



## Parked in the Past

### Hunting year-round with no limit, no license until 1903

Unregulated hunting before 1903 decimated bison, elk, antelope populations in Colorado

October 29, 2011

Laura Van Dusen, Correspondent

As the 2011 second rifle hunting season for deer and elk comes to a close and the third rifle season begins in about a week, it seems a good time to look back on historical hunting practices in Park County and Colorado and how they brought about our current hunting laws.

Up until 1903, no license was required to hunt in Colorado and there was no limit on the time of year or amount of game taken. Nimrods (hunters) killed as many deer, elk, bison, antelope and bear as they could shoot, lasso or trap. If hunters were out looking for deer and found bear instead, they shot the bear.

A headline in the Dec. 14, 1906, Fairplay Flume, titled "Local Nimrods" tells about two hunters, or Nimrods, returning from a three-week hunt in the Carrant Creek area near Guffey with "six deer and a plump turkey." Another group of three hunters were on a quest "to round up all the game between (Fairplay) and Poncha Springs" but were stopped by snow and went south below Pike's Peak and Mt. Pisgah (near Cripple Creek). They "bagged eleven fine deer."

The Alma column of the March 4, 1904, Fairplay Flume talked about more Nimrods. "The duck hunting season is now open and many Alma Nimrods are contemplating hunting trips to the lakes near Garo and Hartsel."

Nimrod has three meanings. In the Old Testament of the Bible, Nimrod was a mighty hunter, grandson of Ham and great-grandson of Noah.

Through the centuries the term came to mean any hunter.

Sometime in the 1930s the word nimrod written in the lower case was defined as a person who is regarded as silly, foolish or stupid.

This article and quotes from historical Fairplay Flume editions use the second definition of "hunter."

#### Hunting in the early years

To indicate the large number of deer typically taken in a single hunting trip, the Nov. 25, 1880, edition of the Fairplay Flume mentions "Messrs. Wilson, Gant and Radliff (returned) from a hunt on the

South Arkansas, bringing with them ten splendid deer as trophies."

Large numbers of elk were also taken. The Oct. 11, 1883, Flume reported that the "big elk of the woods" was shot by James A. Link (a Park County deputy sheriff). It was a 704-pound six-point bull, "the largest elk killed in the park for years." (By comparison, the website of the former Colorado Division of Wildlife, which merged into Colorado Parks and Wildlife last July, an elk can range in size from 450 to 900 pounds.) Of note is that other elk "were killed by (Link) on the same trip, but of less importance."

Wildlife were not always treated with respect, as indicated in the following stories.

Another incident involving James Link was recorded in the Nov. 15, 1883, Flume. Three of Link's men were rounding up cattle and "succeeded in surrounding and lassoing a seven-point buck deer." They killed the deer; it dressed out to 167 pounds. The men had help, said the article, noting that "it should be added that the boys were very ably assisted by [Link's] well-known hound, Ring."

The June 11, 1885, Flume tells the story of J. E. Williams and Richard Snair, who a week before "left their ranches on Tarryall Creek for a buffalo hunt." They didn't find buffalo that day, but ran across three cinnamon bears. They killed two of the bears and wanted to capture the third bear alive.

"With some difficulty they finally succeeded in (throwing a lariat around) the bruin and they took him back in triumph to Mr. Snair's ranch."

The Fairplay Flume article indicates that "if these gentlemen have decided to

collect a menagerie, Forepaugh (a reference to the Adam Forepaugh Circus, in operation from 1867 to 1894) may as well pull off the road."

### **Hunting for hides**

An article in Sports Afield, a magazine founded in 1887 and still in print today, was reprinted in the Fairplay Flume on Oct. 25, 1888. It told the story of three men who in 1886 went bison hunting in the Lost Park area of South Park. They shot three bison and kept only the hides, the heads and some of the humps. They were proud of the kill because "only a few remain in the United States, or perhaps in the world, of this particular species. A few in Yellowstone National Park, besides this small band, are all that are known. The heads of the three animals we killed adorn the walls of our office and the hide of one serves as a rug in my room," the unnamed Nimrod wrote.

Ironically, while killing animals for their hides was applauded in the Lost Park story, the same activity by Native Americans was considered a crime and was punished by death.

There are reports in the Dec. 13, 1894, Nov. 5, 1897, and Dec. 24, 1897, Fairplay Flumes about "The Utes killing deer" for their hides and leaving the carcasses lying on the ground to rot. The incidents happened in northwestern Colorado but were reported by the Fairplay Flume. The resultant wounding and killing of the Utes was considered justified by state lawmakers of the era.

Game wardens had received complaints from residents near Rangely (in 1894) and Craig (in 1897) of Ute camps of "bucks, squaws and children" killing deer for hides to take back to the reservation. In both the 1894 and 1897 incidents, the Utes said they believed they had a right

to take the hides as part of their treaty agreement. The game warden said that the Utes were violating the Colorado game laws and had to stop.

In October 1897, a gunfight ensued, reportedly started by the Utes against the game wardens and others and "when the smoke of the battle had cleared away not an Indian (was left that) was (not) killed or wounded. Of the white men not one was hurt, although there were many narrow escapes." Later in the story, "no squaw was hurt with the exception of the one wounded by the Indian's bullet." That wound happened when a Ute aimed his rifle at a game warden, who pushed aside the rifle and the bullet grazed the head of "a squaw," as reported in the Flume. The game wardens were exonerated in the killing. "Investigating commission thought they were justified in shooting Indians" the headline read on Dec. 24, 1897.

### **Beginning of laws**

In 1899 the Office of Game Commissioner was created "for the protection of game and fish." The law specified open and closed seasons, allowing a 10-day season on elk, no season on mountain (bighorn) sheep, and a shortened season on deer, among other stipulations, according to the April 7, 1899 Fairplay Flume.

In 1903 the first hunting licenses were issued, costing one dollar for residents and \$10 for non-residents. The Aug. 5, 1904, edition of the Fairplay Flume reported 1,740 licenses had been issued by the state up to July 26, 1904. By comparison, for the 2011 season a resident elk permit cost \$49 and a non-resident elk permit cost \$554. (There are different fees for each of the different species of wildlife today.)

There were 316,076 hunting licenses issued for the 2010 season, of which 312,124 were for elk, deer or pronghorn, according to Randy Hampton, media spokesperson for Colorado Parks and Wildlife. Of the 312,124 elk, deer and pronghorn licenses, 12,796 were issued for Park County hunting units alone in 2010 (see the March 25, 2011, Flume).

The Game and Fish Law of 1911 prohibited hunting of bison, mountain sheep, elk, antelope (pronghorn), and other smaller animals and birds. It allowed deer with horns, or bucks, to be hunted only between Oct. 1 and Oct. 6, and there was a limit of one animal per hunter.

This law was too late for bison. The last recorded sighting of wild bison in Colorado was in South Park in 1897. And it was also too late for elk and antelope. According to the website of the former Colorado Division of Wildlife, elk were near extinction in Colorado by 1910; they are here today because of a relocation of animals from Yellowstone National Park. Pronghorn, often mistakenly called antelope, were near extinction in Colorado by 1900 but have revived, and the population today is about 50,000 statewide.

Species that could be hunted any time with no limit were bear, mountain lion, lynx, bobcat, fox, and rabbit. The 'no limit' applied to coyote and wolf as well, plus a bounty was paid to the hunter if he brought the scalp of the coyote or wolf to the County Clerk's Office.

The law changed drastically in 1913. No deer could be hunted for five years, until 1918. No mountain sheep, elk or antelope could be hunted for 12 years, until 1924. Species that were formerly

allowed to be hunted with no limit were not addressed in the 1913 law.

In 1913 the one dollar price of a hunting license was improved (probably because of the limits on big game) when beginning that year a fishing license was thrown in with the hunting license and it still cost one dollar. Fishing licenses were required for men but not for women or children under age 16.

### **Hunting called 'industry'**

In 1926 in an article distributed through various newspapers in the state and reprinted in the Fairplay Flume of Feb. 12 of that year it was reported that the Colorado Fish and Game Protective Association had organized an "intensive campaign" to "return to conditions which used to exist here when the state was the Mecca for big game hunters and when such famous hunters as Theodore Roosevelt came here every summer to hunt bear, deer, mountain lions and mountain sheep." The campaign purpose was to make the public realize hunting could be an industry and bring in tourist dollars and to show "how important fish and game are as resources and how they should be sustained." The article said that "hunting and fishing are not just fads; they represent a business enterprise, an industry."

Frank S. Bailey, secretary/treasurer of the association, said that an industry "means that people who come here to fish and hunt will spend their money here."

In 1925, tourists spent approximately \$52 million in Colorado. Flash to 2008 (the latest year that all the following information is available); tourists spent \$10.9 billion in Colorado, according to New York City-based research firm Longwoods International. About \$3 billion of that amount was attributed to hunters,

fishers and wildlife watchers, of which about \$894 million was attributed to non-residents. The industry also supports 33,800 full-time jobs for Colorado residents, according to information from BBC Research & Consulting in a study completed on Sept. 26, 2008.



Photo courtesy of Park County Local History Archives, source: Isaac S. Smith Family

## Hunting Camp

This shows a hunting camp of the early 1900s near Fairplay with apparently Mount Sherman in the background. The men have bagged six animals, possibly coyotes or foxes, and are preparing a midday meal.



**Photo courtesy of Park County Local History Archives by John G. Jack, U.S. Geological Survey 28th Annual Report 1898-99 Part V Government Printing Office**

## Leavick

The town of Leavick as it looked in 1898 looking northwest to Mount Sheridan. The Aug. 31, 1900, edition of the Fairplay Flume reported from Leavick that “about 25 of our town people went hunting Monday on Twelve Mile and returned Wednesday. They bagged a deer and a number of ducks. Everybody had a good time.” From the looks of Leavick in this photo, “about 25 people” may have been all of the residents of the town.