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Range Management: A Viable Science or an Indian Fakir Psuedo Religion

Dan Fulton

In our attempt to corral a few of the Sacred Cows which our good intentions have turned loose in the 100 years that have elapsed since this Range business started spreading over the Plains, it might be helpful if we look back into our history to see how we got here. That way we might see what we did wrong, regard some of our problems, wonder what brought them about, and speculate on possible ways to reach our objective.

In the early days of the Society there was considerable discussion on a name for the Society, whether to include *Management* in the name and whether to call it *Rangeland* or to call it *Grassland*. I feel very strongly that it was of some consequence and that we did reach the right decisions in both of these matters.

Then there were two schools of thought on membership requirements. When the subject of membership came before the meeting there was general agreement that 'technical' ranchers be admitted to membership but a proposal was made from the floor that only 'Conservation Ranchers' be admitted after examination by Society representatives showing that they had a 'good crop of grass.'

Fred Renner was the presiding officer and he 'innocently' suggested that this sounded reasonable but pointed out that in our democratic organization any such requirement ought to be applied to all members. He went on to say that if it were applied to land use project managers, national forest supervisors and regional graziers, the Society might find itself in the position of having to refund the membership dues of many who had already joined. In the ensuing laughter the group voted the broad membership requirements which we still have today.

But even after that there continued to be some dissatisfaction with our liberal membership policy. This is indicated by a letter written by Fred Renner in 1950 expressing his thoughts on the subject. Here is a sentence from the letter:

I am convinced that the conservation job in this country will never get done until the ranchers and other people who live on and make their living from the land assume the major responsibility for the job and undertake to get it done.

Going through the pages of our publications we find this thought expressed over and over. In the February 1980 issue of *Rangelands* is an article by John Merrill, who became our President in 1981. From this I quote:

...the task was too enormous for anyone but the individual land-owners and operators themselves to accomplish. These farmers and ranchers had the desire, ability, and economic incentive to do a better job for themselves, their families and their communities...

In the March 1984 issue of the *Journal of Range Management* we find the President's Address by Gerald Thomas and again I quote:

...[we need to] emphasize the term 'management.' Research, understanding, management are our focus—not protection, per se.

In keeping with the 'management' theme we still need to place more emphasis on service to users of range land—particularly the livestock sector. ... I still have a serious concern that the goal of certain environmental interests is to eliminate domestic livestock from public range lands.

As a long-time user of range lands I am acutely aware of the necessity of ownership or some form of stable, secure tenure to practice Range Management. This was pointed out in my book, *Failure on the Plains*, which Danny Freeman reviewed in *Rangelands*, August 1982:

Fulton strongly believes that the long-time maintenance of the public rangelands in the Northern Great Plains rests almost entirely upon the rancher, the user of the land. Government can not do this job. It is the man on the ground who will get the job done. He says, 'A big step in the right direction will be to give the user longer tenure.'

Why has the rancher not had tenure? Obviously it is not possible to develop and manage any natural resource without tenure. You can't manage it and you can't finance or spend the capital, the money needed for development of the land without tenure. Our government has always encouraged long and stable tenure of cropland for crop farmers. Sometimes it has been said nobody wanted tenure of the land on the Plains. As recently as June, 1984 I heard Secretary of Interior Bill Clark call it, 'The land nobody wanted.'

Is history what historians say it is, or is it what we who lived there have experienced? To use the vernacular of the attorney-at-law, 'Let's look at the record.'

The record is that ranchers have been trying for over 100 years to get tenure of grazing lands, and have had capital to

fence it, develop stockwater, and improve it for grazing use. Throughout this period the federal government has, almost always, done everything possible to prevent rational grazing use and development.

The Bison Edition of John Bratt's *Trails of Yesterday*, published by Nebraska Press in 1980, has an introduction by Nellie Snyder Yost, in which this daughter of cowboy Pinnacle Jake (she was a friend of, and observed the work of, Mari Sandoz, daughter of homesteader Old Jules, tells of the importance of the John Bratt book in the Northern Great Plains ranching story.

Bratt in 1866, at age 24, hired out to drive an oxen team from Nebraska City to Fort Phil Kearney in Wyoming. In 1870 he began construction of "The Home Ranch" of sod with port holes to stand off Indian attacks. To quote from the book:

In 1885 . . . John Bratt & Co. bought from the Union Pacific Railroad Co. 123,673 acres of land . . . which we fenced, thus enclosing with the government sections nearly 250,000 acres, but we never built a stick of fence on government land.

That would make a little under 400 square miles or, if in a square tract, about 20 miles on a side. The story is synopsisized in Yost's introduction:

Cattlemen, no longer threatened by marauding Indians, developed one of the greatest cattle empires in history. . . . But their reign was brief. . . . the ranchmen [gave way to] the men with plows. . . . In time, as most of the rangeland proved its unfitness for farming, the big ranches would take over again. . . .

Another historical classic of the northern plains range story was put out by Nebraska Press, Bison Book edition, in 1962, entitled *Reminiscences of a Ranchman* by Edgar Beecher Bronson. A third book entitled, *Bartlett Richards, Nebraska Sandhills Cattleman* by Bartlett Richards, Jr., with Ruth Ackerman, was published by Nebraska State Historical Society in 1980. I wrote a review of this book which was printed in *Rangelands*, August 1983.

Bronson bought cattle in Wyoming in 1877. By 1882 he had a prosperous range operation in the Sandhills of northwest Nebraska; then, because it was impossible to secure tenure of an area necessary for a viable livestock operation, he sold out. As he said in the book, "Nothing else for it, Johnny; we could scrap Indians and rustlers but we can't stand off grangers and Uncle Sam's land laws. Under the law they have all the rights; we have none. . . ."

Soon Bartlett Richards was part owner and manager of the operation which Bronson had sold. Richards's father was a Congregational minister who died when Richards was 10 years old, leaving the family in moderate circumstances. Richards had gone West in 1879 for a year before entering college.

Richards named the ranch the Spade and developed it by, "fencing, drilling wells, constructing reservoirs, erecting windmills, developing hay meadows, building quarters for his workers, stringing telephone lines, and a multitude of other tasks." But, as Bronson pointed out in his book, ranching could not be done without violating the law. Bartlett Richards was sent to jail in 1910, where he died before his sentence was completed.

My father, after considerable effort, raised enough money to pay his passage from Scotland to America. By 1890 he had risen to the position of shepherd of a band of sheep on Milk Creek in southeastern Montana. By the time I was born

in 1904, he had purchased checkerboarded railroad land. He spent the rest of his life on this ranch and I was there until 1959. In "Failure on the Plains," and an article, "Rangeland Tenure: A Study in Failure," which was published in the Centennial issue of *Montana Stockgrower* in 1984, I point out that there never was a law making it possible for us to attain tenure. Miners and crop farmers were also trespassers on the public domain. Miners and crop farmers were legalized, but rights for livestock operators were never recognized. Bartlett Richards, Jr., in preparing the book about his father, had written to Ferry Carpenter, the organizer of the Taylor Grazing Districts. Ferry replied in two letters, portions of which were quoted in the book, telling that three administrations had ordered the fences down, Grover Cleveland in 1885, Teddy Roosevelt in 1901, and Harold Ickes in 1936.

By 1950 I had bought all the public domain remaining in our ranch. The federal government had come in and purchased scattered lands throughout the area. There were no specifications or definitions of land to purchase. They bought whatever was offered when money happened to be available for the purchase. For no visible or logical reason we still had scattered tracts of federal land within our privately owned lands which we had owned for 40 years. We had no meaningful tenure of that scattered land.

During the period of the 40's and 50's, I was a member of a national group known as the Stockmen's Grazing Committee. The Committee was made up of two groups, the National Cattlemen's Association and the National Woolgrowers Association. The members were all long-time residents and livestock operators of the range area, who loved the country, and all of whom were very knowledgeable of the area and of the problems involved. Our objective was to develop and attain some form of tenure so operators could manage their ranches for continuous productive use, and so that it would be economically feasible and possible for them to develop and improve them. We didn't plan to take over Yellowstone Park, we only wanted tenure approaching what other forms of agriculture had always enjoyed.

We were unable to establish any dialogue with the federal administrators. The only reaction we got from them was "In-Service Only" material which came to my attention after it was all over. The high point of this material was: "Warning—Bull is Loose, Don't Eat any Corral Dust." To make a long story short, nothing came of our efforts.

This anti-domestic-livestock syndrome which has been so significant throughout our history was augmented in 1936 by the Forest Service report *The Western Range*. This report stressed what was perceived as depletion of plant cover by domestic livestock grazing. I and most other domestic livestock graziers felt the point was overstressed. The livestock industry put out a pamphlet *When and If It Rains* to put forward the thought that the loss in density was due to climate as well as to grazing. Our pamphlet was ridiculed in about the same manner as was the Stockmen's Grazing Committee leasing proposal.

With this background it is interesting to read the article by Branson and Miller in the January 1981 *Journal of Range Management*:

Some studies have shown that vegetation changes caused by drought alone may be more dramatic than changes attributed to

grazing effect . . . in the short grass type near Hays, Kansas (Albertson and Weaver 1942)

Plant cover 1932 pre-drought

Ungrazed Moderate Heavy

89% 85% 80%

And in 1939 after six years of drought was

22% 27% 18%

Sometimes it seems that the anti-range-livestock syndrome is based as much on emotion as on science. A long time ago, I attended a meeting and had the pleasure of visiting with James Malin, a life-long plainsman and professor of history at University of Kansas. His integrity and knowledge of the field of plains dry-land history was obvious and overwhelming. Malin believed that the Progressives and the New Dealers seized upon Turner's "closed space" ideas as justification for "totalitarian planning." Recently University of Nebraska Press has printed, *James C. Malin, History and Ecology, Studies of the Grassland* edited by Robert P. Swierenga. The editor's introduction (from which I copied much of the first part of this paragraph) is worth the price of the book. The last words of this introduction are:

He [Malin] wrote: "Few scientists are trained in history and social science, and likewise, few historians and social scientists have training in science." This statement is unfortunately almost as true today as when Malin first wrote it in the mid-1940s.

I know they won't, but every person connected with resources of the Plains should read the books listed below under, "Literature Cited."

My friend Dr. M. M. Kelso was an economist in the New Deal Brain Trust days. He had a daughter, Jeanne, who went to Australia, got a job as a governess in the outback, married the sheep foreman, and now she and her husband, Hadden Mims, own and operate a sheep station in central Queensland. In 1981 we visited them at their home station. Their success is described in an article, "Success at Last—On the Mitchell Grass Downs," printed in the April 1982 issue of *Rangelands*. Jeanne and Hadden Mims operated on land owned by the state of Queensland under a long-term renewable lease covering a 50-square mile tract. The lease included provisions for compensation for improvements and was not too dissimilar to what the Stockmen's Grazing Committee had proposed in the 1940s. This observation in Australia leaves very little room for doubt that a system such as the Stockmen's committee had proposed could have worked here.

In the United States one small part of the problem was the fact that local taxes for schools and roads were financed in considerable part by ad valorem taxes on the land, and the lands were often assessed as crop lands. This led to fear by federal land users of having to pay a high property tax if they had ownership or some other form of stable tenure. Needless to say, the bureaucrats were not above advertising and using this factor to antagonize and divide the stockmen on these issues.

When I started preparing this paper I recalled Hadden Mims saying that their local taxes applied on ranch lands equally whether they were owned in fee simple or were leased from the state. I wrote Hadden to be sure I was right so I could quote him. Hadden replied under date of October 19,

1984. I will quote portions of his letter:

All land is subject to local government taxes which we call Shire Rates or Council Rates. The rates are levied on the "unimproved value of the land" and are paid by the owner or lessee regardless of the title. [We have converted] our original 30 year Crown lease, to the present title of "Grazing Homestead Freeholding lease" . . . with annual installments, but I have the option to pay it out, in full, at any time I want to. If I chose to pay it out tomorrow to "Freehold," the local government taxes would not be affected.

Another big part of our problem in the U.S.A. was the AAA "farm program" which came into being in the 30's. This Agricultural Adjustment Act was passed in early New Deal days. It provided for payments to farmers of money raised by a processing tax. This law was found unconstitutional by the United States Supreme Court in 1936. The Congress immediately replaced it with the Soil Conservation and Domestic Allotment Act which did the same thing as the previous law but there was no processing tax and the payments to farmers were called conservation payments. In this form the law was found constitutional by the Supreme Court. In 1959 I wrote a letter to the editor published in *The Westerners* New York Posse Brand Book, Vol. six, No. Three. Here is the part I quoted in *Failure on the Plains*:

. . . Today the boys plow up the grass, blow away the soil, and get ASCP payments, Conservation payments and Soil Bank Payments. . . Nor is . . . revegetation nearly so effective at holding down the soil as the native vegetation, such as the range barons, like my father, maintained on the land on which I live today. Actually, history exists in the mind of man quite apart from what actually occurred in by-gone times. This is necessary to fill a need in the mind of man. Man, today, to satisfy his own ego and to furnish himself a reason for existing, must have that horrible picture of the range baron who ruined the land and the grass. So the rancher, who maintains native range in good condition, gets only condemnation, while the farmer, who denudes it and blows it away, gets conservation payments. I most proudly plan to continue my career as an anti-Conservationist. I don't want to denude good range land even to get conservation payments.

Nobody paid any attention to that. But if I had been smart I would have kept the wheat acres I had, plowed up and developed more—undoubtedly I could have made a million dollars, maybe two!

After my review of the Bartlett Richards book was published, I received a letter from Roche Bush. Roche was a rangeman, a Charter Member of our Society, who started out as a trainee in 1944 at Montpelier, Idaho, where he first met Fred Renner. Roche was interested in Bartlett Richards because his father, Joe Bush, had worked for Richards from 1901 to 1905. Joe Bush was a half-breed Indian who left his home in Colorado at the age of 14. Working as a cowboy and bronc stomper, he worked north to Belle Fourche, Miles City, and back to Deadwood where he met and married Roche's mother in 1900. In 1901 they went to work at the Richards ranch, Roche's father as foreman and his mother as cook. In 1906 Joe Bush purchased his own ranch.

Roche Bush edged his way up through the ranks of government service until 1974, when he became Regional Range Conservationist at Portland, Ore., where he spent the last 5 years of his SCS career, with responsibility covering all 13 western states. Along with his most interesting letter, Roche sent a clipping from the national newspaper *USA Today* Nov. 2, 1983, issue. The article was headed *Petroleum County, Montana, ranchers at war with sodbusters*. It told of John Greytak, "king of the sodbusters" plowing up 25,000

acres of rangeland and saying that he would continue to plow, plant, and participate in the federal crop payoffs as long as the system was there.

Last December, while we were in Iowa visiting our daughter Dorothy Carpenter, the *Des Moines Register*, December 3, 1984, quoted Agriculture Secretary John Block:

I don't think acreage control has served the wheat industry very well. People are still plowing up virgin grassland to plant wheat. . . . Obviously, they think there's more return in it than growing grass. and if these government programs pull land into wheat, the problem is going to compound.

It is a little difficult to develop much confidence in this sort of government planning. What is the answer? It really doesn't make much sense to put those who improve rangeland in jail to die and pay conservation payments to those who plow it up and allow it to blow away. Maybe we need a little genetic engineering to put an iota of common sense into the system.

In the 1930's and early 1940's the government needed carrying capacity figures for subsidy purposes. This is told by our Society President Harold Heady in his column which appeared in the August 1980 issue of Rangelands. He (Harold) was a student then and the figures they came up with "were inaccurate in technique and did not account for either seasonal or annual variations in resources. . . . Inventory procedures today are little better than they were 40 years ago."

In *Failure on the Plains* I tell of the Rivenes method. Dave Rivenes was one of the bright young men the SCS sent into our area in the 1930's. Instead of counting the grass, applying the factors, and coming out with an AUM figure, Dave put down the AUM figure first, then juggled the little figures to fit. In that way he always got the right answer the first time. Dave quit the SCS but continued to live in Miles City, where he and his wife Ella became famous as the operators of the world's best-known Pa and Ma television station.

Dave and Ella have sold the TV station, KYUS, pronounced cayuse like a broomtail horse, and the October 1984 issue of the Montana State alumni publication contains an article headed, "God bless you all" telling about Dave and Ella and the TV station. Of Dave, it tells that when he was hired in 1934, "He managed all the grazing districts throughout eastern Montana and is still considered by many old-timers to be the best range manager they'd ever known."

Recently a State court in Montana has made a ruling allowing public access to water courses on private-owned land under the interstate commerce clause of the Constitution and other decisions (State or Federal) have ruled that anything big enough to float a log is an Interstate watercourse. I don't know much about these rulings but the scuttlebutt is that rancher dissatisfaction with the rulings has resulted in less rather than more access to the private lands where so much of the antelope and deer hunting occurs. We need the help of the farmers and ranchers for that too. They know the obvious, that unrestricted access is not compatible with management.

The point is, to date, we have been more successful as Fakirs than as Viable Range Scientists, and we haven't even got to the grizzly bears, which are bringing about abandonment of grazing areas on public lands and closing of campgrounds in Yellowstone Park. When we were trailering in

Mexico we went to Chichen Itza where the Mayans had appeased their Gods by throwing their fairest young maidens into the Sacred Well. I have heard rumors that our grizzly bears prefer fair young maidens too.

As far back as 1917 brucellosis was diagnosed and reported in Yellowstone Park buffalo by U.S. Bureau of Animal Industry and nothing has been done to clean it up. Brucellosis of course is known to transmittable to both domestic livestock and to human beings. The only remedy appears to be to build a fence around Yellowstone Park or Homo sapiens will be an endangered species.

Our most insoluble problem is the fragmentation of our public lands which resulted from the things we have discussed. No method has been devised to put Humpty-Dumpty together again. "Key tracts" occur in infinite patterns so turning a "free market" loose in these fragmented lands could result only in spite bidding and worse.

The only rational solution is to give these scattered tracts to the rancher who owns the land around them or to lease to him at nominal rental. The emotions which Gifford Pinchot's and Hugh Bennett's good intentions have released is the real Frankenstein which makes solution so difficult.

There is one hopeful sign. We have a group of scholars who are promoting New Resource Economics, known in real New Deal fashion as NRE. These new scholars are going back to some of the basics including Adam Smith and they lean to the theory that the user must have tenure if we are to attain rational use of natural resources.

I am confident our Society will continue to make progress toward our worthwhile objectives. Continued research and extension will bring greater fulfillment of human needs in contrast to daddy-knows-best-programs which discourage production for human needs besides being detrimental to the resource.

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