

Since 1887

CONSERVATION: IN THE BEGINNING

PART 2: AIDING YELLOWSTONE

Captain Anderson's troubles concerning the wildlife in Yellowstone continued, essentially due to no law against poaching.

By 1885 the only wild herd of bison—with fewer than 400 animals—had found refuge. The meat and hide trade was impossible, yet poachers crafty enough to elude Anderson's troopers still had buyers of buffalo heads and beaver hides for over \$500 apiece. Inside the

park, large herds of elk and beavers flourished while outside the park these species had either greatly decreased in number or were nearly exterminated.

Federal legislation beginning in 1883 sought to protect the nation's wildlife and natural wonders. Senator George C. Vest of Missouri introduced legislation that would make Yellowstone a wildlife refuge. Unfortunately, a powerful lobby consisting

of mining companies and real estate speculators who wanted a railroad to pass through the park, were an enormous deterrent to this bill passing. A threat of arson was posted in the *Livingston Post* on November 30, 1893: "Everyone concedes that the destruction of the Park by fire would be a public, a national calamity, and the only way to avert such an impending danger would be for the Congress to grant the reasonable request of the people of the west and pass the segregation bill." One lobbyist argued that regulation of the park should be left to state and local control. In addition, that Yellowstone was so remote and inaccessible that only millionaires could visit thus robbing poor and honest miners and hunters of their livelihood. The supporters of Yellowstone National Park did not want this to set a precedent.

Fortuitously, Dr. Ferdinand Vandever Hayden, leader of the U.S. Geological Survey in 1871, set the park

boundaries through rugged mountain ranges. This made it difficult for railroad companies to run through the park with the enormous destruction of natural features that the construction would cause. The railroad lobby in 1892 introduced the Segregation Bill to congress which would exclude 622 square miles east of the Yellowstone River and north of the Lamar River and Soda Butte Creek. Effectively this would remove the protection of the northern mountains and preferred big game range land.

B&C members fought the bill and testified at all hearings. George Bird Grinnell, through his journal, *Forest and Stream*, published a detailed brochure on the park and all the problems it faced. After sending the brochure to all major newspapers, support rallied from all four corners of the U.S. B&C members successfully urged the president of the Northern Pacific Railway to declare that ore deposits were not rich



Elk killed in velvet in Yellowstone National Park by notorious poacher, Fredrick Bottler in 1875. During the spring of that year, Bottler and his brother Philip, reportedly killed 2,000 elk in the vicinity of Mammoth Hot Springs.

enough to justify rail access. Despite B&C's efforts, the bill passed the Senate on February 23, 1893, and it was on track to pass the House until P.J. Barr, the lobbyist for Cooke City, sent a telegram to prominent Democrats in Montana requesting them to put political pressure on Speaker of the House Charles Frederick Crisp to support the bill. Grinnell obtained a copy of the telegram and reprinted it in an editorial. This ended any hope for the passage of the bill for that session of Congress.

The bill continually came up each session of Congress until 1895 when the bill died for good. What caused the bill to die so abruptly and for good? The man indirectly responsible for killing the bill was an obscure market-hunting poacher named Edgar Howell.

Poachers could be caught by Anderson's calvary but faced no charges, merely confiscation of their equipment and a fine at a tiny fraction of their profit. Poaching examples were mentioned at all hearings for the Vest bill. Unfortunately, the numerous examples of poaching fell on deaf ears—that is, until Grinnell and Anderson used the power of the press so that no American could ignore the troubles in Yellowstone.

In March 1894 one of Anderson's field scouts, Felix Burgess, came upon six fresh buffalo scalps drying in a tree. Upon further investigation, Burgess and another trooper named Troike found Howell with another five freshly killed buffalo. Burgess and Troike arrested Howell, but what made this occasion different was that Grinnell's reporter Emerson Hough and F. Jay Haynes, the park's first photographic concessionaire and official photographer of the Northern Pacific Railway, were spending the



winter at Yellowstone to investigate the poaching problem. All parties were interviewed for magazine articles as well as photographed, even the poor rotting carcasses. Another reason that turned the tide of public sentiment was Howell's lack of concern or sense of any wrongdoing. He bragged at killing around 80 buffalo in the park itself.

One week after the story broke, B&C member, Congressman John F. Lacey, introduced his version of the Vest bills seeking protection of the park. The tide of public sentiment surged against the Cooke City-Livingston lobby, with people writing senators and congressmen to protect the park. The Yellowstone Protection Act passed both Houses and was signed into law by President Grover Cleveland on May 7, 1894. It was perhaps poetic justice that Howell was the first poacher arrested after the law was signed on July 28. ■

Kendall Haysy Hughes

ABOVE: The last decades of the nineteenth century saw many eastern patricians take the railroad west to secure trophies. Here, wealthy socialite Lispenard Stewart of Fifth Avenue, New York (seated at center), poses with a companion and guides at Mammoth Hot Springs in Yellowstone National Park—where hunting manifestly, was yet to be controlled. Note that the trophy skulls have been split in two, perhaps for flat wall-mounting or for easier packing. HAYNES FOUNDATION COLLECTION; MONTANA HISTORICAL SOCIETY.



ABOVE: Neither the ongoing presence of the U.S. Army nor the passage of the Park Protection Act of 1894 put an immediate stop to poaching within the Yellowstone Reserve. Here military officers at Fort Yellowstone pose with seven severed buffalo heads confiscated from poachers. COURTESY NATIONAL PARK SERVICE, YELLOWSTONE NATIONAL PARK.

These images, along with additional information, can be found in *Hunting the American West*, by Richard C. Rattenbury

