The beginning of the eighteenth century found North America’s Great Lakes region abundant with fish and wildlife affected only by the modest harvest techniques of several regional Native American Indian tribes and a small number of European trappers.

Photo: Collection of muskrat pelts taken before drainage of Horican Marsh, 1902.
Chapter 1

The Prelude, 1832-1927
**Historical Overview**

- The western portion of Michigan Territory became Wisconsin Territory in 1836, and Wisconsin's first capital was established near Belmont in southwestern Wisconsin but soon was moved to Madison. Wisconsin became the 30th state in 1848. The first governor after statehood was Nelson Dewey (1848–1852).

- In 1851, the railroad arrived in Wisconsin, and the first train operated between Milwaukee and Waukesha.

- Abraham Lincoln became President in 1861. The Civil War was 1861–1865. Lincoln was assassinated on April 14, 1865, and died on April 15.

- The industrial revolution had great impact on the environment as steel mills, lumber mills, coal mining, cotton mills, railroads, and a variety of other industries sprang up in the wake of European arrivals. Farming exploded in the former frontier.

- The timber industry prospered in the northern half of Wisconsin and at its peak between 1888 and 1893 accounted for one-fourth of all wages paid in Wisconsin. Heavy machine manufacturing, paper products, and dairying emerged as leading economic activities.

- The U.S. population had expanded from about 40 million in 1870 to almost 76 million by 1900.

- President William McKinley was assassinated six months into his second term on September 6, 1901. Theodore Roosevelt became the 25th president and served until 1908.
- The Wright brothers got their airplane off the ground in 1903. Madison's capital building burned in 1904, and new construction didn't start until 1907. The new capital was completed in 1917.

- Wilbur Wright flew for a record 2 hours and 20 minutes on December 31, 1908, over Le Mans, France. Ford produced 39 Model Ts in 1908. In 1916, Ford assembly lines produced 189,000 automobiles, one-half of all the vehicles produced in America and costing $360 apiece.

- World War I broke out in 1915 as German airships bombèd an East Anglian port, the first German submarine attack was recorded, and the German blockade of England began. The United States declared war on Germany on April 6, 1917, and on Austria-Hungary on December 7. War casualties exceeded 8.5 million killed, 21 million wounded, and 7.5 million captured or missing. The war ended with the Treaty of Versailles, signed in Versailles, France, on June 28, 1919.

- Three million immigrants entered the country between 1914 and 1920. High wages, free homesteads for settlers, religious freedom, broad civil liberties, and the absence of a ruling caste were very attractive incentives for immigration to this new land.

- The Ford tractor was invented in 1915, and half of the United States was devoted to agriculture by 1920, as the U.S. population approached 107 million and Wisconsin's population exceeded two million. Equal rights for women and prohibition laws were enacted in 1921.

- Insecticides were used for the first time in 1924. U.S. railroad mileage was 261,000 by 1925. The first U.S. public demonstration of television took place on April 7, 1927.
The beginning of the eighteenth century found North America’s Great Lakes region abundant with fish and wildlife affected only by the modest harvest techniques of several regional Native American Indian tribes and a small number of European trappers. French exploration accelerated the fur trade, which the French dominated until the French and Indian War (1756–1763). The Treaty of Paris in 1763 marked the beginning of Britain’s control of the fur trade in the Great Lakes region.

The 1783 treaty with Britain that ended the American Revolution established borders for the new nation, including land that reached westward to the Mississippi River. The Northwest Ordinance of 1787 created the Northwest Territory and reflected a uniform national land policy, which stimulated western movement by pioneers into the lands adjoining the Great Lakes, part of a vast wilderness thought of by the fledgling government as a reserve for future expansion of the colonies. In spite of having ceded this territory to the new nation, the British remained in the region, continuing to control the profitable fur trade until 1815.

Large fur companies like the North West Company and Hudson Bay Company together with a multitude of smaller outfits stimulated trapping pressure on all fur-bearers throughout the frontier. Beaver populations in particular were overtrapped throughout the second half of the eighteenth century, and that trend continued into the nineteenth century. Other furbearers, including muskrat, American marten, fisher, raccoon, red and gray fox, bobcat, and Canada lynx, were hunted and trapped during this same time period but not with the same vigor or population impact of beaver exploitation. Deer and black bear also provided year-round hunting and trapping opportunities in this part of the Great Lakes region in scattered locations, with deer more abundant in the south.

With the thriving fur trade, Native Americans had become very dependent on the European trade goods that supported an improved way of life. Besides trading furs, Winnebago, Sauk, Fox, and other tribes were mining galena (lead) for body paint and for trade with European settlers throughout the eighteenth century. Pioneers from Ireland, Scotland, Wales, and England recognized the potential for wealth as soon as they heard of this Native American mining effort. Intrusion into Indian lands started in the early 1800s and intensified by 1820. Treaties forced the tribes out, and a mining boom for the new land occupants dominated much of the century.

President Jackson’s 1830 Indian Removal Act was implemented to purge the United States of all Native Americans and force them west of the Mississippi River. Tribes refusing to move were eventually coerced to cede their lands to the rapidly expanding young nation. The end of the Black Hawk War in September of 1832 facilitated explosive European settlement of the territory. The population of what would become Wisconsin swelled from 3,000 in 1830 to over 300,000 by 1850. Statehood was achieved on May 29, 1848, when Wisconsin became the 30th state in the Union.
Era of Exploitation

Newspaper accounts during the mid- to late-1800s reflected tumultuous times for wildlife and the environment in Wisconsin. Most reports of the period revealed stories of a land being plundered of wildlife and timber resources. Unrestricted wildlife harvest continued unabated, wildfires ravaged the state, and virtually every major river carried raft after raft of logs destined for lumber mills scattered all over the state.

A.W. Schorger, a twentieth-century naturalist, chemist, University of Wisconsin wildlife management professor, and author of many biological papers, documented virtually all of the early wildlife reports prior to 1900 by meticulously screening every Wisconsin newspaper, filling 35 notebooks over a 20-year period. The following are among the thousands of reports that Schorger recorded:

- Joseph Clason of Beaver Dam brought to Milwaukee on February 1, 1853, 100 dozen quails, 200 prairie hens, and 100 partridges that had been shot and snared by his son.
- In 1855, the Beloit Journal reported that eastern shipments of game included 12 tons of quail estimated to represent 50,000 birds.
- A note in an 1859 Madison newspaper documented prairie chickens selling for $0.12 to $0.15 a bird.
- The Janesville Gazette reported in 1863 that the Rock River was filled with pine logs consisting of an estimated 3,500,000 board feet of lumber being floated to A.K. Morris's mill in Dixon, Illinois.
- A wild turkey sold for $0.25 in the open market in 1856. (This species had almost disappeared from the state by 1860. The last turkey of record was seen near Darlington in Lafayette County [southwest corner of the state] in 1881.)
- In 1866, the Jackson County Banner reported that six sportsmen killed 300 prairie chickens in one day near Black River Falls.
- The August 17, 1865, Eau Claire Free Press reported that in one day a team of 25 men shot 786 prairie chickens, and another team of 20 men shot 452 prairie chickens, or a total of 1,238 birds—an average of 27.5 birds per gun.
- In 1867, the Sparta Eagle reported that “E.G. Slayton and his brother during the past fall killed 83 deer.” During this same year, the air had been filled with smoke for a number of days from burning woods and marshes throughout the state. The Beaver Dam Citizen stated that the marsh near Trenton burned to a depth of six inches.
- Still other reports revealed heavy exploitation of game in the Beaver Dam area in 1867. Several hunters at Horicon Lake shot 215 ducks in two days. Prairie chickens were reported to be scarce. Herman Meiske of Watertown reported that he killed 47 ducks with one shot (likely with a punt gun) and 127 ducks with five shots.
- More than 90 barrels of passenger pigeons were shipped from Shopiere Station in the spring of 1869.
- Fires raged across Adams County prairies in 1870 and burned a considerable amount of valuable pine timber in the north. As timber harvest accelerated, accumulated treetops, slash, and debris added fuel for future wildfires.
- The Wausau Pilot noted many fires burning throughout area forests in Marathon County. The Great Peshtigo Fire of 1871 burned over 1.2 million acres across seven counties and resulted in the loss of 1,500 human lives. Major wildfires raged across the state again in 1874, 1880, and 1887.
- In 1871, the Watertown Democratic reported that 11 tons of pigeons were hauled down from Minnesota over the St. Paul Railroad, and a buyer from Milwaukee had purchased 135,000 muskrat skins in La Crosse.
- The Baraboo Republic noted that 35 barrels of pigeons were being shipped to Milwaukee, Chicago, and New York markets.
Near Plainfield, net setters were killing as many as 6,000 passenger pigeons a day, which were fetching $0.50 per dozen in Milwaukee.

About 300 canvasback ducks were shipped from Milton to Chicago in October of 1877.

Will Watson and Orion Sutherland shot and shipped 225 ducks in three days from Lake Koshkonong.

The Janesville Gazette announced in 1881 that a single sportsman frequently bagged 75 to 80 ducks a day. The Gazette reported in 1882 that over a million birds had been killed in Wisconsin in the previous year to supply the demand for hat and bonnet trimmings.

Wisconsin’s massive uncontrolled fires again became catastrophic toward the end of the century. The 1891 Comstock Fire burned 64,000 acres, and the 1894 Phillips fire punctuated 25 years of devastation by burning over 100,000 acres and taking 13 lives. Over 20 million board feet of pine came down one creek alone before the Phillips Fire started, giving a good indication of how much slash was in the woods at the time.

Filibert Roth of the U.S. Department of Agriculture investigated the forestry conditions in northern Wisconsin in 1898. He reported that there were originally about five million acres of pine in the state, but only two to three million acres were left by 1880. The continuing pine harvest over the next 18 years reduced standing timber further as settlement and building advanced.

While the timber harvest peak occurred just before the new century started, wildfires continued to change the landscape until fire protection became effective 30 years later. The resultant changes to wildlife habitat turned favorable as huge areas of young, rejuvenated vegetation and new plant communities were created. Later, land managers used prescribed burning as a very cheap and effective tool for improving wildlife habitat.

Extirpation and extinction were sometimes the result of unrestricted killing and habitat loss. In Wisconsin, the last buffalo was shot in 1832, and the last caribou was killed in 1842—hunters seemingly were responsible. However, habitat losses were the key ingredient to permanent species disappearance. The extirpation list for Wisconsin included the Carolina paroquet in 1844, elk in 1866, wolverine in 1870, wild turkey in 1881, cougar and whooping crane in 1884, and trumpeter swan in 1893. The passenger pigeon became extinct in 1899.

A 1912 survey of states produced the following list of formerly abundant species categorized as “rare” in Wisconsin: double-crested cormorant, upland plover, American white pelican, long billed curlew, lesser snow goose, Hudsonian curlew, sandhill crane, golden plover, woodcock, dowitcher and long-billed duck, spruce grouse, knot (a

European settlement and timber exploitation in the latter part of the nineteenth century had a suppressing effect on all wildlife and shifted big game populations northward.

Market hunting permanently stained the image of the hunter nationwide.
shorebird), prairie sharp-tailed grouse, marbled godwit, bald eagle, common tern, trumpeter swan, snowy heron, American avocet, passenger pigeon, northern hairy woodpecker, long-billed dowitcher, Hudsonian godwit, wood duck, ruddy duck, black mallard, grebe, and tern.

William T. Hornaday, director of the New York Zoological Park, author, and very strong opponent to the national slaughter of wildlife, wrote his view of market hunting in 1913:

*The output of this systematic bird slaughter has supplied greedy game markets in Boston, New York, Philadelphia, Washington, Baltimore, Chicago, New Orleans, St. Louis, Salt Lake City, San Francisco, and Seattle. The history of this industry, its methods, its carnage, its profits, its losses would make a volume, but we cannot enter it here. Beyond reasonable doubt, this awful traffic in dead game is responsible for at least three-fourths of the slaughter that has reduced game birds to a mere remnant of their former abundance. There is no influence so deadly to wild life as that of the market gunner who works six days a week, from sunrise to sunset, hunting down and killing every game bird that he can reach with a choke-bore gun.*

Hornaday also recorded the diary entry of one professional market hunter who kept extraordinary records of late nineteenth century exploits. The hunter had killed 6,250 *game birds* in a three-month’s shoot in Iowa and Minnesota and bagged 4,450 ducks in one winter’s hunt in the South. His forty-year total was 139,628 game birds consisting of twenty-nine species, including 61,752 ducks, 5,291 prairie chickens, 8,117 blackbirds, 5,291 quail, 5,066 snipe, and 4,948 plovers.

*Game birds*

In the early 1800s, the term referred to any bird that was hunted. In the late 1800s, game birds were defined as bird species that could be hunted during established hunting seasons. After 1935, game birds were those listed in the hunting regulations pamphlet with specific open and closed seasons. Game birds were defined by Wisconsin law about 1980 to include two categories: aquatic birds and upland birds.
The bounty was mostly continuous from November 10 through December 1 and March 1. In 1868, the state paid bounties totaling $18,670 for the year. Legislators thought it was too expensive and repealed the law but reinstated it two years later. The law progression was well documented in the latter part of the century with the following:

1865 – A $5 bounty was paid for each wolf scalp.
1866 – Poison bait was authorized for killing wolves and wildcats from January 10 through February 20.
1867 – Wolf, wildcat, and lynx bounties were $10.
1870 – Wolf and lynx bounties were $5, and wildcat bounty was $3.
1871 – Poison bait was prohibited.
1875 – Poison was legalized for killing wolves and wildcats from November 10 through December 20.
1876 – The lynx bounty was reduced from $5 to $3.
1877 – Wolf, wildcat, and lynx bounties increased to $10. Poison was prohibited again.
1879 – The state bounty was eliminated.
1882 – The bounty was reestablished. Bounties were $6 for wolf, $3 for wildcat and lynx, and $2 for fox. Poison could be used to kill these species between December 1 and March 1.
1883 – The wolf bounty was reduced to $1, and the fox payment was eliminated.
1899 – Bounties were $4 for wolf, and $1 for lynx and wildcat.

Resource exploitation wasn’t confined to wildlife and timber. Agricultural expansion led to massive marsh drainage programs all over Wisconsin, which would later have a devastating effect on man and beast. No region of the state was untouched by wetland drainage schemes, but drainage within one such area called “the Central Sands,” covering all or parts of 15 central Wisconsin counties and centered around Jackson, Wood, Juneau, Adams, and Portage counties, would produce catastrophic results for farmers, wildlife, and the land.

The last piece of land claimed by a settler under the federal Homestead Act was granted in 1913 in Adams County. It was the last land homesteaded because the sandy soils were very poor in productivity. Corn and potato crops quickly depleted the fragile soil of nutrients, and rye followed by buckwheat took the rest. Farms were steadily abandoned for the next 20 years. A bigger price for that form of exploitation was yet to come as drained wetlands, depleted soils, and extended drought led to frequent, uncontrolled fires combined with wind storms that carried away soils in such quantity that fence lines were buried, trees were suffocated, crops were buried, cities were covered in dirt, and daytime skies were darkened for weeks at a time.

Early Regulatory Game Management

As citizens across the United States reacted to uncontrolled game harvest and habitat deterioration, the first laws were passed protecting game and wildlife. By 1850, 19 states had established game laws. In the decades that followed, other states passed regulations, and by 1880, all states had some form of game laws. However, laws provided only limited protection of certain species, and enforcement was practically nonexistent.

The first protection of birds that were not hunted (nongame) was passed in New Jersey on March 6, 1850, and was entitled An Act to Prevent the Destruction of Small and Harmless Birds. Since it is the first of its kind in the United States, it is quoted in full:

*Be it enacted by the Senate and General Assembly of the State of New Jersey, That it shall not be lawful in this State for any person to shoot, or in any other manner to kill or destroy, except upon his own premises, any of the following description of birds. The night or mosquito hawk, chimney swallow, barn swallow, martin or swift, whippowill [sic], cuckoo, kingbird or bee martin, woodpecker, clapper or high hole, catbird, wren, bluebird, meadow lark, brown thrasher [sic], dove, firebird or summer redbird, hanging bird, ground robin or chewink, bobolink or ricebird, robin, snow or chipping bird, sparrow, Carolina lilt [sic], warbler, bat, blackbird, blue jay, and the small owl.*

*And be it enacted, that every person offending in the premises shall forfeit and pay for each offence the sum of five dollars, to be sued for and recovered in the action of debt, by any person who will sue for the same, with cost.*
And be it enacted, that any person willfully destroying eggs of any of the above-described birds be liable to the penalty prescribed in the second section of this act, to be sued for and recovered as therein prescribed.

Connecticut, Vermont, and Massachusetts passed similar laws in 1850, 1851, and 1855, respectively. Twelve additional states, including all of New England, New York, New Jersey, Pennsylvania, Iowa, Michigan, Minnesota, and the District of Columbia, had joined in the effort to protect nongame birds by 1864.

Unrestricted harvest in Wisconsin combined with increasing settlement eventually produced considerable complaint by citizens concerned with rapidly declining resources. As a result, Wisconsin’s first “game management” laws were enacted in 1851, as follows:

*No person in this State, except Indians, shall kill any wild buck, doe or fawn, during the months of February, March, April, May, or June.*

*That from the first day of February to the first day of August following, in each year, no person shall kill any prairie hens or chickens, quails, woodcock or pheasant.* [Author’s note: No official record of wild or pen-raised pheasants is known to exist in Wisconsin until after 1897.]

A barrage of regulations poured into the Legislature over the next 50 years as concerned people attempted to control the harvest of declining fish and wildlife populations. A sampling of regulations impacting Wisconsin wildlife in the nineteenth century is shown in Appendix A.

**Wisconsin Warden Evolution**

Regulations controlling wildlife use without enforcement drew citizen complaint, and citizens organized to do something about it across the United States. Establishing a formal structure for assessing the environment and enforcing laws effectively attracted attention over the latter part of the nineteenth century. Many ideas and systems were tried and discarded throughout the country.

Law enforcement using “conservation wardens” first materialized in Massachusetts and New Hampshire about 1850. Maine recorded the use of a local “moose warden,” but no other state addressed this type of law enforcement.

The first Wisconsin warden, appointed in 1879, was Rolla Baker of Bayfield. Three more “fish wardens” were appointed to enforce fishing laws on the Great Lakes in 1885. The first four Wisconsin “game wardens” were authorized in 1887, but initially only two were hired: John White and W.Y. Wentworth. The pay was $600 per year with a $250 maximum authorized for expenses. However, most enforcement still fell on local sheriffs, marshals, or constables who didn’t give much attention to fish and game violations.

On May 5, 1891, the Office of the State Fish and Game Warden was established in Madison, combining the two functions into one position. This individual was to be appointed by the governor for a two-year term at an annual salary of $1,200 and required to submit quarterly reports to the secretary of state. A published report for 1891 documented 20 local game laws, regular *open season* laws, and 135 laws pertaining to individual rivers and lakes. The position received office space at the state capitol in 1895.

The hiring of the first wardens was important but had little impact statewide for almost 30 years. The number of *fish and game deputies* appointed by local law enforcement authorities fluctuated annually, and most that were recruited tended to be selected because of favors owed or political favoritism, so enforcement from them was nonexistent or, at best, very weak. Wardens and any helpers they had faced a huge, road-less territory with little equipment but a gun and a badge.
Early Conservation Movement

Increase Lapham is widely credited with founding the conservation movement in Wisconsin. A civil engineer by profession and a naturalist in heart, Lapham recorded the condition of the environment from his arrival in 1836 through five decades. He developed a “Systematic Catalogue of the Animals of Wisconsin” in 1852, which was published in the Appendix of the state senate and assembly journals as part of the University of Wisconsin’s Fourth Annual Report of the Board of Regents. The list was the first of its kind and contained descriptions of 40 mammals, 216 birds, 7 reptiles, 12 fishes, and 94 mollusks.

In 1867, Lapham was appointed to a commission created by the Wisconsin State Legislature to investigate and report on “the injurious effects of clearing the land of forests.” Lapham wrote the commission’s first report, published that year and later cited as the first public expression of conservation needs in the state and one of the first publications to address the vital nature of natural resources. In Report on the Disastrous Effects of the Destruction of Forest Trees, Now Going on so Rapidly in the State of Wisconsin, Lapham warned of state forest devastation 50 years before it was a national issue. However, in spite of the commission’s work and the report, nothing was done to prevent uncontrolled timber cutting from taking place.

Lapham also wrote several other books about native grasses and Indian effigy mounds. Because of his activism on many natural resources issues, Increase Lapham is considered the “father of Wisconsin’s conservation movement.”

In 1874, the governor appointed three fish commissioners to distribute fish spawn received from the federal Bureau of Fisheries, the first of a series of state acts to address Wisconsin’s conservation needs. The state’s first trout hatchery was established on June 27, 1876, when 29 acres were purchased by the state at Nine Springs (later named after James Nevin) near Madison. In 1882, James Nevin was hired as the first full-time superintendent of fisheries. A fisheries commission was authorized again by the Legislature in 1895, and the governor was empowered to appoint eight commissioners of fisheries.

The Legislature approved the creation of “The State Park” in 1878, which appeared to be an aggressive movement to protect state forestland from the lumber industry. The huge area was 760 square miles in size, but the project fizzled out very quickly. Because state ownership was only about 10% of the project and lumber barons objected so strongly to state ownership, the state eventually sold most of its land within the area to private parties by 1897.

In 1879, University of Wisconsin professor F.H. King completed seven years of study and published “Economic Relations of Wisconsin Birds” in Volume I of Geology of Wisconsin, Survey of 1873–1879. Slowly, scientific information appeared in print and guided the state to take better care of its natural resources.

Also in 1879, a three-man commission was appointed to create a State Forestry Department, but nothing materialized. Another three-man Forestry Commission was created for the same purpose in 1897 with the collateral objectives of managing the forest resources without harming climate, water supplies, or the economy. The Legislature established a Department of State Forestry in 1903 with a superintendent authorized by commission appointment. E.M. Griffith was appointed as the first state forester on February 8, 1904. A State Forestry Board replaced the Forestry Commission in 1905.

An Interstate Park Commission was created in 1899, beginning a formal state park program, and the first Wisconsin state park was created at St. Croix Falls in 1901. The commission evolved into the first State Park Board in 1907.

Many conservation leaders came forward in the early twentieth century. Wisconsin’s first state forester, E.M. Griffith, implemented a series of programs including forest fire control, purchase of 183,000 acres for the nationally based Forest Reserve, conveyance of federal lands to the state, and protection of headwaters for streams flowing into the Mississippi River and Lake Superior. Griffith laid the groundwork for Wisconsin’s modern forestry program, promoting sound forest management practices around the state and stressing the influences of forests on water conservation. In 1922, he became the first forester to teach conservation principles at the University of Wisconsin.
Elected in 1901, Wisconsin governor Robert “Fighting Bob” La Follette spoke out strongly about protecting natural resources from being destroyed through economic exploitation. His fiery brand of politics began a progressive movement cited years later as being instrumental for good government. That approach was a catalyst for elevating conservation concerns at the state level in Wisconsin. La Follette’s personal efforts were successful in reducing the political influence of lumber barons, resulting in improved forestry conservation. James O. Davidson, who succeeded La Follette as governor in 1906, was credited for infusing conservation into state government.

La Follette worked in conjunction with University of Wisconsin president Charles Van Hise to provide President Roosevelt advice on conservation. Van Hise had even more impact on the conservation movement when, in 1910, he produced the first textbook on conservation in the United States. *The Conservation of Natural Resources of the United States* expressed his ecological views, which wouldn’t be embraced by the scientific community until well after his death in 1918. Van Hise asserted that “conservation of one resource assists the conservation of all others” and strongly believed that the individual shares government’s responsibility to take care of the land.

"The conservation of our natural resources and their proper use constitute the fundamental problem which underlies almost every other problem of our national life."
—Theodore Roosevelt

At the national level, President Theodore “Teddy” Roosevelt, who was in office from 1901 until 1909, single-handedly introduced the country to the biggest environmental movement ever seen. Alarmed at the continuing destruction of the land and wildlife, he asked if he had authority to protect them. When told he had such an authority, he signed an executive order establishing Pelican Island (off-shore Florida) to be the country’s first national wildlife refuge. He followed that initial action with 49 more refuges, five parks, 18 national monuments, and 150 national forests protecting over 50 million acres.

The word “conservation” jumped into the national spotlight when Roosevelt gave a formal address to the National Editorial Association in June 1907 in which he declared, “The conservation of our natural resources and their proper use constitute the fundamental problem which underlies almost every other problem of our national life.” The term was quickly popularized and became a worldwide descriptor of natural resources protection efforts.

Roosevelt conducted a conference of governors at the White House in May of 1908 and took conservation to another level. Forty-one of 46 governors were in attendance along with all nine Supreme Court justices, most of his cabinet, congressmen, industrialists, and scientists (350 men and one woman, Sarah S. Platt-Decker, president of the General Federation of Women’s Clubs). Roosevelt said, “We have become great because of the lavish use of our resources and we have just reason to be proud of our growth. But the time has come to inquire seriously what will happen when our forests are gone, when the coal, iron, the oil, and the gas are exhausted.” He further stated, “We must handle the water, the wood, the grasses so that we hand them on to our children and our children’s children in better and not worse shape than we got them.”

Roosevelt’s friend, Gifford Pinchot, is widely considered to be the “father of American conservation.” Pinchot, who once said, “without natural resources, life itself is impossible,” is credited with stimulating the national conservation movement with his initiation of the Forest Reserve and his efforts to stop the devastation of natural resources.

Pinchot was appointed chief of the Division of Forestry within the U.S. Department of Agriculture in 1898, marking the first time a scientist led a federal regulatory agency. In 1900, Pinchot, along with Henry S. Graves, founded Yale’s School of Forestry (where Aldo Leopold earned his master’s degree). That same year Pinchot was
instrumental in organizing the Society of American Foresters. When the U.S. Forest Service was created in 1905, he served as its first chief (1905–10). Pinchot began with 60 units of the Forest Reserve containing 56 million acres in 1905 and expanded it to 150 national forests and 172 million acres by 1910. His aggressive campaign to create a national forest reserve and his efforts to popularize the word “conservation” after his friend Teddy Roosevelt used it in 1907 were instrumental in creating his reputation.

Conservation Commissions
Wisconsin’s Governor James O. Davidson took part in Roosevelt’s 1908 conference of governors and returned enthusiastic about the leadership role his state could provide. He appointed Wisconsin’s first Conservation Commission on July 24, 1908. The seven-man, unsalaried commission was chaired by Charles Van Hise and focused its attention on waterpower, forests, and soils. Its first report featured many new fire protection methods and laws. Fish and wildlife were not part of this early effort.

Despite advances in government, environmental problems continued in Wisconsin. About 892,000 acres burned in the state in 1910 (132,000 acres burned in Bayfield County alone). Huge tracts of wetlands were being drained and altered for agriculture. Growing cities and towns absorbed even more land. Clearly from a conservation perspective, more needed to be done beyond policy and law.

The seven-man, unsalaried Conservation Commission format was reauthorized by the Legislature in 1911, charging the commission “to consider the natural resources of the state of Wisconsin with reference to their remaining unimpaired as far as this is practical.” They were also required to “prepare a biennial report to contain the results of investigations with recommendations as to measures to be taken to conserve the natural resources of the state.”

Another significant change in conservation administration took place in 1915 when a three-man, paid commission took over the duties of the former seven-man commission:

62.01 State Conservation Commission; responsibility to legislature.  
(1) A state conservation commission is hereby created to be composed of three commissioners, not more than two of who shall belong to the same political party. Immediately after the passage of this act the governor shall, by and with the advice and consent of the Senate, appoint such commissioners, but no commissioner so appointed shall be qualified to act until so confirmed. One of the commissioners shall be a man with a thorough knowledge of the propagation, protection and care of fish and game; the second shall be a technically trained forester; and the third a competent man with experience in commercial business affairs.

The new bureaucracy absorbed the duties of the Park Board, Forestry Board, Commission of Fisheries, and the State Fish and Game Warden Office. For the first time, fisheries and wildlife received special attention. One commissioner was in charge of the “Protection of Fish and Game Division,” and game wardens received the new title “conservation wardens.” The total Conservation Commission budget in Fiscal Year 1915–16 was $209,000.

The 1915 commission identified itself as “the department of the Wisconsin Conservation Commission,” and the warden organization was identified as the “Division of Wild Life Conservation.” Most importantly for wildlife, the priority for the new agency shifted from forestry and fires to broader resource issues. More substantial equipment was acquired to support the field force of wardens, rangers, and park superintendents. The deer herd was recognized as a prized state resource and began to dominate wildlife discussions.

Commission expenditures for July 1, 1916, to June 30, 1917, were reflective of the commission’s priorities right down to the penny: administration – $27,990.21; forestry – $19,580.98; parks – $9,914.20; wardens – $110,813.28; and fisheries – $43,375.10. The total budget for operations was $211,673.77.
World War I undoubtedly had financial impact and also took experienced field personnel for the war effort. Several wardens were enlisted “when the call went out for men to join the colors.” The quote from the biennial report for 1917–18 documented the loss with a rather grandiose statement: “The vicissitudes of war and the dark scepter of death have greatly reduced the ranks of this division.”

The 1917 Legislature gave the commission the power to close or curtail seasons to protect one or more species of wild animals. Recognizing they did not have the ability to inventory wildlife to see if protection was warranted, the commission introduced a bill to require hunters to report on the game killed by means of a coupon attached to the hunting license. That bill failed, but the commission was able to get a similar bill passed in 1917 requiring trappers to report their annual harvest. In keeping with its new philosophy of paying attention to game animals, the commission devoted considerable space in the 1917–18 biennial report to comment on the status of a variety of game topics:

- **Deer** – The commission noted that while remote lands previously gave deer natural refuge, the automobile had eliminated that advantage as “distance no longer protects them.” The large annual harvest of 18,000 caused the commission to remark: “Does any sane man contend that these animals can stand that sort of killing?” However, the commission didn’t believe that a closed season was necessary or desirable because “if we protect the deer properly, and hunt them sanely, we can keep the deer as a game animal for years to come.”

- **Prairie Chicken** – Season closure resulted in an increase in prairie chicken numbers; the commission was happy to report that the birds were “responding most splendidly” to protection. The commission recommended continuing the season closure, stating that “it would be suicide to these birds to open the season inside of two years.”

- **Partridge** – The commission had the same report for partridge as the prairie chicken, “only more so.” It noted that there was a “marked increase of them in every quarter of the state” and declared that “never again should we permit these birds to approach the danger line of extermination.” Stopping poaching was considered an important message. For the hunter who would “seal his lips to the poaching upon these birds,” the commission stated, “He says he detests a squealer, but a squealer on a poacher is ten times more honorable than one who squeals because the birds are gone, and for which he shares the responsibility.”

- **Beaver** – A 1903 closure created an “airtight law protecting the beaver.” It was thought that only three beaver colonies existed in the entire state at the time. In 1916, the Legislature opened Rusk, Sawyer, and Price counties for beaver trapping, resulting in a harvest of 537 beaver. The commission recommended that these three counties remain open for beaver until the close of the season in 1918 and that the season again be closed in 1919.

- **Bear** – The bear hunting season had never been closed until 1917 when it closed from December 1 to November 10. The commission’s report noted: “Ever since old Bruin has been protected he has been ‘raising Cain’ and his conduct has been very boisterous…. Bear have become quite plentiful in the north part of the state and we advise that, owing to his voracious habits, the law protecting him should be repealed and that he again be exposed to his revengeful pursuers.”

- **Elk** – Forty elk were obtained from Yellowstone National Park in Wyoming and released at the state-owned Trout Lake Game Farm (Vilas County), which had been established in 1913. The commission reported that they could “reasonably expect a thrifty increase each year from now henceforth.”

- **Skunk** – “This pesky animal has enjoyed protection of a closed season extending from February 1 to November 15 for the past two years. Never before has the Legislature given this mischievous little animal protection and we doubt the wisdom of this law.”

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**Game animals**

In the early 1800s prior to established seasons, game animals included any animal that was hunted. In the late 1800s, game animals became defined as species that could be killed during certain seasons for food or sport. After 1935, game animals were those listed in the hunting regulations pamphlet with specific open- and closed seasons. After about 1980, game animals were defined by Wisconsin law to include deer, moose, elk, bear, rabbits, squirrels, fox, and raccoons. See also nongame species.

**Closed season**

Calendar dates during which hunting, trapping, and other taking methods are prohibited.

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The Prelude, 1832–1927
Game Farm – The commission reported that the 300-acre enclosure at the Trout Lake Game Farm contained 122 deer and 30 elk and was “overstocked.” The deer were “increasing each year,” and the addition of the elk had “overtaxed the feeding grounds.” It recommended that the enclosure be enlarged.

“Wild Life” Refuges – The commission noted that millions of acres had been protected nationally and that Wisconsin should do its part. The last session of the Legislature (1916) gave the commission the authority to establish sanctuaries on private land upon petition by the owner. Four large refuges were established in 1917:

- Rusk County – 1,280 acres
- Douglas County – 4,000 acres
- Barron and Washburn counties – 6,840 acres
- Jackson and Eau Claire counties – 600 acres

Conservation Fund – In 1917, legislation created a special fund under this title to provide the primary budget for the Wisconsin Conservation Commission, obtained from fees collected by the commission. It could be spent according to annual appropriations approved by the Legislature and used for buildings, hatcheries, property improvements, wardens, and similar projects but could not be spent for park roads or park improvements. Any unappropriated surplus could be used by the commission with the approval of the governor.

Migratory Bird Treaty Act – The biennial report also noted that the Migratory Bird Treaty Act had been passed by Congress on July 3, 1918, “for the protection of migratory birds migrating between the United States and Canada.” It further noted that the Act was “without question, the greatest conservation act ever consummated for the protection of wild birds in all history.”

Education – For the first time, the commission devoted a special effort to promote conservation education. A school textbook was in the process, but the University of Wisconsin professor hired for the task was drafted into the army, and the product was delayed. However, the commission pitched its goal with the following:

This system of educating our children in this most wonderful and important creation is opening a field of study endless in its benefits to the citizens and will place Wisconsin in the front ranks of the pioneer states in going to the root for a healthy growth in public sentiment for the Conservation of the wild life in this state….

Education is the most important feature of the conservation work. It is understanding that the people need and when they understand, the question will be settled and settled right.

The commission created a bimonthly magazine entitled The Wisconsin Conservationist in March of 1919. The purpose of the magazine was to inform citizens about what the commission did for the public’s benefit. Selling for $0.15 an issue or $0.50 per year’s subscription, the magazine featured reports of warden arrests, warden activities, fish and wildlife stories, and related news events by various authorities. The magazine went out of circulation in November 1922 just before the commission was reorganized.

The administrative structure underwent yet another significant change in 1923 when a single, paid commissioner was placed in charge:

23.09 Commissioner of Conservation, office, powers, pay. There is hereby created a state conservation commission in charge of conservation. Immediately and upon passage of this act, the governor shall, by and with the advice and consent of the Senate, appoint such commissioner for the term of office to expire on the first Monday in February 1929. Thereafter the term of office shall be six years and until a successor has been duly appointed, confirmed and qualified.
Elmer Hall, said to be an unemployed friend of the governor, was appointed conservation commissioner at a salary of $5,000 per year. The conservation organization was composed of three divisions: Forest and Parks, Fisheries, and Game (wardens). A superintendent was in charge of each division. However, limited funds and political patronage prevented the new organization from being effective.

Operational expenditures demonstrated increased funding, but agency priorities remained unchanged: administration – $37,688.77; forestry – $31,496.33; parks – $28,986.40; wardens – $130,645.97; and fisheries – $89,294.47. The total operational budget for Fiscal Year 1922–23 was $318,111.94.

In 1923–24, the reorganized Conservation Commission (single commissioner over three divisions) experienced an increased budget from license sales to $372,000. While license sales were increasing, revenue was routinely diverted by the Legislature to pay for other state projects. By 1926, about $500,000 was generated by license sales, but fund diversion by the Legislature continued.

Expanding Law Enforcement

The sale of hunting licenses increased from 125,000 in 1911 to 155,000 in 1914. Those numbers continued to rise each decade, reaching 200,000 by 1924. More users coupled with an expanding road system and more motor vehicle use required an increase in warden numbers to enforce the law. By 1913, the full-time warden force had grown to 74, with pay at $2.50 per day.

The 1915 Conservation Commission took a firm stand in resisting politics and improving enforcement with the following rather verbose statement filed with its minutes:

Wardens have been advised that circumspection in their department was demanded in all of their official acts and that their duties were to be confined entirely to conserving of the wild life of the state, and that their political activities would no longer be the measure of their tenure in office. This departure has resulted in a more coherent organization which is manifest in a more general interest by each and every warden in pushing forward the activities of this division. We shall endeavor to add strength to this division by carrying forward the policy we have established and enthusing the spirit of cooperation among our force, which must result in greater accomplishment in the future.

The new enforcement division had meager beginnings in 1915. A warden equipment inventory listed 25 motorcycles, one automobile, three Ford trucks, 14 rowboats, 12 detachable motors, and six launches named Beda, Anna S., Kingfisher, Wisconsin, Submarine, and Galatea. Eight wardens owned automobiles, and two wardens with horses were paid accordingly.

By 1916, the average warden was paid a monthly salary of $60 and a special allowance of $0.30 per meal. In the 1915–16 biennial report of the Conservation Commission, the warden force was listed at 76, of which 63 were engaged in full-time “wild life” patrol duties; ten were forest rangers expanding enforcement in wild timberlands in the north; and three were park superintendents, whose duties included protecting song and insectivorous birds from young campers who tended to shoot at birds indiscriminately for no real purpose. The 1918 record listed 58 regular wardens and 105 non-salaried “specials.”

Game feeding, forest fire assistance, and more regulations were added to the list of warden duties in the 1920s. Six warden districts were formed in 1924, each under the leadership of a district warden supervisor. The warden force included 52 full-time wardens, 21 of which had state-owned cars for transportation instead of their own vehicles.
The Gamekeepers

Wisconsin’s 1925 Blue Book described law enforcement under the title of “Game.” The explanatory text noted:

*The fundamental legal conception that the state owned the game birds and animals, including fur bearers, to be held in trust for the people until reduced to possession in accord with specific laws and regulations prescribed by the Legislature, lead at an early date to the formulation of such laws and regulations. The administration and enforcement of these laws has always been the primary activity of the game division [note the title]. At the present time the state is divided into six game districts, each in charge of a supervising warden. In turn, every district warden has about eight local wardens under him. Each district comprises about twelve counties.*

Funding shortages in 1926 forced the layoff of 26 wardens, half of the existing full-time force. The layoffs extended for over 30 days and were very demoralizing for those affected. No funds were provided to hire any specials during this time period, with obvious impact on statewide enforcement abilities.

**Predator Control**

The twentieth century continued the popular trend of paying hunters and trappers to kill predators threatening livestock, which also eliminated predator competition with humans for taking game. Wolves killing deer infuriated sportsmen. Most scientists, including Aldo Leopold, a forester who was receiving some national attention, supported the concept that removing predators was good because it helped more game survive for the hunter’s gun.

From 1907 to 1917, the annual state bounty was $3 for wildcat and lynx, $4 for wolf pups, and $10 for mature wolves. The bounty was removed on the wildcats, and a $2 bounty was established on fox in July of 1917 and continued until 1923. A total of $150,000 was paid on bounties in those six years alone. State and county bounties continued through the decade. It would be a long time before science would finally substantiate that bounties were bunk.

**Artificial Replenishment**

A new concept emerged during this time that augmented the regulatory approach to conservation. For many years, the European system of stocking captive game animals provided primary recreational opportunities for hunters. This “farming for game” idea was carried to the United States by immigrants and soon began to appeal to sportsmen nationwide.

Most, if not all, of the early pheasant stock was introduced to the eastern United States from England. Richard Bache, son-in-law of Benjamin Franklin, stocked pheasants on his New Jersey estate in 1790. Other releases took place elsewhere in New Jersey in 1880 and 1887, and pheasants were well established in the wild by the 1890s.

While Wisconsin law closed pheasant hunting for seven months in 1851, no record of pheasant stocking or birds in the wild was known to exist during this time period. Wisconsin legislators familiar with the bird in England may have simply guessed that pheasants must be present in the state. What could closure hurt if they were not?
The first record of game stocking in Wisconsin was in 1887 when it was reported that two pairs of turkeys were released near Lake Koshkonong. The Two Rivers Gun Club released 120 Kansas quail in 1895. As early as 1897, the Legislature appropriated $1,500 for the propagation of Chinese pheasants and other fowl and game (no record of results). The Tomah Fish and Game Protective Club released seven pairs of pheasants in 1898, and 140 Kansas quail were released by the Sturgeon Bay Sportsmen in 1899.

By the turn of the century, private game farms were established in several Midwest states. Iowa inadvertently became the first state to release large numbers of pheasants to the wild when a 1900 storm blew down a privately owned pen containing about 1,000 birds. Later, other documented pheasant releases took place in Indiana in 1907; Missouri, Illinois, and Wisconsin in 1910; Michigan in 1918; and Minnesota in 1919. South Dakota released pheasants for the first time in 1913 and was reporting a kill of one million birds by 1927.

A private entrepreneur in Wisconsin, Colonel Gustav Pabst, first released pheasants and Hungarian partridge on his farm near Oconomowoc, Waukesha County, in 1911. He imported 500 pairs of Hungarian partridge and released about 400 pairs in the spring of 1913. The following year, he released 600 quail and 500 pairs of Hungarian partridge. In 1916, he released ring-necked pheasants in larger numbers, releasing about 300 a year for several years.

Most of the Pabst releases were on or near his Waukesha County farm, but he also released birds in Racine and Kenosha counties. With a total release of at least 25,000 Hungarian partridge and 15,000 English pheasants, Pabst was credited with establishing those populations in the wild. This “replenishment method” of game management would become a standard technique to restore wildlife nationwide but would also be controversial later as some experts began to question the wisdom of using artificial stocking of any exotic species.

Drift from adjoining states was identified by scientists as another source for population establishment. Marinette County received pheasants from Michigan by natural drift before stocking took place in Wisconsin. Trempealeau County received drift from Minnesota. It’s likely that the southern portion of Kenosha County received drift from Illinois before 1913.

Wisconsin had established its first state-operated game farm on 14,000 acres at Trout Lake in Vilas County in 1913, which was fenced in 1914. A boxcar load of elk from Yellowstone National Park arrived for release, but all were dead except two cows that were hauled to the game farm in wagons and released into a 300-acre enclosure also containing about 100 deer. Charles Comiskey, then president of the White Sox baseball organization, donated a bull elk to the game farm a short time later.

The state warden’s 1913–14 report noted, “After thoroughly investigating conditions in the state, it was decided that foreign game birds would be a losing proposition and that the native birds should take precedence.” As a result, only ruffed grouse and bobwhite quail were planted on some state refuge areas, and private individuals were given ducks for propagation purposes. The state game farm continued to feature only deer and elk.

Forty more elk were shipped in from Yellowstone for the state’s game farm in February 1917, but the change in weather and altitude coupled with severe cold temperatures induced pneumonia. Fourteen elk died, but the remainder survived with veterinary care.

Refuges

Protecting land from hunting and trapping activities slowly emerged as another technique for managing game. The first private refuge documented in Wisconsin was Weber’s Pond in 1891 located in Horicon Marsh, Dodge County (east central Wisconsin). The first federal effort was in 1903, as noted previously, when President Roosevelt signed an executive order creating a federal bird refuge on Pelican Island, the first of many national wildlife refuges created by Roosevelt. The idea spread in Wisconsin in 1910 when five more state refuges were established near Madison and Green Lake.
The first federal refuges were established in northeast Wisconsin in 1913 on Gravel and Spider islands in Door County. A large tract of state land in Forest County was declared a refuge by separate legislation in 1915. These lands along with private lands known as Tamarack Refuge in Douglas County and Rice Lake Refuge in Barron and Washburn counties were judged by the commission to be large enough and important enough to warrant employing a warden at each of them. Warden duties included brushing out the fence lines, posting, patrolling against poachers, and "destroying vermin and predatory animals."

The state “game refuge” authority was created for all state parks in 1917. The Conservation Commission also established the four northern refuges in Rusk, Douglas, Barron, and Washburn counties, and in west central Wisconsin in Jackson and Eau Claire counties, as noted previously.

As early as 1921, Horicon resident Louis Radke championed Horicon Marsh as a federal game preserve and public shooting grounds. His first efforts were as president of the Horicon Marsh Protective Association. Over the years, his many talks around the state to save Horicon Marsh, coupled with the support of conservation activist Wilhelmine LaBudde, were instrumental in ultimately saving and restoring this major resource. The final official decision to restore the marsh ended up in the Wisconsin Supreme Court. Horicon Marsh was declared a state refuge in 1927.

Deer Hunting

Deer hunting and deer population numbers became increasingly important to Wisconsin hunters and the Conservation Commission in the early part of the century. Deer license sales demonstrated a steady increase from about 32,000 in 1900 to over 100,000 for the first time in 1908. Harvest estimates came from deer transported by rail and ranged from 2,568 in 1900 to a high of 7,347 in 1914 during seasons that varied from 20 to 30 days in length.

An increasing concern for deer overharvest was also being expressed in the state. The number of counties having an open season dropped from 69 (of the 70 counties in the state at the time) in 1900 to 30 by 1915 as fewer deer were being seen corresponding with dramatic changes in state forest habitat. Shooting does became unpopular, and restricting the harvest to bucks only was overwhelmingly supported.

A “one-buck law” was established in 1915 and reflected a strong hunter commitment to protect antlerless deer, which would greatly influence decision making for the next 90 years. Based on harvested bucks transported by rail, it was estimated that 134,000 hunters killed 3,257 bucks in 1915. A year later, 9,000 fewer hunters killed an estimated 7,000 bucks. However, a considerable number of unlawfully killed does and fawns were also found in the woods, and some felt the season should be closed.

The harvest increased to 18,000 in 1917 despite fewer hunters (53,593) and a short ten-day season. This was the first year that deer killed were required to be tagged.
by the hunter ($0.10 per tag). The high harvest and concern for the illegal antlerless kill generated additional pressure from sportsmen for the Conservation Commission to provide special protection for does and fawns.

In 1918, fawns were protected for the first time, and about 50,000 hunters killed an estimated 17,000 bucks and does. (Table 1 shows estimated hunting participation and deer harvest from 1914 through 1919.) The 1919 season was an "any deer" hunt, and 70,504 hunters reported they killed about 18,000 deer. However, some wardens disputed that figure, claiming it was closer to 25,000. One conservation commissioner suggested the kill was exactly 25,152, but he didn’t cite the rationale for his estimate. Interestingly, the commissioner’s estimate became the official figure for the record.

"When the tragic history of the extermination of the white-tailed deer in Wisconsin is finally written, the year 1919 will stand out conspicuously as contributing the most fatal blow to their destruction."

—Wisconsin Conservationist, 1920

For the next decade, deer were primarily found in about 24 northern counties. Seven west central and six southern counties adjoining the Wisconsin River contained limited deer numbers. Deer hunting seasons were confined to 27 counties or less, and the harvest tumbled between 1920 and 1924 under the one-buck season framework, so the 1925 season was closed. (Table 2 shows estimated hunting participation and deer harvest from 1920 through 1925.)

The 1925 season closure started a series of alternating open and closed seasons extending into the next decade. A cautious reopening of the season in 1926 resulted in 47,330 tag sales, but the harvest was only 12,000. The low numbers and expressed hunter concerns produced another deer season closure in 1927.

In the meantime, 50 years of unlimited and indiscriminate clear-cutting and burning had decimated forest habitat in the state. Although timber harvest had peaked in the 1890s, unrestricted logging continued into the 1920s. Expanding agriculture took advantage of the new openings created by loggers and added land clearing of its own, starting a trend toward more open conditions for wildlife. As the forest reestablished itself and agency fire control became more effective, the newly emerging vegetation became ideal for Wisconsin whitetails. The impact on the deer herd and its resultant expansion would produce one of the biggest conservation success stories in the state’s history.

Table 1. Estimated deer hunting participation and harvest, 1914–1919.

<table>
<thead>
<tr>
<th></th>
<th>1914</th>
<th>1915</th>
<th>1916</th>
<th>1917</th>
<th>1918</th>
<th>1919</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tag sales</td>
<td>155,000</td>
<td>134,000</td>
<td>125,000</td>
<td>53,593</td>
<td>50,260</td>
<td>70,504</td>
</tr>
<tr>
<td>Harvest a</td>
<td>7,347</td>
<td>3,257</td>
<td>7,000</td>
<td>18,000</td>
<td>17,000</td>
<td>25,152</td>
</tr>
</tbody>
</table>

a The increase in the deer population, reflected in the increased harvest numbers, was due to the harvest focus on bucks.

Table 2. Estimated deer hunting participation and harvest, 1920–1925.

<table>
<thead>
<tr>
<th></th>
<th>1920</th>
<th>1921</th>
<th>1922</th>
<th>1923</th>
<th>1924</th>
<th>1925</th>
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</thead>
<tbody>
<tr>
<td>Tag sales</td>
<td>69,479</td>
<td>63,848</td>
<td>59,436</td>
<td>51,140</td>
<td>50,212</td>
<td>Closed</td>
</tr>
<tr>
<td>Harvest</td>
<td>20,025</td>
<td>14,845</td>
<td>9,255</td>
<td>9,000</td>
<td>7,000</td>
<td>0</td>
</tr>
</tbody>
</table>

Conservation Progress
The turn of the century continued the trend for increased public awareness of what was happening to natural resources in Wisconsin. The new conservation movement served as a catalyst for generating many fish and wildlife organizations in the private sector.
across the country. Increased pressure was applied to federal and state governing bodies to create more and better laws protecting natural resources. The thinking of the time remained focused on regulations usually generated by an individual or a conservation organization. Every proposal required legislation to pass both houses of the Legislature and be approved by the governor. A sampling of early twentieth-century federal and state game regulations are shown in Appendix B.

The Wisconsin Legislature was responsible for processing all conservation laws. The volume was tremendous. Between 1903 and 1923, an average of 225 bills on fish and game regulations were introduced each legislative session. Additionally, 90 substitute amendments and more than 500 other amendments were introduced. It was estimated that conservation law took about 1/6th of each session.

Into the new century, the fisheries commission paid some attention to hook and line regulations and expanded state carp removal efforts, but raising and releasing fish was thought to be the program’s future. New state-operated fish hatcheries were established at Woodruff in 1901, Sheboygan and Sturgeon Bay in 1911, and Spooner in 1915. In 1919, Wisconsin pioneered the Midwest’s first effort to rear fish to a larger size before stocking. Hatchery construction was completed at St. Croix in 1919; Lakewood, Hayward, and Westfield in 1923; Osceola in 1924; and Birchwood, Haugen, Brule, and Eau Claire in 1927.

Forestry and fire protection received help in 1911 when the state hired 12 permanent forest rangers and 11 seasonal fire patrolmen, marking the start of a state protection organization. By 1912, forest rangers were already making much progress in the north to reduce fire hazards and create a fire suppression system. One hundred and fifty-nine miles of new roads had been constructed, and over 100 miles of fire lanes were in place. Fifty-six miles of a single-line, ground-circuit telephone system were installed connecting four ranger stations (cabin) and four new, 55-foot-tall, metal lookout towers. Rangers were equipped with ponies or velocipedes with fire fighting tools to quickly respond to fire events.

Wisconsin’s first state nursery was established at Trout Lake in 1911, and tree planting activities were underway by the spring of 1912. The Trout Lake nursery had 18 acres of Scotch pine planted in addition to a large stock of pine and spruce transplants. The fall inventory showed 933,000 one-year seedlings and 1,299,000 two-year stock. Another demonstration plantation was scheduled near Star Lake in 1913, and a plantation near Lake Tomahawk supported a sanitarium for tubercular patient rehabilitation (outdoor work was thought to facilitate a cure). The State Forestry Board planned to sell the trees slightly above cost to landowners who were reforesting non-agricultural lands within the state.

State parks became a major activity in 1913. The Legislature assigned the protection, care, and development of state parks to the State Forestry Board with the following appropriations:

- Peninsula – $18,000
- Wyalusing – $8,000
- Devil’s Lake – $10,000
- Interstate – $2,000

Opposition to the state’s expanding forestry program and State Forestry Board land-buying authority led to a Supreme Court decision on February 12, 1915, declaring the purchase of forest reserves illegal because the debt exceeded legal limits and the program represented an illegal “work of internal improvement.” Other aspects of the ruling impacting trust lands and mandatory reimbursements wiped out the forestry fund, reduced the forest reserve acreage, and left the Forestry Board with only its annual appropriation for a budget source.

Fire fighters advanced from hand-operated railroad velocipedes to the state’s first motor truck in 1915. They operated out of 17 fire districts (composed of 1,700,000 acres of public land) with a ranger or seasonal patrolman in charge of each. Wisconsin was the first state to use an airplane for fire detection that same year. Early fire fighters provided their own equipment, usually consisting of a shovel or an axe. Backpack pumps were introduced about 1918 and became standard equipment throughout the
century. Horse-drawn plows were sometimes used to create fire lanes in those early
days. Caterpillar tractor use was a decade away.

Wildfires were still prevalent in 1920 when 404,000 acres were reported burned.
In the spring of 1925, fires were so widespread that the governor was forced to order
out the National Guard. Marsh drainage took an additional toll on wildlife habitat
with the state losing thousands of acres a year. Soil erosion and water pollution com-
pounded problems for the Conservation Commission and other agencies.

In 1925, additional legislation removed the limit on the number of fire protection
districts that could be organized, and a $25,000 per year appropriation was established
for forest fire control. By 1927, state fire protection was well on its way to creating an
effective system for ending the wildfire devastation of the past. A headquarters build-
ing, truck with a power pump, water tank, hose, and hand tools were provided to each
of 11 fire districts. Beginning with only four lookout towers in 1915, a system of 54
towers and 400 miles of telephone lines was in place by 1927.

State parks expanded in 1924 with a small, two-acre purchase called First Capitol
State Park. It enclosed the Council House and Supreme Court building of the 1836
territorial government located at Belmont in Lafayette County. Six more state parks
soon followed: Northern Forest, American Legion Memorial and Forest Reserve,
Governor Bluff (Potawatomi), Terry Andrae, Rib Hill (Mountain), and Copper Falls.
(Northern Forest and American Legion were later incorporated into the 200,000-acre
Northern Highland American Legion State Forest.)

The federal government was also given the right to acquire land and establish
national forests within boundaries approved by the governor, the Commission of Public
Lands, the Conservation Commission, and the county boards of the affected county.

Nine years after the Wisconsin Supreme Court had ruled the purchase of for-
est reserves illegal, the Legislature adopted a constitutional amendment in 1924 and
another in 1927 authorizing the state to engage in forestry and providing a mechanism
for taxing forest property. During the same period, county, state, and federal forests
were established, and the Forest Crop Law was enacted to encourage good forestry
practices on private land.

Even though the conservation movement was gaining impetus, restrictive fund-
ing, apathy by political leaders, ineffective law enforcement, and the lack of an effect-
tive administrative structure all contributed to bureaucratic shortcomings. The lack
of scientific facts for guiding decision making was critically important. Conservation
decisions were based on opinions and intuition, often producing ineffective laws with-
out stopping the decline of natural resources.

The growth in organized citizen efforts for the conservation cause had been nothing
short of spectacular. It had begun slowly with the formation of the Milwaukee Game
Preservation Society in 1860, the Madison Audubon club in 1861, and a State Associa-
tion for the Preservation of Game in 1874. The Wisconsin Audubon Society for the
Protection of Birds was formed in Milwaukee in 1897. The Wisconsin Game Protective
Association (GPA) was created in 1900 at a time when state GPAs were being organized
all over the United States. Its primary objective was to assist in the creation and enforce-
ment of game laws. It became the Wisconsin Fish and Game Protective Association in
1909 and incorporated in 1916, when its membership reached about 15,000.

The Wisconsin Izaak Walton League (IWL or “Ikes”) was established in 1922 at
Appleton. Several chapters followed in other cities including Milwaukee, Fond du Lac,
Green Bay, Stevens Point, and many others. The Madison Chapter of the IWL was
formed in 1923. Led by Cap Winslow, Ed White, and attorney Bill Aberg (a former
commissioner), a small group of its members met for lunch about once a week to dis-
cuss issues of the times. This local organization would have a lasting influence on state
conservation.

A “state conservation congress” (no relationship to the formal organization created
later) was held in Madison in 1922, attracting representatives from about 100 clubs.
These groups were instrumental in directing the government to end the ruinous explo-
tation of natural resources. Their uniform complaints brought enough pressure on the
Legislature to expand wildlife regulations and improve enforcement.
The following summarizes conservation progress as outlined in the biennial report for 1923–24:

**Forest and Parks Division** – Since the first state park (Interstate) was established at St. Croix Falls in 1901, nine other parks had been purchased including Devil’s Lake, Peninsula, Nelson-Dewey, Pattison, Perrot, Cushing, Tower Hill, Old Belmont (first state capital), and Rib Hill. Patronage of state parks continued to increase yearly and, according to Commissioner Hall, “now numbers hundreds of thousands annually.”

In its native condition, Wisconsin was at least 95% a wooded region. The southern fifteen million acres were covered with a hardwood forest in which oaks predominated. The northern twenty million acres were essentially a coniferous forest with large quantities of broad-leaved species like birch, maple, and elm. By 1924, the southern portion of the state was primarily agricultural, and the great tracts of pine in the north had been heavily logged by the timber industry.

The work of the commission on forest restoration was primarily devoted to the protection of forest and cutover land from fire. Eight special fire districts had been authorized, each under the supervision of a district fire warden (five were functional by 1924). Fire lookouts and communications had been established along with public educational efforts. The commission administered about 175,000 acres of state-owned forestlands.

**Game Division** – Six warden districts had been established during the biennium, each in the charge of a district warden. On average, eight wardens worked in each district. Commissioner Hall reported that game birds and animals had done “reasonably well” over the past two years. Despite two heavy hunting seasons, the deer were “holding their own” but were not increasing.

By 1924, there were 175 sportsmen clubs in the state. Hall noted that “practically every town or city of any size has an Izaak Walton League or a game club or similar organization” and that the organizations had been “of great value in supporting the commission and its work for better laws on fishing and hunting.”

**Fisheries Division** – Since 1875 when the first state fish hatchery was established in Madison, 13 additional hatcheries had been established. The Bayfield hatchery, a commercial operation, raised millions of lake trout for planting in Lake Superior and millions of brook and brown trout for planting in inland waters. A trout hatchery at Wild Rose (Waushara County) raised brown, brook, and rainbow trout. At St. Croix Falls in Interstate State Park, an unusual water source from a hill allowed water to be delivered to four different floors for trout hatching. Pike rearing stations were located at Spooner, Eagle River, Oshkosh, Woodruff, and Delafield.

**Game Management Evolution**

While several individuals stepped forward during these early efforts and made contributions to conservation efforts, no single individual had more impact on ecological understanding and the subject of wildlife management than a forester named Rand A. Leopold. Early in life, he chose to drop his first name and use only his middle name: Aldo.

Leopold had established a national reputation working for the U.S. Forest Service in New Mexico and as an aggressive spokesman for the Albuquerque Game Protective Association from 1909 to 1923. This period included an odd two-year stint working for the Albuquerque Chamber of Commerce. These experiences honed skills and shaped a philosophy that would have a dramatic impact on wildlife, people, and the land.

Leopold had assembled copious notes on wildlife and finally began to put those thoughts in a draft manuscript entitled “Southwestern Game Fields” in 1922. That draft, with the help of other professionals, grew very slowly in volume over several years but clearly stimulated several courses of action that deeply impacted his life and those around him.
Anxious to expand his professional horizons, Leopold took a position working for the U.S. Forest Products Laboratory in Madison, Wisconsin, on July 1, 1924. He served as the assistant director of the lab under director Cap Winslow. It didn't take Winslow long to coax Leopold into joining the Izaak Walton League, which was growing by leaps and bounds across the country.

Leopold used his own research and that of a select number of other innovators to develop a new concept that wild life (two separate words at the time) could be managed. The principles that were surfacing from the depths of his thinking and experience began to be expanded in his writings over the next decade. Until this point, the wild life conservation strategy had simply been to maintain game populations with regulations. Refuges were just being identified as a wildlife management tool. Experiments with European methods of “game farming”—raising animals under wire and releasing them to the wild—were also gaining popularity in the United States.

Leopold was influenced by this trend as well. In writing down his early thoughts in his “Southwestern Game Fields” manuscript, he envisioned a conservation field force consisting of game wardens and “gamekeepers”. The gamekeeper terminology was taken from descriptions of the “keepers of the game” so common in England at that time. These specialists were to play a special role in a new management system evolving in Leopold’s mind.

In December 1924, Leopold spoke at the annual American Game Conference in New York and elaborated on this new way of thinking about wildlife: “We have learned that game, to be successfully conserved, must be positively produced, rather than merely negatively protected…. We have learned that game is a crop, which nature will grow and grow abundantly, provided only we furnish the seed and a suitable environment.”

Agency Progress

In the meantime, the Wisconsin Conservation Commission was struggling. Limited budgets, a declining resource, and increasing politics created a morass prohibiting any kind of significant progress. At the annual meeting of the Wisconsin Division of the Izaak Walton League in 1925, speakers discussed a resource in trouble, covering vanishing marshes, pollution control, and saving Horicon Marsh. Leopold addressed the conference on forestry in Wisconsin but used the forum to highlight shortcomings of the Wisconsin Conservation Commission:

*We say to our conservation officers that we want them to run our conservation business. We tell them that whether they make good or not, they probably will be fired at the next change in administration. For a man who has initiative and skill we pay the same salary as a man who has not, and it is an excessively small salary at that. Any corporation would laugh at the methods we use in organizing our conservation business.*

Leopold blamed the voters for not realizing that to get high-grade technical leadership, they also needed to supply “long tenure of office, ample regulatory powers, adequate salaries, and generous funds to work with.”

At that same meeting, the Ike's Resolution Committee and its Legislative Committee lambasted the current Conservation Commission for not providing an adequate number of wardens for the job. By resolution, they encouraged county boards to hire deputy sheriffs to aid in enforcing fish and game laws “for the sole purpose of supplementing the inadequate force of game warden.” Concern was also expressed about the Conservation Fund being diverted to other agencies.

Leopold became a member of the IWL Board of Directors and began working with several of them to draft legislation creating a new conservation structure in Wisconsin. He had helped with an identical project in New Mexico in 1922, and the “game fields” concepts he had written about no doubt shaped the direction of his work. Many drafts of a conservation system resulted before a solid one emerged. Key to the document was the establishment of a department director independent from the governor. The Ikies planned on Leopold to be that person.
Politics would deal an ugly hand in 1927. The Ikes had crafted a good conservation platform for their candidate for governor, Republican Frederick R. Zimmerman. The platform included a new six-man Conservation Commission, a director, and a state conservation agency with broad, new authority. Additionally, they had provided 20 highly qualified candidates for consideration as commissioners and director. The conservation theme got Zimmerman elected, but he later completely ignored the Ike’s list of candidates.

**New Conservation Era**

Senate Bill 404, known as the Conservation Act, was introduced in the Senate by Senator R. Bruce Johnson (sole author) on March 22, 1927. Senator William H. Markham, a nationally recognized conservationist from Horicon, had introduced a similar bill on January 14, 1927, as Senate Bill 1, but it was never voted on and was withdrawn by Senator Markham with unanimous consent on March 18, 1927.

Bill 404 drew much debate and wasn’t enacted until July 22, 1927. The basic law would guide the agency for the next 40 years:

\begin{verbatim}
23.09 Conservation Act. (1) Purposes. The purpose of this section is to provide an adequate and flexible system for the protection, development and use of forests, fish, and game, lakes, streams, plant life, flowers, and other outdoor resources in the state of Wisconsin.

(2) Commission, Members, Appointment, Term, Qualifications. To carry out the purpose of this act and other acts for like purposes, there is created a state conservation commission of six members, three of whom shall be from the territory south of a line running east to west through the south limits of the city of Stevens Point. The members of said commission shall be appointed by the governor by and with the advice and consent of the Senate. The term of the office for each member of the commission shall be six years… the commissioners appointed shall be persons having knowledge of and interest in conservation.

The important section pertaining to the creation of a conservation director and a new “state conservation department” is as follows:

(6) The commission shall employ a conservation director who shall continue in office at the pleasure of the commission, and whose salary shall be fixed by the commission but not to exceed six thousand five hundred dollars per year. Said director shall be a person having executive ability and experience, special training and skill in conservation work, and shall not be subject to the provisions of chapter 16 of the statutes. He shall be administrative head of the state conservation department, shall be responsible to the commission for the execution of its policies; shall employ, by and with the advice and consent of the commission, such technical and administrative assistance as may be necessary for the execution of such policies, and shall exercise the powers of the commission in the interim of its meetings but subordinate thereto, but shall not have the authority to make rules and regulations.

The new commission’s authority was primarily to establish policy for the department and supervise the director. The director, in turn, was in complete charge of the administration of the department. In other words, the commission was to avoid getting involved in the operational phase of the new state agency.
One of the most important statutory objectives of the new Wisconsin Conservation Department was

...to acquire by purchase, condemnation, lease or agreement, and to receive by gifts or device, lands or waters suitable for the purpose hereinafter enumerated, and to maintain the same for said purposes:

1. For state forests for the purpose of growing lumber, demonstrating forestry methods, protecting watersheds, or providing public recreation
2. For state parks for the purpose of preserving scenic and historic values or natural wonders
3. For public shooting, trapping, or fishing grounds or waters for the purpose of providing areas in which any citizen may hunt, trap, or fish
4. For fish hatcheries and game farms
5. For forest nurseries and experimental stations
6. To capture, propagate, transport, sell, or exchange any species of game or fish needed for stocking or restocking any lands or waters of the state
7. To establish and maintain an efficient fire fighting system for the protection of forests
8. To enter into cooperative agreements with persons, firms, or corporations or government agencies for purposes consistent with the purposes and provisions of this act
9. To regulate camp fires and smoking in the woods at such times and in such designated localities, as it may find reasonably necessary to reduce the danger of destructive forest fires
10. To regulate the burning of rubbish, slashing, and marshes or other areas as it may find reasonably necessary to reduce the danger of destructive forest fires
11. To conduct research in improved conservation methods and disseminate to the residents of Wisconsin in conservation matters.

The commission met once a month to consider conservation problems and create regulatory policies. The Wisconsin Conservation Department (WCD) had its headquarters at the state capital in Madison. The total budget was $245,675 in 1927. Five major “departments” within the WCD were administration, forestry, parks, wardens, and fisheries. An estimated 200 permanent personnel were employed by the WCD in that initial year, with over half the force in wardens or rangers. (It should be noted that the Legislature still was responsible for conservation law and acted on 236 conservation bills in 1927.)

Importantly, the leaders during this new era hoped to remove politics and favoritism from undue influence on the WCD. As one of the newly appointed commissioners noted:

_The day is long past when a recommendation from a “higher up” was sufficient to create a new game warden job for some friend or political henchmen. The man who can qualify for a conservation warden’s place today must be physically and mentally fit for the position. To give efficient service, a warden must be young enough to be active and ambitious, strong enough to stand hardships and long hours away from food, fire, and shelter, brave enough and firm enough to cope with habitual violators. He must be intelligent and quick thinking. Above all, he must have sound judgment._

Only time would tell whether this new integrity would prevent the WCD from repeating the mistakes of earlier years. The conservation movement was growing in Wisconsin, and its increased reliance on science-based decision making was generating a national reputation for the state.