutions. Conservationists of the period frequently cited the work.

Another thoughtful article of the time, "American Forests and Preservation," Annual Report of the Commissioner of Agriculture, Their Destruction and Preservation by Reverend Freder-
pp. 76-77, 381-382.

ick Starr of St. Louis, appeared in the Annual Report of the Commissioner of Agriculture for 1865.¹² Starr expressed alarm over the great destruction of the forest lands and recommended preventive measures. The publications of Marsh and Starr were significant in that they went beyond the suggestions offered by earlier works and proposed solutions to the problems. O. Shields, The Auk, which was the official publ During the next three decades, a large volume of tracts were published pleading the case for conservation. Influential new recruits joined Parkman, Emerson, and other earlier advocates in promoting the preservation of the resources. Scientists, educators and other respected authorities wrote books, published articles and generally promoted the movement with their informed opinions. John Muir, John Burroughs, Bradford Torrey, C. Hart Merriam, William T. Hornaday, William Brewster, Joel A. Allen, Elliott Coues, George Bird Grinnell, Oliver Wendall Holmes, Henry Fairfield Osborn, Elihu Root, Carl Schurz, Gifford Pinchot, G. O. Shields, Judge J. D. Caton, Franklin B. Hough, William Dutcher, John A. Warder, Bernard F. Fernow, Madison Grant, John F. Lacey, and Theodore Roosevelt were among those who took up the fight to save the nation's remaining forests and wildlife. Although their works were often frowned upon by contemporary to the preservation of wildlife.¹³

¹²Frederick Starr, "American Forests, Their Destruction and Preservation," Annual Report of the Commissioner of Agriculture for 1865. As quoted in Dana, Forest and Range Policy, pp. 76-77, 381-382.

naturalists and biologists, outdoor adventure writers such as Ernest Thompson Seton and Jack London also helped create public interest in the movement.

A number of periodicals which were instrumental in rallying public opinion to the conservation movement were founded in this period. Publications such as Recreation Magazine, edited by G. O. Shields, The Auk, which was the official publication of the American Ornithologists Union, The American Field, and Forest and Stream, founded in 1873 and edited by George Bird Grinnell, all carried strong, effective pleas for forests and wildlife.

In addition to private research, publications and other works by numerous individuals, a number of organizations which were to be of vital importance to the conservation movement also were formed during this period of awakening. The New York Association for the Protection of Game, founded in 1844, was the first organization of its kind to be formed in the country. Its early efforts in New York met with some success, but it degenerated into a shooting club. In 1866, the American Society for the Prevention of Cruelty to Animals was formed in a vain attempt to stop the wanton slaughter of wildlife. Neither of these organizations was very effective, but they were the first organizations dedicated to the preservation of wildlife.¹³

¹³Matthiessen, Wildlife in America, pp. 158 and 165.

One of the first important organizations was the Nuttall Ornithological Club organized by William Brewster at Cambridge, Massachusetts, in 1873. Devoted primarily to birds, its small distinguished membership published the Nuttall Ornithological Bulletin. It was the parent organization of the American Ornithologists Union, which Brewster, Elliott Coues, Joel A. Allen, and George B. Grinnell formed in 1883. The Auk replaced the Bulletin as the official publication of the organization. In 1884, the Union appointed a committee headed by William Dutcher to study and recommend measures "for the protection of North American Birds and their eggs, against wanton and indiscriminate destruction."¹⁴ This committee took the first direct action on behalf of threatened species in issuing a bulletin in 1886 entitled "Destruction of Our Native Birds" which was a strong indictment of the millinery industry. It also proposed a bird protection law for each state which served as the prototype for bird legislation throughout the nation. This law, which became generally known as the "Model Law," was later sponsored by the Audubon Society.

The American Forestry Association was organized in Chicago on September 10, 1875, under the leadership of John A. Warder. The American Forestry Congress which was organized in 1882, absorbed this organization, and the combined

¹⁴Ibid., pp. 165-169.

group adopted the original name in 1889.¹⁵ These two organizations, along with the American Association for the Advancement of Science and other organizations primarily concerned with the future of wildlife, actively advocated legislation to preserve and protect the forest lands. A pledge which solicited youth not to kill birds or to wear their feathers was sponsored by George B. Grinnell, Oliver Wendell Holmes, John Greenleaf Whittier, Henry Ward Beecher and others in the Forest and Stream magazine in 1886.¹⁶ The pledge received tremendous response from the nation's youth and was the beginning of the Audubon Societies which were first formed in Massachusetts and Pennsylvania in 1896. By 1902, the societies had been formed in other states and a national association was formed under William Dutcher. In 1905 the latter became the National Association of Audubon Societies for the purpose of protecting wild birds and animals. The Society and its predecessors played a significant role in obtaining state and federal legislation for the protection of wildlife. The Boone and Crockett Club also played a major role in the establishment of national forests and game preserves. It was organized by Theodore Roosevelt and George Bird Grinnell in 1887 for the purpose of promoting gentlemanly sport, of Natural History which was established in 1889. The New

¹⁵Dana, Forest and Range Policy, pp. 87-88.

¹⁶Matthiessen, Wildlife in America, pp. 167-168. and 356-357.

derness travel and exploration, observations on natural histories of wild animals, and measures for the preservation of large game animals. Besides its founders, its illustrious membership included Francis Parkman, Elihu Root, C. Hart Merriam, Gifford Pinchot, Carl Schurz, John Lacey, John W. Noble, William T. Sherman, Philip Sheridan and many other prominent figures who were advocates of conservation. This group sponsored the establishment of other organizations such as the National Zoological Park in Washington, D. C., in 1888, and the New York Zoological Society in New York City in 1895. Most important was its role in securing federal legislation such as the Forest Reserve Act of 1891, the law to protect wildlife in Yellowstone National Park in 1894, and the Lacey Act of 1900.¹⁷ It was instrumental in preserving buffalo, antelope and other endangered big game animals.

A number of other organizations were also active in the investigation of problems of the forests and wildlife in America. The Smithsonian Institution conducted studies of birds and animal life in the early years. The American Association for the Advancement of Science played an important role in forestry studies. Research and promotion of the conservation movement was sponsored by the American Museum of Natural History which was established in 1869. The New

¹⁷Trefethen, Crusade for Wildlife, pp. 15-26, 80-83 and 356-357.

York Zoological Society and the American Bison Society were instrumental in saving the American bison and other species of animals and birds from extermination after the turn of the century.

Unrestrained exploitation of the land continued throughout the decades between 1870 and 1900, but it was during this period that the forces of conservation began to organize and push for a more responsible program of national resource management. While forests and watersheds received the most interest and public attention, advocates of wildlife preservation were also vitally interested in saving the natural habitat and cooperated fully with those who were primarily interested in saving the forest lands and scenic areas. Congress generally continued to shun its responsibility to protect the public lands, but it was during this time that it finally enacted the first measures to safeguard the remaining natural resources.

The first steps toward creation of a system of state and national parks and forests resulted from efforts to reserve the Yosemite Valley and Mariposa Big Trees for public use. Although Horace Greeley first suggested in 1859 that California protect these areas, a group headed by Frederick Law Olmstead with I. W. Raymond, John F. Morse, and photographer C. E. Watkins, induced Congress to transfer the valley and big trees from the federal domain to the state of California for a park in 1864.¹⁸ It was not until 1890,

¹⁸Tilden, "Nat'l. Park Concept," pp. 2-5.

however, that John Muir and others succeeded in getting the areas returned to the federal government and designated as national parks. While Catlin's idea of a nation's park took practical form with the creation of Yosemite as a 1873²² California state park, the first real national park was created in 1872 when Congress established Yellowstone National Park. The creation of Yellowstone set a precedent for congressional action in setting aside selected portions of the public domain for national parks and forests. Except for periodic military patrols, no provisions were made to protect the wildlife and other resources in the area until 1894.¹⁹ Shortly after it created Yellowstone National Park, Congress also made a token gesture to provide custodians to guard the public timber lands from trespass and fraudulent entry with passage of the Sundry Civil Appropriations Act of June 10, 1872.²⁰ In that same year Governor Sterling Morton of Nebraska instituted Arbor Day in a popular effort to stimulate the development of woodlots and shelterbelts. New York established a State Forestry Commission to advise the legislature on laws needed to protect the State's woodlands in 1872.²¹ The conservation movement was beginning to gain

¹⁹Ibid.; Ise, Our National Park Policy, pp. 51-96; Stats., Vol. 17, p. 605.

²⁰Stats., Vol. 17, pp. 347 and 359; Dana, Forest and Range Policy, p. 53.

²¹Trefethen, Crusade for Wildlife, p. 47.

momentum and achieved its first small success in securing legislation on the federal level.

The growing interest in forest conservation was reflected in legislation passed by Congress on March 3, 1873.²² This act and subsequent legislation were generally known as the Timber Culture Laws and provided for grants of land to anyone who agreed to plant and maintain part of the acreage in timber for a period of time. These and similar laws did little to protect the forest lands as they were actually used by the lumbermen and special interests to acquire and cut large stands of virgin timber on the public domain.

As the plundering of the public domain continued, public demands increased for the federal government to enact measures to protect the nation's forests. In 1873, George Bird Grinnell, editor of the newly established Forest and Stream magazine, called for the creation of a forest reserve, game preserve, and public recreation ground in the Adirondacks.²³

In that same year Benjamin F. Hough presented a paper before the American Association for the Advancement of Science on "The Duty of Governments in the Preservation of Forests." The Association approved his ideas and passed a resolution calling for the creation of state and federal forestry com-

²²Stats., Vol. 17, p. 605; Dana, Forest and Range Policy, pp. 31-33.

²³Ira N. Gabrielson, Wildlife Refuges, New York, The Macmillan Company, 1943, p. 17.

missions, petitioned the President and Congress to authorize the Commissioner of Agriculture to employ an advisor on forestry affairs, and appointed a committee headed by Hough to press for the legislation. In response to the petition, President Grant sent a special message to Congress in 1874 in which he noted the urgent need for forest protection and submitted a draft of proposed legislation to implement it. Two years later, Congress finally appropriated funds and authorized the Commissioner of Agriculture to hire an expert to study and report on forest conditions. Hough was appointed to the position, which eventually evolved into the Division of Forestry in 1881 and the U. S. Forest Service in 1905.²⁴

Powerful interest groups strongly opposed the conservation measures, and progress in obtaining adequate federal action was painfully slow. A bill providing for the establishment of forest reserves on the public domain was first introduced by Representative Greenbury Lafayette Fort of Illinois in 1876, but Congress did not approve it. Senator Preston B. Plumb of Kansas introduced an unsuccessful bill to withdraw all timber lands from settlement in 1878.²⁵

²⁴Richard M. Highsmith, Jr., J. Granville Jensen and Robert D. Rudd, Conservation in the United States, Chicago, Rand McNally & Co., 1962, p. 17. (Hereafter cited as Highsmith, Conservation in the U. S.); Dana, Forest and Range Policy, pp. 80-84; Trefethen, Crusade for Wildlife, p. 47.

²⁵Ise, U. S. Forestry Policy, p. 110; Dana, Forest and Range Policy, p. 98.

While support for conservation was gaining, it was not yet sufficient to overcome the influence of the vested interests and the western settlers. Bernard F. Fernow, Gifford Pinchot, Carl Schurz, Secretary of the Interior under President Rutherford B. Hayes, was the first high federal official to take an active interest in the forestry movement. When he took office in 1877, the public lands were being systematically looted by timber thieves, fires, and fraudulent entries by lumber companies and livestock growers. Shocked by the abuses and mismanagement of the public domain, Schurz wrote in his first annual report as Secretary of the Interior:

All timber lands still belonging to the United States should be withdrawn from the operation of the pre-emption and homestead laws, as well as the location of the various kinds of scrip. Timber lands suitable for agricultural purposes should be sold . . . if sold at all, for cash value of the land.²⁶

Knowing the value of forests and their importance in checking soil erosion and in maintaining water supplies, he recommended the reseedling and reforestation of lands for watershed protection or as timber reserves. He called for the establishment of a uniformed protective force to prevent timber theft, fire and the slaughter of wildlife. Schurz believed that the destruction of the forests amounted to the murder of the nation's prosperity and decried the wanton, barbarous and disgraceful vandalism that was sanctioned by the govern-

²⁶Trefethen, Crusade for Wildlife, pp. 46-47; Dana, Forest and Range Policy, pp. 59, 61, and 78.

ment. He later admitted in his memoirs that he found himself almost alone. Schurz laid the groundwork that was carried on by Benjamin F. Hough, Bernard F. Fernow, Gifford Pinchot and others.

After twenty years of minor success, the movement to create a system of national forest reserves finally achieved its first major legislative breakthrough. In 1891, Secretary of the Interior John W. Noble, upon the suggestion of Edward H. Bowers of the General Land Office and Arnold Hague of the Geological Survey, persuaded members of a joint conference committee in the Congress to attach a rider to a General Land Bill authorizing the President to set aside forest reserves by executive order. Members of the committee agreed and provided for the creation of Forest Reserves in Section Twenty-Four of "An Act to Repeal the Timber-Culture Laws, and for other Purposes." This bill, approved on March 3, 1891, was the first significant federal legislation relating to conservation and was generally known as the Forest Reserve Act. It was not until June 4, 1897, when Congress passed the Sundry Civil Appropriations Act for Fiscal Year 1898, that provisions were made for the protection and administration of the reserves.²⁷

All of the existing conservation groups supported the Forest Reserve Act, but the Boone and Crockett Club especially

²⁷Stats., Vol. 26, p. 1095; Vol. 30, pp. 11 and 34; Dana, Forest and Range Policy, pp. 100-102, 107-109; Trefethen, Crusade for Wildlife, p. 48.

regarded it as a vital extension of their campaign to obtain protection for Yellowstone National Park and big game animals. It was largely due to this group's influence that President Benjamin Harrison set aside Yellowstone National Park Timberland Reserve, the first reserve established under the authority of the act. This vast reservation of some million and a quarter acres formed a protective barrier for the eastern and southern borders of the park.²⁸ Before he left office, Harrison set aside more than 13,000,000 acres in fifteen reserves and President Grover Cleveland added more than 25,000,000 acres to the system. By 1901, President William McKinley had increased the number of forest reserves from twenty-eight to forty for a total of about 50,000,000 acres. But it was under the conservation-minded administration of Theodore Roosevelt that the number of national forests increased to 159 with a total of more than 150,000,000 acres.²⁹

President Harrison and Secretary Noble received high praise and solid backing from conservation advocates for the reserves they set aside, but bitter opposition to the reservations soon developed. As soon as certain vested interests realized what had happened, their representatives

²⁸Stats., Vol. 26, p. 1565; Trefethen, Crusade for Wildlife, p. 48; Dana, Forest and Range Policy, pp. 38, 102.

²⁹Ise, U. S. Forest Policy, p. 161; Dana, Forest and Range Policy, pp. 102-104; Trefethen, Crusade for Wildlife, pp. 48-52.

in Washington launched an angry attack against both Harrison and Noble with threats to support legislation to abolish the forest reserve system. Much of this reaction was due to the fact that no provisions had been made for use of the reserves other than for watershed protection. All commercial use of the reserves was prohibited, and it was illegal to cut firewood, graze cattle or sheep on the tracts, remove minerals, shoot game, or even walk across the vague and hastily drawn boundaries.³⁰

The lack of provisions to enforce the rigid regulations governing use of the areas probably was responsible for saving the early forest reserves and the future national forest system from the wrath of the Western settlers. As frontiersmen had always done when they disagreed with a law that was not enforced, settlers simply ignored the regulations and continued to use the forests. The timber thieves and market hunters likewise ignored the laws and continued their operations without pause. Opponents of the reserves and their representatives in Congress realized that the government could do little to stop use of the forests without additional legislation and their opposition subsided.

Conservation advocates at first failed to realize the inherent dangers of rigidly enforced regulations, and they pressed for full protection of the reserves. There was no

³⁰Ibid., pp. 48, 52-57; Dana, Forest and Range Policy, pp. 104-110.

middle ground between full protection and complete abolishment of the forest reserves. Gifford Pinchot was largely responsible for bringing about a compromise between the opposing groups. While his predecessors and most of the eastern conservationists had fought long and hard for the establishment of the reserves, they had made no provisions for the management of the areas other than to lock them up and save them for the future. Pinchot realized that the use of a forest did not necessarily mean its devastation, and under proper management forests could be improved and produce regular crops of commercial timber while protecting the watersheds. He also recognized that the public opposition in adjacent areas had to be considered if the reserve system was to be saved. He argued that opening the forests to regulated use under the supervision of trained foresters would assure their protection, derive maximum benefits from them, and win friends instead of enemies for the reserves.³¹

Western Congressmen reacted when President Cleveland set aside some 21,279,840 acres in forest reserves ten days before he left office. Senator Clarence D. Clark of Wyoming introduced a bill to nullify Cleveland's action and restore all reserves to the public domain. Threatened with the loss of all the gains to that date, conservationists were greatly alarmed when the Clark bill passed the Senate. In an effort

³¹Trefethen, Crusade for Wildlife, pp. 51-57.

to save the forest reserves, the Boone and Crockett Club called upon one of its members, Congressman John F. Lacey of Iowa, for assistance. With the help of other members, he wrote an amendment to the appropriations bill authorizing the Secretary of the Interior to make provisions for the sale of timber for mining or domestic purposes on the forest reserves in accordance with regulations required for the protective management of the areas. Clark's amendment was rejected in conference and a version of the Lacey rider was adopted. While Cleveland let the bill die, the forest reserves had been temporarily saved.³²

However, the vested interests and the Western representatives renewed their attacks on the reserves. Gifford Pinchot, Arnold Hague and Charles D. Walcott of the Geological Survey set out to convince the Western congressmen and senators that the forest reserves could be an asset to the West if they were properly managed. The Boone and Crockett Club circulated petitions and worked to promote the forest reserves in the Western states and territories. The future of the reserves eventually was left to President McKinley. He had two choices: abandon the reservations and restore them to the public domain as demanded by their opponents, or fight for a realistic plan of management. Under the influence of Pinchot, Walcott and others, McKinley chose the

³³Trefethen, *Crusade for Wildlife*, pp. 53-55.

³²Ibid., pp. 53-55; Dana, Forest and Range Policy, pp. 104-107.

latter course.³³ Gifford Pinchot was appointed Chief of the Division of Forestry in the Department of Agriculture on July 1, 1898. With the help of Secretary James Wilson, he soon transformed an ineffective and politically harrassed department into one of the most efficient departments in government. He eventually succeeded in obtaining the transfer of the forest reserves from the corrupt General Land Office of the Department of the Interior to the jurisdiction of the Division of Forestry. When Theodore Roosevelt succeeded McKinley as President, Pinchot played an even more important role in developing the first effective national conservation program. With Roosevelt's encouragement, Pinchot expanded the forestry program and brought in qualified men to manage the areas.³⁴ The creation of the national forest reserves and the establishment of the Forest Service under Pinchot were important milestones in the history of the conservation movement and played an important role in the preservation of America's wildlife.

Until the closing years of the nineteenth century, the protection of wildlife was the responsibility of the various states. Efforts by the states to regulate the hunters and trappers lacked the will, the force and the coordination

of Fish and Fisheries in 1871. This agency later became the

³³Trefethen, Crusade for Wildlife, pp. 53-55.

³⁴Ibid., pp. 55-61.

that was required for the job. Too often, the local and state governments were unable to resist the powerful influence of the vested interests of the market hunters, railroads, tanners, mining companies, millinery industry, and resort and hotel owners as well as the livestock men and settlers who opposed game laws. These interests were also successful in blocking effective federal legislation throughout most of this period. As various species neared extinction, it became obvious that only strong and coordinated action by the federal government could save the remaining wild creatures.

Although some citizens had expressed concern for the preservation of America's original abundance of wildlife before the middle of the century, the first public wildlife refuge was not established until 1870. In that year California designated Lake Merritt a state refuge for waterfowl. It was not until 1903 that Indiana created the next state refuge. Yellowstone National Park was created in 1872, but Congress made no provisions to protect the wildlife until 1894 when it passed the Wildlife Protection Act.³⁵ Even then, protection was weak and insufficient.

The first evidence of congressional interest in wildlife was the passage of the act establishing the Commission of Fish and Fisheries in 1871. This agency later became the

³⁵Gabrielson, Wildlife Refuges, pp. 6-7, 224; Stats., Vol. 28, p. 73.

Bureau of Fisheries. It was not until 1885 that the American Ornithological Union succeeded in its efforts to secure a congressional appropriation to promote economic ornithology. The Division of Economic Ornithology and Mammalogy which evolved into the Bureau of Biological Survey in 1905 was established under the Commissioner of Agriculture in 1886.³⁶ Both of these agencies were primarily concerned with the general research of an economic interest in their early years and their contribution to the conservation movement was negligible until after the turn of the century. Several determined efforts to stop the slaughter of the American bison were made between the years of 1871 and 1876. The legislation introduced into Congress met bitter opposition from the commercial interests, the military, livestock men, settlers, and other interests. In 1874 Congress passed a bill sponsored by Representative Greenbury L. Fort of Illinois to stop the slaughter of buffalo in the territories. It was opposed by Secretary of the Interior Columbus Delano and representatives of the military establishment who regarded the extermination of the buffalo as the ultimate solution to the Indian problem. Upon their advice, President Ulysses S. Grant let it die without his signature in the closing days of the session.³⁷ Twelve years later Congress

³⁶Matthiessen, Wildlife in America, pp. 184-185.

³⁷Durwood L. Allen, Our Wildlife Legacy, New York, Funk

forbade the territorial legislatures to pass any laws for the protection of fish and game. In spite of these failures and the intense opposition, sentiment for wildlife protection gradually and steadily gained public support.

A congressional directive to the Commissioner of Fisheries in 1889 established the first actual federal refuge for the protection of wildlife on Afognak Island in Alaska. The directive authorized an investigation of the Alaskan salmon for the purpose of making recommendations for legislation to support a hatchery. Upon completion of the study in 1890, the commission suggested that a salmon hatchery be established on Afognak Island. George Bird Grinnell with support from the Boone and Crockett Club urged that the entire island be made a sanctuary for the protection of walrus, sea lions, sea otters, and sea fowl as well as salmon. Following the recommendations of Grinnell and the American Fisheries Society, President Benjamin Harrison created the Afognak Forest and Fish Culture Reserve on December 24, 1892. With this action, Afognak Island technically became the first national wildlife refuge in the United States.³⁸

The concept of a national system of wildlife reserves for big game animals was developed shortly after the passage

On June 3, 1901, the Executive Committee of the Boone & Wagnalls Company, 1954, pp. 14-17, 296. (Hereafter cited as Allen, Our Wildlife Legacy.)

³⁸Trefethen, Crusade for Wildlife, pp. 65-66.

³⁹Ibid., pp. 64-70.

of the Forest Reserve Act in 1891. With the creation of forest reserves, the members of the Boone and Crockett Club saw an opportunity to honor their primary commitment to preserve the large game animals of the country. Although their proposal for Afognak Island had not been fully accepted, the establishment of that reservation encouraged members of the Club to pursue their ultimate objective more vigorously. In 1893, they launched a campaign to have all of the forest reserves designated as wildlife refuges. This ambitious plan immediately stirred intense opposition of Westerners and commercial interests who were already angry over the creation of the forest reserves. Opponents argued that further restrictions of the forests would deprive them of badly needed resources. Besides pleading for the protection of the game animals, advocates of the plan argued that if the reserves were worth setting aside from settlement they were entitled to proper protection. No compromise seemed possible until Pinchot wisely suggested that less public opposition might be encountered if only selected portions of the forests were made wildlife reserves and the remaining areas were left open for less restrictive public use. His advice was heeded and it undoubtedly saved the infant movement for federal wildlife sanctuaries from an early demise.³⁹

On June 3, 1901, the Executive Committee of the Boone and Crockett Club appointed a special committee to study and

³⁹Ibid., pp. 64-70.

design plans for the creation of a system of big game refuges throughout the country. The committee, which consisted of Caspar Whitney, Alden Sampson, George Bird Grinnell, Archibald Rogers, and D. M. Baringer, worked closely with Gifford Pinchot of the Bureau of Forestry and officials of the Biological Survey. Sampson, who served as chairman of the committee, outlined the mission as follows:

The general idea of the proposed plan for the creation of Game refuges is that the President shall be empowered to designate certain tracts wherein there shall be no hunting at all, to be set aside as refuges and breeding grounds, and the Biological Survey is accumulating information to be of service in selecting such areas, when the time for creating them shall arrive.⁴⁰

It was decided that the first sanctuaries should be created on existing public land and others could be created later by purchase or other means.

The committee originally planned to regulate hunting on the open areas of the forest reserves which would serve as a buffer zone between the closed sanctuaries and the completely open private lands. A legal problem was encountered, however, when Pinchot was informed by the Attorney General that the President had no power to protect game in the national forests. The decision of the Supreme Court in the case of Geer v. Connecticut in 1896 held that game was the

⁴⁰Alden Sampson, "The Creating of Game Refuges," American Big Game in its Haunts, edited by George Bird Grinnell, New York, Forest and Stream Publishing Co., 1904, as quoted in Trefethen, Crusade for Wildlife, pp. 67-69.

property of the state rather than the landowner and gave the states the right to control wildlife. A way was soon found around this difficulty, however, in a ruling by Federal District Court Judge Olin Wellborn of California in the case of the United States v. Blassingame. Judge Wellborn ruled that the forest reserves were the private property of the federal government and that it could protect them from trespass in the same manner as any private landowner. The Wellborn ruling made it possible to create refuges in the national forests which was the main concern of the committee.

After an extensive survey of public opinion in the Western states, committee members generally agreed that the large size of many forest reserves would make it impractical to designate all of the areas as inviolate game sanctuaries. In its final report on January 7, 1902, the committee recommended that the Club confine its efforts to the establishment of federal game preserves in the national forests and that the economic needs of the people in the Western states and territories be considered.⁴¹ Although the Boone and Crockett Club and other advocates of big game refuges continued their campaign, their efforts were not immediately successful.

Other organizations dedicated to halting the slaughter

⁴¹Ibid., p. 70.

of birds met with more success in their endeavors than did advocates of big game protection. The American Ornithological Union launched a campaign in 1884 to stop the wanton destruction of birds. Their suggestions for protective measures became known as the "Model Law" which was the prototype of legislation in most states. By 1895, however, local pressures, especially those exerted by the millinery industry, had generally emasculated the state laws until protection for the feathered species was almost as ineffective as before the movement began.⁴²

The situation improved with the revival of the Audubon societies and the Supreme Court's decision giving the states the right to protect wildlife in 1896. A new impetus was given to the movement, and the states were encouraged to pass legislation protecting wildlife and regulating its exportation. The Audubon societies were influential in securing new federal legislation. A campaign instituted in 1897 by the American Ornithological Union and the Audubon Societies resulted in the first significant federal legislation for wildlife. The Lacey Act of May 25, 1900,⁴³ was originally introduced by Representa-

the survival of many species. It was the first significant

⁴²Matthiessen, Wildlife in America, pp. 168-169, 172.

⁴³Stats., Vol. 31, p. 187; Trefethen, Crusade for Wildlife, pp. 80, 121-122; Matthiessen, Wildlife in America, pp. 172-176; T. S. Palmer, "Federal Game Protection, A Five Years' Retrospect," U. S. Department of Agriculture, Agriculture Yearbook, 1905, pp. 541-549.

tive John F. Lacey of Iowa, who was an old friend of the movement. As passed by Congress, the act prohibited the importation of any foreign wild animal or bird without special permit from the Department of Agriculture. It specifically forbade the importation of certain species that might be declared injurious to the interests of agriculture and horticulture, and it banned the interstate transportation of wild animals or birds taken or possessed in violation of laws of the state from which or to which they were shipped. Administration of the law was placed under the jurisdiction of the Division of the Biological Survey. With its new duties, the Survey was elevated from an obscure research agency to an administrative department with strong police powers, and it formed a firm base for the later Fish and Wildlife Service.

Although only partially effective, the Lacey Act dealt a severe jolt to the market hunter and the millinery trade. Provisions of the law applied only to those states that had adopted the "Model Law" of the American Ornithological Union and the Audubon Societies. It also failed to provide for sanctuaries which were becoming increasingly necessary for the survival of many species. It was the first significant piece of federal legislation in this area, but much remained to be attained.

The first areas to be officially designated as federal wildlife refuges were bird sanctuaries created through the

long struggles of the Audubon Societies, the American Ornithological Union and the Biological Survey. In 1903, with the assistance of Dr. C. Hart Merriam of the Biological Survey, these organizations succeeded in obtaining the establishment of the first federal bird refuge at Pelican Island in Florida. President Theodore Roosevelt created the four-acre sanctuary by executive order on March 13, 1903. He set aside others on Breton Island off the Louisiana shore on October 4, 1904, and at Stump Lake in North Dakota on March 9, 1905.⁴⁴ These small areas were placed under the jurisdiction of the Biological Survey. Club suc-
 ceeds Creation of the first small federal bird sanctuaries set a legal precedent for the designation of similar areas for other endangered species, but the setting aside of large inviolate big game preserves was more complicated. Encouraged by the establishment of the bird sanctuaries and with a staunch ally in the White House, the Boone and Crockett Club, the New York Zoological Society, and other organizations renewed their fight for big game sanctuaries and soon achieved their first success. On January 24, 1905, Congress finally passed a bill authorizing the President to set aside the first federal wildlife refuge in the United States specifically for the purpose of preserving big game animals as well as other types of native wildlife. Under the author-

⁴⁴Gabrielson, Wildlife Refuges, pp. 8-9; Matthiessen, Wildlife in America, pp. 191-192; Trefethen, Crusade for Wildlife, p. 71.

ity given him by Congress, President Roosevelt issued a proclamation on June 2, 1905, creating the Wichita National Game Preserve on the Wichita Forest Reserve in Oklahoma Territory as a breeding place and refuge for game animals and birds.⁴⁵ It was placed under the jurisdiction of the Division of Forestry in the General Land Office in the Department of the Interior.

The immediate success of the Wichita Preserve led Dr. T. S. Palmer of the Biological Survey to propose the creation of a series of similar big game areas. In 1908, the American Bison Society and the Boone and Crockett Club succeeded in obtaining congressional approval and funds for the creation of the National Bison Range on the Flathead Indian Reservation in Montana.⁴⁶ During the year from July 1, 1908, through June 30, 1909, approximately thirty-six new refuges were set aside for the protection of both game animals and birds. The creation of the Wichita preserve in Oklahoma set the precedent for the establishment of the other federal sanctuaries for big game animals which comprise an important part of our present day system of national wildlife refuges.

Various individuals had visited and passed through the mountains before and after the Louisiana Purchase which brought the region under the jurisdiction of the United

⁴⁵Stats., Vol. 33, p. 614.

⁴⁶Trefethen, Crusade for Wildlife, pp. 95-96.

Bodge-Leavenworth Expedition in 1834. George Catlin accompanied the expedition and made the first sketches and observations of the country, which were published in 1841. Due to the hostile nature of the Comanche, Kiowa and other

CHAPTER II

CREATION OF THE WICHITA FOREST RESERVE

Since time immemorial the ancient and rugged Wichita Mountains which rise abruptly out of the gently rolling plains of southwestern Oklahoma have been a prominent landmark on the Southern Plains. Both man and beast have long sought shelter in the canyons and valleys scattered among the rounded domes and ragged granite peaks. The mountains were named after the Wichita Indians who were the first known inhabitants of the area, although other more nomadic tribes occasionally took refuge there. During the late eighteenth and early nineteenth centuries, the Comanches and Kiowas moved into the area from the north and claimed it as a part of their domain. Spanish explorers and traders were the first Europeans to visit and pass through the region, but the Indians remained the sole inhabitants of the area until well after the Civil War.

Various individuals had visited and passed through the mountains before and after the Louisiana Purchase which brought the region under the jurisdiction of the United

States. The first official visit to the Wichita Mountains Louisiana, in the Year 1852, U.S. House of Representatives, by representatives of the United States was made by the A. O. P. Nicholson, Public Printer, 1854.

Dodge-Leavenworth Expedition in 1834. George Catlin accompanied the expedition and made the first sketches and observations of the country, which were published in 1841.¹ Due to the hostile nature of the Comanche, Kiowa and other plains tribes who roamed the area, very little specific knowledge of the country was acquired until the Marcy Expedition of 1852. Captain Randolph B. Marcy's description of the region in his report on the exploration of the upper Red River received the first appreciable public attention.²

In the years immediately following Marcy's expedition the military conducted several campaigns against the Indians in the area. The government established temporary military posts at Camp Radziminski in 1858 and at Fort Cobb in 1859, but the country remained relatively unknown until after the Civil War. With the establishment of Fort Sill on the southeastern end of the mountains in 1869 and the subjugation of the Plains Indians in the 1870's, the region became more readily accessible to travelers and investigators. Observations made by military personnel, government employees, stockmen, miners and travelers between 1880 and 1900 contributed greatly to the general knowledge of the region and attracted public attention to it. By 1889, when the Unas-

¹Catlin, North American Indians.

²Randolph B. Marcy, Exploration of the Red River of Louisiana, in the Year 1852, U.S. House of Representatives, Executive Document, 33rd Congress, 1st Session, Washington, A. O. P. Nicholson, Public Printer, 1854.

signed Lands of Indian Territory were opened to settlement, the land seekers and promoters were already casting covetous eyes upon the Kiowa-Comanche Reservation.

As the Jerome Commission concluded agreements with the various Indian tribes during the 1890's, the surplus lands of the Indian reservations were opened to settlement. By the turn of the century the Kiowa-Comanche and Kiowa-Apache and the Wichita reservations were the only large tracts of land which remained closed to the settler. Under the provisions of the agreement made with the Jerome Commission at Fort Sill on October 6, 1892, the Kiowa and Comanche tribes agreed to cede the lands they held under the Medicine Lodge Treaty of 1867 and accept allotments.³ Texas cattlemen who held grazing leases on the tract prevented the opening of the surplus lands of the reservation for almost ten years.

When Congress finally ratified the Jerome Agreement on June 6, 1900, steps were immediately inaugurated to open the area to settlement:⁴ a new survey was made of the country, the Fort Sill Military Reservation was enlarged, Indians were allotted lands, and several wood lots and pastures were set aside. A 500,000 acre tract in the southern part of the

³Grant Foreman, "Historical Background of the Kiowa-Comanche Reservation," Chronicles of Oklahoma, Vol. XIX, No. 2 (June, 1941), pp. 129-140; Grant Foreman, A History of Oklahoma, Norman, University of Oklahoma Press, 1942, pp. 248-50; Roy Gittinger, The Formation of the State of Oklahoma, 1803-1906, Berkeley, University of California Press, 1917, pp. 172-173; Stat., Vol. 31, p. 676.

⁴Stat., Vol. 31, p. 676.

reservation was set aside for use of the Indians and to partially placate cattlemen. Finally, on July 4, 1901, President William McKinley issued a proclamation providing for the opening of the unreserved lands by lottery on August 6, 1901.⁵

There was very little sentiment for conservation in Oklahoma Territory when the Jerome Agreement was first made with the Kiowas and Comanches in 1892. If the reservation had been opened to settlement immediately following that agreement, it is unlikely that the Wichita Forest Reserve would have been created and the Wichita Mountains Wildlife Refuge would not exist in its present form. The successful action of the Texas ranchers in delaying the opening unintentionally gave advocates of conservation in the Territory an opportunity to organize a movement to preserve part of the Wichita Mountains as a national park.

By the late 1890's, the long struggling conservation movement was gaining popularity and had already achieved some success in securing federal legislation for the creation of national parks and forest reserves. When it became evident in 1900 that the Kiowa-Comanche lands would soon be opened to settlement, local conservationists and promoters expressed concern that the unique Wichita Mountains would be destroyed by homestead entries. At first, the unorganized effort received little attention from the general pub-

⁵Stat., Vol. 32, pt. 2, pp. 1975-1981.

lic, which was primarily interested in acquiring homesteads in the area. While the origin of the idea to reserve part of the mountains for a national park is unknown, it gradually gained the support of prominent citizens and a number of territorial officials. By 1900, when Congress finally ratified the Jerome Agreement, the concept had evolved into a local movement to establish a national park in the Wichita Mountains.

Although the desirability of creating a park in the mountains had been privately discussed for several years, the Oklahoma City Commercial Club was responsible for the first organized effort to secure a park for the area. J. M. Owens first recommended the idea to the organization of Oklahoma City businessmen shortly after Congress ratified the Jerome Agreement in June of 1900. He suggested that the Club use its influence to get the mountainous sections of the Kiowa-Comanche Reservation set aside as a national park. Anton Classen, J. W. Shartell, C. C. Jones, C. B. Ames, M. M. Harrell and other prominent civic leaders agreed and the Club endorsed Owen's proposal. The Club's secretary sent the Secretary of the Interior a telegram strongly urging the establishment of a national park in the Wichitas. The Club circulated petitions supporting the creation of a park throughout the territory, acquired several thousand signatures, and forwarded them to Washington. They also launched a campaign to solicit help from other influential

leaders in Oklahoma and in Washington, D. C.⁶

Governor Cassius M. Barnes and other territorial officials endorsed and promoted the project. Territorial Delegate Dennis T. Flynn, an advocate of free homes, refused to support the proposal. His failure to support the campaign for the national park hindered its promotion and his opponents later charged him with doing all he could to block the project.⁷ However, proponents continued to express confidence in the campaign's eventual success until they received word from Washington in the spring of 1901 that Congress had adjourned without considering the proposal.

Promoters of the park refused to accept defeat and undertook an even more vigorous campaign to achieve their objective. They prepared and distributed subscription lists to every town and commercial club in the twin territories and hurriedly collected thousands of signatures to emphasize local support for the creation of a national park. Publishers of local newspapers and magazines, including Frank McMasters, backed the movement strongly. The Club entertained the commercial agents and contacted the managers of all the railroads operating in Oklahoma to secure their active support. They obtained widespread regional support by soliciting assistance from commercial organizations in

⁶Daily Oklahoman, September 6, 1901, p. 4; May 8, 1901, p. 1; May 22, 1901, p. 1; June 5, 1901, p. 1; June 12, 1901, p. 1; June 26, 1901, p. 1.

⁷Ibid., September 6, 1901, p. 4.

towns in the surrounding states. Their plea received significant response from commercial clubs and merchants' exchanges in St. Louis, Kansas City, Dallas, Little Rock and other cities.⁸

The Club gave a smoker for members of the Rough Riders who held their national meeting in Oklahoma City in July of 1900. Their support was probably solicited since members of that group had direct access to one of the nation's foremost conservationists. Theodore Roosevelt attended the meeting, but there is no record that he was approached with the idea at that time. He did become aware of the local movement later, however, because members of the Boone and Crockett Club in Washington, D. C., supported efforts to reserve part of the area from settlement in 1901.⁹

In an attempt to obtain his views and support of the proposed park, the Club invited Assistant Commissioner of the General Land Office E. A. Richardson to Oklahoma City. Richardson was at Fort Sill at the time supervising a survey of the country prior to the opening, but he sent word that he strongly endorsed the project. He also asked the Club to send him copies of all the petitions they had circulated to document the local support to his superiors. Both

⁸Ibid., September 6, 1901, p. 4; May 22, 1901, p. 1; June 12, 1901, p. 1; June 26, 1901, p. 1. Lawton News-Republican, November 24, 1904, p. 4 (Letter from Frank Mc Masters to Dennis Flynn, June 4, 1901).

⁹Daily Oklahoman, May 8, 1901, p. 1.

Governor Barnes and his successor William M. Jenkins continued to work for the creation of a park in the Wichitas.¹⁰

The determined manner in which the local campaign was conducted attracted considerable attention in Washington. Although primarily a local promotion, it won the backing of influential members of such national organizations as the Boone and Crockett Club, the American Forestry Association and other conservation-minded groups. All appeared lost, however, when powerful opponents of the national parks blocked action on the proposal and Congress adjourned in 1901 without considering it. Inasmuch as only Congress could create a national park and the lands of the Kiowa-Comanche Reservation were scheduled to be opened before the next session began, the efforts to establish a Wichita National Park had seemingly failed.

Proponents of the park were persistent and refused to concede defeat. Territorial Governor Jenkins had strongly favored the establishment of a national park in the Wichita Mountains. When called to Washington in June of 1901 to assist in the final preparations for the opening of the Kiowa-Comanche country, Jenkins, with the assistance of Territorial Attorney General J. C. Strang and other members of his staff, discovered a way to reserve part of the mountains from settlement which did not require congressional

¹⁰Ibid., May 22, 1901, p. 1; June 5, 1901, p. 1.

action.¹¹ Governor Jenkins stated:

Under section twenty-four of the act to repeal the timber-culture laws passed on March 3, 1891, Congress had empowered the President to set apart and reserve any public land containing timber or undergrowth as a national forest reserve. With this authority, the Department of the Interior and the Department of Agriculture quickly worked out an agreement which permitted Jenkins and his staff to select a tract containing some of the more scenic parts of the Wichita Mountains for reservation as a forest reserve.¹² On July 4, 1901, President McKinley signed a proclamation which reserved from settlement some 57,120 acres in the heart of the main range of the Wichita Mountains and designated it the Wichita Forest Reserve.¹³ The area was placed under the Forestry Division of the General Land Office in the Department of Interior.

The attempt to secure a national park had failed, but a large tract of scenic mountain area had been reserved from settlement by homestead entry in the opening which was scheduled for August 6, 1901. Governor Jenkins and local supporters still had hopes that Congress could be persuaded to designate the area as a national park when it reconvened. In his report to the Secretary of the Interior in September

¹¹Ibid., September 6, 1901, p. 4.

¹²Ibid.; Stat., Vol. 26, p. 1095.

¹³Stat., Vol. 32, pt. 2, pp. 1973-1974.

of 1901, Governor Jenkins stated:

In this reserve are mountain chains and peaks displaying all of the rugged and inspiring features of the scenery of the Rockies, with beautiful valleys, thinly wooded parks, running streams of purest water, mountain lakes, and mineral springs, all combining to make an ideal natural equipment for a national park which would, under the proper regulations, in a few years become a great health and pleasure resort for all the Southwest.

Located within easy reach of a great scope of country, lying far distant from the resorts of the North and West, with proper degree of altitude, with constant blowing breezes laden with life-giving ozone, with beautiful scenery, fine water, and plenty of timber, a rare opportunity for health-giving recreation is here afforded the people of Oklahoma and adjoining States.

Congress would be conferring a great boon upon the people by the enactment of early legislation creating a national park out of this reserve and providing for its proper custody and regulation.¹⁴

Local promoters persisted in their efforts to have the reserve designated as a national park for several years. Most people were satisfied with the forest reserve, however, and the movement never received the popular support it had prior to the opening of the area to settlement. The attention of the national conservation forces was focused elsewhere and Congress was not prone to act without pressure. Thus, the efforts to secure a national park in the Wichita Mountains gradually subsided.

¹⁴William M. Jenkins, Report of the Governor of Oklahoma to the Secretary of the Interior, 1901, September 15, 1901, pp. 100-101.

part McKinley's proclamation set aside the Wichita Forest Reserve from settlement, but it provided no other protection for the area. Federal forestry was still in its infancy and various government agencies shared responsibility for administering the forest reserves. The Forestry Division of the General Land Office in the Department of the Interior had responsibility for the administration and protection of the reserves. The Geological Survey of the Department of the Interior was in charge of surveying the tracts. The Biological Survey of the Department of Agriculture supervised wildlife management and research on the forests. Gifford Pinchot's Bureau of Forestry in the Department of Agriculture directed technical research and studies relating to forestry on the reserves. The lack of a coordinated administration and federal policy, insufficient funds and inadequate legislation severely affected the management of the Wichita Forest during the first few years. The custodian of the Reserve had only limited authority and was primarily responsible for protecting the area from unauthorized use and fire. The Forestry Division assigned an administrative officer to the Wichita Reserve shortly after it was created. Charles E. Johnston was appointed Forest Ranger in October, 1901, and the following year he was promoted to Forest Supervisor. Upon his arrival, Johnston selected a campsite on a small wooded, springfed creek in the south-central

part of the Forest. Later, he built a small house and office building on the location which served as forest headquarters.¹⁵

From the very beginning, grazing of livestock was allowed in the Reserve, but it was poorly organized and badly administered. Johnston, as supervisor, issued the first grazing permits for cattle and horses. Although there was no authorized fee required to obtain grazing permits during the early years, Johnston was charged with selling permits and pocketing the money. After an investigation, he was allowed to resign in May, 1902.¹⁶ According to Mrs. Frank Rush, Sr., Johnston was temporarily replaced by a man named Whitney from North Dakota who served as acting supervisor from May to August, 1902.

¹⁵Arthur F. Halloran, Special Report No. 125 to Refuge Manager, Wichita Refuge, Cache, Oklahoma, August 27, 1963, Subject: Wichita Refuge men-in-charge tenure record. Carbon copy from Halloran to Jack Haley. Interview of Mrs. Franklin S. Rush, Sr., by Jack Haley, August 13, 1959, at her home at Craterville Park near Altus, Oklahoma (Hereafter cited as Rush Interview). Interview of Ira Carr by Jack Haley at Gotebo, Oklahoma, April 14, 1959. Mr. Carr came to the Wichita Mountains area in 1898 and was connected with the Driggers cattle company. He was one of the pioneer stockmen (Hereafter cited as Carr Interview). Fred Larrance, "The Wichita National Forest and Game Preserve," Southwest Wilds & Waters, A National Outdoor Magazine for the Great Southwest, Vol. II, No. 4 (April, 1930), pp. 11-14.

¹⁶Interview with Earl Drummond by Jack Haley at Cache, Oklahoma, August 10, 1959 (Hereafter cited as Drummond Interview). Drummond came to the area shortly after it was opened to settlement and he started to work on the Wichita Forest Reserve and National Game Preserve in 1908 and stayed until he retired in the 1950's. He was closely associated with the restoration of game animals and all other activities

Edward F. Morrissey, who succeeded Whitney, was appointed supervisor August 11, 1902 and served in that capacity for five years. During the first three years of his administration, Morrissey directed his primary efforts toward protecting the Reserve from unauthorized use by miners and settlers, guarding against fires that periodically swept through the mountains, and supervising the grazing of cattle and horses in the area. Congress passed legislation in the later part of his term which provided for somewhat better management and protection of the reserves.

The supervision of livestock grazing on the Reserve was probably the main responsibility of the administrator during Morrissey's term of office. Grazing permits for approximately 3,500 to 5,000 head of cattle and horses were issued annually, depending on the season and condition of the range. A large number of stock was also grazed on the area without permits since there was no fence around the Reserve and only one or two men were available for patrol duty. While a few stockmen had permits for several hundred head of cattle or horses, permits for twenty to one hundred head of stock were generally issued to ranchers and settlers who lived adjacent to or near the Reserve. In return for the permits, they assisted the forestry personnel in fighting fires, improving water sources and building cross fences and other improvements. After January 1, 1906, stockmen

on the Wichita during his long tenure.

paid a small fee for grazing rights on the Forest.¹⁷ As Forest Supervisor, Morrissey had almost exclusive authority in the granting of grazing permits. There was a great demand for the permits and he was subjected to considerable pressure by those who wanted to obtain grazing rights in all or in parts of the area. Since some of the stockmen were willing to pay extra for the privilege, Morrissey apparently saw an opportunity to supplement his salary by granting permits to those willing to pay him a bonus. He could not antagonize local permittees by refusing to grant them permits, but he did have the authority to reduce the number of head they were allowed to graze and thus make room for others who might be willing to pay him a bonus for a permit. It was also charged that he had certain areas crossfenced in such a way as to keep the livestock of regular permittees out. He leased those special areas to stockmen who were willing to pay him a fee. Contrary to regulations, Morrissey also grazed a sizable herd of his own cattle in the forest. Eventually, the U. S. Forest Service investigated his activities and removed him from office in 1907.

Prior to 1905, federal policy did not prohibit hunting on the reserve and the laws of Oklahoma Territory were ineffective in preventing the activity. Miners, settlers, and others generally used the Wichita as a public hunting ground.

¹⁷Ibid.

Morrissey and his sons, who were avid hunters, killed much of the game in the forest. Consequently, most of the surviving game animals and birds on the Wichita were trapped or slaughtered before adequate protection could be provided.¹⁸

In 1905 Congress approved several measures which prohibited hunting and provided for better management of the Wichita Forest Reserve. An act passed on January 24, 1905, authorized the President to designate the Wichita Forest a National Game Preserve and provided a penalty of \$1,000 fine and/or one year in prison for anyone convicted of hunting, trapping, killing or capturing any game animals or birds in the game preserve.¹⁹ The act became effective when President Roosevelt issued a proclamation on June 2, 1905, establishing the entire Wichita Forest as a National Game Preserve.²⁰ Another bill, passed on February 1, 1905, transferred the Wichita and all other forest reserves from the jurisdiction of the Forestry Division of the General Land Office in the Department of the Interior to the newly created Forest Service headed by Gifford Pinchot in the Department of Agriculture.²¹ This legislation eventually resulted in more effective policies administered by the For-

¹⁸Ibid. Rush Interview.

¹⁹Stat., Vol. 33, p. 614.

²⁰Stat., Vol. 34, p. 3062.

²¹Stat., Vol. 33, p. 628 and p. 700.

est Service which provided better protection and more efficient management of the Wichita Forest and Game Preserve.

After Roosevelt designated the Wichita a game preserve, the Forest Service immediately implemented measures to curtail hunting in the forest. Morrissey publicized the new restrictions, posted warnings, and took steps to enforce the regulations. During the next several years, Morrissey and the Federal Game Warden arrested a number of people for hunting and trapping on the reserve. Most of the convicted offenders were fined, but several were sentenced to a few months in the Federal jail at Guthrie.²² Morrissey cautiously limited his hunting, but some of the local people charged that his sons continued to hunt on the forest. In all fairness to Morrissey, however, he could not have stopped the miners and settlers in the vicinity from hunting on the large rugged tract with the small staff at his disposal.²³

At first, it was uncertain if the new regulations prohibited the killing of predators on the preserve. In answer to his request for clarification of the law, the Forest Service informed Morrissey that all hunting was prohibited in the area. Later, when plans were being made to stock the

²²Lawton News-Republican, December 14, 1905, p. 8 and December 28, 1905, p. 2. Daily News-Republican, Lawton, September 9, 1907, p. 1; September 10, 1907, p. 1. Oklahoma Farm News and Mineral Kingdom, Lawton, December 14, 1905, p. 1; March 1, 1906, p. 2; July 26, 1906, p. 12; August 2, 1906, p. 2; December 27, 1906, p. 4.

²³Drummond Interview.

area with buffalo, Secretary of Agriculture James Wilson gave Morrissey permission to organize wolf and coyote drives in order to reduce the potential danger to the almost extinct animals. Secretary Wilson gave Morrissey detailed instructions on how the drives should be organized and conducted. He specified that all personnel participating in the drives should be registered in advance, instructed on the conduct of the drive, and warned that any violations of the rules would subject them to fine and imprisonment. Well-trained dogs could be utilized, but guns could not be used in the drives. Wilson gave Morrissey specific orders to halt the drives upon the first sign that the activity unduly frightened or endangered any deer or other game in the area.²⁴ In accordance with his instructions, Morrissey conducted several large drives during 1906 and early 1907.

The establishment of the Wichita Forest Reserve protected the mountains from homestead entry, but left the area open to mineral entry. After the opening in 1901, several thousand prospectors and miners literally swarmed through the mountains in search of the mineral riches long purported to exist there. They staked out and filed claims, dug holes and shafts in the solid massive granite, organized mining

²⁴Lawton News-Republican, December 14, 1905, p. 8; December 28, 1905, p. 5; April 12, 1906, p. 5; August 23, 1906, p. 2. Oklahoma Farm News and Mineral Kingdom, Lawton, December 28, 1905, p. 6. Letter from E. F. Morrissey to Commanding Officer of Fort Sill, January 22, 1906. In old files of Wichita Mountains Wildlife Refuge.

companies, and opened assay offices. Miners built several arrastras and primitive smelters and promoted the Wichita Mountain Gold Fields in the east. Mining camps such as Meers, Camp Doris, Oreana, Wildman, Craterville and Mondamin sprang up in the mountains.²⁵ Charles N. Gould, a pioneer Oklahoma geologist, estimated that prospectors, miners, and promoters spent from one million to two million dollars between 1901 and 1905 in unsuccessful efforts to strike it rich.²⁶

Mining was a primary activity on the Forest Reserve during the peak years of the Wichita Mountain gold rush between 1901 and 1907. Neither supervisors Johnston nor Morrissey

²⁵Drummond Interview. Rush Interview. Charles N. Gould, "Metals Mined in Oklahoma," My Oklahoma, Vol. I, No. 9 (December, 1927), pp. 18, 50-51. (Hereafter cited as Gould, "Metals Mined in Oklahoma.") C. W. Rose, "Mining in Wichita Mountains," Strum's Oklahoma Magazine, Vol. X, No. 5 (July, 1910), pp. 46-48. Iva Williams Allen, "Early Days in Meers," Chronicles of Oklahoma, Vol. XXXII, No. 3 (Autumn, 1954), pp. 278-289. H. Foster Bain, "Reported Ore Deposits of the Wichita Mountains," Department of the Interior Bulletin No. 31, United States Geological Survey, Washington, Government Printing Office, 1904, pp. 84-93. Burford Morgan, "Treasures of the Wichitas," Chronicles of Comanche County, Vol. V, No. 1 (Spring, 1959), pp. 9-18. There are also articles by Morgan on the mining in the Wichitas in the first four volumes of this periodical. Mineral Kingdom, Lawton, July 27, 1905, p. 2. A considerable amount of material on the mining in the Wichitas may be found in most of the early Lawton and other area newspapers, but the Mount Sheridan Miner originally published at Meers, Oklahoma, and its successors, the Mineral Kingdom, Animal and Mineral Kingdom and the Oklahoma Farm and Mineral News, published in Lawton were especially devoted to the news of the mining activities in the Wichita Mountains.

²⁶Gould, "Metals Mined in Oklahoma."

²⁷Stat., Vol. 34, Pt. 3, p. 3207.

had any authority to keep the prospectors from entering the forest, but they were charged with regulating the miners' use of the land and resources. Most of the prospectors had given up their dreams of hitting it rich by 1907 and the boom gradually died. A few of the more determined prospectors retained their claims on the forest lands for many years, however, and caused considerable trouble for later forest officials.

The first change in the boundaries of the Wichita Reserve was made during Morrissey's administration. When Governor Jenkins and his staff originally selected the area to be set aside for the reserve in 1901, adequate topographical maps of the area were not available and they hurriedly drew the proposed boundaries along the section and half-section lines of the main mountain region. Consequently, the boundaries passed through extremely rugged terrain in some sections and parts of adjacent mountains remained outside the Forest Reserve. The boundaries were later expanded to include some of the adjoining mountainous areas that had not been filed upon. On May 29, 1906, under authority of an act of Congress approved June 4, 1897, which empowered the President to modify any executive order pertaining to the establishment of forest reserves, President Roosevelt issued a proclamation adding four tracts totaling 3,680 acres to the Wichita Reserve.²⁷ The largest of the tracts included all

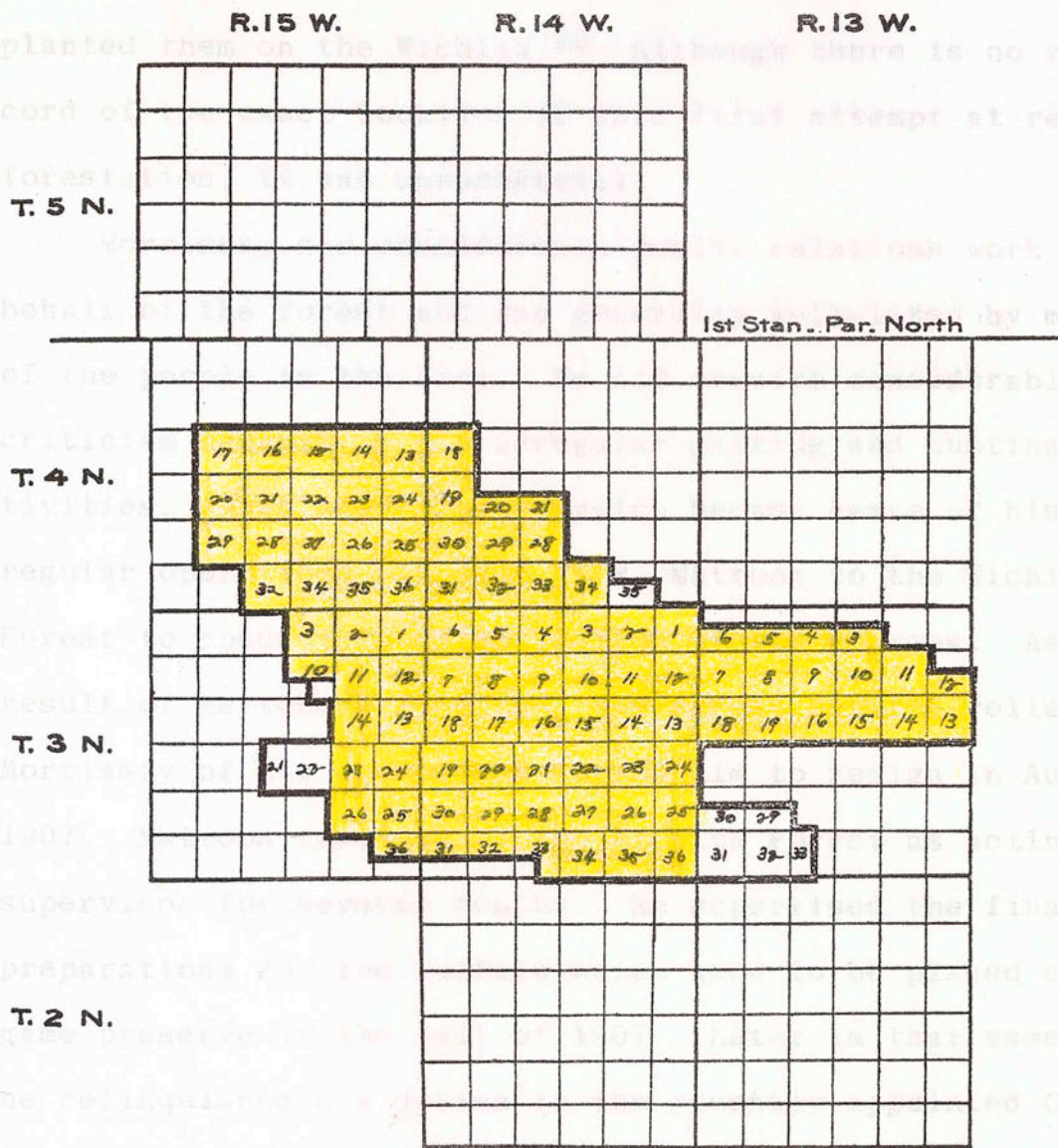
²⁷Stat., Vol. 34, Pt. 3, p. 3207.

of McKinley Mountain on the southeastern corner of the forest. Roosevelt inadvertently failed to designate the added acreage as a part of the National Game Preserve.

Fires presented a constant hazard on the Reserve throughout the administrations of both Johnston and Morrissey. Due to the lack of personnel and adequate equipment, the supervisors could do very little to stop the fires once they spread into the rough mountainous terrain. The stockmen and settlers who held grazing permits in the reserve or who lived adjacent to it did what they could to assist in controlling fires. But once it had started, a fire was almost impossible to control. Large fires such as the one in March, 1905, which burned twenty-five miles through the mountains in one night, periodically swept through the area. Besides the economic loss to the stockmen and settlers, the fires caused great damage to the timber, wildlife and other forest resources.

The first reforestation effort was made on the Wichita Forest during Morrissey's term as supervisor. Fire, horned cattle, miners and wood cutters had severely damaged and reduced the original stands of timber on the reserve. The supervisors made little serious effort to regulate the cutting of timber and correct the damage until the U. S. Forest Service assumed jurisdiction over the area in 1905. Shortly after it took administrative charge of the area, the Forest Service shipped one thousand western yellow pine seedlings

from the Disposal River Reservoir at Salina, Nebraska, and planted them on the Wichita. Although there is no record of the first attempt at re-foresting the area, the following work on behalf of the Forest Service was done by most of the employees of the Forest Service acting as a regular Forest Service employee. As a result of this work, it is believed that the Forest Reserve was established in August, 1907, and that the final preparations for the establishment of the Forest Reserve were completed in the same year.



WICHITA FOREST RESERVE OKLAHOMA

The reserve is on the INDIAN MERIDIAN AND BASE LINE
Compiled from G.L.O. plats
FOREST SERVICE U.S. DEPT. OF AGRICULTURE
1906

Forest Reserve Boundary according to Proclamation of May 29, 1906
 Forest Reserve according to Proclamation of July 4, 1901

West from Washington 21°30'

28g, Department of Agriculture, Annual Report of 1906, Washington, Government Printing Office, 1907, p. 554.
 29Rush Interview. Drummond Interview. Daily News-Publican, Lawton, August 27, 1907, p. 1.

from the Dismal River Reserve at Halsey, Nebraska, and planted them on the Wichita.²⁸ Although there is no record of the exact location of this first attempt at reforestation, it was unsuccessful.

Morrissey did considerable public relations work on behalf of the forest and was generally well-liked by most of the people in the area. He did receive considerable criticism because of his irregular grazing and hunting activities. When the Forest Service became aware of his irregular operations, it sent W. R. Mattoon to the Wichita Forest to conduct an investigation of the charges. As a result of Mattoon's findings, the Forest Service relieved Morrissey of his duties and forced him to resign in August, 1907. Mattoon remained on the Wichita Forest as acting supervisor for several months. He supervised the final preparations for the buffalo which were to be placed on the game preserve in the fall of 1907. Later in that same year, he relinquished his duties to the recently appointed Game Keeper, Franklin S. Rush, who became forest supervisor on January 8, 1908.²⁹

The reservation of the Wichita Forest Reserve was a direct result of local efforts to obtain a national park in the Wichitas and the long struggle on the national level by

²⁸U. S. Department of Agriculture, Annual Reports of the Department of Agriculture for the Year ended June 30, 1906, Washington, Government Printing Office, 1907, p. 290.

²⁹Rush Interview. Drummond Interview. Daily News-Republican, Lawton, August 27, 1907, p. 1.

conservationists to preserve a part of the nation's natural heritage. With the later transfer of the Wichita to the jurisdiction of the U. S. Forest Service under Gifford Pinchot's direction, its designation as a national game preserve in 1905, the restoration of the buffalo in 1907, and the establishment of coordinated policies and administration, the Wichita Forest and National Game Preserve was well established by the end of 1907. It was under the administration of Franklin S. Rush between 1908 and 1923, however, that the solid foundation of the present-day Wichita Mountains Wildlife Refuge was firmly established.

By 1901 the surviving remnants of America's big game animals had been reduced to the point of extinction. Although alarmed over the threats to other big game animals, naturalists expressed special concern for the serious plight of the American bison or buffalo. The millions of buffalo that had once roamed the country in large herds numbered little more than one thousand head scattered in isolated areas, in small private herds and in zoos such as the New York Zoological Park. Poachers had severely reduced the herd maintained by the government in Yellowstone National Park and its future was in grave doubt. Small private herds had become increasingly costly and difficult to maintain. The few animals in the small zoological parks could not reproduce sufficiently to save the species from extinction. Time was critical and the buffalo's future was extremely precarious at best. A number of naturalists believed the buffalo could only be saved if the surviving animals were placed on large protected ranges in their native habitat where they could breed and multiply.

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pecially the buffalo, was a primary goal of the prestigious membership of the Boone and Crockett Club.¹ Its support and influence in securing federal legislation providing for forest reserves and national parks was due in large part to

CHAPTER III

THE ESTABLISHMENT OF THE WICHITA GAME PRESERVE

By 1901 the surviving remnants of America's big game animals had been reduced to the point of extinction. Although alarmed over the threats to other big game animals, naturalists expressed special concern for the serious plight of the American bison or buffalo. The millions of buffalo that had once roamed the country in large herds numbered little more than one thousand head scattered in isolated areas, in small private herds and in zoos such as the New York Zoological Park. Poachers had severely reduced the herd maintained by the government in Yellowstone National Park and its future was in grave doubt. Small private herds had become increasingly costly and difficult to maintain. The few animals in the small zoological parks could not reproduce sufficiently to save the species from extinction. Time was critical and the buffalo's future was extremely precarious at best. A number of naturalists believed the buffalo could only be saved if the surviving animals were placed on large protected ranges in their native habitat where they could breed and multiply.

¹Treithen, *Crusade for Wildlife*, pp. 356-361 (Constitution). The preservation of the country's big game animals, es-

pecially the buffalo, was a primary goal of the prestigious membership of the Boone and Crockett Club.¹ Its support and influence in securing federal legislation providing for forest reserves and national parks was due in large part to its desire to use such areas as game preserves. With the nucleus of the national forest system fairly well established by 1900, the Club and other conservation groups increased their efforts to obtain wildlife sanctuaries on the public lands. Their action between 1900 and 1905 resulted in the creation of the first federal wildlife refuges.

A number of dedicated men led the fight to save the buffalo during the critical years between 1886 and 1908. While it would be impossible to name and list the contributions of all those directly involved, Theodore Roosevelt, John Lacey, George Bird Grinnell, E. H. Baynes, Madison Grant, William T. Hornaday and Charles J. "Buffalo" Jones would certainly be at the top of any such compilation. If their campaign had not succeeded, the buffalo and most of the other species of America's big game animals would now be counted among the things that were. Their efforts on the national level, spurred by local interest in Oklahoma Territory, were largely responsible for the creation of the first fenced federal big game refuge which was located in the Wichita Mountains of Oklahoma.

¹Trefethen, Crusade for Wildlife, pp. 356-361 (Constitution and By-Laws of the Boone and Crockett Club). pp. 93-94.

The dedicated endeavors of conservationists on the national level received considerable support and encouragement from a number of local citizens in Oklahoma. Although their efforts to secure a national park in the Wichita Mountains had failed, local conservationists and sportsmen took advantage of the awakening national interest in wildlife conservation to promote the establishment of a game preserve on the newly created Wichita Forest Reserve. Proposals made by Charles J. "Buffalo" Jones, Ernest H. Baynes and William T. Hornaday greatly stimulated regional interest in the game preserve.

Charles J. "Buffalo" Jones was one of the first advocates of the buffalo's preservation. Alarmed at the near extermination of the magnificent beast in the 1880's, Jones began a personal campaign in 1887 to acquire federal protection for the animal. His work in capturing and saving the straggling survivors of the wild herds, his role in promoting the protection of the Yellowstone herd, and his general promotion of the animal earned him the title of "Buffalo" Jones. Although not a member of the prestigious Boone and Crockett Club, Jones shared a common interest with many of its members, attended many of the meetings, and worked closely with the organization.²

Jones' grave concern over the future of the Yellowstone buffalo herd and the general state of the animal in 1901 led

²Robert Easton and MacKenzie Brown, Lord of Beasts, The Saga of Buffalo Jones, Tucson, University of Arizona Press, 1961, pp. 26-27. Trefethen, Crusade for Wildlife, pp. 93-94.

him to propose that the government create a great game preserve in the American Southwest. He argued that the sparsely settled lands of southwest Arizona, southern California and northwestern Mexico would be an ideal area to protect and preserve all of the endangered species of American wildlife. Successful promotion of such a vast area, which crossed the international boundary as well as the borders of several states, proved difficult. Many expressed doubts about the suitability of the area for a number of the endangered species. But Jones persisted and his colorful character and national reputation gained considerable press coverage for his proposal. The League of American Sportsmen and a number of prominent conservationists expressed favorable interest in Jones' project.³ They made plans to call a national convention of sportsmen to meet in either Denver or Chicago to consider the establishment of the game preserve.

Jones' proposal received widespread publicity through publication in several Oklahoma newspapers. It attracted the attention of the local promoters of the national park who saw in Jones' plan an opportunity to establish a national game preserve in the Wichita Forest Reserve. Such a preserve, they felt, would serve much the same purpose as a national

³The Daily Oklahoman, May 8, 1901, p. 6. Raymond Gorges, Ernest Harold Baynes, Naturalist and Crusader, New York, Houghton Mifflin Company, 1928, pp. 72-73. (Hereafter cited as Gorges, Ernest Harold Baynes.)

park. Although there was no apparent organized effort, interested individuals worked quietly for the next two years to create a favorable sentiment for the project in the Territory.⁴ Their plans were first revealed in Joseph B. Thoburn's comments which appeared in the Kansas City Journal on October 26, 1903. Thoburn's statement, attributed to a "prominent local sportsman," urged the government to make the Wichita Forest Reserve a game preserve for the purpose primarily of perpetuating the almost-extinct American bison. It pointed out that the area was old buffalo country and would be an ideal place to perpetuate that animal as well as other types of big game. The Reserve could accommodate a large herd of buffalo as well as other animals, Thoburn said. He argued that the Indians in the area practically worshipped the buffalo and would surely protect the animals from white hunters. He also suggested that such a herd would make it possible to create a superior beef animal by crossing buffalo with Aberdeen-Angus cattle. Thoburn maintained that the Wichita Mountains were much better suited for big game animals than the desert area of the southwest and he invited "Buffalo" Jones to investigate and help secure a game preserve in the Wichitas.⁵

⁴Lawton News-Republican, October 29, 1903, p. 1.

⁵Ibid. Joseph B. Thoburn and Muriel H. Wright, Oklahoma, A History of the State and Its People, 4 vols., New York, Lewis Historical Publishing Company, Inc., 1929, Vol.

The Journal gave Thoburn's statement prominent space and several Oklahoma newspapers reprinted the article. A. C. Cooper, William H. Hornaday, Charles Payne and other members of the local chapter of the League of American Sportsmen read Thoburn's comments in the Lawton News-Republican on October 29, 1903. Hornaday was a relative of William T. Hornaday, Director of the New York Zoological Society and a vice-president of the League of American Sportsmen, and the two men maintained a correspondence regarding their common interest in wildlife and the Wichita Forest Reserve.⁶ Cooper had formerly served as a federal game warden in Yellowstone National Park and had been a federal game warden in Comanche County for several years. He had been active in promoting the Wichita Forest Reserve since he first arrived in the area. It so happened that Cooper and Payne were preparing to attend the annual convention of the League of American Sportsmen in Chicago when Thoburn's statement appeared in the local paper.⁷ They read his comments with great enthusiasm and hurriedly drafted a resolution endorsing the proposed game preserve, and later presented it to the general convention in Chicago. The resolution

2, Appendix XLIII-4, p. 896. (Hereafter cited as Thoburn Statement.)

⁶Lawton News-Republican, January 19, 1905, p. 1.

⁷Ibid., January 26, 1905, p. 3; March 29, 1906, p. 2.

tion as approved by the convention provided:

That the national Congress should set aside a tract of land in the Indian Territory as a National Game Preserve, where game, and especially game birds may be preserved and propagated, naturally and artificially, for distribution throughout the United States.⁸

Although it was uppermost in the local promoters' minds, the resolution did not specifically mention the Wichita Forest or the plans to preserve the buffalo.

Several months passed before any further action could be taken on the adopted resolution. The convention's action, however, undoubtedly succeeded in making William T. Hornaday, a Vice-President of the League of American Sportsmen, aware of the resolution. Various other members of the League, the Boone and Crockett Club and their supporters also became interested in the resolution and the Wichita Forest Reserve.

⁸Thoburn Statement. Henry W. Henshaw, "Wichita Game Preserve," a typewritten article enclosed with a letter from Overton W. Price, Acting Forester, U. S. Forest Service, Washington, D. C., to F. S. Barde, September 22, 1905, in the F. S. Barde Collection in the Oklahoma Historical Society, Oklahoma City, Oklahoma. (Hereafter cited as Henshaw Article.) There is some doubt as to whether or not it was A. C. Cooper or Charles Payne who introduced the resolution to the convention of the League of American Sportsmen in Chicago. Based on Thoburn's general statement and the numerous local newspaper accounts of Cooper's activities, it would appear that Cooper was the originator of the resolution and at least the co-sponsor. However, the Henshaw article in the F. S. Barde Collection in the Oklahoma Historical Society states that it was Charles Payne who introduced the resolution at the League's convention in St. Paul, Minnesota, in 1903. While it has not been possible to establish Henshaw's statement as being correct, it has not been possible to entirely discount it and say that it is incorrect. I am inclined to believe the effort was made jointly by Cooper, Payne and perhaps William H. Hornaday of Lawton. In any

¹⁰Stat., 33, p. 614. Henshaw Article.

Some time later, they presented the resolution to Representative John F. Lacey who had long championed the cause of wildlife preservation in Congress.

The Lacey, with the aid of Territorial Delegate Bird S. McQuire, drafted and introduced H. R. 11584 in the House of Representatives on February 2, 1904.⁹ "An Act For the Protection of Wild Animals and Birds in the Wichita Forest Reserve" provided:

That the President of the United States is hereby authorized to designate such areas in the Wichita Forest Reserve as should, in his opinion, be set aside for the protection of game animals and birds and be recognized as a breeding place therefor.¹⁰

It further provided that the hunting, trapping, killing, or capturing of game animals and birds on the Reserve would be illegal except under such regulations as might be prescribed by the Secretary of Agriculture. Any person violating such regulations would be guilty of a misdemeanor, and upon conviction would be liable to a fine not exceeding one thousand dollars and/or imprisonment for a period not exceeding one year.

Action on Lacey's bill was delayed until the third session of the 58th Congress when it finally passed without amendment on January 24, 1905. Meanwhile, Lacey had arranged

case, Cooper had been most active in promoting the idea and received more credit in the local papers than any of the other individuals. Republican, November 24, 1904, p. 1; December 9 Henshaw Article. Lawton News-Republican, January 19, 1905, p. 5.

¹⁰Stat., 33, p. 614. Henshaw Article.

to send a federal game agent to investigate the Wichita of Forest's potential as a game preserve and report back to the House Committee on Public Lands which Lacey chaired. The brother of Senator Boies Penrose of Pennsylvania was appointed to conduct the investigation. Dr. Penrose arrived in Lawton in late November, 1904, and spent several weeks with Supervisor Morrissey examining the Wichita Forest Reserve. During this time, the Lacey bill passed the House on December 14, 1904, and was sent to the Senate. Upon completion of his investigation, Penrose told local newspapers that he was very impressed with the reserve and thought it had great potential as a game preserve. He stated that his favorable report on the area would assure Senate approval of the bill.¹¹

Meanwhile, other action occurred on the national level which also related to the creation of the Wichita game preserve. It was during this same period that the efforts of Ernest H. Baynes, a New Hampshire naturalist, first realized success. Baynes had long agitated for the preservation of the buffalo in lectures and articles which were published in newspapers and magazines throughout the country. Theodore Roosevelt, William T. Hornaday and other prominent naturalists and conservationists encouraged him in his work.

¹¹Lawton News-Republican, November 24, 1904, p. 1; December 8, 1904, p. 7; December 22, 1904, p. 3; and February 16, 1905, p. 6.

He advocated the formation of a society for the purpose of preserving the buffalo and other game animals on large preserves. Dr. J. A. Allen of the American Museum of Natural History and Professor Franklin W. Hooper, Director of the Brookings Institute of Arts and Sciences, urged him to present his ideas in writing to President Roosevelt. Following their advice, Baynes submitted a carefully worked out plan to Roosevelt in September, 1904, in which he proposed:

taking out of the hands of private individuals as many as possible of the remaining buffalo, and establishing them in small herds, under United States and Canadian Government auspices, on widely separated ranges, so that if contagious disease should strike any one of these herds, not too large a proportion of the existing animals would be wiped out at the same time.¹²

His plan met with the immediate and enthusiastic response of Roosevelt, who directed Secretary of Agriculture James Wilson to look into the matter and report back to him. In his annual message to Congress in 1905 Roosevelt recommended that:

I desire again to urge upon the Congress the importance of authorizing the President to set aside certain portions of the reserves, or other public lands, as game refuges for the preservation of the bison, the wapiti, and other large beasts once so abundant in our woods and mountains, and on our great plains, and now tending toward extinction. We owe it to future generations to keep alive the noble and beautiful creatures, which by their presence add such distinctive character to the American wilderness.¹³

Roosevelt's support significantly contributed to the passage of the Lacey act and the designation of the Wichita Forest

¹²Gorges, Ernest Harold Baynes, pp. 74-75.

¹³Ibid., p. 76.

as a game preserve.

Baynes had also submitted his proposal for government-sponsored buffalo preserves to his friends William T. Hornaday and Madison Grant of the New York Zoological Society. Both of these men had long been active in the crusade for wildlife and the preservation of the vanishing buffalo. Hornaday was particularly influential because of his position with the New York Zoological Society, membership in various conservation organizations and his prolific writings on the wildlife movement. He had made a census and compiled figures on the diminishing numbers of the buffalo which effectively called attention to the need for immediate action to save the animal. Both Hornaday and Grant were widely known and had easy access to other prominent men in conservation and scientific circles.

Under Hornaday's direction, the New York Zoological Society collected a small herd of buffalo from various sources in its zoological park in New York City. It soon became apparent, however, that the Society's facilities lacked sufficient space for the perpetuation of big game animals. Both Hornaday and Grant realized that large animals in confined quarters would be unlikely to breed and increase sufficiently to save the species from extinction. The animals would also be more susceptible to disease and inbreeding in small enclosures. They fully agreed with Baynes' proposal to establish herds on large government preserves.¹⁴

Hornaday felt, however, that the government preserves should be enclosed with a specially designed game fence if they were to be successful. He had already experimented with a woven wire fence invented by J. Wallace Page of Adrian, Michigan, in the game enclosures of the Society's zoological gardens. Based on Hornaday's specifications, Page had designed a special woven wire fence that would be suitable for big game animals as well as smaller game. The fence had proved highly successful in the zoological garden and Hornaday was convinced that it would be ideal for enclosing large game preserves. Hornaday and Grant contended that fenced game preserves were necessary to keep the animals from straying off protected ranges and falling prey to the ever-present poachers. Their arguments were enforced by the experience in Yellowstone National Park where the buffalo had strayed off the range and had been killed by hunters.¹⁵ Thus, Lacey's bill to designate the Wichita Forest Reserve as a game preserve, President Roosevelt's endorsement of Baynes' proposal for the establishment of large national buffalo preserves, the resolution of the

¹⁴William T. Hornaday, Thirty Years War for Wildlife, Stamford, Conn., Permanent Wild Life Protection Fund, 1931, pp. 167-170 and pp. 247-249. (Hereafter cited as Hornaday, Thirty Years War for Wildlife.); "The Founding of the Wichita National Bison Herd," Annual Report of the American Bison Society, 1905-1907, New York, American Bison Society, 1908, pp. 55-69. (Hereafter cited as Hornaday, "Founding of the Wichita National Bison Herd.")

¹⁵Ibid.

League of American Sportsmen urging the creation of a preserve, and the local interest in establishing a game preserve on the Wichita Forest presented Hornaday and Grant with the opportunity for which they had been working. They joined forces with all the other interested individuals and organizations to support the legislation introduced by Lacey. The proposed Wichita game preserve bill received solid support from both local and national wildlife enthusiasts. Their united support resulted in the Senate's approval of the Lacey bill authorizing the President to designate the Wichita Forest Reserve as a national game preserve. Immediately after it passed in Congress, President Roosevelt signed the bill into law on January 24, 1905.¹⁶ Although the local population generally favored passage of the bill, some of the miners objected to the game preserve until they received assurances that it would not interfere with their operations.¹⁷ Nationally, the Wichita game preserve bill was regarded as a milestone in the movement for the preservation of big game animals. It was the first step towards the utilization of the forest reserves as game sanctuaries. Shortly after passage of the Wichita game preserve bill,

¹⁶Stat., 33, p. 614.

¹⁷Lawton Mineral Kingdom, January 5, 1905, p. 2; January 26, 1905, p. 2; March 30, 1905, p. 2; and May 11, 1905, p. 3. Lawton News-Republican, January 19, 1905, p. 1.

two other important pieces of legislation were enacted. An act transferring the Wichita and other forest reserves from the Forestry Division of the General Land Office of the Department of the Interior to the Bureau of Forestry of the Department of Agriculture was approved on February 1, 1905.¹⁸ It placed the Wichita under the more efficient jurisdiction of Gifford Pinchot's Forest Service. An act approved on March 3, 1905,¹⁹ changed the name of the Bureau of Forestry to the U. S. Forest Service and authorized its officers to arrest without process anyone violating laws on the national forests and parks. These laws signified important steps toward implementing a system of national buffalo preserves as proposed by Baynes, Hornaday and Grant and strongly endorsed by both President Roosevelt and Secretary of Agriculture James Wilson. The Wichita Reserve had already been unofficially selected as the first such preserve and this legislation assured that it would be under the protection of an efficient and sympathetic jurisdiction. Roosevelt, shortly after signing the Wichita game preserve bill, notified Territorial Delegate Bird S. McQuire that he would soon issue a proclamation converting the entire forest into a game preserve.²⁰ McQuire announced to

¹⁸Stat., 33, p. 628.

¹⁹Stat., 33, p. 861, and pp. 872-873. 1905, p. 5.

²⁰Lawton Mineral Kingdom, March 9, 1905, p. 2. 1.

the local papers that he would immediately introduce a bill authorizing a large appropriation for stocking the area with buffalo, bear, elk, deer and other game animals and birds.

He stated:

Oklahoma and Indian Territory are favorite breeding grounds for game animals, quail and grouse, and there has been a desire expressed from all parts of the country that some suitable portions of that region be protected from hunting so as to be used as a breeding ground. The game and birds from the reserve will migrate to other parts of Indian Territory and Oklahoma and thus provide a supply for all parts of the surrounding country. The land is all public land, is now in a state of reserve and is protected by federal custodians. The preserve will be of a benefit to the people of the southwest and it will in no wise interfere with the use of the forest reserve. The Department of Agriculture can obtain supplies there for purpose of propagation in other parts of the country. I do not think there will be any difficulty in getting an appropriation to stock the reserve.²¹

The local press received the news with great enthusiasm, hailed the action and forecast that all types of game would soon roam through the Wichitas. The Lawton Mineral Kingdom stated that the preserve would not interfere in any way with mining and miners would have the pleasure of gazing upon bear and buffalo while they worked.²² The Lawton News-Republican attributed William T. Hornaday with saying that the endangered herd of buffalo on Yellowstone National Park would have to be moved to their natural home in the Wichitas if

accepted the Society's offer. He directed the Forest Ser-

²¹Lawton News-Republican, January 19, 1905, p. 5.

²²Lawton Mineral Kingdom, January 19, 1905, p. 1.

they were to be saved and allowed to increase their numbers.²³

When it became definite that the Wichita game preserve would be established, Hornaday and Grant initiated action to stock it with buffalo. They agreed with Ernest Baynes that the animal could be saved only by establishing several government herds on large fenced grazing grounds. Rather than merely offer advice and exhortations to Congress, they asserted that private individuals and scientific institutions should actively assist the government in perpetuating the buffalo. They stated that the Wichita Forest Reserve and National Game Preserve would make an ideal site for such a joint venture. Accordingly, they recommended that the New York Zoological Society offer the government, through the Secretary of Agriculture, a gift of not less than twelve pure-blood American bison of various ages as a nucleus for a herd on the Wichita. In return, they stipulated that Congress appropriate funds to erect a suitable fence around a large range to be selected by the Society and agree to properly maintain the herd. The Executive Committee of the Society approved the proposal on March 15, 1905, and directed Hornaday and Grant to take the necessary steps to implement the plan. Secretary of Agriculture James Wilson immediately accepted the Society's offer. He directed the Forest Ser-

²³Lawton News-Republican, January 19, 1905, p. 1. 247-49.

vice to give full cooperation to the Society and to assist its representatives in selecting a suitable range for the buffalo on the Wichita Forest. Preparations were made to secure appropriations from Congress to fence a large area and to maintain the herd.²⁴

With the groundwork completed, President Roosevelt designated the entire Wichita Forest a game preserve on June 2, 1905. He proclaimed:

Whereas, it is provided by the Act of Congress, approved January twenty-fourth, nineteen hundred and five, entitled, 'An Act for the protection of wild animals and birds in the Wichita Forest Reserve,' That the President of the United States is hereby authorized to designate such areas in the Wichita Reserve as should, in his opinion, be set aside for the protection of game animals and birds and be recognized as a breeding place therefor. . . . That when such areas have been designated as provided for in section one of this Act, hunting, trapping, killing or capturing of game animals and birds upon the lands of the United States within the limits of said areas shall be unlawful, except under such regulations as may be prescribed from time to time, by the Secretary of agriculture; and any person violating such regulations or the provisions of this Act shall be deemed guilty of a misdemeanor, and shall, upon conviction in any United States court of competent jurisdiction, be fined in a sum not exceeding one thousand dillars or be imprisoned for a period not exceeding one year, or shall suffer both fine and imprisonment, in the discretion of the court. . . . That it is the purpose of this Act to protect from trespass the public lands of the United States and the game animals and birds which may be thereon, and not to interfere with the operation of the local game laws as affecting private, State, or Territorial lands. . . . for the purpose of giving this Act effect, it appears desirable that the entire Wichita Forest Reserve

²⁴Hornaday, "Founding of the Wichita National Bison Herd." pp. 55-69; Thirty Years War for Wildlife, pp. 167-170, 247-49.

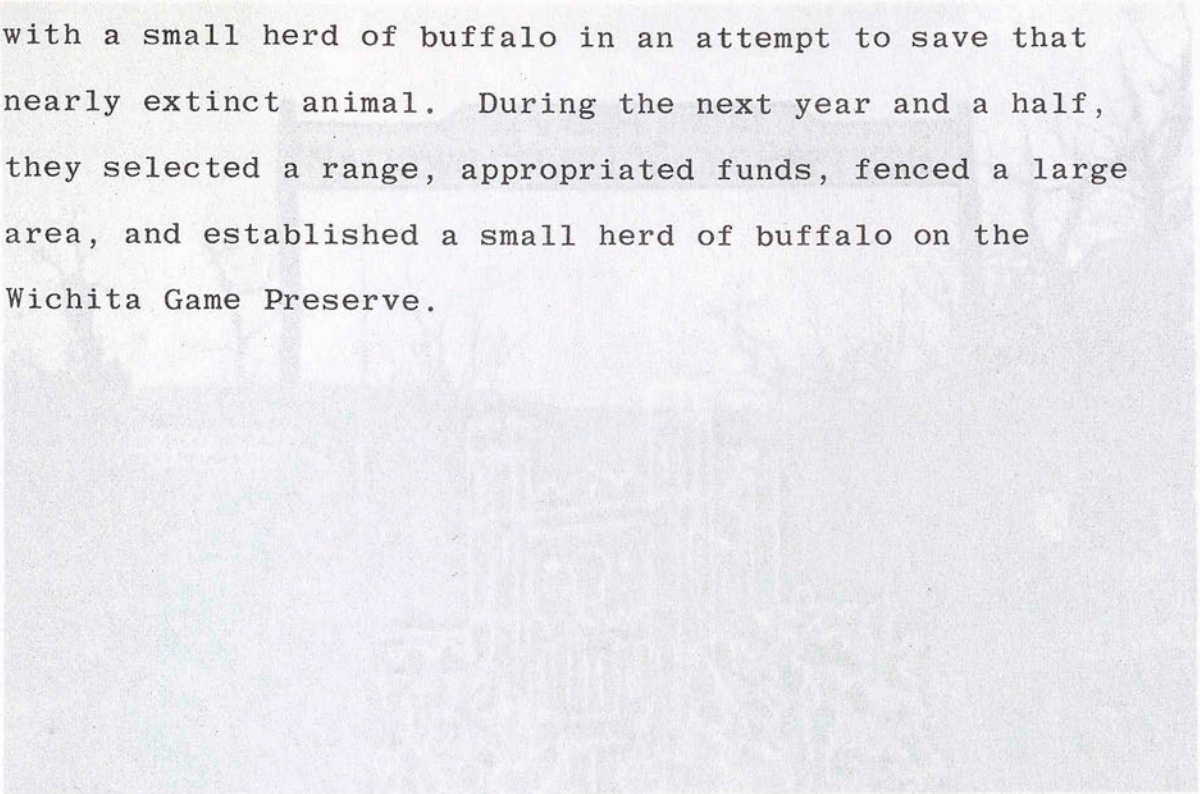
with a small
nearly ext
they sele
area, and
Wichita w
be declared a Game Preserve. . . . I, Theodore Roosevelt, President of the United States, by virtue of the power in me vested by the aforesaid Act of Congress, do hereby make known and proclaim that the Wichita Forest Reserve, in the Territory of Oklahoma, is designated and set aside for the protection of game animals and birds, and shall be recognized as a breeding place therefor, and that the hunting, trapping, killing, or capturing of game animals and birds upon the lands of the United States within the limits of said area is unlawful, except under such regulations as may be prescribed from time to time by the Secretary of Agriculture.²⁵

Thus, as a result of actions by Congress and President Roosevelt, the Wichita Forest and Game Preserve was established. Prior to this time, only six small national wildlife preserves had been created for the preservation of birds and migratory waterfowl. The creation of the Wichita Game Preserve culminated a long struggle to establish national sanctuaries for the vanishing big game animals of North America. It set a precedent for the creation of similar wildlife refuges that were later established throughout the United States.

Although the Wichita had been designated a game preserve, all of the native big game animals in the area had been killed off before the country was opened in 1901. If it was to be a game preserve other than in name only, it would be necessary to reintroduce big game animals into the area. The New York Zoological Society and the Department of Agriculture had already submitted plans to stock the area

²⁵Stat., 34, pp. 3062-3063.

with a small herd of buffalo in an attempt to save that nearly extinct animal. During the next year and a half, they selected a range, appropriated funds, fenced a large area, and established a small herd of buffalo on the Wichita Game Preserve.



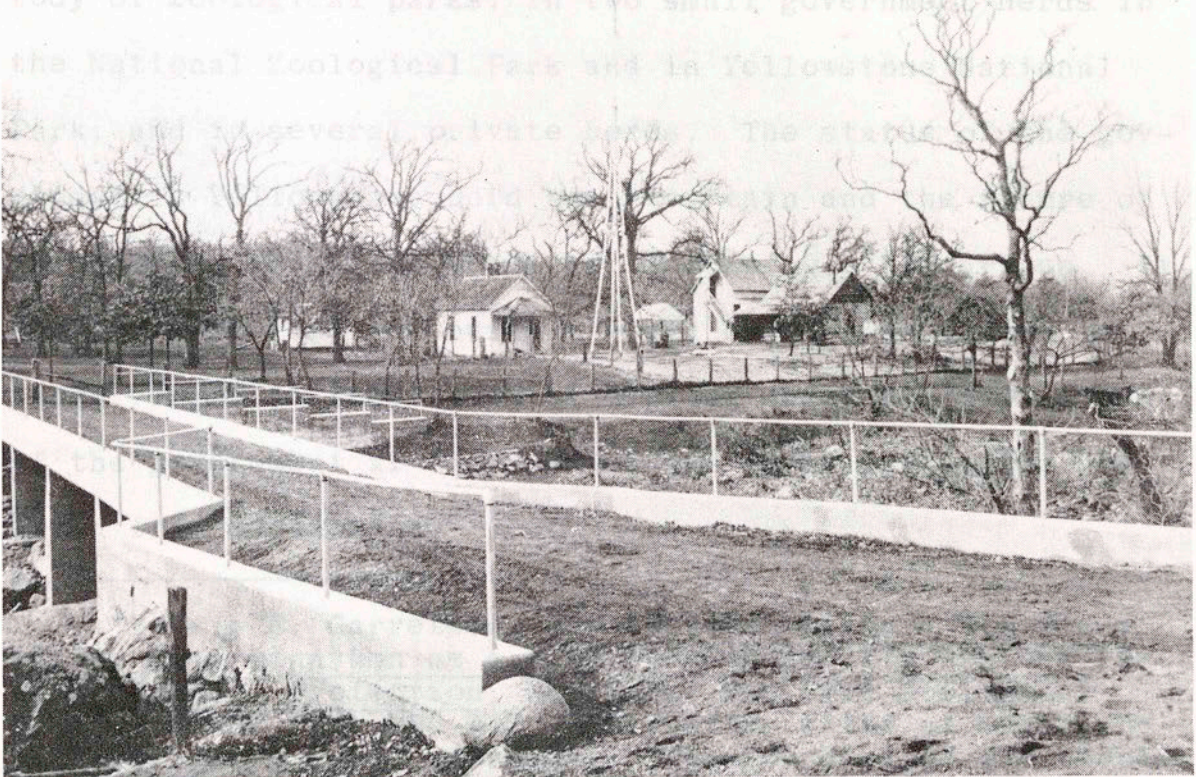
ENTRANCE TO WICHITA NATIONAL FOREST AND GAME PRESERVE,
CIRCA 1906



HEADQUARTERS OF WICHITA NATIONAL FOREST AND GAME PRESERVE,
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HEADQUARTERS OF WICHITA NATIONAL FOREST AND GAME PRESERVE,
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Conservationists viewed the newly created Wichita Game Preserve as the last opportunity to save the few remaining buffalo. They made proposals to utilize the area for the propagation and preservation of the vanishing species almost

CHAPTER IV

THE RETURN OF THE BUFFALO

The great slaughter of the 1870's and the 1880's reduced the buffalo to near the point of extermination. The vast bison herds which once roamed over the continent had been reduced to a few scattered herds, altogether numbering less than a thousand head by 1905. Except for a few survivors in isolated areas, the surviving remnants of the species in the United States were under the protective custody of zoological parks, in two small government herds in the National Zoological Park and in Yellowstone National Park, and in several private herds. The status of the government's Yellowstone herd was uncertain and the future of the private herds was becoming increasingly precarious. It was apparent that the buffalo would have to be placed on large ranges in their natural habitat under the protection of the government if the species was to be propagated and saved from extinction.¹

¹Martin S. Garretson, The American Bison: The Story of Its Extermination as a Wild Species and Its Restoration Under Federal Protection, New York, New York Zoological Society, 1938, pp. 205-213. (Hereafter cited as Garretson, The American Bison.) Hornaday, "The Founding of the Wichita National Bison Herd," pp. 55-59.

Conservationists viewed the newly created Wichita Game Preserve as the last opportunity to save the few remaining buffalo. They made proposals to utilize the area for the propagation and preservation of the vanishing species almost as soon as Congress authorized the creation of the new federal game preserve. Although optimistic, proponents of the plan to stock the Wichita with buffalo realized that it would involve some risk because of the small number of surviving animals. They agreed that the crucial experiment would require prompt action as well as careful planning and preparation.

Extensive preparations for the project began in March, 1905, when the government accepted the New York Zoological Society's offer to donate a nucleus herd of buffalo for the new preserve. Secretary of Agriculture James Wilson directed the Forest Service and the Biological Survey to institute action to meet the conditions of the Society. President Roosevelt issued a proclamation on June 2, 1905, officially designating the entire Wichita Forest Reserve a national game preserve. Over the next two years, the government agencies and the Society cooperated in preparing detailed plans for the establishment of the proposed buffalo herd. Their careful preparations resulted in the selection of a large tract of land for the buffalo range, legislation to provide funds to fence and improve the area, the selection and appointment of a special gamekeeper, detailed arrange-

ments to transfer the animals from New York to Oklahoma, and plans to protect the animals from disease and other natural dangers after they arrived at their new home. Finally, in October, 1907, after many months of preparation, the buffalo were shipped from New York City to the Wichita game preserve.

Arrangements to select the buffalo range were instituted shortly after Roosevelt established the Wichita Game Preserve. At the direction of Secretary Wilson, the Forest Service invited the New York Zoological Society to select a site on the Wichita which would be suitable for the preservation and propagation of the buffalo. Accordingly, the Society appointed J. Alden Loring of Oswego, New York, to go to Oklahoma, meet with the government's representative, examine the Wichita Game Preserve and select a tract of land suitable for the buffalo range.²

After receiving instructions from the governing board of the Society, Loring departed on his assignment from New York City on November 21, 1905. At Cache, Oklahoma, he met E. F. Morrissey, Supervisor of the Wichita Forest Reserve and Game Preserve, who represented the Forest Service. During the next two weeks, Loring and Morrissey rode over the entire government reserve studying the various potential sites. They carefully examined each location for desirable types of grass and grazing capacity, the availability of good permanent water supplies, accessibility to natural

²Ibid.

shelter to protect the animals from heat and cold, and other desirable features. Loring finally selected an area of approximately twelve square miles in the west-central section of the reserve which he considered as the most ideal site for the buffalo pasture.³

A detailed report on the proposed site was submitted by Loring to the New York Zoological Society on February 1, 1906.⁴ He described the range as an area of numerous small and large valleys of gently rolling prairies surrounded by a series of mountains, hills, and ridges ranging up to six hundred feet high. In the center of the range was a cluster of mountains and hills enclosing a large valley which was easily accessible through several draws and passes. He named it "Winter Valley" because its natural shelter and the excellent stands of bluestem and mesquite grass made it an ideal winter range for the buffalo. Although the range included some rough terrain strewn with huge granite boulders, Loring noted that good stands of mixed mesquite, buf-

³J. Alden Loring, "The Wichita Buffalo Range: A Report to the New York Zoological Society of an Inspection of the Wichita Forest and Game Reserve, in Oklahoma, to Select a Suitable Location for a Buffalo Range," Tenth Annual Report of the New York Zoological Society, 1905, New York, New York Zoological Society, 1906, pp. 181-200. (Hereafter cited as Loring, "The Wichita Buffalo Range.") Although newspapers and other sources contain information on the selection of the buffalo range, Loring's report is the basic and most detailed source of information.

⁴Ibid.

falo and bluestem grass grew in all sections of the range in ample quantities to insure year round forage for the herd. A number of ravines and coulees cut through the range which Loring suggested would provide the animals shelter from storms. It also included several heavy stands of tall black-jack oak and other timber. The area had an ample supply of good water from several permanent springs. Loring stated that the range was admirably adapted for buffalo as well as other big game animals such as elk, deer, and antelope which could be placed in the preserve without impairing the status of the buffalo.

Loring reported that the location of the proposed buffalo pasture would not seriously interfere with other activities on the reserve. Although the recommended range contained some of the choicest grazing land in the reserve, he did not think the grazing of livestock would be drastically curtailed outside the game pasture. Several good springs of water were intentionally left outside the boundaries of the game area to supply the needs of the cattlemen and miners who used the area. The proposed range contained about twenty mine prospect holes which Loring noted would have to be fenced to protect the buffalo. Otherwise, he did not anticipate any difficulties with miners since most of the mining activity was located outside the buffalo pasture. He also pointed out that no major public roads were located in the proposed range and none were likely to be

established.⁵ Loring noted several potential dangers. He re-
 garded Except for some of the rugged areas and ravines, Lor-
 ing believed the range could be enclosed with a good fence
 without any great difficulty. As the range was laid out,
 he estimated that it would require approximately fourteen
 miles of boundary fence. He suggested that about nine and
 one-half miles of the fence could be fastened to trees and
 four and one-half miles would require posts. He recommended
 that local people be hired to work on the fence in order to
 foster good relations for the game preserve. Except for
 the spring and summer seasons, Loring noted that local teams
 and drivers could be hired at \$3.00 per day and laborers at
 \$2.00 per day without board or \$1.50 per day with board. He
 also recommended that the local workers should be made to
 feel that it was in their interest to help watch over the
 buffalo and assist the caretakers in protecting them. Lo-
 cal residents should also be available to fight fires and to
 assist in other emergencies without pay. Loring suggested
 that the local people should understand that future employ-
 ment on the reserve would largely depend on the manner in
 which they cooperated with such agreements. He indicated
 that Morrissey already had a similar understanding with the
 cattlemen which had proven satisfactory.⁶

Although the buffalo range was considered to be most

⁵Ibid.

⁶Ibid.

suitable, Loring noted several potential dangers. He regarded rattlesnakes, pest insects such as "deerflies" and "heel-flies," and open prospect holes as minor dangers or nuisances that could either be controlled or corrected. Wolves and coyotes, however, he considered to be a somewhat more serious threat to the game animals, especially young buffalo. According to Morrissey, wolves had killed seventy-two head of stock on the reserve during the previous six months. Although not numerous, the wolves in the reserve caused considerable discontent among the ranchers and settlers who regarded them as a serious menace to livestock. Coyotes were more numerous, but the local people did not consider them as much of a threat to stock as the wolves. Loring believed that the predators would constitute a serious danger to the buffalo and other game animals unless they could be eradicated or controlled. He recommended that Morrissey be granted permission to organize and conduct wolf and coyote drives to reduce the danger from predators before the area was stocked with game animals.⁷

Loring believed the fires that periodically swept through the mountains could be a potentially serious hazard. He noted that without proper preparations and precautions a fire could easily sweep through the entire range in a very brief time. Where possible, he recommended that fire guards be plowed around the game pasture's boundary and the

⁷ Ibid.

bordering rocky terrain be burned frequently to lessen the fire hazard. In order to control fires in other areas of the reserve and prevent them from spreading to the buffalo range, Loring suggested that similar fire guards be established at strategic points throughout the entire Forest Reserve. He also recommended that caretakers should live at both ends of the buffalo pasture in order to spot fires who before they spread. Loring noted that troops from Fort Sill could be called out to fight fire, but he thought that a volunteer organization comprised of local cattlemen and settlers would provide a more effective fire fighting force.⁸

Texas fever seemed to be the most serious potential menace to the proposed buffalo herd. Loring thought it was the only questionable point worth considering in the plan to establish buffalo on the Wichita. He first became aware of the disease when he arrived in Cache and heard of the fever among the cattle in the area. In order to determine if buffalo were susceptible to the fever, he talked with cattlemen, Indians, old buffalo hunters, government scouts and others who had knowledge of buffalo. He made several trips with A. C. Cooper to Lawton, Anadarko, El Reno, Pawnee, and Bliss, Oklahoma, to talk with Ben Clark, who had hunted buffalo on the Canadian River during the Custer campaign; Quanah Parker, Chief of the Comanches; Kiowa Dutch Pennah,

President Roosevelt was deeply interested in the project re-

⁸Ibid.

⁹Ibid.

an eighty-year-old white captive of the Kiowas; Major Gordon W. Lillie ("Pawnee Bill"); Joseph Miller of the Miller Brothers 101 Ranch; W. H. Quinette, an old cattle dealer and Indian trader at Fort Sill; and others who had some knowledge of the disease among cattle and buffalo. Before returning to New York, Loring went to the Texas panhandle to discuss the matter with Charles Goodnight, a rancher who raised buffalo. His investigations convinced him that buffalo were susceptible to the disease and he recommended that a careful study of the potential threat of the disease be made before stocking the Wichita with the animals. While he regarded the fever as a serious hazard, he thought it should be possible to devise some means to protect the animals from the fever ticks until they developed an immunity to the fever or until the ticks could be eliminated from the area. If the problem of Texas fever could be overcome and no other unforeseen calamity occurred, Loring predicted that buffalo would thrive on the Wichita and the herd would soon become one of the largest in existence.⁹

Public sentiment, among both white and Indian, strongly favored the proposed project. Loring stated that several elderly Indians could hardly express their delight at the thought of once again seeing buffalo roaming the mountains. Quanah Parker, who lived near the preserve, when told that President Roosevelt was deeply interested in the project re-

⁹Ibid.

plied: "Tell the President that the buffalo is my old friend, and it would make my heart glad to see a herd once more roaming about Mount Scott." Sankadody, another elderly Indian, told him at the agency in Anadarko, "Mabeso me, my son, cut post; haul post, my horse; you, my post office write, Mt. Scott."¹⁰ He found similar enthusiasm for the project among the white population of the area. Charles Goodnight, Gordon W. Lillie, Joseph Miller and others endorsed the plan and offered their assistance.

The Society accepted Loring's report with great enthusiasm and promptly published it as a part of its Tenth Annual Report for 1905.¹¹ Copies were transmitted to Washington and distributed to interested individuals and agencies for action. A report submitted to the Biological Survey by A. C. Cooper supported Loring's recommendations. With the Loring and Cooper reports and other supporting evidence in hand, Madison Grant, Secretary of the New York Zoological Society, Secretary of Agriculture James Wilson and others took steps to secure appropriations for the project from Congress. They asked Representative John T. Lacey of Iowa, who was an old champion of conservation, to sponsor the legislation.¹² With the assistance of Territorial Dele-

¹⁰Ibid.

¹¹Ibid. Hornaday, "Founding of the Wichita National Bison Herd."

¹²Lawton News-Republican, January 19, 1905, p. 5. Hornaday, "Founding of the Wichita National Bison Herd."

gate Bird S. McQuire of Oklahoma, James W. Wadsworth of New York, Chairman of the House Committee on Agriculture, and others interested in the preservation of the buffalo,¹³ Lacey secured an item in the annual Agricultural appropriations bill providing:

For the erection of a wire fence and necessary sheds on the Wichita Forest and Game Preserve, to provide a range for a buffalo herd presented by the New York Zoological Society, and to provide for the maintenance of said herd, fifteen thousand dollars, of which sum not to exceed five hundred dollars shall be expended in buildings.¹⁴

The bill passed both houses of Congress without opposition and became law on June 30, 1906.

As soon as Congress voted the funds, Gifford Pinchot, Chief of the Forest Service, took steps to implement the project. He requested William T. Hornaday, Director of the New York Zoological Park, to prepare plans and specifications for the necessary improvements for the buffalo range.¹⁵ He directed supervisor E. F. Morrissey of the Wichita to submit recommendations for the game fence, and sent Colonel E. F. Mitchell, a former government contractor from Fort Worth, Texas, to the Wichita to prepare specifications for the project.¹⁶ Hornaday recommended that the buffalo range be en-

¹³Ibid.

¹⁴Stat., Vol. 34, p. 696.

¹⁵Hornaday, "Founding of the Wichita National Bison and Herd." Kingdom, Lawton, Oklahoma, November 22, 1906, p. 1.

¹⁶Lawton News-Republican, September 27, 1906, p. 1.

closed with a seven-foot six-inch woven steel-wire fence which had been designed for the Zoological Park by J. Wallace Page of Adrian, Michigan. He specified either sturdy wood or iron posts placed eight feet apart for the fence. He also submitted specifications for several smaller enclosures, sheds, flood-gates and other facilities necessary to handle the buffalo.¹⁷ When the various specifications were completed, it was apparent that the appropriated funds would be insufficient to complete the project.¹⁸ Anxious to get the work underway, the Forest Service decided to avoid further delays and to start construction as soon as possible. It advertised for bids in October and awarded the contract to Gurley and Paine of Denton, Texas, on December 5, 1906.¹⁹ The Forest Service urged the contractors to start the week promptly in order that the area could be stocked with buffalo before the end of the next year. Gurley and Paine started a crew of fifteen men to work on the fence in early

¹⁷Hornaday, "Founding of the Wichita National Bison Herd." Trefethen, Crusade for Wildlife, pp. 150-151.

¹⁸Lawton News-Republican, November 8, 1906, p. 1.

¹⁹Letter, Frank Rush, Supervisor, Wichita National Forest, to District Forester, Forest Service, Missoula, Montana, January 6, 1909. In old files of the Wichita Mountains Wildlife Refuge. (Hereafter cited as Rush to District Forester, Missoula, Montana, January 6, 1909.) Oklahoma Farm News and Mineral Kingdom, Lawton, Oklahoma, November 22, 1906, p. 1. Hornaday, "Founding of the Wichita National Bison Herd."

January of 1907.²⁰ In spite of the rough terrain and delays in receiving shipments of wire and other supplies, work on the pens and boundary fence progressed steadily through the following months and into the autumn of 1907. Due to the difficulties of building a fence through the rough mountainous terrain and the specifications required by the Forest Service, the original contract was extended and amended on March 15, 1907.²¹

The fence, as finally constructed, was a seventy-four inch high steel woven wire made by the Denton Wire Fence Company of Denton, Texas. It contained eighteen horizontal spring steel coil wires. The top and the bottom wires were number seven wire and the other sixteen were number nine wire. Each of the vertical wires were of number fourteen wire. Three smooth spring steel wires were placed five inches apart above the woven wire for greater security. One of the smooth wires was insulated to serve as a line for telephone service which was also installed. Strong oak

²⁰Oklahoma Farm News and Mineral Kingdom, Lawton, Oklahoma, January 17, 1907, p. 1.

²¹Rush to District Forester, Missoula, Montana, January 6, 1909. Letter, W. R. Mattoon, Acting Supervisor, Wichita National Forest, Cache, Oklahoma, to The Forester, Forest Service, Washington, D. C., August 19, 1907. In old files of the Wichita Mountain Wildlife Refuge. (Hereafter cited as Mattoon to The Forester, August 19, 1907.) Letter, W. R. Mattoon, Acting Supervisor, Wichita National Forest, to The Forester, Forest Service, Washington, D. C., October 3, 1907. In old files of the Wichita Mountain Wildlife Refuge. (Hereafter cited as Mattoon to the Forester, October 3, 1907.) Hornaday, "Founding of the Wichita National Bison Herd."

posts from eight to twelve inches in diameter and set one rod apart and two and one-half feet in the ground supported the fence. The corner and gate posts were set four feet deep in cement. Gates were built to withstand the charge of the largest bull. In some of the rocky area where the post holes were difficult or impossible to dig, workers blasted out the holes with dynamite and in some cases fastened the fence to trees as originally suggested by Loring. In addition to the boundary fence, three small pens connected with a lane were erected on the southern boundary of the range. The contractors constructed two long sheds on the north end of the smaller pens. Although workers had completed the sheds and small pens by October, 1907, only seven miles of the main boundary fence had been completed by the middle of November. It was not until January 22, 1908, several months after the buffalo arrived, that the entire project was completed and accepted by the Forest Service.²²

While other preparations were being made to receive the buffalo, Supervisor Morrissey proceeded to take steps to eradicate predators on the preserve. With permission of the Forest Service and the Biological Survey, he organized and

²²Ibid. Rush to District Forester, Missoula, Montana, January 6, 1909. Mattoon to The Forester, October 3, 1907. Elwin R. Sanborn, "The National Bison Herd, An Account of the Transportation of the Bison from the New York Zoological Park to the Wichita Range," Zoological Society Bulletin, No. 28 (January, 1908), New York, New York Zoological Society, 1908, pp. 400-403, 406-412. (Hereafter cited as Sanborn, "The National Bison Herd.")

held a number of large wolf and coyote drives on the Wichita with the assistance of the cattlemen and settlers. The drives and trapping apparently eliminated the wolves and reduced the coyotes to manageable levels.²³ By the time the buffalo arrived in the autumn of 1907, predators no longer presented a threat to the animals.

Although some of the government officials refused to accept the opinions that buffalo were susceptible to Texas fever, the Biological Survey conducted studies to find ways to protect the buffalo from the dreaded disease. Forest Service personnel burned large areas of the buffalo range and much of the adjoining areas in an attempt to kill the ticks. They also repeatedly burned over the three smaller pens in an effort to eliminate the ticks from the immediate area where the buffalo would first arrive. The Biological Survey proposed that a dipping vat be erected on the reserve which could be used with the assistance of the cattlemen to rid the forest of ticks. This plan was not implemented until several years later, however. After careful deliberation, Frank Rush and the other officials decided that the most effective way to protect the buffalo from the ticks would

²³Lawton News-Republican, December 14, 1905, p. 8; December 28, 1905, p. 5; April 12, 1906, p. 5; August 23, 1906, p. 2. Oklahoma Farm News and Mineral Kingdom, Lawton, Oklahoma, December 28, 1905, p. 6. Letter, E. F. Morrissey, Supervisor, Wichita Forest Reserve, to Commanding Officer of Fort Sill, January 22, 1906. In old files of the Wichita Mountain Wildlife Refuge.

be to spray them regularly with crude oil. They correctly assumed that such measures would protect the buffalo from becoming infested with ticks and contracting the fever. If given an opportunity, officials thought the animals would eventually develop an immunity to the fever.²⁴

Local Forest Service officials developed plans to prevent and control fires on the reserve. Following the recommendations of Loring and others, fire guards were either plowed or burned around the buffalo range and at strategic locations in other areas. The cattlemen and nearby settlers organized a volunteer fire fighting force under the direction of the supervisor. The forest supervisor also had the range immediately adjacent to the buffalo pasture grazed heavily by cattle in order to reduce the fire hazard. Forestry officials followed these practices for a number of years and the buffalo range was never seriously threatened by fire.²⁵

As preparations to stock the area with buffalo neared completion, government officials focused their attention on the selection of a qualified gamekeeper. E. F. Morrissey wanted the position, but he was eliminated from considera-

²⁴Lawton News-Republican, March 8, 1906, p. 3. American Bison Society, Tenth Annual Report of the American Bison Society, 1915-1916, New York, American Bison Society, 1916, pp. 20-21. (Hereafter cited as Tenth Annual Report of the American Bison Society, 1915-1916.) Sanborn, "The National Bison Herd." Drummond Interview. Carr Interview.

²⁵Drummond Interview. Hornaday, "Founding of the Wichita National Bison Herd." Rush Interview. Republican, January 26, 1905, p. 3; March 29, 1906, p. 2.

tion when the Forest Service forced him to resign from the Service because of his unauthorized activities. W. R. Mattoon, an Inspector in the Forest Service from the District Headquarters in Albuquerque, New Mexico, succeeded Morrissey as Acting Supervisor. He served in that capacity only until another man could be selected and trained for the position.²⁶ A. C. Cooper, Federal Game Warden at Fort Sill, received considerable support for the position from some of the local people and newspapers. He had been one of the local promoters of the Wichita Forest Reserve and National Game Preserve and had served earlier in his career as a warden in Yellowstone National Park.²⁷ Cooper was never seriously considered, however, since both the New York Zoological Society and the Forest Service wanted a man in charge of the experiment who had knowledge of buffalo.

President Roosevelt directed Oklahoma's Territorial Governor, Frank Frantz, to find a man for the position of gamekeeper who had experience in handling buffalo. Frantz contacted Major Gordon W. Lillie of Pawnee, Oklahoma, a leading citizen of the Territory who was well known for his wild west showmanship, his promotion of the Territory, his interest in conservation and in preserving buffalo. Lillie told

²⁶Ibid. Drummond Interview.

²⁷Oklahoma Farm News and Mineral Kingdom, Lawton, Oklahoma, March 22, 1906, p. 6. Lawton News-Republican, January 26, 1905, p. 3; March 29, 1906, p. 2.

Frantz that the only suitable man for the job was Franklin S. Rush.²⁸

Rush was born in Kentucky in 1865, but he moved to Cedarsvale, Kansas, with his parents in 1871. Arriving in Kansas during the peak years of the buffalo slaughter on the southern plains, Rush developed an early appreciation for wildlife preservation. At age fifteen, he took to the saddle for a cowboy's life which he pursued along the Kansas-Oklahoma border for more than fifteen years. In 1889, he made the Run to Oklahoma with his brother-in-law. Unsuccessful in staking a claim, Rush took a job as a cowhand on the E. M. Hewin Ranch and eventually became foreman. As foreman, he had charge of the Hewin buffalo herd and acquired considerable experience handling the animals. While working for Hewin, Rush became acquainted with Gordon W. Lillie. He particularly impressed Lillie with his general ability and the successful manner in which he had managed the removal of the Hewin buffalo herd to Woodward County.²⁹

A responsible and experienced cowhand, Rush was also an unsophisticated westerner who had a deep interest in

²⁸Rush Interview. The Sunday Oklahoman, Oklahoma City, November 15, 1964, p. 20A.

²⁹Rush Interview. Charles J. Brill, "What Indian Tongues Could Tell! The Red Man's Story of the Conquest of the Plains; Introducing Frank Rush, Pioneer Cowboy Naturalist, Author, Indian's Best Living Friend," Southwest Wilds and Waters, A National Outdoor Magazine for the Great Southwest, Vol. II, No. 4 (April, 1930), pp. 15-17, 42-43. (Hereafter cited as Brill, "What Indian Tongues Could Tell!")

wildlife and conservation as well as an appreciative understanding of the Indian. He had already acquired a reputation as "Oklahoma's Cowboy Naturalist" with his letters to publications and his appearances before the Territorial Legislature on behalf of conservation measures. Already familiar with Rush's reputation, Frantz agreed with Lillie's recommendation and promptly forwarded his name to Washington. At the direction of President Roosevelt, the Forest Service dispatched officials to interview Rush. With the approval of the New York Zoological Society, they promptly appointed Rush to the position of Special Forest Guard in charge of the buffalo herd on the Wichita Game Preserve.³⁰

Rush arrived on the Wichita with his wife in September, 1907. W. R. Mattoon remained as Acting Supervisor of the Wichita until January, 1908, when he was promoted to another position in the Forest Service and Rush was made Supervisor

³⁰Frederick S. Barde, Compiler, Outdoor Oklahoma (The 1914 Annual Report of the State Game and Fish Warden, John B. Doolin, to the Governor of the State of Oklahoma, The Honorable Lee Cruce), Guthrie, Co-operative Printing Company, 1914, pp. 26-31. (Hereafter cited as Barde, Outdoor Oklahoma.) Rush Interview. Lawton Constitution, April 7, 1933, p. 1. Letter, W. T. Hornaday, Director, New York Zoological Park, New York City, to James B. Adams, Acting Forester, Forest Service, Washington, D. C., May 28, 1907. In old files of the Wichita Mountains Wildlife Refuge. (Hereafter cited as Hornaday to Adams, May 28, 1907.) Letter, W. R. Mattoon, Acting Forest Supervisor, Wichita National Forest, Cache, Oklahoma, to W. T. Hornaday, New York Zoological Gardens, New York City, September 11, 1907. In old files of the Wichita Mountain Wildlife Refuge. (Hereafter cited as Mattoon to Hornaday, September 11, 1907.)

of the Wichita National Forest Reserve and Game Preserve. Mattoon briefed Rush on the plans and the preparations that had been made to stock the area with a nucleus herd of buffalo. They examined the completed facilities and made his final arrangements to receive and care for the animals.³¹ Shortly after Rush arrived on the Wichita, the New York Zoological Society notified the Forest Service that October would be the best time to transfer the buffalo from New York to Oklahoma. At the Society's request, the Forest Service ordered Rush to depart for Washington immediately for final instructions. From Washington, he was to go to New York City to help prepare the animals for shipment and to accompany them back to Oklahoma.³² The last and perhaps the most exciting phase of the long struggle to save the American bison began with Rush's

³¹Rush Interview.

³²Ibid. Mattoon to Hornaday, September 11, 1907. Letter, W. T. Hornaday, Director, New York Zoological Garden, to W. R. Mattoon, Forest Service, Cache, Oklahoma, September 16, 1907. In old files of the Wichita Mountains Wildlife Refuge. (Hereafter cited as Hornaday to Mattoon, September 16, 1907.) Letter, Frank Rush, Forest Guard, Wichita National Forest, to W. T. Hornaday, New York Zoological Garden, September 20, 1907. In old files of the Wichita Mountains Wildlife Refuge. (Hereafter cited as Rush to Hornaday, September 20, 1907.) Letter, W. T. Hornaday, Director, New York Zoological Gardens, to James B. Adams, Acting Forester, Forest Service, Washington, D. C., September 21, 1907. In old files of the Wichita Mountains Wildlife Refuge. (Hereafter cited as Hornaday to Adams, September 21, 1907.) Letter, Clyde Leavitt, Acting Chief, Forest Service, Washington, D.C., to W. R. Mattoon, Forest Service, Cache, Oklahoma, September 28, 1907. In old files of the Wichita Mountains Wildlife Refuge. (Hereafter cited as Leavitt to Mattoon, September 28, 1907.)

departure for Washington. In Washington, Rush met with Secretary of Agriculture Wilson, officials of the Forest Service and the Biological Survey and representatives of the New York Zoological Society who were impressed with his knowledge and apparent ability in handling buffalo. His final instructions emphasized the importance of his role in assuring the success of the project. After a brief stay in Washington, he proceeded to New York City where he met with William T. Hornaday and members of the New York Zoological Park to make final arrangements for transfer of the buffalo to Oklahoma.³³

A tentative selection of the buffalo had already been made, but at Hornaday's request Rush assisted in the final selection of the animals. After carefully examining the animals in the Park's herd, they chose fifteen prime specimens of various ages for the Wichita buffalo herd. The selection consisted of six bulls and nine cows or heifers as follows:

- 1 large bull, five and one-half years old that was not related to any of the other animals. Rush named him "Comanche."
- 1 bull, three and one-half years old which Rush called "Geronimo."
- 2 bulls, two and one-half years old which Rush christened "Quanah" and "Lone Wolf" after the Comanche and Kiowa chiefs.
- 1 spike bull, named "General Lawton."
- 1 bull calf, six months old, called "Blackdog."

³³Rush Interview. Hornaday, "Founding of the Wichita National Bison Herd."

- 6 adult cows, all proven breeders.
- 1 cow, two and one-half years old.
- 1 cow, one and one-half years old.
- 1 heifer calf, six months old, named "Lottie."³⁴

In order to avoid any possible dangers from inbreeding, four different blood lines were represented in the selection.

Rush questioned the original plans to ship the buffalo loose in railroad stock cars as it was customary to ship cattle. He explained that while the buffalo from the Park's herd might be considered tame they were still wild and could not be handled like cattle. The animals would very likely be injured enroute and it would be dangerous if not impossible for the attendants to feed and attend them on the long trip to Oklahoma. He also pointed out that it would be impossible and dangerous to attempt to drive the animals from the railroad at Cache, Oklahoma, through the tick infested areas to the buffalo pasture. He suggested that the only

³⁴Ibid. Elwin R. Sanborn, "An Object Lesson in Bison Preservation, the Wichita National Bison Herd After Five Years," Zoological Society Bulletin (Wildlife Protection Number), Vol. XVI, No. 57 (May, 1913), New York, New York Zoological Society, 1913, pp. 990-993. (Hereafter cited as Sanborn, "An Object Lesson in Bison Preservation.") R. B. Thomas, "The Wichita National Forest and Game Preserve," An unpublished manuscript in Miscellaneous Papers of the W. P. A. Project File, 1936, in the Oklahoma Historical Society Library. (Hereafter cited as Thomas, "The Wichita National Forest.") Clara Ruth, "Preserves and Ranges Maintained for Buffalo and Other Big Game," United States Department of Agriculture, Bureau of Biological Survey, Wildlife Research and Management Leaflet BS-95, Washington, D. C., Bureau of Biological Survey, September, 1937, pp. 1-21. (Hereafter cited as Ruth, "Preserves and Ranges Maintained for Buffalo.")

way to safely handle the animals was to build a special crate for each buffalo. If the animals were properly crated, he argued, they would be much more likely to survive the long journey without injury, they would be more easily attended enroute, and could be hauled safely by wagon from Cache to the range.³⁵

Hornaday agreed with Rush and ordered individual crates built for each of the animals. After studying various containers used to ship live animals to the Zoological Park, special crates were designed with the following specifications:

- No. 1. For large adult bull: 9 feet long, 5 feet 6 inches high, 3 feet 6 inches wide. This crate was shortened 6 inches in order to fit inside the railroad car.
- No. 2. For bulls four years old and adult cows: 8 feet long, 5 feet high, 3 feet wide.
- No. 3. For cows and bulls two years old: 7 feet long, 4 feet 6 inches high and 3 feet wide.
- No. 4. For calves in first year: 5 feet long, 4 feet high, 2 feet 3 inches wide.³⁶

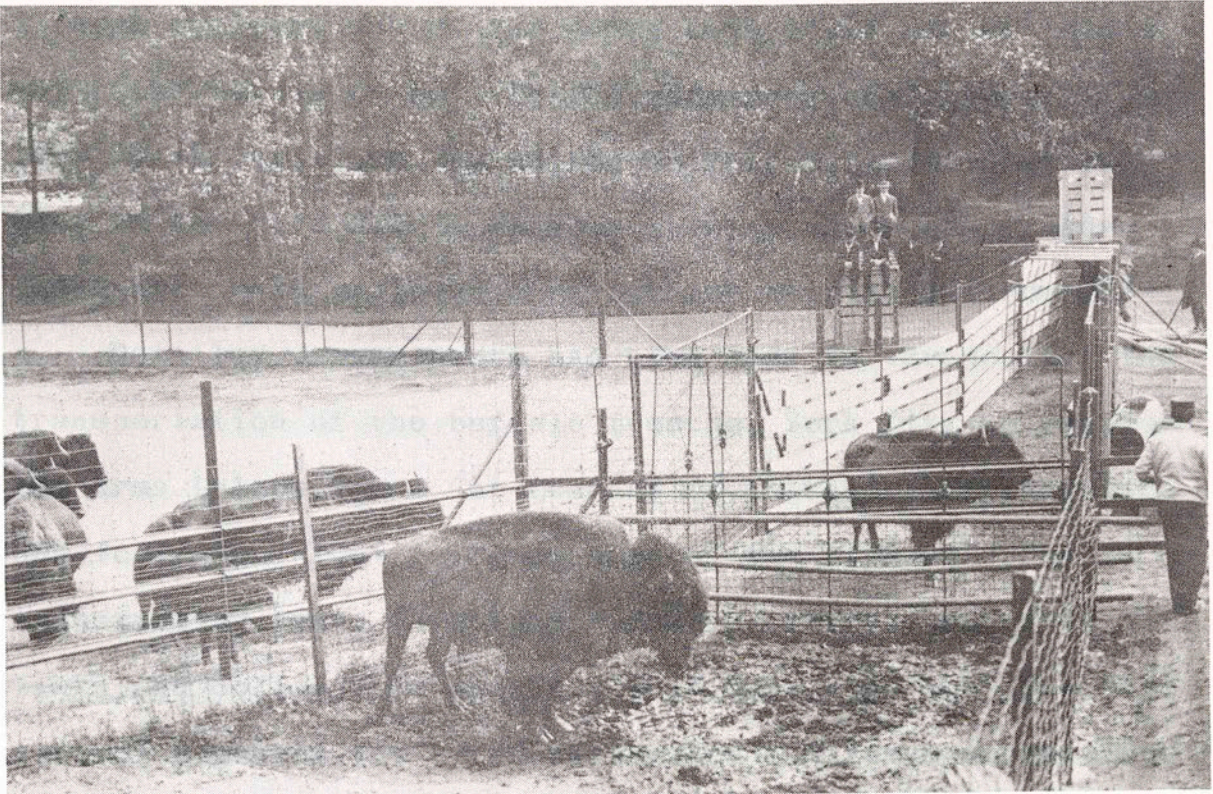
Because of the extraordinary strength of buffalo, each crate had to be strong and well constructed. The crates were solid

³⁵Rush Interview. Hornaday to Adams, May 28, 1907. Hornaday to Mattoon, September 16, 1907. Rush to Hornaday, September 20, 1907. Hornaday to Adams, September 21, 1907. Telegram, Clyde Leavitt, Forest Service, Washington, D. C., to W. R. Mattoon, Cache, Oklahoma, September 23, 1907. In old files of the Wichita Mountains Wildlife Refuge. (Hereafter cited as Leavitt to Mattoon, September 23, 1907.) Hornaday, "Founding of the Wichita National Bison Herd." Sanborn, "The National Bison Herd."

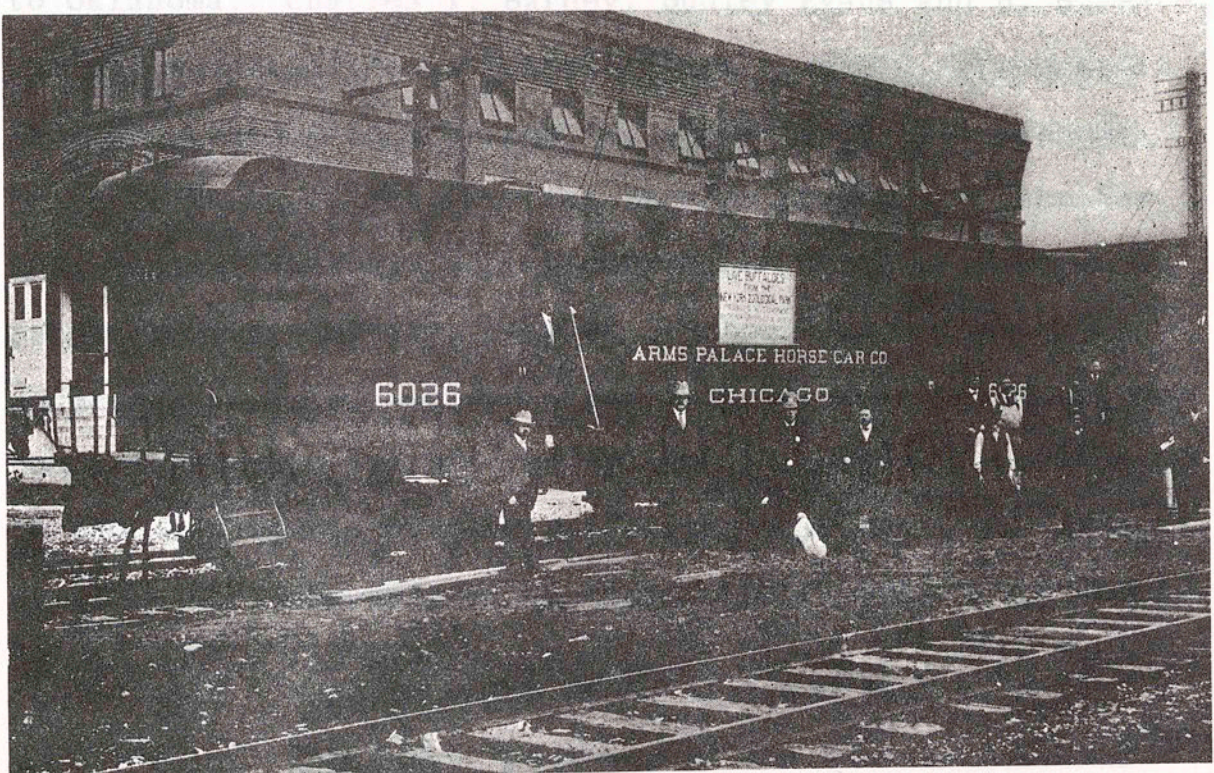
³⁶Hornaday, "Founding of the Wichita National Bison Herd." Although these crates were used, photographs indicate that perhaps one of the buffalo was shipped in a heavy metal and wire cage.

on the bottom and two feet up each side. Framing timbers on the bottom were made to run lengthwise in order that rollers could be used to move the heavy crates. All of the framing boards were placed on the outside of the boxes in order to make the interior surfaces smooth and the inside of each crate was also padded to prevent the animals from being severely bruised. A large sliding door was placed on one end and fastened with heavy bolts. Two smaller doors were built into each end of the crates to facilitate the feeding and watering of the animals enroute. Two strong metal reinforcing rods were run from side to side and fastened with heavy bolts at each end of the crates. The specially designed shipping containers proved to be most satisfactory and Hornaday later recommended them for other shipments of buffalo.

As soon as the crates were ready, the buffalo were prepared for shipment. The selected animals were separated from the Park's herd and placed in a separate corral alongside the loading chute. Park attendants cut each animal into the chute and placed the proper crate for the buffalo in position in front of the sliding door. With preparations completed, they opened the door and rushed the animal into the crate. Most of the buffalo went into the crates without difficulty, but two rather obstreperous animals delayed the proceedings. Thirteen animals were crated between eleven o'clock and five-thirty in the afternoon of October 10, 1907.



LOADING BUFFALO AT THE NEW YORK ZOOLOGICAL PARK, 1907



ARMS PALACE HORSE CARS AT FORDHAM STATION IN NEW YORK CITY
1907

A large bull and one of the young cows could not be loaded until the next morning. On the afternoon of October 11, 1907, Park employees hauled the buffalo on individual wagons to New York City's Fordham Station where they loaded the crates onto railroad cars for the trip to Oklahoma.³⁷

Detailed arrangements had been made in advance for the transportation of the buffalo from New York City to Oklahoma. The Arms Palace Horse Car Company of Chicago furnished two new forty-four foot railroad cars of the type used for transporting fancy livestock. Each car contained water tanks and collapsible stalls. They were also equipped with special high and low speed air-brakes and steam connections which caused numerous mechanical failures and delays enroute to Oklahoma. Charles T. Barney, Dudley Evans and H. B. Parsons of the Wells-Fargo Express Company agreed to transport the cars free of charge from St. Louis to Cache, Oklahoma. James C. Fargo of the American Express Company and the New York Central Railroad were persuaded to provide free transportation from New York City to St. Louis.³⁸ Without the cooperation of the various companies, it would have been impossible to ship the buffalo by express passenger service. If the animals had been shipped by the customary slow freight service, the long delays and time enroute would have weakened

³⁷Ibid. Sanborn, "The National Bison Herd."

³⁸Ibid. Hornaday, "Founding of the Wichita National Bison Herd."

and endangered the buffalo. The two railroad cars were loaded with water and feed for the animals as well as provisions for the men accompanying them. Shortly after the crates were loaded on the evening of October 11, the cars were attached to New York Central's Train No. 37 and left Fordham Station on their journey of 1,858 miles to Cache, Oklahoma. Chief Clerk of the Zoological Park H. R. Mitchell, Elwin R. Sanborn of the Park's staff, and Frank Rush rode in the stock cars to attend the animals on the long trip. Mitchell's knowledge and experience in railroad matters proved invaluable in working out delays and problems encountered on the journey.³⁹

Although somewhat restless at first, the buffalo finally became accustomed to the jolts and noise and settled down for the long ride. The attendants, however, had not been so well provided for as the animals and they were generally most uncomfortable. The weather was cold and wet, the cars were not heated, the men slept on hay alongside the disgruntled buffalo, smoking was prohibited, meals were acquired whenever and wherever possible, and the attendants had a rather miserable trip.

It was late the next morning when the train arrived in Buffalo, New York, and encountered the first of several delays caused by mechanical problems. During the ride from

³⁹Sanborn, "The National Bison Herd."

New York City, the steam connections had pulled off the cars and a brake beam had dropped down under one of the cars. Mitchell, after some difficulty with local railroad officials, succeeded in getting the cars into the repair yard for immediate attention. While the cars were being repaired, they received notice that the local officials would not permit the cars to be joined to the next passenger train. Unable to persuade the local officials of the previously approved arrangements, Mitchell telephoned the Traffic Manager in Cleveland and obtained authority to connect the cars to the next section of passenger train No. 37. At one-thirty that afternoon, they finally departed Buffalo for Cleveland, Ohio.⁴⁰

Upon their arrival in Cleveland, they discovered that the steam connections had broken again. After some difficulty and further delay, Mitchell again succeeded in obtaining priority for the repairs and they left Cleveland at three-fifty Sunday morning. Repairs had to be made again at Indianapolis, Indiana. It was not until ten o'clock Sunday night that they finally left Indianapolis for St. Louis.

The longest delay and the most serious problem of the entire trip was encountered at St. Louis. Due to the delays caused by mechanical failures and the heavy traffic on the western lines, it was impossible to meet the originally

⁴⁰Ibid.

scheduled connections. The Terminal Association at St. Louis informed them that the St. Louis and San Francisco Railroad could not accept the two cars together because of the heavy traffic. Mitchell contacted the Superintendent of the Wells-Fargo Company and they called upon the General Manager of the 'Frisco Railroad to argue the desirability of keeping the two cars together as originally agreed. Unsuccessful in their plea, they finally agreed to separate the cars.⁴¹

Rush was to accompany the first car while Sanborn and Mitchell remained with the second car. Rush left St. Louis late Monday evening and arrived without further difficulty in Cache on the following Wednesday afternoon. Mitchell and Sanborn waited in St. Louis with the second car until late Tuesday evening when they were joined to a passenger train for the last leg of the trip. They were delayed overnight in Oklahoma City and did not reach Cache until late on Thursday evening of October 17. Except for the curious crowds along the way, they experienced no further difficulties between St. Louis and Cache.⁴²

The transfer of the buffalo from New York City to Oklahoma was followed with great interest throughout the country, especially by the people in the Western states. Newspapers

⁴¹Ibid. Lawton Daily News-Republican, October 12, 1907, p. 1; October 11, 1907, p. 1; October 14, 1907, p. 1; October 1, 1907, p. 1. Rush Interview.

⁴²Ibid.

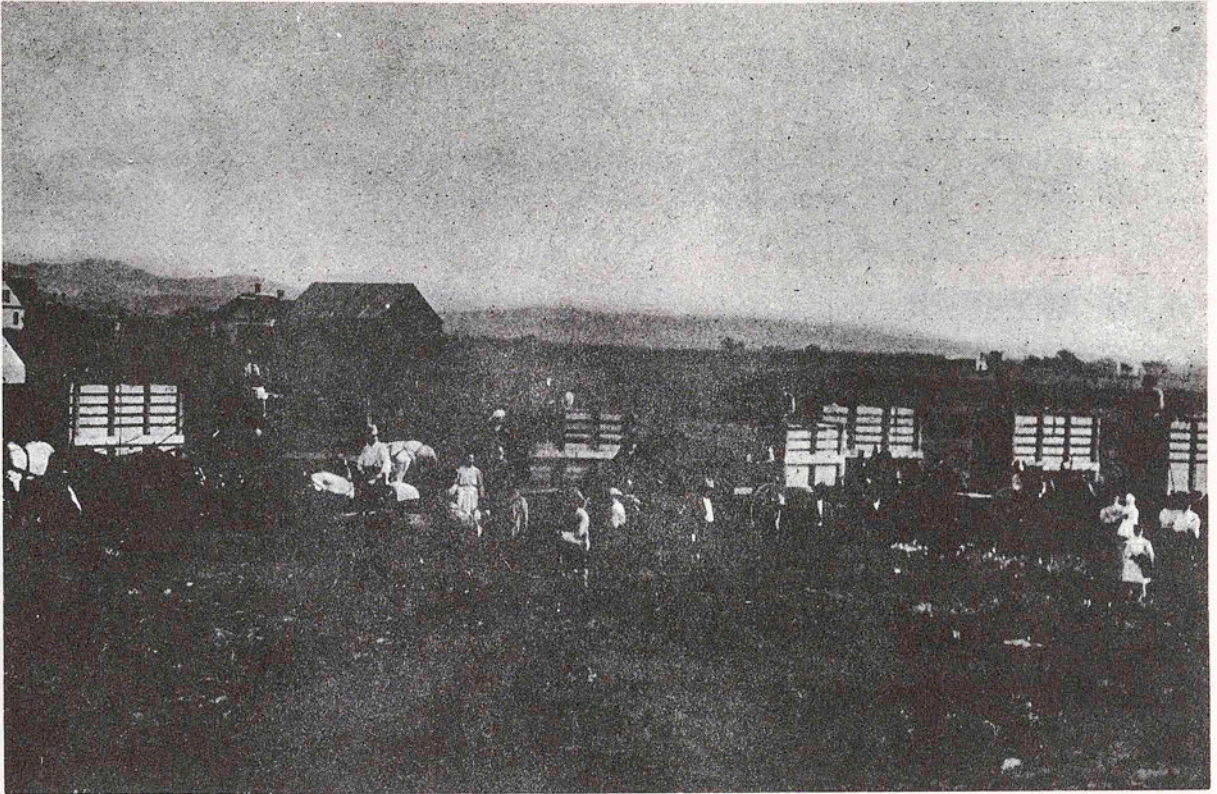
carried detailed accounts of their progress and people gathered along the way to watch the cars pass on the way west with their unique cargo. As the buffalo traveled south and west from St. Louis, the crowds became increasingly larger and more enthusiastic. At each stop they were greeted with jubilant ovations by curious crowds who had gathered to see the long awaited buffalo. Sanborn commented that he had never heard so many different pronunciations of the word "Zoological" as the people read the signs on the side of each car which proclaimed "Live Buffalos from the New York Zoological Society." In spite of the attendants' efforts to keep them out, men, women and children swarmed through the open side doors of the cars to see the buffalo. At several places the cars were crowded to the point of suffocation and the attendants had great difficulty in removing the people as the train pulled out of each station. Especially large crowds collected about the cars at Oklahoma City and Lawton. The entire population of Cache, settlers and cowboys from the surrounding area, and a large delegation of Indians headed by Quanah Parker, turned out in resplendent costumes to welcome the buffalo to their new home.⁴³ The harried attendants were more than happy when they finally arrived at Cache.

⁴³Ibid. Lawton Daily News-Republican, October 12, 1907, p. 1; October 11, 1907, p. 1; October 14, 1907, p. 1; October 16, 1907, p. 1. Rush Interview.

Rush arrived in Cache with the first car containing seven buffalo on the afternoon of October 16, 1907.⁴⁴ W. R. Mattoon met the train with wagons and teams as previously arranged. The crated animals were immediately transferred to the wagons and hauled the twelve miles to the buffalo range. It was almost midnight before they released the seven animals into the receiving pens. The next day Rush and Mattoon returned to Cache with the wagons to meet Mitchell and Sanborn with the other eight animals. The late arrival of the second car on the evening of October 17 made it necessary to wait until the next morning to transfer the animals to the buffalo range.

On the morning of October 18, the remaining eight buffalo were loaded onto individual wagons to complete the last leg of their journey. It took the caravan several hours to travel the twelve miles over rough, winding trails that passed over the rolling prairies and through the mountains to the receiving pens. Upon reaching the pens at noon, the rear wheels of each wagon were driven into holes that had been dug in the ground which allowed the back of each wagon to drop to ground level. Before being released from the crates, each animal was carefully sprayed with crude oil to kill fever ticks. The vegetation in the receiving pens had been burned off, but an abundant supply of alfalfa hay had

⁴⁴Sanborn, "The National Bison Herd." Lawton Daily News-Republican, October 16, 1907, p. 1; October 18, 1907, p. 1.



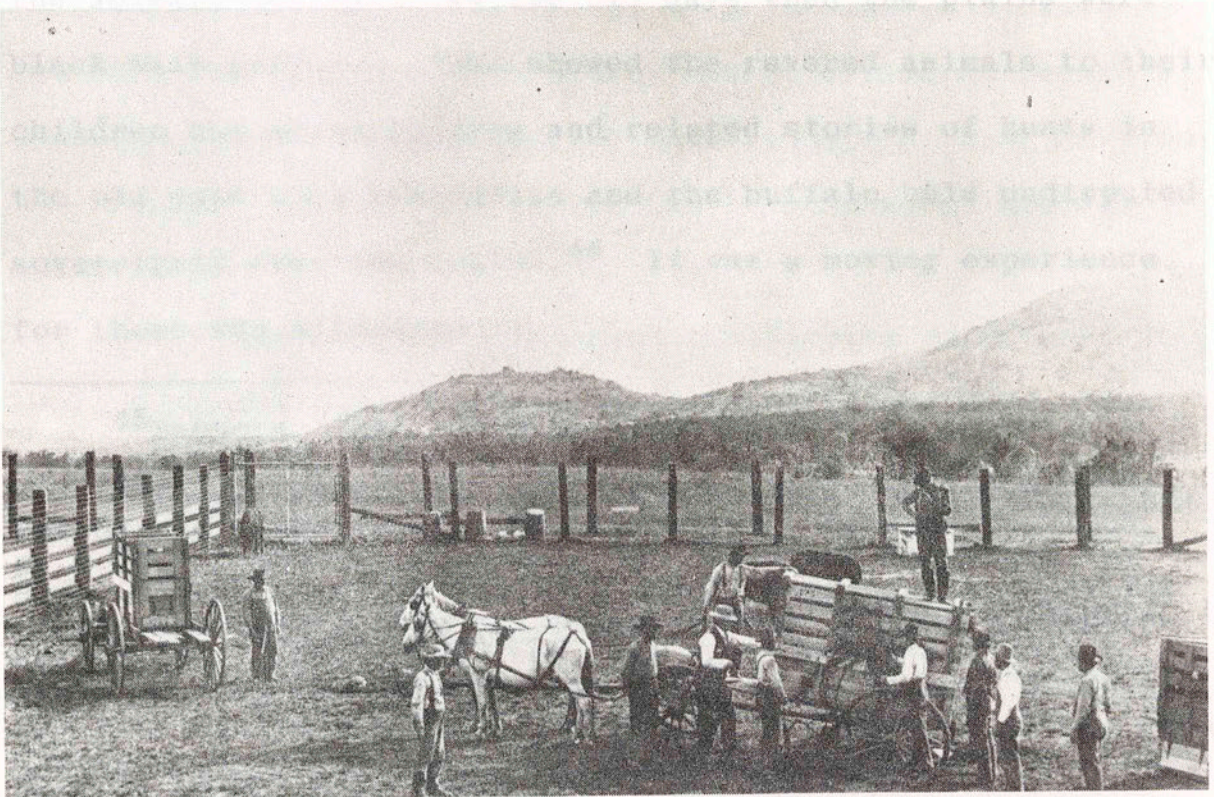
CRATED BUFFALO ON WAGONS AT CACHE, OKLAHOMA, 1907 THE
PRESERVE, 1907



BUFFALO BEING HAULED FROM CACHE TO WICHITA GAME PRESERVE, 1907



INDIANS VIEWING THE BUFFALO AFTER THEY ARRIVED ON THE PRESERVE, 1907



UNLOADING THE BUFFALO AT THE RECEIVING PENS, 1907

been provided for the hungry animals. Except for some slight stiffness caused from the long confinement and lack of exercise, all of the animals arrived in excellent condition.⁴⁵

A large crowd of curious spectators had also gathered at the buffalo pens to see the great beasts that had once roamed the area as undisputed masters. This included a large number of Indians who had camped near the pens for several days awaiting the return of the "Great Spirit's Cattle." On October 18, when the last animals arrived, the Indians donned their best dress and stood with faces pressed against the wire fence watching the buffalo. A number of the elderly Indians expressed deep emotion as they observed the animals and recalled the old days when the plains were black with buffalo. They showed the revered animals to their children and grandchildren and related stories of hunts in the old days when the Indian and the buffalo held undisputed sovereignty over the region.⁴⁶ It was a moving experience for those who witnessed it.

⁴⁵Sanborn, "The National Bison Herd."

⁴⁶Ibid. Rush Interview. Lawton Daily News-Republican, October 18, 1907. p. 1. New York Times, December 4, 1965, p. L 33. Arthur F. Halloran, "50 Years Ago this Fall the Bison Returned to the Plains," Animal Kingdom, The Magazine of the New York Zoological Society, Vol. IX, No. 5 (September-October, 1957), New York, New York Zoological Society, 1957, pp. 130-134. (Hereafter cited as Halloran, "50 Years Ago this Fall the Bison Returned to the Plains.") W. S. Nye, Carbine and Lance, The Story of Old Fort Sill, Norman, University of Oklahoma Press, 1937, pp. 308-309. (Palmer, September 12, 1916.)

The buffalo quickly adapted to their new environment and thrived in their new home. There was considerable anxiety for the animals' welfare during the first few months, however, because of the threat of Texas fever. The herd was kept in the three large receiving pens during the autumn and winter of 1907-1908 in order that they could be closely observed and attended. They were sprayed regularly with crude oil to kill any ticks they might have acquired.⁴⁷

Several weeks after the animals arrived, the anxiety turned to grave concern when one of the cows died suddenly. It was first feared that she had died of Texas fever and the remaining animals were sprayed again and closely watched for any symptoms of sickness. The tension eased somewhat when an autopsy of the animal by veterinarians indicated that the cow had died from heart trouble caused by pressure from gas formed from eating the alfalfa hay.⁴⁸ Rush hurriedly arranged for a new supply of hay from Missouri and all seemed well.

There was great rejoicing on the Wichita on October 30, 1907, when the first calf was born into the new herd. Rush

⁴⁷Sanborn, "The National Bison Herd." Hornaday, "Founding of the Wichita National Bison Herd." Rush Interview.

⁴⁸Tenth Annual Report of the American Bison Society, 1915-1916, pp. 20-21. Barde, Outdoor Oklahoma, pp. 26-31. Lawton Daily News-Republican, December 30, 1907, p. 1. Rush Interview. Letter, Frank Rush, Supervisor, Wichita Forest, Cache, Oklahoma, to Dr. T. S. Palmer, Biological Survey, Washington, D. C., September 12, 1916. In old files of the Wichita Mountains Wildlife Refuge. (Hereafter cited as Rush to Palmer, September 12, 1916.)

named the young bull "Hornaday" after the man who had made the herd possible and he notified the local newspapers of the happy event.⁴⁹ A little more than two weeks later when he went to feed the animals Rush discovered another new addition to the herd. "Gypsy," one of the large seven-year-old cows, had given birth to a heifer calf on the morning of November 16. Since the new calf was born on the same day that Oklahoma became the forty-sixth state of the Union, it was unanimously agreed that she be named "Oklahoma."⁵⁰ Rush promptly issued a press release and the local newspapers gave the event headline coverage on page one. The birth of the two healthy calves was widely proclaimed as a sure sign of the herd's future.

The optimism generated by the birth of the two calves turned to serious concern early in 1908 when one of the large bulls died. An autopsy of the three and one-half-year-old bull, which Rush had named "Geronimo" because of his ram-bunctious nature, revealed that the animal had died from the dreaded Texas fever. Precautions were renewed to protect the remaining animals from the fever, but one of the cows also became infected and died later.⁵¹ Although the main

⁴⁹Lawton Daily News-Republican, November 2, 1907, p. 1.

⁵⁰Ibid., November 18, 1907, p. 1. Sunday Oklahoman, Oklahoma City, November 15, 1964, p. 20 A.

⁵¹Tenth Annual Report of the American Bison Society, 1915-1916, p. 46. Rush Interview. Oklahoma City Times, October 7, 1908, p. 5. Thomas, "The Wichita National Forest."

boundary fence was finally completed in January of 1908, the remaining animals were kept in the small pens under close observation until April when they were released into a larger pasture.⁵² None of the other animals contracted the fever and the herd thrived throughout the remainder of 1908. Although the herd was considered safe from Texas fever and was regarded as established, additional setbacks occurred during the next several years. Miscellaneous causes resulted in the deaths of two bulls in 1909, one bull in 1912 and one bull in 1914. Due to the death losses and the small number of calves born in the first few years, it took almost five years for the herd to double in size.⁵³

Elwin R. Sanborn who had accompanied the animals to Oklahoma in 1907 visited the Wichita again in 1913. He reported that the herd had increased to thirty-eight head of prime buffalo.⁵⁴ By December 20, 1916, the herd had suffered a total of eight death losses and an increase of seventy-five calves from the original fifteen animals for a total on that date of forty-two bulls and forty cows and heifers.⁵⁵

⁵²Letter, Frank Rush, Supervisor, Wichita Forest, to the Forester, Forest Service, Washington, D. C., April 7, 1908. In old files of the Wichita Mountains Wildlife Refuge. Rush to Palmer, September 12, 1916. The Shawnee Daily Herald, January 22, 1908, p. 1. Sanborn, "The National Bison Herd."

⁵³Tenth Annual Report of the American Bison Society, 1916-1917, p. 46.

⁵⁴Sanborn, "An Object Lesson in Bison Preservation."

⁵⁵Frank Rush, "Buffalo Herd on the Wichita Game Preserve," A manuscript memorandum on the record of the buffalo herd,

By the following year, the number of bulls had increased to the point where it was deemed desirable to remove some of the surplus animals from the herd. The Biological Survey objected, but Rush finally won the approval of Hornaday and the Forest Service to remove some of the surplus bulls from the herd.⁵⁶ While some of the bulls were transferred to other wildlife reserves, the first buffalo to be sold from the Wichita herd was a bull purchased by Oklahoma City's Wheeler Park Zoo in 1917 for \$85.00.⁵⁷ Six animals were later given to the New York Zoological Park in return for the original seed stock.⁵⁸ Throughout the following

dated December 20, 1916. In old files of the Wichita Mountains Wildlife Refuge.

⁵⁶Letter, Charles Goodnight, Goodnight, Texas, to Edmund Seymour, New York Zoological Society, New York City, July 10, 1917. In old files of the Wichita Mountains Wildlife Refuge. Letter, A. F. Potter, Acting Forester, Forest Service, Washington, D. C., to W. C. Henderson, Acting Chief, Biological Survey, Washington, D. C., September 27, 1917. In old files of the Wichita Mountains Wildlife Refuge. (Hereafter cited as Potter to Henderson, September 27, 1917.) Letter, W. C. Henderson, Acting Chief, Biological Survey, to A. F. Potter, Acting Forester, Forest Service, October 5, 1917. In old files of Wichita Mountains Wildlife Refuge. Letter, Frank Rush, Supervisor, Wichita Game Preserve, Cache, Oklahoma, to the District Forester, December 29, 1917. In old files of Wichita Mountains Wildlife Refuge. Letter, Frank Rush, Supervisor, Wichita Reserve, to W. T. Hornaday, New York, New York, November 1, 1917. In old files of Wichita Mountains Wildlife Refuge. Letter, W. T. Hornaday, New York City, to Frank Rush, Cache, Oklahoma, November 5, 1917. In old files of Wichita Mountains Wildlife Refuge.

⁵⁷Potter to Henderson, September 27, 1917. Memorandum by Frank Rush regarding the buffalo herd circa 1918. In old files of Wichita Mountains Wildlife Refuge. Drummond Interview.

⁵⁸Memorandum by Frank Rush, April 18, 1923. In old files of the Wichita Mountains Wildlife Refuge. Daily Oklahoman,

years, numerous surplus buffalo from the Wichita have been supplied to zoos and other game sanctuaries in the United States and several foreign countries.⁵⁹

As the herd continued to grow, cattle were excluded from the remainder of the reserve in 1937 and the buffalo range was expanded to include the entire area of some 59,000 acres. Today, the Wichita buffalo herd is maintained at from nine hundred to one thousand head and the surplus animals are disposed of annually.⁶⁰ The Wichita herd is only one of several large herds maintained by the government, but it is regarded as the finest herd of buffalo in existence. It is a living testimonial to the success of that crucial experiment undertaken by dedicated private citizens and the government in 1905-1907 to save and propagate the largest of America's vanishing big game animals.

Oklahoma City, August 26, 1923, p. 1.

⁵⁹Rush Interview. Drummond Interview. Halloran, "50 Years Ago this Fall the Bison Returned to the Plains." U.S. Department of Agriculture, The Wichita National Forest and Game Preserve, United States Department of Agriculture Miscellaneous Circular No. 36, Washington, D. C., Government Printing Office, 1928. (Hereafter cited as Forest Service, The Wichita National Forest and Game Preserve.)

⁶⁰Halloran, "50 Years Ago this Fall the Bison Returned to the Plains." other indigenous wildlife also flourished

in their protected natural habitat. He designed and constructed the first permanent buildings, built the roads and other facilities and made the first successful attempts at reforestation of the Wichita. With assistance from the

CHAPTER V

A GAME PRESERVE IN REALITY

stockmen, he organized and regulated the grazing industry on the forest. Although these laws were not implemented until

1927. Shortly after the turn of the twentieth century, three relatively obscure events occurred which were important milestones in the history of American conservation. The creation of the Wichita Forest Reserve in 1901, its designation as a national game preserve in 1905, and the return of the buffalo in 1907 resulted directly from the long struggle to preserve the nation's vanishing wildlife. Those three events firmly laid the foundation for the first federal big game preserve which later became the Wichita Mountain Wildlife Refuge. Although it was officially designated as a national game preserve in 1905, it was under the administration of Franklin S. Rush from 1907 to 1923 that big game animals were successfully re-established and the area became a game preserve in reality.

The first comprehensive plans for the management and development of the preserve were initiated during Rush's administration. He successfully supervised the restoration of the buffalo, elk, antelope and wild turkey in the area. Under his skilled management, the small numbers of surviving native deer and other indigenous wildlife also flourished

¹ Drummond Interview
² Lawton Daily News, May 19, 1907, p. 1

in their protected natural habitat. He designed and constructed the first permanent buildings, built the roads and other facilities and made the first successful attempts at reforestation on the Wichita. With assistance from the stockmen, he organized and improved the grazing industry on the forest. Although they were not implemented until 1927, Rush conceptualized the first steps to save the historic breed of Texas longhorn cattle.¹ Others made significant contributions, but most of the credit for restoration of the game animals and the early development of the game preserve belongs to Frank Rush, "Oklahoma's Cowboy Naturalist."

Rush initiated steps to stock the Wichita preserve with other big game animals shortly after the buffalo arrived in 1907. Alden J. Loring, William T. Hornaday and other prominent conservationists had already noted the suitability of the Wichita Mountains for other types of big game animals, but local citizens first promoted the idea. On December 27, 1907, the Lawton Daily News-Republican announced that local efforts to get elk placed on the Wichita had succeeded and a car load of the animals would soon arrive.² Although the Forest Service and the Biological Survey had made plans for such a project, the announcement was somewhat premature and it was several years before the elk actually arrived.

¹Drummond Interview.

²Lawton Daily News-Republican, December 27, 1907, p. 1.

A subspecies known as Merriam's elk (Cervus canadensis merriami) was indigenous to the Wichita Mountains. Although E. F. Morrissey had found elk antlers in the mountains while he was supervisor, the last known native elk was killed by A. T. Hopkins in 1881.³ The first elk to be released on the newly established game preserve was a bull received from the zoo at Wichita, Kansas, in 1908.⁴ In 1911, the Biological Survey made the first attempt to restock the area with the animals. On April 23 of that year, the Survey shipped five head, one bull and four cows, to the Wichita from the Teton National Forest via rail from St. Anthony, Idaho.⁵ Another fifteen head, twelve cows and three bulls, were obtained from the Jackson Hole herd and shipped from St. Anthony in 1912, but four of the animals died from injuries received enroute. With the possible exception of the bull received from Wichita, Kansas, all of the elk re-introduced to the Wichita Mountains between 1908 and 1912 were of the Rocky Mountain type (Cervus canadensis nelsoni).⁶

³Arthur F. Halloran, "History of the Wichita Mountains Wildlife Refuge Elk Herd," Proceedings of the Oklahoma Academy of Science, Vol. 43 (1963), pp. 229-232. (Hereafter cited as Halloran, "History of the Wichita Elk Herd.")

⁴Letter, Harry H. French, Supervisor, to W. M. Rush, Yellowstone Park, September 27, 1929. In old files of Wichita Mountains Wildlife Refuge. (Hereafter cited as French to Rush, September 27, 1929.) Letter, Frank Rush to The Forester, Forest Service, Washington, D. C., April 7, 1908. In old files of the Wichita Mountains Wildlife Refuge.)

⁵French to Rush, September 27, 1929. Halloran, "History of the Wichita Elk Herd." Barde, Outdoor Oklahoma, p. 28.

⁶Halloran, "History of the Wichita Elk Herd."

The elk thrived in the rugged mountainous terrain and had increased to 125 head by 1922.⁷ As the herd continued to grow, it eventually became necessary annually to dispose of the surplus animals in order to prevent over populating the game pastures. Through the years, a large number of the animals escaped from the enclosure into the surrounding countryside where they also multiplied. Although the elk were more difficult to manage than the buffalo, deer and the other animals, the herd was eventually maintained at from 350 to 500 head.

Attempts to stock and propagate the American pronghorn antelope did not meet with the same degree of permanent success as the experiments with the buffalo and elk. William T. Hornaday and others believed the Wichita Mountains were an ideal habitat for the antelope and evidence indicated that the animal had roamed the area in earlier years. Three attempts were made to establish the animals on the preserve between 1911 and 1922. The Boone and Crockett Club arranged to have eleven pronghorns sent to the Wichita from Yellowstone National Park in 1911.⁸ The timid and delicate animals suffered severely in transit, however, and nine developed internal disorders and died shortly after their arrival. Rush placed the surviving male and female in a remote area of the preserve, but the male died before any

⁷Ibid.

⁸Barde, Outdoor Oklahoma, pp. 28-29. Forest Service, The Wichita National Forest and Game Preserve.

increase was realized.

The American Bison Society sponsored two other attempts to stock the Wichita with antelope. It purchased ten pronghorns from C. J. Blazier of Alberta, Canada, in 1921, and shipped them to Oklahoma. Six of the animals died shortly after their arrival. In 1922, the Society obtained six more animals from Blazier and sent them to the Wichita, but only one survived.⁹ Of the twenty-seven antelope released in the area between 1911 and 1922 only six animals lived and Rush was most discouraged by the failures. Hornaday, however, was more optimistic and was encouraged by the natural increase from the survivors. His optimism seemed justified by the end of 1926 when the antelope herd had increased to twenty-seven head of seemingly healthy animals.¹⁰ By 1931, however, an epidemic apparently caused by a change in weather conditions had eliminated the entire herd. Later attempts were made to secure animals from similar forage and climatic regions, but efforts to stock the area with antelope were never successful. It was finally determined that the Wichita

⁹Ibid. Daily Oklahoman, Oklahoma City, August 26, 1923, p. 1.

¹⁰Letter from W. T. Hornaday, New York, to Frank Rush, December 23, 1921. In old files of Wichita Mountains Wildlife Refuge. Rush Interview. Memorandum of Wichita Antelope by A. A. McCutchen, 1934. In old files of the Wichita Mountains Wildlife Refuge. (Hereafter cited as McCutchen Memo, 1934.) Arthur F. Halloran, "Wichita Antelope on Comeback Trail," Oklahoma Game and Fish, Vol. XII, No. 12 (December, 1956), pp. 6-7. Drummond Interview.

Preserve. Rush Interview.

Mountains were on the extreme eastern limits of the antelope's natural habitat and the area's marginal climatic conditions were generally not suitable for the pronghorn antelope.

Wild turkey were plentiful throughout the Wichita Mountains prior to the opening of the country to settlement in 1901. Settlers soon decimated the large indigenous flocks and the last native turkey had disappeared by 1910. Rush made the first attempt to restore that unique American game bird to the Wichitas in 1912 when he obtained six turkeys, a gobbler and five hens, from a trapper in southwestern Missouri.¹¹ All five of the hens died or were killed by predators shortly after they were released on the preserve. Later that year, the Biological Survey sent thirteen turkeys to the Wichita from Atoka, Oklahoma, but they were sick when they arrived and all but two hens died.¹² Finally, Mrs. Rush obtained several Rio Grande Bronze hens from Texas and placed them in a large pen with the two surviving hens from Atoka and the Missouri gobbler. From twenty-three eggs she obtained from the caged flock, Mrs. Rush successfully hatched and raised twenty-two young turkeys, feeding

¹¹Rush Interview. Letter, W. C. Barnes to District Forester, February 20, 1926. In old files of Wichita Mountains Wildlife Refuge. (Hereafter cited as Barnes to District Forester, February 20, 1926.) Barde, Outdoor Oklahoma, p. 29.

¹²Forest Service, The Wichita National Forest and Game Preserve. Rush Interview.

them a special diet of cottage cheese.¹³ When the young birds were large enough to shift for themselves, she released them near the Forest Headquarters where they thrived under her watchful care. Notwithstanding depredations from coyotes and other predators, the small flock increased to forty birds by 1914. In the following years, they continued to multiply and scatter throughout the mountains. By 1925, the flocks were numerous enough to permit the capture of turkeys to stock other game sanctuaries such as the Fort Niobrara Reserve in Nebraska.¹⁴

A few of the native white tail deer managed to survive in the more remote mountainous sections of the game preserve after the country was settled. The remnants of the deer herd thrived in the protected environs of the preserve under the management of Rush. By 1914, it was noted that the deer were increasing so rapidly that steps would be required to reduce the numbers inside the game pastures.¹⁵ In his annual report for 1922, Rush estimated that there were at least four hundred deer scattered throughout the preserve.¹⁶ He also noted that farmers in the vicinity had already begun

¹³Ibid. Barde, Outdoor Oklahoma, p. 29.

¹⁴Barnes to District Forester, February 20, 1926.

¹⁵Barde, Outdoor Oklahoma, pp. 26-27.

¹⁶Annual Grazing Report for 1922 by Frank Rush, Wichita Supervisor, to District Forester, December 1, 1922. In old files of the Wichita Mountains Wildlife Refuge.

to complain about the deer damaging their crops. In the following years, the hardy and prolific deer herd continued to grow and eventually populated the entire area. In order to control their numbers, deer were trapped and sent to other sections of the state.

Prior to settlement, Southwest Oklahoma teemed with bob white quail and prairie chicken. Like the deer, the quail were drastically reduced when the country was opened to settlement, but large numbers survived in the mountains and in the surrounding grain fields. The larger prairie chicken, however, was eventually killed out. Rush, with the assistance of the Oklahoma State Game Warden, made several unsuccessful attempts to restore the prairie chicken.¹⁷ Although he planted small plots of grain on the preserve, the birds wandered off the protected area into the nearby grain fields of the settlers where they met an untimely death. After the early failures, Rush made no further efforts to restore the prairie chicken to the Wichita Mountains.

The Wichita Game Preserve contained a number of spring fed water courses and several small lakes were constructed during Rush's term of office. The streams had been surveyed and stocked with bass, crappie, and other game fish as early

¹⁷Annual Grazing Report for 1923 by S. M. Schanklin, Wichita Supervisor, to District Forester, December 31, 1923. In old files of Wichita Mountains Wildlife Refuge.

as 1906. The areas outside the game pastures became popular with local fishermen during Rush's administration.¹⁸ The streams and lakes also teemed with flocks of ducks and other migratory waterfowl which were attracted by the water and the small plots of grain Rush planted along the shores.¹⁹

During the early years of Rush's administration, several proposals were made to stock the Wichita preserve with various types of exotic birds and animals. Although private individuals released a few single exotic birds or animals in the area during the early years, Rush found them undesirable. Upon his recommendation, the Forest Service and the Biological Survey established a policy that only animals native to the area would be accepted and maintained on the preserve.²⁰ This policy has been wisely adhered to in the succeeding years.

The surviving indigenous wildlife also thrived and increased inside the protected area under Rush's management. As a great ecotone between the East and the West, the Wichita Mountains contain a large variety of flora and fauna. Western roadrunners and rufous crowned sparrows

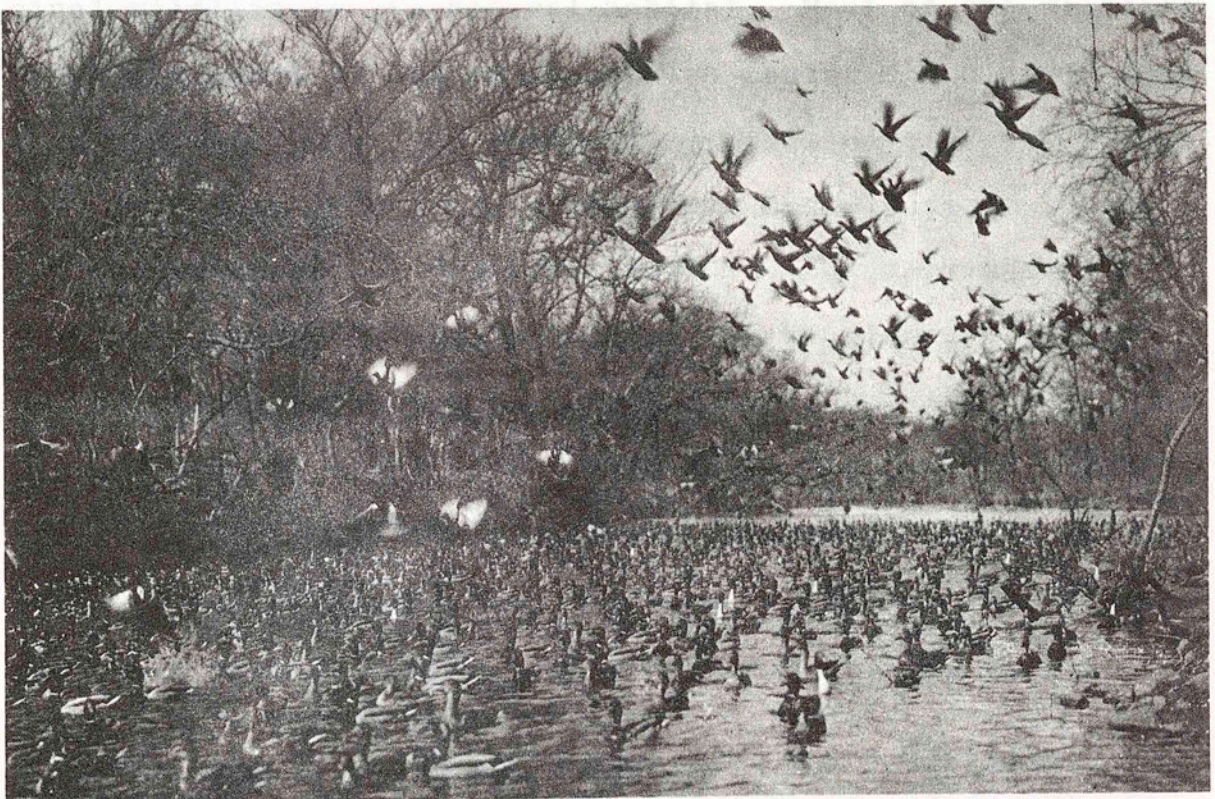
¹⁸Lawton News-Republican, August 30, 1906, p. 3. Oklahoma Farm News and Mineral Kingdom, Lawton, November 29, 1906, p. 1. Thomas, "The Wichita National Forest."

¹⁹Barde, Outdoor Oklahoma, pp. 30-31. Rush Interview.

²⁰Drummond Interview. Letter, F. W. Reed, District Forester, to The Forester, Washington, D. C., November 7, 1919. In old files of Wichita Mountains Wildlife Refuge.



FRANKLIN S. RUSH



WILD DUCKS ON THE WICHITA GAME PRESERVE, 1908

and the eastern blue jay and cardinal inhabit the same areas. Both the eastern cottontail and the western cottontail and jackrabbit are found in the reserve. Raccoons, opossum, prairie dogs, red squirrels, bobcats, coyotes, skunks, badgers, armadillos, fox, golden eagles, horned owls, mocking birds, plover, dove and numerous other species of birds and animals as well as reptiles inhabit the mountains. Recent records of the Wichita Mountains Wildlife Refuge indicate that fifty-one species of mammals and two hundred thirty different kinds of birds live in the game preserve.²¹ Although some species such as the bear, panther, and wolf are gone, the preserve is the only place in the Southern Plains where one can still observe most of the original wildlife in its natural habitat. Most of the wildlife presently found in the mountains was restored and saved from extermination under the personal supervision of Frank Rush.

Rush also made other significant contributions to the early development of the game preserve. He initiated the first successful reforestation efforts by planting groves of red cedar, honey locust, black walnut, bois de' arc and other trees, of which some of the cedar plantations still exist. After observing the damage done to cedars by horned cattle, Rush persuaded the cattlemen to observe regulations requiring that all range cows and steers grazing on the

²¹Arthur F. Halloran, "Oklahoma's New Wilderness," The Living Wilderness, Vol. 35, No. 113 (Spring, 1971), pp. 9-12.

forest be dehorned. Besides improving the quality and facilitating the handling of the stock, this measure was largely responsible for allowing young native cedar trees to grow unmolested and spread throughout the forest. Largely as a result of Rush's efforts, the area became more heavily forested than when it was reserved from settlement in 1901.²²

Rush also established the first effective fire control plans for the Wichita Forest. With approval of the Forest Service, he arranged to have certain areas outside the game pastures grazed heavily in order to reduce the fire hazard caused by the tall native bluestem grass. While this may have caused damage to the native grass, it was a practical and a successful method of fire prevention which was necessary to protect the newly established game herds. It also allowed the growth of new timber in the mountains. He also established fire guards at strategic locations in the forest which were effective in controlling fires before they spread over large areas. Rush obtained the cooperation of the cattlemen and surrounding settlers in fighting and con-

²²Drummond Interview. Barde, *Outdoor Oklahoma*, pp. 26-27. Annual Grazing Report for 1919 by Frank Rush, Supervisor, to District Forester, November 29, 1919. In old files of Wichita Mountains Wildlife Refuge. Resolutions of the Wichita National Forest Reserve Livestock Association in 1917 and 1918 approved and signed by B. P. Magness, President, and members of the Advisory Board, dated November 24, 1917 and May 29, 1918 respectively. In old files of Wichita Mountains Wildlife Refuge.

trolling fires that did occur. While troops from Fort Sill were generally available in the event fires got out of control and threatened extensive damage to government property, forest personnel, stockmen and settlers formed the primary fire fighting force. As a result of Rush's efforts, the game animals were never seriously threatened by a fire during his term of office.²³

The organization and improvement of the grazing industry on the forest was also one of Rush's achievements. His knowledge of cattle and his past experience as a ranch foreman enabled him to understand the cattlemen's problems and to win their respect and cooperation. With few exceptions, the holders of grazing permits in the reserve were local ranchers and settlers who relied on the grazing privileges to supplement their own range. While Rush always had the primary purpose of the game preserve uppermost in his mind, he successfully acquired the assistance of the cattlemen in eliminating the Texas fever tick from the area, developing and improving water resources, building cross fences and boundary fences to control grazing, improving the quality of the stock and generally regulating the grazing activity on the reserve.²⁴ Both the stockmen and the

²³Drummond Interview. Rush Interview.

²⁴Ibid. Annual Grazing Reports from 1909 to 1923 by Frank Rush to the District Forester. In old files of the Wichita Mountains Wildlife Refuge. These reports give a detailed annual accounting of all grazing activities for each year as well as the improvements made on the reserve and the

government benefited from the arrangement. With the assistance of the stockmen, Rush was able to supplement his small staff and obtain additional resources to patrol, develop and protect the area from fires and unauthorized use. He was able to make numerous improvements without great cost to the government. Perhaps his most important accomplishment was in obtaining the good will of the local people towards the government's operation on the Wichita.

Shortly after Rush became supervisor, he divided the range outside the game pastures into several separate grazing districts.²⁵ Local ranchers and settlers were granted permits for certain grazing districts based upon the number of cattle they permanently maintained on their private land. A fee was charged for each head permitted to graze in the

assistance rendered to the Forest Supervisor by the stockmen. After 1917, they also include detailed accounts of the Livestock Association.

²⁵Drummond Interview. Carr Interview. Letter, Frank Rush, Supervisor, to District Forester, January 20, 1910. In old files of Wichita Mountains Wildlife Refuge. This letter recommended that the Forest be divided into three general grazing districts and a total of 5000 head of cattle and horses be authorized to graze on the reserve for the 1910 season. By 1917, six grazing districts had been established outside of the game pasture. Letter, Theodore S. Woolsey, Jr., Acting District Forester, to Frank Rush, Supervisor, Wichita National Forest, January 14, 1911. In old files of Wichita Mountains Wildlife Refuge. Woolsey authorized Rush to establish five grazing districts (Baker Peak, Mt. Scott, Quanah Creek, Lost Lake, and Elk Mountain). Annual Grazing Report for 1919 by Frank Rush, Supervisor, to District Forester, November 29, 1919. In old files of the Wichita Mountains Wildlife Refuge. Rush reported that a drift fence was built to divide the Mt. Scott District in order to create the Graham Flat District. This was the last grazing district to be created, but cross fences were constructed in the various districts to better distribute and control the grazing.

reserve during each grazing season. The permittees of each district elected one of their members to head the district and supervise the grazing thereon. The heads of each grazing district arbitrated disputes between the permittees, assisted in enforcing regulations and were generally responsible for grazing activities in their districts. They also served as members of the supervisor's Advisory Board. The Board consulted with and advised the Supervisor on grazing policy and conditions of the range, set and supervised roundups, recommended and assisted in developing and improving range facilities and generally assisted in supervising grazing activities on the forest. This arrangement evolved into a formally organized Wichita National Forest Reserve Livestock Association in 1917 which remained active until grazing of livestock on the forest was terminated in 1937.²⁶

The first long-range and permanent development of facilities on the Wichita Forest were instituted and planned by Rush. He designed and built the first permanent native stone headquarters buildings. A system of good roads and trails was laid out and developed which made the area accessible without marring the natural beauty of the forest. With the cooperation and assistance of the surrounding

²⁶Annual Grazing Report for 1917 by Frank Rush, Supervisor, to District Forester, December 14, 1917. In old files of the Wichita Mountains Wildlife Refuge. Drummond Interview. Carr Interview. p. 1.

towns and communities, he developed camp grounds, water and recreational facilities for the general public.²⁷ His dedicated and enthusiastic public relations work and programs on wild plants and creatures also did much to promote the area as a popular outdoor museum of natural history.

When Rush retired from the Forest Service in July, 1923, the Wichita National Forest and Game Preserve was well-established. In later years, it has undergone various administrative reorganizations and changes, but its primary purpose has remained unchanged. Today, it is still a natural sanctuary for the indigenous wildlife which roams the area pretty much as it did before civilization encroached upon its natural habitat and threatened its existence. It has also become an important scientific laboratory and a popular sanctuary for man.

The events leading to the establishment and development of the Wichita Mountain Wildlife Refuge are significant for several reasons. First, the creation of the area was an early and direct outgrowth of the long struggle to preserve a part of America's natural heritage. Second, the Wichita National Game Preserve was the first such area to be specifically set aside and designated by the federal government for the protection and propagation of the endangered native big game animals. It was also the first large fenced big

²⁷Drummond Interview. Rush Interview. Lawton Constitution, April 7, 1933, p. 1.

game reservation and served as the prototype of similar areas that were later established throughout the country. Third, the success achieved in restoring the buffalo on the Wichita paved the way for the preservation of that magnificent American beast. The immediate success of the Wichita experiment prompted the creation of several herds in other parts of the country and assured the buffalo's survival. The experiment was also significant in that it was the first time that private citizens or organizations joined with the federal government to sponsor a common conservation cause.

The role played by the local population in the establishment of the Wichita National Forest and Game Preserve is perhaps the most interesting and unexpected finding of this study. It has generally been thought that the people of the Western states and territories were vigorously opposed to such restricted federal land reserves. However, this was not true among the land-hungry people of Oklahoma Territory. It was largely due to the interested efforts of the local citizenry that a large segment of the Wichita Mountains was reserved from settlement and later designated as a game preserve. It was the initiative of the local people that attracted attention of eastern conservationists and government officials to the area and which resulted in the establishment of the game preserve. The state of Oklahoma can be rightfully proud of the role its pioneers played in ac-

quiring this unique institution.

The main purpose of this thesis has been to search out and record the events leading to the creation and the early development of the Wichita Mountains Wildlife Refuge. While other interesting and locally important events and activities occurred in this area, they did not fall into the scope of this study and were intentionally omitted or only referred to in passing. Some of the activities, such as the grazing and mining activities in the Forest Reserve, merit studies in their own right. Also, time and space limitations did not permit a detailed study of the area's history after 1907 and this certainly needs to be done. Perhaps this survey of the early years will encourage others to undertake a more in-depth study of the various events and activities relating to the history of the institution. It is hoped that this study has succeeded in partially filling a void on the formation of the Wichita Mountains Wildlife Refuge.

WICHITA NATIONAL FOREST AND
and
FORT STILL MILITARY RESERVE
circa 1940

Wichita Wildlife and History, Vol. 1, Part 1



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