Chapter 2: THRO Feral Horse Management, 1947-1989

Introduction

The following is a chronological account of changing THRO policies concerning the feral horse herd, and of the formal and informal actions taken by various administrations to enact them. Strictly speaking, the term "management" cannot be applied to NPS manipulations of the horses until 1970, when THRO policy was amended to allow for the protection of a small number of horses "in the interests of historical accuracy" (1970 Wild Horse Management Plan). Prior to that time, the horses were regarded as trespass livestock. Between 1947 and 1970, the goal of the NPS was to remove the horses, although efforts towards that end waxed and waned according to the philosophy of succeeding superintendents.

The horses at THRO do not come under the aegis of the 1971 Wild and Free Roaming Horse and Burro Act and are protected only by virtue of the Code of Federal Regulations, Title 36. No biological, ecological, or historical research on the horses has been undertaken, with the exception of the present historically
based study. Their management (numbers, type selected for, etc.) has been determined almost solely by park staff.

Information for this summary of THRO management efforts has been drawn from the park files, series 1427, newspaper accounts, a survey administered and completed by former THRO employees in 1987, and from Tom Tescher and other area ranchers who have been involved with the feral horse herd. THRO survey respondents are indicated by the designation "SR" followed by the year or years of their tenure at THRO. A brief summary of the survey results is provided, and the completed questionnaires are included as Appendix E. All park memoranda, letters, and other NPS sources of information are from file series 1427, located in the administration building of Theodore Roosevelt National Park, Medora, North Dakota.

The reader will note than many of the horses removed from the park since 1954 have been captured by Tom Tescher, often with the assistance of his family and friends. These removals have been sanctioned by the park, either by a contractual agreement, a flat fee, or an informal request for Tescher's help.

1 In 1988 THRO obtained funding to undertake a two-three year ecological study of the park horses. The research, contracted to Montana State University, was begun in the summer of 1989.
Like many areas in the West, the badlands were utilized as open rangeland by area ranchers prior to federal land-use legislation such as the Taylor Grazing Act of 1934. When Theodore Roosevelt National Memorial Park (initially a Recreation Demonstration Area) was created in 1947, several hundred head of cattle and an equal number of horses were grazing in the designated area. As the concept for the park evolved into a scheme to recreate the natural environs as they had appeared during the Roosevelt era, including plans to re-introduce bison and other indigenous species, livestock removal became a priority. NPS efforts to remove feral horses from their jurisdiction escalated throughout THRO's first decade, culminating in a large-scale round-up in 1954 that received national media coverage.

The practice of grazing stock in the park area was one of long standing and one that local ranchers were reluctant to abandon, especially in light of their initial opposition to NPS land annexations. Although relations between the ranching community and early administrations were generally good, conflict over trespass stock (particularly horses) was a major theme throughout THRO's first decade. Isolated reports of this practice
continued through the 1980s; in the 1940s and 1950s it was a key issue. In fact, trespass grazing was of such proportions that some local parties were essentially breeding horses in the park. During this time well-bred horses such as the Nunn mare, Walt Cooper's Quarter Horse Stallion Dick Thomas, Talkington's mixed herd, L. M. Barnhart's bucking string, Walt Ray's mare band, and others (see "Notable Lineages" section) were being grazed in the newly-established park. Saddle horses, bucking stock, and their offspring were continually being moved in and out; others were released to winter there. Brandings and round-ups in the area continued to be practiced by local ranchers as they had been for generations.

Weldon Gratton (SR; THRO 1934-1946), a landscape architect and foreman of a CCC unit, helped prepare the boundary study that was submitted to Congress preliminary to the creation of the park. During the initial RDA designation, he was one of three employees who managed the North and South units of THRO on an annual appropriation of just over $5,000. His perspective on the grazing situation typifies that of many early employees:

My lasting impression of this mixed livestock, including a buffalo which belonged to Walt Ray (former state's attorney of Billings County), is one of resentment over the fact that there was so little I could do about the trespass other than to keep the ranchers informed that they were in violation of federal law. This would sometimes result in some of the livestock being driven from the RDA, at least away from Peaceful Valley where we lived and had our NFS office, but never for very long.

Local parties were frequently notified to remove their stock; according to Park Historian Chestor Brooks (SR; THRO 1951-
1957), these cases occasionally went to court. He states that then-superintendent Alyn Hanks was raised on a ranch and loved horses, but "found the trespass situation a violation of the principles of both good ranch and good park management." Chief Park Ranger Monte Fitch (SR; THRO 1955-1957) states that for several years prior to the completion of the fence in 1956,

... monthly patrols were made to count livestock by brand. Later, summons were delivered to the owners, and eventually the case went to court. I had prepared color coded maps of the park, identifying locations where branded livestock had been found. Unfortunately, when the case went to court I was unable to testify, and the District Ranger went in my place. It turned out that both he and the defense attorney were color blind, and neither could interpret the map.

Nevertheless, early THRO administrations seem to have exercised considerable tolerance in the matter, probably due in part to the fact that many THRO employees (including early superintendents) were themselves from ranching backgrounds, enjoyed good personal relations with area ranchers, and recognized that the loss of the land had generated bitter feelings. Both former employees and area cowboys recount amusing anecdotes about their efforts to outwit each other in those days, and it was not unusual for cowboys to socialize at the Peaceful Valley NPS headquarters after a day of horse chasing in the park. Many employees seem to have shared Gratton's attitude that "the trespass situation was just something we had to put up with, until, hopefully, the government could do more about it. . . ."

It is generally acknowledged that the majority of horses in the park during this time were of domestic stock and that these animals were supervised by their owners. Many if not most of the
surrounding ranchers ran horses in the park throughout the first half of the century. The practice was so widespread that early park employees, park memoranda, and even some local ranchers (e.g., Walt Neuens, SR) have expressed the belief that the horse herd at THRO was comprised solely of trespass stock. However, local ranchers and cowboys who frequently observed and chased horses in the park (the Tescher brothers, John Griggs, and others) assert that free-roaming horses had existed in the badlands since at least the turn of the century, and that local horsemen were conscious of a distinction between a "wild" group and the domestic animals. According to Tom Tescher, "the good [ranch] horses were always taken in and out," while the wilder animals were only occasionally chased and were caught even less frequently. (see "Notable Lineages" for a discussion of the "wild" faction.) Local cowboys considered the part of the present park north of Jones Creek to be "wild horse country," and still refer to the area as such.

Former Ranger Robert Morey (SR; THRO 1953-1957) states:

I was told by the Chief Ranger, Harvey Reynolds (1950) that there were two bunches of wild horses—about 20 head in each bunch. They ranged in and out of the South Unit on Grazing District lands along government creek and in the park around the head of Jones Creek, Buck Hill area. As they were building the north boundary fence some local ranchers attempted to eliminate the horses. They shot one of the herd stallions and a couple old lead mares and were able to corral the remainder of that band. The other band ranged in and out of the park during fencing and by chance were in the park when the north fence was closed between the road and east boundary. Probably about 1951 or 1952.

Regarding trespass ranch horses, Morey asserts,

I never heard of any case where this bunch of horses intermingled with the "wild bunch." Usually the
deliberate trespass horses were encouraged to range west of the Little Missouri, probably to avoid inter-mingling with the "wild bunch."

Morey also comments that "the feeling prevalent among the park staff during my tenure at THRO was that there had been feral horses in the badlands at least as far back as Theodore Roosevelt's time and that a few head were appropriate to the theme of the memorial park as it was then designated."

Action: 1954 Round-up

With the fencing of the South Unit nearing completion (1956), the laissez faire days of trespass grazing came to an end. Mrs. Harvey Reynolds, wife of the Chief Ranger (SR; THRO 1950-1954), remembers that "According to the Ranger's Monthly Report for January 1954 all trespass livestock had been removed from the North Unit. Arrangements had been made with most owners of remaining stock in the South Unit for removal."

The stock remaining in the South Unit in the spring of 1954 consisted of several hundred head of horses, most owned by various local parties. In a memorandum dated 5 May 1954, Park Historian Chestor Brooks (THRO file series 1427) described the situation:

In line with service policy of eliminating adverse use from the National Parks, the regulations against grazing of domestic livestock are being enforced in Theodore Roosevelt National Memorial Park. Prior to this year conditions were not completely satisfactory for enforcement. A considerable portion of the boundary has been fenced and local ranchers have had sufficient time to adjust their operations to the changed conditions which have been in effect since 1947 when
the park was established. All special use permits on grazing lapsed this year.

Local ranchers were informed that they would have to remove their cattle and horses from the park. Most of the local stockmen have cooperated. The trespass cattle problem has been greatly reduced. About 200 head of horses, branded and unbranded, roamed the park's South Unit. Local cowboys and ranchers decided to have and old-fashioned round-up to gather the horses.

This first and largest-ever horse round-up was staged 30 April-2 May 1954. It was a large-scale, cooperative event of the type common during the nineteenth century, and it received extensive news coverage throughout the United States, including a feature article on the front page of The New York Times (see THRO file series 1427 for copies of news articles). Over forty riders participated, including famous old-time cowboys such as Louis Pelisser and Hugh Armstrong. Despite cool weather, hundreds of people attended the three-day event (see Plates No. 23-33).

Mrs. Reynolds remembers the excitement of serving coffee to the riders at 2:00 A.M. on 30 April, although she says she "hated to see them [the horses] rounded up." Shortly after dawn, relay riders began scouting for horses to the north beyond Government Creek, past the present boundary, and worked scattered bands back towards Medora, a distance of sixteen miles. Captured animals were driven into Walt Cooper's corral at Peaceful Valley, which had been annexed by the NPS (see Plates No. 23 and 24). The procedure was repeated the following day, when the majority of the animals were caught. (For details, see the Brooks Memorandum of 5 May 1954 and the Bismarck Tribune article of 4 May 1954, both in THRO file series 1427.) The entire herd was then driven through
the streets to the Medora stockyards, where an impromptu rodeo was staged (see Plates No. 26-30). Jim Barnhart served a chuckwagon dinner to participants and media personnel on Friday and Saturday; on Saturday night there was a dance at the town hall (see Plate No. 33). On Sunday after a bucking and roping demonstration, two colts were auctioned off for the March of Dimes, netting $380 (see Plate No. 31). (Plate No. 30 shows Jim Jeffries judging the rodeo; Bob Abernathy being bucked off.)

Numerous anecdotes are still recounted about the round-up, including the following two:

While chasing a group of horses, Alvin Tescher and his mount took a bad fall, rolling repeatedly down an embankment. Louis Pellisser, "dean" of the older generation of badlands cowboys, remarked drily to the Bismarck Tribune, "Well, we saw him fall, and if he was dead, we couldn't help him, so we just chased the horses until they lost us and then came back and picked him up."

Chester Brooks (SR; THRO 1951-1957) recalled the following famous incident:

During the 1954 wild horse round-up, a white mare with a colt almost identical came running into the corral area side by side. Walter Cooper asked Walt Ray, "What is my colt doing with your brand on it?" Ray replied, "That isn't your colt, it just happens to be running with your mare."

Pre round-up estimates of the horse population in the south unit ranged from 200-300 head; approximately 125 horses (and several mules) were captured (see Plate Nos. 23 and 24). Of these Tom Tescher says, "99% were branded." Most belonged to local ranchers such as L. M. Barnhart, Walt Ray, Walt Cooper, the Tes-
chers, the Neuens, and others (note docility of horses in Plate Nos. 23, 24, and 25). Perhaps the most famous horse caught during the 1954 round-up was a buckskin colt later known as "Whizz Bang." Whizz Bang became one of the best-known bucking horses of the era. The horse was sold by Mrs. L. M. Barnhart to World Champion saddle-bronc rider Casey Tibbs, who took the horse to Japan to stage bucking demonstrations. Whizz Bang was out of a branded buckskin mare and an unknown park stallion.

During the round-up, the men divided into several groups, each of which pursued horses in different areas of the park. The Teschers were part of a group that worked the northern part of the park, an area then still known as "wild horse country" (between Jules Creek and Jones Creek and along Government Creek near the Ralph Mosser ranch). Also in this group were Louis Pelliser, Warren Meyers, Dean Armstrong, Bob Nunn, and Earl Bird.

Photographs of the round-up illustrate a tamer faction of horses and men. Plates No. 23 and 24 show riders bringing in a group of owned ranch horses and mules. Horses of L. M. Barnhart's bucking string appear in these plates, including two paint geldings called "How John" and "Ben." The black Barnhart mare that impacted the park herd via two of her offspring (see "Genealogy") appears on the outside of the herd in Plate No. 24 but is obscured by other horses. Three horses of the "Indian type" appear in these two plates: two bald-faced mares (with colts) and a small lined-back buckskin. Tom Tescher does not recall these animals or their origins; the remaining animals were known ranch stock.
Plate No. 25 shows the same group of animals being driven through Medora. The horse whose hindquarters (only) appear at the front of the photograph bears the brand "\( \sim \)," then owned by L. M. Barnhart (now owned by Ted Tescher). A grey Quarter Horse stallion belonging to Tom Tescher appears in the rear.

Louis Pelliser is shown roping the same bunch of horses in Plate No. 26; note the bald-faced mare and colt on the right, typical of the type that remained in the park. Tom Tescher and Rex Cook are shown roping in Plate Nos. 27 and 28.

In regard to the captured horses, the *Bismarck Tribune* noted:

> How many of the horses were wild depended on which argument you listened to. One hard core held that there were only four worthy of the name. Others said, "Any horse that's been running free in there for three to five years, I consider wild."

> ... There was talk that most of the wild ones were still in the park. ... John Jay, superintendent, felt that those left over would lend color for tourists visiting the park later in the season.

Former Park Ranger Bob Morey (SR; THRO 1953-1957) had this to say about the event:

> In April of 1954 a so-called "wild horse round-up" was held and participated in by several local ranchers and cowboys. It was condoned by the park, and the corrals at Peaceful Valley were used. Considerable publicity and local TV coverage took place, but, as far as I know, not many (if any) of the "wild bunch" were corraled. As I remember, Jim Barnhart's rodeo string were most of the animals corraled.

Park Historian Chestor Brooks:

> We organized the horse round-up to get as many feral horses out of the park as possible. Ranchers cooperated partly because they wanted to participate in an old style round-up and partly to protect their interests.
In sum, the 1954 round-up was successful on several counts. One, it removed most of the trespass ranch horses. Also, it was an event of some historical significance. The round-up brought together several generations of area cowboys and ranchers for an event which was essentially the last of its kind. Many of the participants were men who had chased wild horses virtually their entire lives and who died within a few years after the action, leaving few protégés. Also, the nature of the undertaking elicited cooperation between the NPS and area residents and afforded an opportunity for the two groups to both work together and socialize. In that respect it was undoubtedly one of the most successful NPS-related events ever staged in Medora.

Dickinson photographer Lawton Osborn recorded the round-up; unfortunately his collection has been dispersed. One of his photographs, which shows Whizz Bang leading a group of running horses during the round-up, appeared in the New York Times article that chronicled the event. A few of his photographs may be seen at the Yokum Museum in Dickinson; the State Historical Society also has a small number of his round-up prints. Bismarck Tribune photographer Leo La Londe covered the event for the newspaper. Many of his round-up photographs are in the State Historical Society of North Dakota; eleven are reproduced here.
1954-1961

Action: Round-ups

Throughout the 1950s and 1960s the Teschers and others continued to chase and capture horses in the park, with NPS approval. About a year after the 1954 round-up Tom Tescher designed and built a horse trap, with NPS assistance, along the north boundary fence that Alvin Tescher remembers as having been the best one ever used in the South Unit. Park Ranger Morey recalled that:

Usually during late winter or early spring (March-April) some of the local cowboys (the Tescher brothers, Tommy Olson, and others) would make attempts to catch some of the "wild horses." They would usually try for a warm day when it was slippery underfoot as the frost melted at the surface. This would make less than sure footing for the quarry while the cowboys rode sharp shod horses. They would run relays on them and post riders where they thought the wild ones would run, then try and rope them as they went by. This worked a couple times that I know of. About 1955 this same group built a trap along the north boundary fence and even scouted the herd location by airplane before making a drive. They were not too successful in capturing many horses, possibly one or two. The "wild horses" seemed to have the trap all figured out before it was completed. Tommy Olson told me he thought they had the old grey stud headed right for the trap on one drive, when he suddenly stopped, took a look around, then ran right through the four-strand barbed wire north boundary fence. When the rest of the horses scattered and did not follow him, the old stud then jumped the fence back into the park and rejoined his bunch. That old stud was tough!

Tom Tescher allows that they "about broke even" chasing horses from the 1940s through the 1960s. They only caught horses every
three or four tries, but did it "for the fun of it" and because they "liked to watch them." Ted Cornell (SR; THRO 1956) recalled of the Tescher brothers: "They were wilder than the horses; they jumped wash-outs and down cliffs until they trapped the herd."

Tom was away on the rodeo circuit throughout most of the period 1957-1962. In his absence Jim Barnhart and others used aircraft to drive the horses into "Tescher's" trap, selling them for bucking stock and to slaughter. Chief Park Ranger Monte Fitch (SR; THRO 1955-1957) recalls a population of around twenty head (as does Morey), "although we never had a very accurate count"; Tom Tescher believes there were more, probably closer to fifty, prior to his departure. Chief Ranger Robert Murphy (SR; THRO 1958-1960) corroborates that figure, stating that seventeen of a total 42 head were removed during the winter of 1959, presumably on one of the aircraft drives. Ted Cornell (SR; THRO 1956) says, "The park had about forty head of horses; from Medora to the Red Hills south about sixty head."

During 1957-1958 one of the ranchers with land adjacent to the park (Oyhus) shot a band of horses, including the grey lead stallion. This incident was recalled by Survey Respondent Morey (see above) and by the Tescher brothers, all of whom considered this bunch to be original, unclaimed, and wilder than most. During this time there were still some domestic (trespass) horses grazing in the park at various times. Chief Park Ranger Fitch (SR; THRO 1955-1957) says that by the time bison were introduced in the fall of 1956, "Most of the cattle had been removed, but there were still a few horses." Park Ranger Morey remembers
Harold Talkington running "a bunch of well-bred mares and a well-bred stallion in the vicinity of his place, which was not fenced" for a year or two, but adds that they did not mingle with the "wild bunch."
Policy

There are no records in the park files regarding the horses in the period 1960-1963. However, former Superintendent Wally McCaw (SR; THRO 1961-1963) states in his survey response that he strongly favored retaining the horses in the park and made an effort to do so:

I seem to recall that there was no formal "Wild Horse" management program there when I arrived. I think efforts had been made to remove all horses out of the Park. I agreed that all branded horses certainly should go; but I felt that wild horses were as much a part of the western scene in the time of President Theodore Roosevelt as were the bison—which were also re-introduced.

I wrote up such a management plan. It was approved by Region, then by WASO. I was much pleased! I loved those WILD "wild horses."

McCaw remembers there having been a population of at least eighteen horses: a group of thirteen "led by a story-book stallion--a blaze-faced Palomino with long, flowing mane and tail"; and a group of five branded geldings. In answer to the

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2 I was unable to locate a copy of this document at THRO.

3 Tom Tescher does not recall the Palomino horse and suggests that Mr. McCaw may be referring to either a buckskin gelding owned by L. M. Barnhart ("Buck Hill Buck") or to the then-dominant white stallion. However, Mr. McCaw is quite specific in his description of the horse, and it is possible that the animal was only in the park temporarily. Alvin Tescher stated that there may have been an owned Palomino in the park for a short time. No other Palaminos have been reported in the feral herd.
survey question, "Were there any particular incidents involving feral horses which made a lasting impression on you?", Mr. McCaw provided the following amusing story:

This impression is as vivid as the morning it happened!

The two permanent Park Rangers who were there when I arrived told me of the existence of 'some wild horses.' I showed interest and wanted to see them. I was told that they had been there for over a year and hadn't seen them, and that I would be wasting my time in trying to find them.

That weekend I saddled up my young, half-broke, brown mare and started a search for the Wild Horses. About the second hill I approached looked promising, so I tied my mare to a tree and eased silently, crouching in deep grass to the brow of the hill. There, grazing quietly, was a small herd of horses! I was gawking, shivering with excitement, and studying the herd. Suddenly I heard a commotion down where the mare was tied!

I eased back down out of sight, then hurried to the mare. I broke into view about fifty yards from where she was tied. There, nipping at her and trying to 'collect' her into his herd, was the Palamino stallion! The stallion saw me as soon as I saw him. Did he run? Yes, he did! Right at me! He made two passes in my direction--I was much frightened and looking for a suitable tree to climb when he left!

Richard Maeder (SR; THRO 1960-1963) guessed the population to have been "in the twenties" during that time; he and several other respondents identify the lead stallion as having been white. When Tom Tescher made a horseback reconnaissance of the park in 1962, there were approximately 25 head remaining in several distinct social groups. These included one or two grey stallions, a black stallion, several grey mares, two Barnhart mares and their paint colts, the "Old Blue" mare, and a young bald-faced blue stallion (see "Notable Lineages").
Chief Ranger Elbert Robinson (SR; THRO 1962-1964) could recall no management actions taken during his tenure. Since Chief Park Naturalist John Palmer (SR; THRO 1961-1963) states that he was "not aware of any feral horses in the park or the badlands," it can be assumed that their management was not a prominent issue during McCaw's administration.
Policy: Overview

Under the administration of Warren Hotchkiss, the park established the goal of totally eliminating horses from the South Unit. Former Chief Ranger James S. Rouse (SR: THRO 1964-1966) states that this goal was specified in the Master Plan and also in the 1964 and 1965 Wildlife Management Plans.

Between 1964 and 1966 the park sought to clarify their legal basis for removing the horses and attempted to do so on at least nine separate occasions. Although no single removal effort was very successful, the herd was reduced from approximately 25 animals to an all-time low of sixteen head. Tremendous local opposition and the advent of a new administration in 1966 reversed this policy.

1964: Policy

In June of 1964 Superintendent Hotchkiss contacted the Mid-west Regional Office for legal advice concerning the removal of 23 horses, which were regarded strictly as "feral livestock." The Regional Chief of Resource Management and Visitor Protection referred the matter to Morris D. Cook, Field Solicitor, Omaha, who
recommended the use of North Dakota estray law. Mr. Jacobs asked Mr. Cook's opinion on two points:

1. Is it legally possible to enter into an agreement with an outside individual for the capture, removal to, and impoundment on private lands?

2. Will the procedure require the approval of the Director, National Park Service?

Field Solicitor Cook outlined the problem and his response in a memo to the Regional Director on 26 June 1964 (THRO file series 1427). Cook cited both the Code of Federal Regulations (section 36; 1.62) and North Dakota estray law in opining that the park could contract out for the capture and removal of the horses. In regard to question #2, Cook noted that the NPS Director retained the authority to approve the "destruction and disposition of wild animals" but felt that the capture of estrays could not be so considered. Therefore, Cook concluded that "this question is an internal management question to be determined by the proper personnel of the National Park Service" (emphasis added).

The Acting Assistant Regional Director included a copy of this determination along with a fairly detailed outline on NPS policy and suggested procedure in a memo to the THRO superintendent dated 30 July 1964 (THRO file series 1427):

We are encouraged to note Mr. Cook endorses the idea of contracting with an outsider to trap and hold the animals... No matter how, placing the horses under physical control will be the most difficult part of the operation.
Several suggestions as to how the horses might be controlled are
offered:

Bait an area frequently used, such as the Talkington ranch site or along Jules Creek. Once used to the bait
(hay), impregnate it with Sparine (an oral depressant). It may be advisable to supplement the Sparine by
immobilizing the lead stallion with a dose of succinyl-
choline chloride, then haltering and hobbling. . . .
This technique has never been attempted—you'll be
breaking new ground.

In explaining the position of the Regional Office the memo states
in part:

We concur in your opinion that the feral horses should
be removed from the park at the earliest possible date.
. . . However, as you are undoubtedly aware, past
attempts to accomplish this task have met with heated
opposition from various parties wishing to perpetuate
the mustang of the old west. We are sympathetic, but
point out that it is not relative to the problem at
hand, nor was feral stock tolerated in the badlands of
the 1880s. Essentially the horses in the South Unit
are trespass animals, feral through neglect. Their
relation to mustangs is analogous to that
between . . . sled dogs and wolves.

The memo cautions that:

Your recommendation for removal of the feral stock
should outline the reasons in sufficient detail so that
the program can be justified to and defended by the
Director. We recommend that you give a brief history
of the stray or trespass stock in the park, including
the names of the owners if this can be determined, and
the effect of the horse herd, if allowed to increase,
on the wildlife and other natural resources of the
park.

The Regional Office staff will be happy to assist
you in this project if you so desire.

In a reply to the Regional Director on 24 August 1964 (THRO
file series 1427), Superintendent Hotchkiss outlined the situation
at the park. He summarized the history of the problem, noting
that feral horses predated the park's establishment and that most
had been removed in the 1954 round-up. He added that several
efforts had been made since 1956 to clean out the remainder, but "on each of these attempts, the 'badlands wise' horses eluded the riders."

Hotchkiss stated that the current horse population was 25: eight head with a "large grey-white" stallion and the remainder with a "small brown and white stallion" (actually black and white). He outlined two reasons why their removal was necessary:

If the feral horses are permitted to increase at the present ratio, they will undoubtedly compete with the bison herd for grass and water, particularly in the Paddock Creek drainage area. . . . The proposed Scenic Loop Road, which will connect the Burning Coal Vein with Wind Canyon, will pass through the area frequented by the feral horses. When the Park Visitor observes these feral horses running free in the Badlands, it will undoubtedly confuse him in regard to the interpretive history of the Area.

After noting that local opposition to the removal of the horses made it "highly unlikely" that any rancher would agree to a round-up contract, he outlined NPS plans for the operation:

We believe the best time to trap the feral horses would be in the spring of 1965. . . . The horses will be weak and thus easier to manage. . . . We propose to begin baiting the horses with alfalfa in February 1965 in the Paddock Creek drainage area. After the horses become familiar with the alfalfa, we propose to impregnate it with Sparine and, if possible, immobilize the two stallions with succinylcholine chloride. . . . After treating the horses with Sparine and/or succinylcholine chloride, they will be driven to the buffalo corral and held there for the sixty-day waiting period (referring to North Dakota estray law, which stipulates that estrays must be held for identification and claim).
Action: Removal Efforts

In a memo the following February (9 February 1965; THRO file series 1427), Hotchkiss advised the Regional Director that this plan was no longer feasible, as the horses had changed their range and were now too far from Halliday Well, where the staff had planned to build a temporary corral. However, the staff was continuing to formulate plans for the removal of the horses "in accordance with the objectives set forth in the Master Plan."

Two alternative actions had been designed: "Plan A" and "Plan B." Plan "A" called for driving the horses from their wintering grounds near Buck Hill to the buffalo pens with the aid of a helicopter; Plan "B" entailed the use of fixed-wing aircraft. Trails leading to the corrals would be plowed through the snow, and both the trails and the corrals would be baited with alfalfa.

After referring this plan to Field Solicitor Cook, the Acting Regional Director requested in a memo of 19 February that THRO not use aircraft to drive and/or capture the horses. Public Law 86-234 (the so-called "Wild Horse Annie Act") of 1959 specifically forbade the use of aircraft to chase feral horses on federal lands (see Ryden, 1970). While this legislation did not apply to NPS areas, Field Solicitor Cook felt that the use of aircraft at THRO would be in violation of the intent of the law and had strongly advised against such a measure in a memo to the Regional
Director on 19 February 1964. In light of this, the Regional Director suggested that THRO erect a temporary corral in the vicinity of the Talkington Stock Tank.

Superintendent Hotchkiss replied to the Regional Director on 18 March that "the ranger staff and I have come up with another plan." A horseback reconnaissance of the park on 8 and 9 March had located 23 horses two miles northwest of the Burning Coal Vein, including one young colt and several pregnant mares. Skeletal remains of two horses were also observed. The new plan called for six mounted NPS employees to drive the horses toward the buffalo pens "every day until successful," an estimated four-six days' work. Saddle horses would be rented at the cost of $6 per day.

On 19 April 1965, Hotchkiss wrote to the Regional Director that plans to remove the horses had been frustrated by "the changed range of the horses, the severe winter, legal conflict over the use of aircraft, lack of money for horse rental, and now, the coming of spring."

Following the suggestion of the Regional Office, THRO staff had attempted to bait the horses with drugged alfalfa. Thirty bales were scattered along the trail from the winter range to the buffalo corral, although "snow and mud made the operation very difficult." Then, the buffalo ate the hay. However, wrote Hotchkiss, "Tom Tescher has agreed to help. . . . We consider this the best chance of success . . . and a high priority in terms of work and expense."

In a memo to the Regional Office on 2 June 1965, the superintendent reported that Tom and Jim Tescher, John Griggs, and
other local cowboys and NPS staff had attempted to drive the horses to the buffalo corrals on 28 and 29 May. However, the horses had "eluded the riders by splitting into smaller groups and dispersing." They "hoped to try again soon."

Of larger import, Hotchkiss reported that an unknown source had tipped off a writer for the Dickinson Press about the round-up efforts, who had written "a very misinformed front page article" criticizing the removal policy that had appeared in the 29 May edition. Hotchkiss tried to counteract this negative publicity by issuing news releases and appearing on area TV and radio talk shows to defend NPS policy.

In a follow-up memo to the Director on 9 June, the superintendent reported that additional attempts to drive the horses had been made on 3 and 4 June. While this had been unsuccessful, four horses had been roped and claimed by Tom Tescher. Sites for a temporary corral were being scouted. The memo also noted that the latest census of 23 head included three 1965 colts.

Hotchkiss informed the Regional Office on 22 June 1965 that "the criticism and adverse publicity given by the Dickinson Press in the last month concerning the feral horses has subsided. Perhaps the public is accepting the fact that the feral horses are trespass stock and have no justification for being retained as wildlife in the park." An ideal site for a trap had been located between two clay buttes in the Paddock Creek-Jones Creek area, and plans were underway to construct a fifty-foot corral there with north- and south-facing wing fences.
In the meantime, the Regional Director received letters of concern about the removal effort from Senator Quentin Burdick, Congressman Milton Young, and Congressman Redlin (THRO files, series 1427). Young's letter read in part: "These horses have been of great interest to visitors. . . . I sincerely hope that it will be possible for you to keep these horses in the park. . . ."

In his reply to the three legislators on 21 June 1965, Assistant NPS Director Howard W. Baker stated:

Our long-range management program at this Park presently has the two-fold purpose of re-establishing the natural environments as well as the historical significance associated with the great conservationist, Theodore Roosevelt. The removal of feral horses from the Southern Unit reflects our goal to conserve natural values of this park. . . .

The horses that are present today are not, as many people apparently believe, wild horses. They are horses that have generally been turned out and have congregated in the rougher and more inaccessible areas of the park where, because of their small value or for other reasons, the owners will not put forth the effort to assist in corralling them and terminating the trespass. . . . You may be assured recognition of the historical significance of this area is not being overlooked, and it is conceivable a future introduction of true descendants of the early Spanish mustang may be realized if adequate hitorical justification is found.

In a letter to constituent Mrs. Thad Dolman of Medora dated 30 June 1965, Senator Young wrote:

I am terribly sorry, Mrs. Dolman, that this reply is not more encouraging. Over the years, I have had no end of trouble with the National Park Service in urging them to retain these wild horses. You may be sure I will continue to do everything I possibly can to get this decision reversed.

Superintendent Hotchkiss notified the Regional Director on 20 July 1965 that another round-up had been staged. A temporary
trap had been constructed on the divide between Paddock Creek and Jules Creek on 19 July. On 20 July Jim, Alvin, and Tom Tescher, along with some of their sons, two other local riders, and several NPS employees, had twice driven a bunch of six head to within several hundred yards of the trap. However, on both attempts the lead grey stallion had veered off to the side at the last minute. Two other horses were also driven towards the trap but escaped. The consensus was that there had been too few riders near the gate for the final push. The memo to Region also remarked:

In none of the above cases did the horses turn away because of seeing the trap, for it could not have been seen, and to the best of our knowledge, they did not get near the trap during Monday night.

Park Ranger Einar Johnson (SR; THRO 1958-1965) apparently referred to this round-up when he recalled:

In 1965 I was involved with the first subsequent wild horse round-up. A small, round horse corral was hurriedly constructed one day in the Paddock Creek area, and early the following morning the main herd was chased up Paddock toward the corral. Unfortunately, the white stallion bolted away from the wire wing fence leading to the corral at the last moment and spooked the rest of the herd. Thus, the main herd avoided capture that day, and only three or four yearlings were caught by lassoing. It was an enjoyable outing even if the objective was not achieved.

Finally, a memo from Chief Park Ranger Jim Rouse, dated 27 December 1965, recorded the removal of six horses from the South Unit. According to an undated report compiled by District Ranger Barney, the park first tried to bait the horses with oats near Halliday Well on Lower Paddock Creek, but met with no success. On 24 November, Tom Tescher snared a black stallion, but the horse escaped.
On 6 and 7 December, District Ranger Barney, Park Ranger Wintch, and Tom Tescher made several capture attempts. On 6 December, a band was chased by a vehicle until two colts fell behind, exhausted, whereupon Tom Tescher unloaded his saddle horse and roped them.

On 12 December several horses near Jones Creek were shot with a gun loaded with cap-chur, a tranquilizer, but the drug was frozen and produced no effect.

On 13 December, eleven head were driven approximately ten miles with a jeep. When the horses were sufficiently tired, Tom, Jim, and Alvin Tescher, two of their sons, and Oliver Lang chased them on saddle horses. Four horses escaped through the north boundary fence, "tearing down about 100 feet of wire as they went." The rest escaped up Jules Creek. One three-year-old stallion was roped.

On the following day two horses, the red roan Barnhart mare (see "Notable Lineages") and an old, crippled grey stallion were roped by the local cowboys in a pasture north of the park (now Mosser's). A third horse, the black Barnhart mare, was snared by Tom Tescher, sustained a broken leg, and was destroyed. The grey stallion roped by Tom is one of the few horses he recalls as having had a crooked leg; however, the horse had eluded capture for fifteen years and had once escaped an eight-foot corral.

On Friday, 17 December, the horses "were disposed of in accordance with North Dakota estray law" (given to locals to sell), leaving sixteen known horses in the park.
Ranger Rouse's memo (27 December 1965) concluded with the observation that:

Trapping the horses is not practical unless the trap is completely hidden and the horses do not know of its presence in advance. The horses abandoned the trail through the horse trap on the Paddock-Jones Creek divide and used a trail farther south.

The most practical methods of capture are roping and tranquilizing. For roping the horses must be in a favorable position to be run several miles with a vehicle to tire them before unloading the saddle horses for roping. If time and weather conditions permit, Mr. Tescher will attempt to rope some more horses this winter. Efforts to capture horses with the cap-chur gun will also be continued.

A total of at least eleven horses were removed from the South Unit during the period 1964-1965, including the 1965 colts and the Barnhart mares (see "Notable Lineages"). This reduced their number to an all-time low of sixteen known animals. However, Tom Tescher believes that other, unaccounted-for horses also remained.

In discussing the years during which the park attempted to eliminate the horses with the author, Jim Rouse explained that from the park's perspective, the horses were the property of local ranchers: "We were allowing owners and hands to come in and round up stock; we simply assisted."
1966-1970

Policy

There are no memoranda or records concerning horses dated between 1966 and 1969 in THRO file series 1427. In March of 1966, Art Sullivan succeeded Warren Hotchkiss as superintendent of THRO and immediately halted efforts to remove the horses. In his survey response, Superintendent Sullivan (THRO 1966-1969) provides an account of the attitude prevalent at the park when he arrived and of his motives for initiating a policy change:

On my arrival at Theodore Roosevelt as superintendent, I soon learned that the park goal regarding those feral horses was total elimination. This was based on the rationale that the park was a natural area and feral horses were inappropriate. I disagreed with that goal. At that time, 1966, parks were administratively divided into three categories, i.e. natural, cultural, and recreational, with distinctive administrative policies for each category. Theodore Roosevelt NMP was designated a historical area, and NPS policies for historical areas provided for maintaining the historical scene. Feral horses were not new to the area, as Theodore Roosevelt himself mentioned these in writings about his adventures in the badlands. Based upon these considerations, I reversed the park goal from one of elimination to protection of the feral horses as part of the historic scene. This was met with a strenuous resistance from the park ranger staff and even from the Regional Office. However, I did prevail, as NPS policy supported this position. The park ranger staff had already embarked on a program of surreptitious elimination of the horses. In at least one instance related to me, rangers shot one horse and passed it off as "winter kill"; they were at least sensitive to the inevitable public outcry were it known that rangers were shooting the horses. This action stopped upon my arrival.
The Chief Ranger during Sullivan's tenure at THRO, Mr. Myrl Brooks (SR; THRO 1966-1968) stated that there were no feral horses in the park at that time. However, when asked to respond to the appropriateness of having horses in the park, Brooks stated, "Get rid of them by round-up and sale. If unsuccessful shoot them."

Jim Rouse told the author that Sullivan favored the horses because he was a "historian"; it seems to have been Sullivan who discovered that the writings of Theodore Roosevelt included references to wild horses in the area during the nineteenth century.

Demographically, the horses were under severe stress during these years. Information obtained from Tom Tescher for the subsequent 1970 Wild Horse Management Plan indicates a very low reproductive rate:

- 1965: 2 foals
- 1966: 2 foals
- 1967: 1 foal
- 1968: 2 foals
- 1969: 3 foals

Action: Removals

Five of these foals were found dead in the park (1970 WHMP), and the two born in 1965 were captured and sold for slaughter. Several horses were removed from the park by locals in addition to those listed in park records, including a red roan colt in 1968 and a bald-faced blue colt in 1969. In the 1960s and early 1970s
horses were occasionally removed from the park for sale to the
Gold Seal Zoo as food for exotic felines.