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GEORGE M. SMITH

HISTORY OF DAKOTA TERRITORY

BY

GEORGE W. KINGSBURY

SOUTH DAKOTA ITS HISTORY AND ITS PEOPLE

EDITED BY

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ILLUSTRATED

VOLUME III

CHICAGO

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SOUTH DAKOTA

ITS HISTORY AND ITS PEOPLE

CHAPTER I

NATURAL AND ACQUIRED RESOURCES

Probably no subject is of greater historic interest to the people of the state than the development of the natural resources. South Dakota did not start out on the perilous but prosperous voyage of statehood with either a bankrupt treasury or a dearth of resources that could be made useful. Three very important resources shone above all others when the young state began its career, namely: (1) The mines; (2) the plant products, and (3) the live stock industry. All three had grown wonderfully under the sunny skies of territorial existence, but had in reality only well commenced. In addition and only of secondary importance, were the following additional means of resource: (1) Lignite and coal beds; (2) artesian water supply; (3) cement formations; (4) building stone; (5) fertile soil; (6) available moisture for crops; (7) abundant timber in the extreme western part and along many streams; (8) extension of the corn growing area; (9) introduction of drouth resistant plants; (10) irrigation and intensive farming; (11) improvement of live stock; (12) diversified farming and rotation of crops; (13) extension of the fruit growing area; (14) oil and natural gas deposits; (15) available water power; (16) the intelligent, mixed and industrious population; (17) healthful climate; (18) large amount of annual sunshine; (19) wild game for food, furs, pelts, etc.

But there were also serious drawbacks which had to be taken into consideration here as in every other state and if possible overcome, as follows: (1) General prejudice against the West and particularly the western half of the state, due to unfair and unfounded reports that the region was a semi-desert and largely uninhabitable; (2) lack of moisture for crops sometimes in certain portions; (3) danger from late May and early September frosts which might cut down the crops; (4) tracts of soil or subsoil that required study and special manipulation to reward the agriculturist; (5) occasional severe winters that endangered live stock and violent storms that damaged crops; (6) want of forests and timber in the central and eastern portions (7) occasional hot winds that wilted crops in July and August; (8) difficulty of irrigating the soil which contained alkali; (9) lack of good drinking water in certain restricted sections.

It may be said generally that everyone of these resources except two or three have been advanced and expanded far beyond the hopes and dreams of the first

settlers. The mines have become among the greatest producers in the world and the supply seems inexhaustible. The plant products have far surpassed all expectations—agriculture, horticulture, etc. The corn belt now covers nearly the whole state. The live stock industry first expanded marvelously on the ranges, but has since diminished there, but has vastly increased on the small farm. All of the other resources mentioned above have been elaborated, improved and utilized until South Dakota now is, and has been for nearly a score of years, at the head of the states in the annual value of products per capita. The mines, the plant products and the live stock industries are given elaborate treatment elsewhere in these volumes.

The drawbacks have been largely overcome or wholly removed. People now in all parts of the country know that the state is one of the best for husbandry in the whole country. Irrigation and reservoirs supply the moisture lacking; quicker growing and maturing crops evade the frosts; the soil is better understood and more wisely handled; plants adapted to the soil, temperature and moisture have been procured or developed; better buildings and feed supplies render the winters less damaging; forests are being grown; vegetation and moisture temper the hot winds; alkali is sub-drained from soils, and good drinking water is secured everywhere. Thus South Dakota with its prosperous business and its happy homes will compare favorably with any state in the Union.

The territorial growth was at first slow and spread from the eastern portion of the state particularly in the southeastern corner. The rush for the Black Hills which occurred principally in 1876 was followed the next year by a great impulse in settlement throughout the Hills region and the eastern part of the territory. The homesteading movement of 1877 gave great hopes to the few settlers that the territory would rapidly become densely populated, but this movement did not last long. There came a reaction. Conditions here were vastly different from what they were further east and south. New and insuperable obstacles had to be encountered, such as prairie fires, devastating floods, early and late frosts, and drought that dried up every leaf of vegetation. This condition drove many of the first homesteaders from the territory, but after a few years or early in the eighties, there came another homesteading movement which continued until after statehood was secured. The admission of the state in 1889 and the opening of the Big Sioux Reservation were alone sufficient to bring here thousands of settlers.

When the new state came into being in 1889-90, although there had been a great onrush of settlers, there was much discouragement and many failures, and in many portions of the young state destitution was painfully present and apparent. The officials of the new state on more than one occasion were compelled to appeal to the generosity of the people in the East for means to keep the settlers in certain portions of the state alive until they could realize on their cattle or their crops. The great financial depression which swept the whole country at that time added to the dismay and distress which prevailed in this section of the Union. This depression reached its climax in 1893, but the crop failure in 1894 and the robbery of the state treasury in 1894-5 completed the depression and the distress. A few years later another reaction occurred and since the late nineties South Dakota has been prosperous and contented perhaps as much so as any state in the Union in proportion to population. Late in the

nineties, pioneer conditions over most of the state were changed. Schools were in successful operation, churches were numerous and well attended and the towns and villages began to prosper in accordance with the development of the rural districts.

The possibilities of securing an abundant water supply from the artesian system were developed early in the eighties and the number of wells rapidly increased. By December 31, 1889, Yankton County alone had seventy artesian or semi-artesian wells in operation. They were sunk and used mainly by the farming community, but many were located in the towns and villages where they were first developed. At this time about half a dozen wells were in the towns of Yankton County and all the others were on the county farms. The first artesian well in Dakota Territory was sunk on the hill at Yankton early in 1880. It was put down 485 feet and yielded 300 gallons per minute. In 1881 another was sunk at the Germania House; it was 380 feet deep and yielded ten gallons per minute through a 2-inch pipe. In 1882 one was sunk at the Morrison Hotel, Yankton, to the depth of 275 feet and yielded twenty gallons per minute. In 1883 five more were sunk in Yankton County. After that date one was sunk in 1884, five in 1885, eight in 1886, thirteen in 1887, fourteen in 1888, and twenty in 1889, thus making a total of seventy in Yankton County in nine or ten years. All yielded a total of 11,133 gallons per minute. This gave over sixteen million gallons per day of twenty-four hours. The construction of wells mainly for domestic use had progressed notably since the first one was sunk; they could now be put down for from \$50 to \$100. During these nine or ten years the remainder of the basin was not idle in the artesian well movement. Similar wells were sunk in many portions of the James River Valley, few going down more than 1,000 feet, but flowing water was secured. By June 1, 1890, the following was the condition of the artesian wells in this state:

County	No. of Wells	Depth of Shallow Wells	Depth of Deep Wells	Flow in Gallons per Minute
Beadle	1		1	600
Bon Homme	6	512	736	219
Clay	150	205	500	55
Davison	10	97	288	3
Grant	12	30	117	17
Hanson	50	70	315	260
Hutchinson	11	3	154	26
Jerauld	2	0	0	3
Lincoln	12	32	70	3
McCook	11	85	195	41
Miner	66	60	284	16
Sanborn	92	60	600	89
Turner	30	24	340	18
Yankton	74	225	645	38
Totals	527			1388

The artesian basin in South Dakota had become well defined in 1890. Union County marked the southern end of the artesian area. The northern limits were in North Dakota. The eastern limits were on the divide between the James and Big Sioux valleys. At this time South Dakota had the largest flowing wells

of any state in the Union, though the largest thus far did not deliver much over 3,000 gallons per minute. It was necessary to reach what was known as the Dakota sandstone before the artesian supply was obtained. As this sandstone dipped toward the north it became necessary to go deeper in that direction. One of the most notable wells at this time was at Huron, where an abundant supply was reached at the depth of about nine hundred feet. Artesian water was deemed invaluable at this time, and all farmers who could afford to do so secured home wells or combined with their neighbors for that purpose. In many towns and villages artesian power companies were organized to utilize the pressure of the wells. One was organized at Yankton with a capital of \$100,000; another at Wolsley. The Wolsley artesian wells were famous the world over; so were those at Woonsocket. One well had a pressure of 150 pounds per square inch. At Springfield the artesian wells were equally famous; through an 8-inch pipe there a column of water was thrown 12½ feet high. The same well threw a stream 26 feet high through a 6-inch pipe; 62 feet high through a 4-inch pipe; and 77 feet high through a 2-inch pipe. One of the wells at Springfield at first developed a flow of 3,293 gallons per minute. Another of the wells there threw a stream 16 feet high through an 8-inch pipe; 32 feet high through a 6-inch pipe; 68 feet high through a 4-inch pipe; and 96 feet high through a 2-inch pipe. These wells were used to furnish power for a flouring mill. In January, 1891, the most important wells in the state were as follows: At Huron, where the flow was 1,668 gallons per minute; Aberdeen, 1,215; Mellette, 1,215; Redfield, 1,261; Hitchcock, 1,240; Columbia, 1,399. At Risdon's farm near Huron the flow was over 3,000 gallons per minute and the pressure was over 200 pounds to the square inch. It threw a stream of water 125 feet high through a 2½-inch pipe. Flouring mills at Yankton, Hitchcock and Springfield were operated by water power. The pressure in these wells varied from one hundred to one hundred sixty-six pounds to the square inch. The following table shows the most important wells in the state on May 1, 1891:

Wells	Depth	Size of Pipe	Pressure	Flow in Gal- lons per min.
Woonsocket, City Well.....	840	6	120	1,152
Woonsocket, Mill Well.....	850	7	125	1,800
Hines Well	742	3	131	455
Wolsley Well	860	6	150	1,500
Plankinton, City Well.....	850	6	91	224
Springfield Well	900	6	160	3,200
Kimball, City Well.....	640	4	20	185
White Lake, City Well.....	863	6	35	1,000
Huron, Risdon's Well.....	1,060	6	200	3,000
Aberdeen Well	1,100	6	125	1,215
Yankton, Cement Well.....	650	6	50	1,300
Brick Yard Well.....	705	6	43	1,455
City Well	860	6	18	880
Insane Hospital Well.....	680	4	10	600

The artesian wells developed many varieties of drinking water within the state limits. The temperature of the water in the eastern portion was usually cold enough for drinking purposes. In the region west of the Missouri River, many wells sunk at a later date spouted comparatively warm water which was

greatly relished by live stock, particularly during the cold months. The water from many of the wells possesses valuable mineral properties and can be used largely as a means of restoring inert bodily functions and for the improvement of health generally. In the extreme western portion of the state many valuable mineral springs were early discovered and enlarged and are to this day one of the valuable assets of the state. The Hot Springs at the town of the name in Western South Dakota have become famous the world over, and thousands of people visit them annually for the curative effects of the water. Many wonderful recoveries from various physical and mental disorders have been ascribed to these famous waters. To aid in the effect upon patients, the surroundings there have been beautified until the scenery seems like fairyland. The waters at Hot Springs were famous as early as the eighties and began to be advertised extensively for their curative effects. At that time a daily stage ran from Pierre to Rapid City and thence branches conveyed health seekers to the springs.

In 1893 Chamberlain struck one of the greatest spouting wells in the state. At first it was reported to throw 8,000 gallons per minute through an 8-inch pipe, but later the quantity was fixed approximately at 3,300 gallons per minute. Thus it was equal to the famous wells at Springfield, Huron, Woonsocket and elsewhere. In 1893 artesian wells were sunk at Pierre and west of the Missouri. At Dry Run, six miles from Pierre, flowing water was struck at a depth of 1,200 feet. This point was 300 feet higher than Pierre. This was one of the first indications that the artesian basin extended west of the Missouri River. Congress appropriated money for sinking artesian wells at the different Indian agencies of the state. It was about this time that Colonel Edwin S. Nettleton of the Government Irrigation Investigation Commission announced that the James River Valley artesian basin covered about forty thousand square miles; that the artesian rock dipped somewhat sharply to the north; that water was reached at a depth of from five hundred to six hundred feet near Yankton; that it was necessary to go from fifteen hundred to seventeen hundred feet deep at Devil's Lake; that the dip of the Dakota sandstone from Yankton to Devil's Lake was about seven hundred feet; that the eastern extension of the basin reached over into Minnesota, and that its western limits were still undefined, but were far west of the Missouri River. Already by 1894 artesian water had been struck almost as far west as Deadwood. In 1895 the Black Hills Artesian Wells Company was incorporated and offered their services to sink wells in any portion of that district. The United States Government at this time made a thorough investigation of the subterranean waters of the state. The deepest wells in the state in 1895 were near DeSmet, where it was necessary to go over sixteen hundred feet deep to secure flowing water.

In the spring of 1893 the artesian well at the Pierre Indian School was down 1,191 feet, had a 6-inch bore, yielded 500 gallons per minute, and had a closed pressure of 165 pounds to the square inch. The water was about 92° temperature, had strong magnetic properties and contained a considerable quantity of natural gas.

In 1893 the governor noted the great development of artesian wells in the James River Basin and said that the work was due almost wholly to private enterprise, owing to the fact that the law which permitted townships to issue irrigation bonds was somewhat indefinite and defective. As it now existed the

artesian basin, he said, covered the whole region between the James and Missouri rivers and extended east of the James River to the boundary of the state and in all probability extended west of the Missouri to the Black Hills. At this time he announced that there were ninety-nine deep artesian wells in operation in the state; that they were from three to ten inches in diameter; that they were from six hundred to one thousand feet deep, and that they had an average closed pressure of nearly one hundred pounds to the square inch and an average flow of about seven hundred gallons per minute. He noted that many farms were being irrigated, and that most of the artesian water was being used for domestic purposes. In a few towns and villages the pressure of the wells was being used for power purposes, such as pumping, electric lighting, operating flour mills, etc. He noted that such power was being used on flour mills at Hitchcock, Yankton, Mellette and Woonsocket.

Many of the wells which were at first denominated artesian, were really not such because they did not strike the Dakota sandstone. Many of the wells sunk on farms were no deeper than two hundred fifty feet. While it is true that there were probably over three hundred artesian wells proper in the state in 1891, it is also true that there were several thousand others which were yielding so called artesian water for domestic purposes. Up until the present time (1915) artesian wells have continued to be sunk in all parts of the state and occasionally one of great power is secured.

The following is the result of the analysis of water from the Locke Hotel well, Pierre, the table showing grains and decimals of a grain in a gallon of water:

Silica	1.050
Ferric Oxide and Alumina .....	.070
Calcium Carbonate	4.935
Magnesium Carbonate	1.855
Sodium Carbonate	43.360
Calcium Chloride .....	.693
Magnesium Chloride	1.814
Sodium Chloride	184.569
Sodium Lithate	1.250
Sulphates	Trace
Total Solids per gallon.....	239.626

The artesian water will continue to have its uses forever, owing alone, if for nothing else, to the medicinal qualities which it contains. It may be said that the whole artesian supply is a medicinal one, good for nearly all human ailments and sufficient, if the water be rightly used, to correct many disordered bodily functions. The following is the analysis of the city artesian water at Yankton, the figures showing so many grains and decimals of a grain in a gallon of water:

Chloride of Sodium	1.346
Chloride of Lithium .....	.102
Chloride of Magnesium	9.914
Chloride of Calcium	5.314
Bromide of Sodium .....	.124
Sulphate of Lime	92.345
Sulphate of Baryta .....	.025



ARTESIAN WELL, PIERRE

Bicarbonate of Lime	4.816
Carbonate of Iron	196.367
Alumina	1.246

Total Solids per gallon.....311.599

As late as 1904 and even down almost to the present, large gushers were obtained in the James River Valley. One at Woonsocket threw a 2-inch stream 100 feet high and the sinkage of this well did not interfere with the others in the same village. As early as 1890 fine mineral springs were located near Chamberlain on American Island. The water had a temperature of about 80° and flowed from a spot which the river never reached. At this time there was not much diminution in the flow.

By 1904 it was estimated that there were in round numbers 2,400 genuine artesian wells within the limits of South Dakota. There was but little decrease in the flow, though some of the wells had lost their higher pressure. Professor Todd, state geologist, said that the decline in pressure was due no doubt to the large number of wells which had reached and drawn upon the artesian supply below the Dakota sandstone. He suggested that there should be a decrease in the waste which was constantly going on from all wells. The wells have continued to increase in number and usefulness throughout the state down to the present time. By February, 1908, there were in Faulk County alone 314 flowing wells, though many had but little pressure. It was not many years before that date that the first artesian well was secured in that county. In January, 1913, there were twenty-four flowing wells in Spearfish, Lawrence County. In the Bad River Valley the artesian water often has a temperature of from 128° to 138° Fahrenheit. A recent well at Edgemont yields water with a temperature of 120°; this well is 2,970 feet deep and the water is said to be soft and suitable for domestic purposes. In 1910 it was estimated that there were at least sixty-five artesian wells in operation in South Dakota west of the Missouri River. The flow from these wells varies from ten gallons to six hundred gallons per minute. The three wells at Pierre supply 1,500 gallons per minute. The new well at the Pierre Indian Schools is said to flow 6,000 gallons per minute, but this is probably a mistake of the state engineer. The total amount of water supplied by the artesian wells of the whole state would be hard to estimate. If there are a total of 3,000 wells and they flow an average of thirty gallons per minute, the total quantity supplied in a day of twenty-four hours is 129,600,000 gallons. Much of this water flows away and is wasted so far as the wants of man are concerned—a serious drain on the natural resources.

ARTESIAN WELLS IN SOUTH DAKOTA, 1909; LIST INCOMPLETE

County	Number of Wells	Flow in Gallons per Minute
Aurora.	100	6,000
Beadle.	55	15,000
Bon Homme.	20	10,000
Brown.	75	16,000
Brule.	35	24,000
Buffalo.	6	600

County	Number of Wells	Flow in Gallons per Minute
Butte	65	1,800
Charles Mix	37	11,000
Clay	230	3,500
Davison	250	12,000
Day	12	600
Douglas	25	14,000
Edmunds	400	6,000
Fall River	3	540
Faulk	30	3,000
Grant	10	300
Gregory	30	2,000
Hand	80	7,000
Hansen	55	1,000
Hughes	25	10,000
Hutchinson	50	2,000
Hyde	65	1,600
Jerauld	14	1,600
Kingsbury	45	3,000
Lawrence	12	1,000
Lyman	14	1,000
McCook	10	300
McPherson	40	1,800
Marshall	35	3,000
Meade	8	360
Miner	60	3,000
Pennington	2	100
Potter	6	300
Sanborn	100	7,000
Spink	800	70,000
Stanley	17	700
Sully	10	600
Turner	18	1,100
Walworth	8	300
Yankton	50	12,000
Indian Reservations	2	700
Grand Total	2,909	255,800

In the spring of 1913, an artesian well was sunk at Edgemont and proved to be one of the greatest spouters ever struck in the United States. It had a flow of 700 gallons per minute or more than one million gallons in each day of twenty-four hours. The distinguishing feature of the water was its high temperature, the register showing 126°. The water was unusually pure and could be used for domestic purposes. It was one of the deepest wells in the country, the drill going down a distance of 2,970 feet. Drilling was in progress for about two years and the cost was many thousands of dollars.

The lakes also furnish a large supply of water for all purposes. The important lakes are Pickerel, Kampeska, Poinsett, Hendricks, Andes and McCook east of the Missouri River, and Sylvan west of that river. They are natural reservoirs and thus must be classed among the state's resources.

In his speech when dedicating the South Dakota building at the World's Fair in 1893, Governor Sheldon declared that the resources of no portion of the

country had been so glaringly misrepresented as those of South Dakota; that for years the entire East had unfairly denominated the country west of the Missouri as a desert; that on the other the soil was intensely rich in plant food and that soils in places were eighty feet deep; that South Dakota was a desirable place for residence; that no stock was permitted to run at large; that no fence law was in operation east of the Missouri River; that the farmers had already learned that growing wheat alone was unprofitable and had adopted mixed farming and rotation of crops; that the area upon which corn could be grown had been extended from a small section in the southeastern portion of the state northward and westward until practically the whole state had been covered; that few states could surpass South Dakota in the rearing of horses, cattle, sheep, hogs and poultry; that the Black Hills were thick with pine and other timber; that the state was rich with gold, silver, lead, tin, iron, stone for buildings, gypsum, lime, plaster, stucco, cement, granite, jasper, etc. He stated that on June 30, 1893, the bonded debt was but little more than one million dollars, the most of it bearing only 4% interest; that the funding warrants outstanding were comparatively few in number; that the taxation was very low, being but two mills on the dollar, with provisions for a slight increase in case of deficiency; that no state had better health; that cases of malaria and consumption were few, and that the aurora borealis was finer than in any other state in the Union.

"Self-deception, even when intended to deceive others, never pays. The people of South Dakota must squarely face the most important question ever raised in the state, and the sooner they do so, the sooner they will solve it and insure their prosperity. It may be humiliating to admit it, but it is the solemn truth that a large portion of the counties in the state in a considerable number of years lacks sufficient moisture. Except in the eastern quarter crops are not certain. There are years of abundant rain and phenomenal yields, but they are succeeded in many cases by the opposite extremes. The average of success is not high. This result is not due to the soil. The unanimous testimony of observers shows that the black loam of Dakota and the porous subsoil surpass in productive and lasting power any others known. Given ample moisture and the crops are wonderful in amount and quality. The problem is to secure this moisture, and upon its solution depends in a large measure the resources and the future welfare of the state. The solicitation of widespread immigration, the investment of capital, the construction and enlargement of railroads, the erection of cities, the advancement of market facilities, the lowering of individual taxes and the vast increase in the wealth of the state depend upon this solution. It behooves the people, therefore, to give marked attention, first, to the question whether the desired moisture can be secured, and, second, if so, what is the best means for securing it."—Sioux Falls Argus-Leader, 1891.

"A great mistake is being made in not gathering the statistics of the products of farm and factory in this state. The moneyed men of the East and even those of the nearby western cities of Chicago, St. Paul and Minneapolis are not aware of the resources of this state as they exist at present. Railroad building and the investment of capital need not be expected where the community do not offer inducements. This state has many such inducements to offer capitalists at present, but the lack of officially collected statistics hampers anyone interesting himself in the welfare of the state and its people by a proper presentation of

facts as they exist. A reasonable sum of money invested in securing such data would add annually to the tax-paying property of the state investments which would pay in taxes alone many times the amount of the outlay necessary to collect the statistical information needed."—State Register, September, 1899. Soon after this article was published the Legislature made ample provision for collecting and publishing the important statistics of the state. Under the able supervision of Doane Robinson all important matters concerning the resources and products are now published annually or biennially at state expense. Much of the statistical matter after 1900 in these volumes came from these publications.

For the fiscal year 1893-94 the commissioner of labor endeavored to collect complete statistics concerning all the natural productions of the state. It proved to be more difficult than he expected, owing to the lack of funds with which to prosecute his investigation. Three methods were open as follows: (1) To secure the information by uniform schedule blanks sent to persons from whom the facts were expected; (2) through public hearings; (3) through the efforts of special agents. His means limited the commissioner to the first of these methods. He sent out numerous letters of inquiry to many farmers in every county, but on the whole the answers were evasive, incomplete and often jocular. He learned, however, that the highest average value of farms was in Yankton County; that Brown was next highest, and Pennington lowest. The highest average members of families was in Lake County and the lowest in Clark and Douglas counties. The largest number of acres to the farm was in Spink County; next came Brown and next Custer. The farm productions were usually poorest through the mining counties. The percentage of mortgages on farms was about 48. Clay County showed the highest average number of bushels of wheat to the acre—18.55; Buffalo County was very low, showing an average of 5.3. The average of the whole state was 11.37 bushels. Clay County showed the highest returns in oats, 37 bushels to the acre, and Buffalo the lowest, 8 bushels. The average to the state was 21 bushels. Clay County was also highest in barley, rye and flax. Brown was the lowest in rye and Charles Mix County, the lowest in flax. The commissioner said: "In Clay County the rainfall was sufficient for the needs of agriculture. In Buffalo County it was not, and this tells the whole story." The average yield of wool to the animal was 7.08 pounds. The heaviest fleeces were in Codington County—over 9 pounds to the animal. The commissioner sent out the following question to farmers and laboring men: "What in your opinion would better the condition of the farmers and laboring men?" To this question 170 replies were received from all parts of the state. The opinions were almost as numerous as the individuals, but as a whole they expressed the belief that intelligent and hard work with economy would be better than anything else to improve the farmer's condition. The commissioner said: "These answers are widely distributed and come from all parts of the state. They are amusing in many instances and are entertaining and generally instructive. Some of them of course seem but to illustrate the familiar and well known habit of many of the American people of attributing all the ills that flesh is heir to, all the accidents and all the distress, each phenomenon of earth and each portent of the sky, to political causes. Two points of interest stand out in bold relief in the economy picture of this state as painted by this testimony of the farmers. The first is that the mania for raising wheat alone must be abandoned so that the agricul-

tural interests can prosper; and the second is that, except in the southeastern portion of the state, the tilling of the soil cannot be uniformly successful without an increase of moisture either natural or artificial."

The development of corn growing in South Dakota has been one of the unexpected but hoped for wonders of agricultural development. At first it was grown in limited quantities and with doubtful results in the southeast corner of the state. Steadily the area has been extended northward and westward until now almost the whole state may be considered within the corn belt. This has been accomplished mainly through the selection of hardy varieties and the proper seed. It was thought at first that the old Indian Ree corn would have to be grown in the northern portions of the state exclusively, but soon the Dent and Flint varieties were adapted to the soil, moisture and climate conditions so that now corn can be grown in all portions of the state and is one of the principal assets and resources.

One of the natural resources, particularly in early times on the ranges, was the buffalo and grama grasses, often classed as the same by the ranchmen. Even to this day they may be classed as an opportune and valuable state asset. The grama belongs to the genus *Bouteloua* and the buffalo grass to the genus *Bulbils*. The two are found closely associated, growing near each other, but not often together. Mesquite grass was also to be found here. There are numerous other wild grasses which made possible the vast buffalo and cattle ranges of early and later times, among them being wheat grass, red top, blue joint, wild rye, beard grass, bur-grass, witch grass, *Koeleria*, marsh grass, sand grass, several members of the pea family, etc. Several cure while standing, with all their nutritious qualities preserved, so that they furnished good food for live stock all winter, even under the deep snows. Without these grasses the buffalo could not have subsisted and thrived here. The Indian also could not have remained without the buffalo for food and clothing. The great cattle industry was thus rendered possible and profitable. Wild game has been a valuable asset for fur, pelts and flesh.

The quarternary age was important to what is now South Dakota. During that time the part east of the Missouri River was covered with immense glaciers that brought down vast quantities of soil which they gathered up on their way during hundreds of years. As the glaciers melted during their retreat northward the soil was dropped and constitutes much of the surface of the state east of the river. The western edge was approximately where the Missouri River now is and the streams running from its glaciers formed the present stream now known by that name. While this was going on east of the river, the western part of the state was modified by the combined action of rainfall, rivers and lakes being cut and eroded throughout most of its area while deposition was building up some of the smaller portions until the surface was left in its present condition. Thus the western portion had its original surface swept away while the eastern portion had its original surface covered with a new coating now called glacial drift. This glacial deposit is of two kinds, till or boulder clay which is non-stratified, and stratified drift which is made of beds of shale. These are divided into drift sheets and drift sheets and drift hills. The drift sheets are subdivided into till or boulder clay in which is non-stratified and stratified drift. The drift hills are subdivided into Moraines, Osars and Butte ridges. From this drift comes much of the soil east

of the Missouri River. Thus the soil of South Dakota which is used for agricultural purposes is mainly brought down from further north. At a still later period came the alluvial formations which were made in the main by streams. The geological history of the state is of great interest, but will not be treated here except to show the origin and nature of the soil.

The Missouri River divides the state into two nearly equal geographical divisions. It also divides the state into two pretty well defined characters of soil. As the soil makes agriculture and as agriculture makes and will make the history of South Dakota, the consideration of the soil east of the Missouri River is of wide importance from a historic standpoint. That portion of the state east of the Missouri River would not be well developed, would not have its fine rich farms and its prosperous cities and villages were it not for the rich soil which covers the greater portion of this area. Practically the entire surface east of the Missouri River, with comparatively small exceptions, is covered with drift deposits. The soil thus brought here from northern latitudes is more or less mixed and all greatly varying in character, but on the whole is exceedingly fertile, as is proved by the large crops that are grown east of the Missouri River. Over the glacial drift has come with the centuries since the deposit was made, a deep formation of vegetable mold, being usually deep and black and rich with every form of plant food. As the Missouri River was the approximate western boundary of the glacial movement, the soil west of the river is mostly composed of the crumbled primeval strata which existed there, but which east of the Missouri has been covered by the drift deposits and the vegetable mold. Generally the soil east of the Missouri possesses uniform characteristics of fertility, with the exception that here and there where no such deposits were made or were thinly made, the original strata appear on the surface and have all the properties and characteristics of the soil west of the river. In the lake region east of the Missouri the soil is deep and black, while in other sections it is mixed with sand, and in some places of limited area the black gumbo predominates. This bed rock originated from the decomposition of shales which constituted the primeval formation of these localities. This decomposed material contains an abundance of plant food with the exception perhaps of humus. In other localities an abundance of humus is found even in the black gumbo soil. Usually the sub-stratum of glacial drift consists of heavy clay, intermingled with which are frequent deposits of gravel, sand, chalk and other material.

It should be stated that the agricultural history of South Dakota, particularly east of the Missouri River, dates from the year 1857 and that a considerable portion of this area has been successfully and continuously cultivated since 1859. The fertility of much of this soil is proved by the fact that over fifty harvests have been taken from many thousands of acres throughout Eastern South Dakota without impairing their fertility. Probably the average cultivated time of the region east of the Missouri is about twenty-five years. This is sufficient to prove that the soil generally is as fertile as any in the country. There are exceptional areas along the Missouri and on the uplands between the river courses, but the observation applies as a whole to the region east of the Missouri. In early times wheat was grown almost exclusively, but gradually the chemical elements necessary for its growth became deficient, whereupon diversified farming was substituted with excellent and gratifying results. However, there are fields east

of the Missouri which have produced bountiful crops of wheat continuously for forty years. These are exceptional tracts and the practice of growing a single crop thereon until the soil becomes exhausted is neither commendable nor advisable. Diversified farming, rotation of crops and proper fertilization will maintain the fertility of nearly all of South Dakota soil permanently. The products of the soil of South Dakota for five years from 1905 to 1908 inclusive increased in value from \$116,792,000 to \$185,434,000. The increase from 1907 to 1908 was over \$25,000,000. This did not take into account wild hay, but included wheat, corn, oats, barley, flax, spelz, cultivated hay, potatoes, vegetables, fruit, dairy products, poultry and eggs, honey, live stock, wool and hides, minerals and other stone. Of course the chief object of the agriculturist should be to maintain the productiveness of his soil. Science has come to his rescue and shows him how this can readily be done.

So much has been said and written concerning the good and bad qualities of South Dakota soil that the ups and downs of the controversy merit the considerations of history. Particularly have the qualities of the soil west of the Missouri River received the attention of critics and new settlers. When investigated nearly all the contradictory claims are found to emanate from persons whose pocketbooks are affected. Apparently the only ones to tell the exact truth are the geologists and the state and United States soil experts. The tract west of the Missouri River is a part of the great central plains which extend from the Rio Grande northward far into Canada and from the foot of the Rocky Mountains eastward well across the Mississippi Valley. At the time of the last glacial epoch these plains were nearly level, but since then streams and floods have eroded them until they are now cut up more or less into hills, ravines, etc.

The character of the soil in any region depends upon two great groups of factors, viz.: (1) The character of the material from which it is derived; and (2) the processes by means of which this material has been converted into a medium capable of supporting plant growth. The first has to deal with soil-farming material; the second with soil-farming processes. These two sets of factors are intimately associated, and a given soil condition is always the resultant of a defined combination of these soil-farming factors. Uniformity in the factors will give uniformity in soil, or a soil type, while any variation will as certainly result in a change in its character. Therefore, a knowledge of these factors is essential to a proper understanding of the soils of any region of South Dakota.—(Reconnaissance Soil Survey of Western South Dakota.)

There can be no doubt that a good soil is one of the chief, if not the chief, assets or resources of a county, a state or a nation, as all admit the cultivation of the soil is the foundation of human development and civilization. Notwithstanding this fact is it not remarkable that only during the past generation or so have soil qualities and productiveness been studied and their mysteries revealed in this country? Prior to thirty years ago about all that was known of the soil was what had been handed down like the myths of the ancients from father to son. This was due to the fact that the masses were still mainly uneducated and thus did not know how to improve their economic conditions, and to the further lamentable fact that they were purposely held back by their standpat rulers. "Follow your father, my son, and do as your father has done," was necessary while they were uneducated and while those who were informed failed or refused

to tell them how to improve. In the United States no great advance in the crude agricultural methods of the farmers were made until the experiment stations and the Department of Agriculture began the work of improvement and reform. At first even the agricultural colleges were unable to advance along scientific agricultural lines, because they had neither the expert instructors nor the exact and comprehensive text books. Thus it occurred that until field and garden experiments were made and continued to be made there was not sufficient knowledge for an advance. The real advance came with the experiments that proved what course to pursue—that supplied the knowledge necessary for the forward movement. Since then the advance has astonished the whole country, has revolutionized methods of husbandry and has quadrupled the prosperity of every state in the Union. All of this is absolutely true of South Dakota. At first the agricultural college here, like those of other states, was in the thrall of politicians and classical students and was diverted from its mission as prescribed in the act of Congress which gave it creation. Even when several of the early professors meekly suggested what the real object was, they were disdained and treated like the clodhoppers they were assumed to be by the agricultural dilettanti who dictated the school's curriculum. It was only when the experiment stations and the Department of Agriculture began to advance with the glittering blades of the fields that the agricultural college authorities waked to a realization of what their mission really was and how far they had fallen from their bounden duties. Now all are united here—are a triple entente—to place better methods in the hand and brain of the South Dakota husbandman.

But the most astonishing fact in this connection is the lethargy exhibited by nearly all farmers of South Dakota in accepting the conclusive experiments which have been proved beyond doubt by the experiment stations, the agricultural college and the Department of Agriculture, or even in admitting that these authorities can benefit farming methods and practices. Methods fully substantiated and verified by dozens of experiment stations throughout the United States and Canada fifteen or twenty years ago are still laughed at by thousands of farmers in this and every other state. But in spite of the scoffers, the ignorant and the prejudiced these advances have worked their way into field operations, first being adopted by the more intelligent and progressive farmers and then imitated by their more benighted neighbors.

As a foundation it is admitted that one who cultivates the soil should possess first of all a good knowledge of soil elements—should make a study of its constituents and of its possibilities under various moisture, heat and other climatic conditions. Particularly is this true in South Dakota where the character of the soil varies so widely and the crop environments are so numerous and seemingly so contradictory. West of the Missouri River the up-thrust of the Black Hills has brought to the surface every stratum from the earliest Archean to the latest cenozoic. Of course, from these strata is formed all the soil of the state, except what was brought here from a distance by the glaciers. The oldest rocks west of the Missouri are in the Black Hills and consist of granites, schists and gneisses which furnish stony soils which are vastly different from the soil of the plains. They are rich with plant food. Owing to the dip of the strata their edges only are exposed and hence the area of their usefulness is limited. Where they occur near the Hills the surface generally is too broken for profitable agriculture.

They form narrow areas which encircle the Hills. Thus, not much of the soil below the Benton and Niobrara groups appears on the plains proper west of the Missouri, so that the greater portion of the soil there is derived from later formations.

These strata are composed largely of what is known as Pierre shale. It outcrops along the Missouri River and extends westward nearly to the Hills which are enclosed by its two arms. The Pierre shale consists of dark to slate-covered clayey shales of several closely related varieties, which form a group known as the Pierre series. The heavy or clay member of the series predominates and where the shales outcrop this member stands out distinct and characteristic from all others.

The northern third of the area west of the Missouri is composed largely of soft sandstones and sandy shales of the later Cretaceous time. These rocks form a distinct group of soils called the Morton series. In the south central section west of the Missouri are extensive Tertiary deposits consisting here of the White River group (Oligocene) below and the Arikaree group (Miocene) above. In the main these formations are light in color. The White River deposits are a pale flesh-colored to almost white silt loam which often embraces beds of fuller's earth. North of White River this silt loam changes to silty clay or nearly pure clay. The Arikaree formation is similar, but contains much more sand and less clay and therefore furnishes soils of a lighter and more porous texture. Thus the White River and the Arikaree deposits furnish soils of silt loam, silty clay loam, and silty clays with varying (sometimes large) quantities of sand. All are called the Rosebud series. In the White River group area are the Bad Lands. A special formation of the group, containing much sand, is called Hermosa or Hermosa loam.

Along the Cheyenne River are gravel terraces and here the soils have been placed in the Cheyenne series. It is presumed that these terraces were formed at the time that portion of the state east of the Missouri River was covered with glaciers. The present valley of the Missouri probably formed the western extension of the ice fields, though small sections of the ice field may have deposited soil here and there west of the river. In the southwestern part of the state are heavy sand deposits from the Arikaree formation. Here are found sandy loam called Dunesand, Gannette fine sand and Smithwick sandy loam.

The above and a few other different formations have formed all the soils west of the Missouri River. But what were the processes that converted these rocks and strata into soils and how did they influence the character and properties of such soils? While it is true that the chemical constituents of the strata had much to do with the character of the soils, it is likewise true that climatic conditions contributed not a little to the same end. Soils formed under sub-humid to semi-arid environments always differ greatly from those formed under extremely moist conditions. The former contain more soluble material, owing to the fact that they have not been leached as much as the latter. Thus the soils of the semi-arid districts, especially the shales, yet contain large quantities of soluble mineral salts which cut an important figure in agriculture. Excessive accumulations of these salts occur here and there. Much lime and other soluble material exert an important effect upon the organic supply of the soil. They serve to humify the organic matter, giving the soil a dark appearance which the

SOIL GROUPS AND TYPES

SOIL GROUPS AND TYPES	Proportion of type			Total area Acres
	Level to Rolling	Very Rolling to very Hilly	Very Hilly and Broken	
Soils from Sandstones and Shales:	Percent.	Percent.	Percent.	
Morton fine sandy loam.....	55	27	18	2,430,720
Morton loams	68	27	3	3,744,000
Morton clay	100	..	..	9,216
Morton gumbo	92	7	1	396,288
2. Pierre Series—				
Pierre loams and clay loams.....	86	13	1	2,421,504
Pierre clays	49	26	25	7,789,824
3. Miscellaneous—				
Spearfish loam	41	28	31	200,448
Soils from Unconsolidated Calcareous Deposits:				
1. Rosebud Series—				
Rosebud fine sandy loam.....	62	22	16	599,040
Rosebud silt loam.....	64	30	6	2,626,560
Rosebud silty clay loam and clay	90	10	..	205,056
2. Miscellaneous—				
Hermosa loam	94	6	..	119,808
Bad Lands (a).....	..	..	100	935,424
Bad Lands Basins (b).....	75	..	25	292,608
Aeolian Soils:				
1. Dunesand	46	54	..	656,640
2. Gannett fine sand	100	..	..	57,600
3. Smithwick sandy loam	33	67	..	69,120
Soils of the Gravel Terraces:				
1. Cheyenne Series—				
Cheyenne loams	96	4	..	311,040
Alluvial Soils:				
1. Wade Series—				
Wade fine sandy loam.....	100	..	..	223,488
Wade loam	100	..	..	235,008
Wade clay loam and clay.....	100	..	..	78,336
2. Miscellaneous—				
Orman clay	100	..	..	327,168
Tripp silt loam.....	100	..	..	99,072
Undifferentiated alluvial soils.....	100	..	..	663,552
Rough Stony Land and Uncertain Soils.....	..	12	88	2,004,480
Total.....	56	23	21	26,496,000

(a) Are derived in part from sandstones and shales.

(b) This is much dissected by deep, narrow erosions, although the general surface is nearly level.

agriculturalist has learned to value highly. But the semi-arid regions west of the Missouri do not have their due proportion of humus or organic matter and hence do not as a rule contain as much essential plant food as do the sections of the state east of the Missouri. Still the western lands generally contain enough humus to warrant crops from fair to excellent in many portions, particularly where the land is nearly level either on the uplands or along the streams.

In this state where the soils have been formed from many strata or rocks possessing widely different composition, all will be found to vary accordingly. They have therefore been classified through a knowledge of the underlying formations from which they were derived, as follows: (1) Soils formed from sandstones and shales; (2) soils formed from unconsolidated or loosely consolidated, light-colored calcareous deposits; (3) soils of aeolian origin; (4) soils of the gravel terraces; (5) soils of alluvial origin; (6) soils derived from crystalline rocks; (7) soils formed from limestone. These soils are described more in detail in the preceding table, which will be readily understood.

The Morton fine loam has an average depth of about ten inches and consists of a light-brown fine sandy loam, there being more sand present in places than in others. On the crests of the ridges it is lighter than on the sides. The subsoil is usually a light brown or gray fine sandy loam usually lighter in color and heavier than the surface soil; it varies from three to six feet deep. This member is derived from the light-brown or gray sandstones of the Laramie group. It is found mainly in the northwestern part of the state. It may be seen nearly to the Missouri, and on the divide between Grand and Moreau rivers. Other small patches are here and there. This is fair farming soil and may be depended upon if the moisture be sufficient for profitable crops. Root, grain and grass crops do well if the moisture is sufficient. The Morton loams are intermediate between the fine sandy loams and the clay loams and clays. It is common in Harding, Perkins and Meade counties and is seen here and there in east Pennington and west Stanley counties. It supports buffalo and grama and other native grasses. Morton loams are very productive and have been eagerly sought by homesteaders. Vegetables and grains, including corn, do well. The Morton clay is not so good for cultivation. It is sticky; it puddles and cracks when drying, and does not furnish a suitable seed-bed. It is found in but a few small spots in the state. Wild grasses do well on this soil. If managed properly it will grow the grain and tame grasses, especially pasture grasses. The Morton gumbo soil has from one to three or four inches of fine sandy loam, silt loam or light clay loam and a subsoil of fine sandy loam to a heavy sticky clay which sometimes occurs in layers. It is probable that this gumbo soil was caused by the alkali which was either present in the rocks or had accumulated by means of seepage. As will be seen from the table this gumbo has a considerable area. Large patches are in Meade and Perkins counties and on many the wild grasses grow while others are wholly unproductive. The Morton gumbo is unsatisfactory for agricultural purposes owing to the alkali, the puddling and its influence on adjoining lands.

Next south of the Morton soils comes the Pierre series of soils—gray to black heavy clayey shales. The surface soil is yellow-brown and under it is a heavy subsoil. All is derived from the Pierre and Graneros shales. The series varies from a loam to a heavy clay. The Pierre texture is that of loam, rather high in

silt, or a heavy silt loam, although this varies from a loose friable loam through a silt loam to a silty clay loam, possessing some of the sticky nature of the Pierre clay or gumbo. Considerable organic matter is mingled with this soil. From six to twelve inches deeper a lighter-colored, heavier material is encountered; it breaks up into cubes. It is a heavy silty clay loam varying to silty clay. From three to six feet down it merges into gray or slate-colored shales. Near Belle Fourche the surface soil of this series is a brown loam often tinged with red dish iron stains. On all the Pierre and Morton soils bare spots upon which nothing grows occur. There are other phases of this soil in places here and there west of the Missouri. There is considerable of this soil in the state, as will be seen from the table. In general these soils are very desirable for farming, being among the best in West South Dakota, though only a small per cent has been placed under cultivation. While the heavier areas are somewhat sticky and require careful handling to secure a good seed-bed, the greater portion can be cultivated without much difficulty. They retain moisture well and insure good crops if this is properly conserved. Corn, wheat and oats do well on this soil, which is covered with native grasses in the native state. The Pierre clays are called gumbo owing to their heavy, sticky nature, and range from a silty clay through a silty clay to a heavy clay; color yellowish-brown to dark brown with variations. The subsoil, down from six to ten inches, is a silty clay to heavy clay of a gray to yellowish-brown color verging to black. Lime spots often occur. Soft shale usually occurs down from three to six feet. This soil cracks very much upon drying and thus opens the subsoil and enables the farmer to get a better seed-bed. It occurs in many spots or tracts over this part of the state. Stanley and Lyman counties are largely composed of this soil—mainly of the silty clay loam and silty clay, with large tracts of the heavier clay or gumbo. The Pierre clays come from the Pierre and Graneros shales, mainly the latter, and are the most extensively developed soils in West South Dakota. They cover almost the entire east central part of the state west of the Missouri; in fact the country for many miles west of the Missouri consists almost wholly of these so-called gumbo soils. Nearly all of Stanley and Lyman counties, north Gregory and Tripp counties and the southern and eastern parts of the Cheyenne reservation are occupied by these heavy formations. Northeast of Belle Fourche is a large tract; another is in Fall River County. The Pierre clay tracts are mainly devoted to grass, pasture and hay; the principal grass is the western wheat-grass, which does well generally on this soil. Where there is more silt the grama and buffalo grasses abound mixed with the wheat-grass, the latter yielding hay. Where this grass is very scanty the soil is liable to be too heavy and tenacious for satisfactory tillage. Where the grass is heavy, with much grama and buffalo, the soil is more desirable for cultivation. The Pierre clays are strong soils, but their sticky nature makes them less easy to cultivate than those with more silt. If plowed when too wet they break into hard clods which resist pulverization; they become too hard to cultivate if allowed to get dry. They hold moisture well, but require mulching. If cultivated at the right time they break into small granules which form a satisfactory dust mulch. If tilled properly the gumbo becomes surprisingly mellow, especially if there be present a fair supply of humus. Thus, where the conditions are right and can be so maintained, good crops of corn, wheat, oats, rye, barley, flax and emmer or speltz can be and are grown.

Much of the odium cast upon these soils is due to the farmer's not knowing how to manage them. The very heaviest will no doubt be left to pasture, but the great bulk will in time yield profitable returns to the husbandman who learns how to use them. Many farmers who have come here from the East and farther south and who have tried to put their old practices in operation, have failed, not because the soil and climate are not right, but because the conditions are different, soil new and peculiar and rainfall much smaller. The Government experiment station at Belle Fourche is on this gumbo soil, and the results there show that the soil is good for agriculture if managed wisely. The soil needs greater tillage at just the right time and under the best conditions; then the results are certain and satisfactory though the cost is greater. There are in the United States over seven hundred different kinds of soil, and when a farmer jumps from one to another widely different and tries to put his old practices in operation, he is certain to meet rebuff at first or until he masters the new soils and environments.

The Spearfish loam is a red soil that encircles the Black Hills; it is silty loam with much sand in the finer grades; occasionally it is almost black from the inclusion of organic matter—humus. Below are beds of gypsum, the depth of which determines the value of the surface soil for purposes of agriculture. There are considerable tracts where the surface soil is not deep enough to support crops. The soil contains a large percentage of silt and fine sand and comes from the Spearfish formation of the triassic period. It is confined to the Black Hills and may be seen in Spearfish Valley, in Centennial Flat, in Martin Valley and in other smaller strips. Much of this soil is benefited by irrigation. Where deep enough and other conditions are correct, this is one of the most productive farming soils in the state. Its texture and natural fertility adapt it to a wide range of vegetation. It is excellent for fruit and truck crops. Corn, alfalfa, potatoes and the small grains do well here. All crops of this climate are successful on this soil.

The Rosebud soils are the lighter colored Tertiary deposits and consist of dark gray or brown surface soils with light-colored, almost white, very calcareous subsoils. The silt loam predominates. The Rosebud fine sandy loam is deep and is dark gray to brown loamy fine sand to fine sandy loam, often with much silt. It is derived from the Arikaree formation, and is found mainly in Tripp, Todd and Gregory counties and along Little White River in the Pine Ridge Reservation. Wild grass grows on it with profusion—sand grass, needlegrass and blue joint. Crops do well providing organic matter is supplied. As a whole the soil is very sandy, as will be seen from the table. Compost is necessary. The Rosebud silt loam is very silty, containing from fifty-five to sixty-two per cent of that material. The color is a light ashy gray to a dark brown, depending on the organic matter involved. The subsoil is a light or brown silty loam. It is loose and friable and is easily tilled. Its tendency to wash or erode must be guarded against. The Bad Lands represent a body eroded tract that was once covered with the Rosebud silt loam. This soil comes from the White River beds and the Arikaree formation. It covers the greater part of the Pine Ridge Reservation east and south of White River. Here it is broken only by the Bad Lands along the river and the Dunesand along the southern border. It is also found west of White River and in Tripp, Todd and Gregory counties,

and elsewhere. This soil supports vegetation well. Except in eroded spots the entire surface in a native state is covered with wild grasses, blue grama usually predominating. Wheat grass does well, but not as well as on the Pierre series. On the hill slopes and in the sheltered valleys pine and cedar groves appear. Much of this area is held by the Indians and used for grazing. Where tested this soil has produced abundant crops when the conditions were suitable. Wheat, oats, corn, flax, rye, barley and emmer do well. Apples, plums, grapes and cherries are grown satisfactorily. Potatoes and other vegetables flourish. But suitable moisture is all important and is not always present. The Rosebud silty clay loam and clay consists of six to twelve inches of brown or grayish-brown heavy silty loam to silty clay loams with a subsoil of heavy silty clay loam or silty clay. Where the heavy clayey stratum comes to the surface the soil is sticky when wet and cracks widely upon drying, resembling the Pierre clays or gumbo, and the term "white gumbo" is often applied to the lighter colored material. They contain a large percentage of clay, silt and very fine sand. They are confined to the country from Wall south and east to Kadoka. Grass, particularly the pasture or grazing varieties, grow vigorously on this soil. Wheat grass grows well on the clay type. Wheat, oats and corn do well on the silty clay loam, but not so well on the clay.

Many tracts all over the northwestern states are called "bad lands," but the most distinctive area is in South Dakota in the Laramie formation in the northwestern part and in the White River group in the southwestern part. These lands were produced by the rapid erosion of soft rocks, the silty soils and the underlying soft silty shales melting away before the swiftly flowing streams. The soil varies. In the Big Bad Lands it is Rosebud silt loam. Here and there Pierre shale and clays show up. On the Little Missouri are areas of Morton silt loam and fine sandy loam. The Big Bad Lands are between the White and Cheyenne rivers and Cedar and Cottonwood creeks and cover several townships. Other small tracts are found. The Bad Lands are adapted to grazing and in part to forestry. While much of the surface is bare of vegetation, the tops of the buttes, the filled-in valleys and the arrested slopes are usually covered with buffalo, grama and other grasses. Sage brush, weeds and shrubs grow on the lower flats. Cedar grows in the valleys and pine on the buttes. As will be seen from the table the Bad Lands cover a large area which will never be very valuable for agricultural purposes, but will be good for grazing and forestry. The Bad Lands basins have a soil that varies from a silt loam to a heavy clay, the larger portion being yellow silty clay. Other varieties are found. The basins represent areas where erosion has been checked on a common level; here they have become covered with the material washed down from the higher lands. They appear as strips along valleys and at the foot of Bad Land walls. The largest area extends from near Kadoka almost to Cheyenne River. These basins are excellent for pasture and good for general farming. Wheat, oats and corn succeed. Generally these basins are best for mixed farming.

The Hermosa loam varies in texture, though in general the soil is a dark brown heavy loam with an average depth of about fourteen inches. The subsoil is a lighter colored loam. Both soils have a large percentage of clay, silt and very fine sand (see table). They are derived from the weathering of the Tertiary rocks, consisting of calcareous sandstones and conglomerates washed

down from the Black Hills. The principal tract extends from Rapid Creek to Lame Johnny Creek between the Black Hills and the Cheyenne River. This loam is good farming land. It holds moisture quite well and is not as difficult to cultivate as are the gumbo soils. All small grains do well. Corn and potatoes succeed.

The Aeolian soils have been formed almost wholly from the action of the winds and are mostly sand with considerable silt and clay intermingled here and there. Not much can be done with them for farming purposes. On the Dunesand are found sand grass and blue joint. Weeds and wild roses flourish and yucca abounds. Here are found good grazing lands. On the tracts where silt and clay are found corn, potatoes, oats, etc., are grown. The Southwick sandy loam is from eight to twelve inches deep and is a brown sandy loam, and the subsoil is twenty-four to thirty inches below and is a loamy sand. This soil is better for agriculture than the Dunesand. Sand of all grades predominates. This soil also is derived from wind agencies. A large tract lies west of Southwick, south of the Cheyenne River and west of the Northwestern Railroad. Nearly all of this soil has been taken up by homesteaders. About all farm crops do well here. This sandy loam is excellent for garden truck, melons, potatoes, etc. It is too sandy to withstand severe drouths. Mulches aid the retention of moisture. The Gannet fine sand is a name applied to the soils of the obstructed valleys and flats among the sand hills; it has no uniform composition, but generally is a dark loamy sand containing considerable humus. These soils are used for hay meadows, for which they are well adapted. Sections containing silt and clay are good for general farming. Corn, oats and potatoes do well.

The soils of the Cheyenne Gravel Terraces are composed of materials brought down by streams from the Black Hills and are derived from a great variety of rocks. They have brown surface colorization and light brown subsoils, which are beds of sand and gravel. The texture is sandy loam to loam and sometimes clay loam. The loam proper is extensively developed. The Cheyenne type consists of brown loam to silty loam underlain with a heavier loam. The percentage of silt and clay is large. Course sand and fine gravel make the soil gritty. The principal tract is in Stanley County. The Cheyenne loams are valued highly for farming. Wheat, corn, oats, rye and potatoes are grown extensively. Where the sand is abundant truck crops and melons do well. Native grasses abound. Good drinking water is obtained at a depth of from twenty-five to forty feet, an important fact.

The Alluvial soils are of recent stream deposition and compose the bottom lands of this area. They show great diversity in composition owing to their widely different sources of origin. When derived from the Morton soils they are called Wade series; when derived from the Pierre soils the Orman clay is the result; and when derived from the Rosebud silt loam the Tripp silt loam is obtained. The Wade series show all types from sand to clay. The sandy loam is used for pasture, sand grass being the principal forage. It is productive and well suited to agriculture—wheat, corn and oats. Care must be used to conserve the moisture. The loam is easy to cultivate, retains its moisture well, is favorably situated for irrigation and is very productive. It is one of the best soils in West South Dakota. There is a large tract around Harding and along the Little Missouri River. The clay loam and clay are heavy soils well adapted

to the production of various grasses and forage crops, but are difficult to till and cultivate.

The Orman clay is found mainly along Owl and Indian creeks near Belle Fourche. It closely resembles the Pierre clay. It is a grayish-brown to dark brown silty clay to pure clay and has a heavy clay subsoil. It is sticky when wet, and is often classed with gumbo. In drying the surface cracks, and if stirred when wet hard clods form and resist agricultural processes. This soil is good for pasture, but not so good for cultivation. Grass is scarce and cactus and sagebrush abound. When irrigated, as at Belle Fourche, this soil shows vast changes. Much alkali is found, particularly down past eighteen inches, and irrigation brings these salts to the surface to the detriment of crops. This alkali must be evaded if agriculture is to be successful.

The Tripp silt loam often contains considerable sand, but is mainly composed of silt. It is found in the bottoms of White and Little White rivers. Native grasses and elm, ash, willow and cottonwood grow in this soil. Generally, crops do well—corn, wheat, oats, potatoes and other vegetables produce large crops. This soil would give excellent results under irrigation. The water of the rivers would be excellent for this purpose and could easily be impounded.

The undifferentiated alluvial soils show great variation in color, texture and constituents. They are usually dark brown in color and contain much organic matter. One of the soils is the Vale fine sandy loam, often with a subsoil of clay loam. Dry farming and irrigation farming are practiced with this soil; good crops are the result. When the rainfall is deficient the dry farm crops yield but little more than the seed. Much of this soil is now under irrigation from the Redwater Canal and immense crops are produced—alfalfa from 5 to 7 tons per acre at three cuttings, oats 60 to 70 bushels and wheat 25 to 30 bushels. Fruit succeeds on this soil. Nearly all the valleys of the Black Hills district are adapted to farming where the moisture is sufficient. Generally, the soil in the Cheyenne and White River Valleys is good for farming. Owing to the abrupt topography and to the rocks, much of the Black Hills can never be used for farming. Tracts under cultivation there are numerous.

CHAPTER II

MINING OPERATIONS

Gold was known to exist in the Black Hills when Spanish adventurers from Mexico first began to invade what is now known as the states of Arizona and New Mexico. The expedition of Coronado, which first crushed the Indians to the northward, crossed Texas, Oklahoma and part of Kansas, in search of this gold field, alluring reports of which had reached the Spanish conquerors of the "Land of the Montezumas." The expedition, being doubtful of results and encountering violent opposition from the natives, turned back disappointed when about half way across Kansas. No doubt at a later date the early French and Spanish trappers, fur traders and explorers from down the Missouri and Mississippi rivers learned about the gold of the Hills when prospecting on the headwaters of the former stream. Again in the '60s gold was found there by white settlers from the eastern, middle and western states. In 1875 the first definite and reliable discoveries were made, and no sooner were the facts known along the Mississippi and farther to the eastward than scores of hardy, fearless and determined men poured in a flood westward despite the Indians and regardless of the law. All of this is described elsewhere. But the actual discoveries that thrill the heart, the stakes and strikes, the contests over rich outcrops and leads, the skirmishes with the Indians and the contests with the troops sent to remove them, the wild, daredevil and lawless proceedings that attended every step of progress, have never been told and never will be, because unobtainable. However, a few striking events have been preserved.

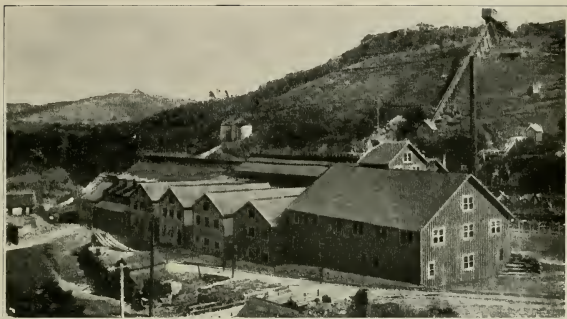
In the spring of 1876 Mose Manuel and his brother, Fred Manuel, while prospecting found a quantity of rich float near where the Town of Lead is now located. This was the first discovery, so far as known, of the greatest gold bearing lode known to the world. At the time of the discovery snow was still deep on the ground and in spite of their best efforts, they could not follow the track of the float. As soon as the snow had melted Mose wanted to start out again and search for the lode, but his brother objected. However, Mose insisted and at last found the rich lode on the side hill. He turned to his brother and with tears in his eyes, said: "Hank, this is surely a homestake." This term was then in common use and merely meant enough money to take a fellow where he wanted to go—back to the states. The mine thus came to be called the Homestake. In 1905 Mose Manuel died, but his discovery will live forever and will benefit millions of people throughout all the future.

The gold in the Hills is found in six different associations: (1) Veins of ferruginous quartz; (2) strata of slate mineralized and altered by action of water; (3) in conglomerate forming the layer of Potadam sandstone; (4) in Trachyte porphyry; (5) in deposits of slate and rocks; (6) in placer gravels

resulting from decomposition and erosion of the above formations in the Tertiary and recent times. The first discovery of gold in the Black Hills by white man was on French Creek early in August, 1874. Traces of gold have been found in glacial deposits throughout the state, but the quantity is insignificant. Silver ore occurs either in connection with gold or lead. The production is considerable, but it does not begin to equal that of gold. In 1893 the silver production was \$181,527, while that of gold was nearly four million dollars.

By 1890 the minerals of the Black Hills, particularly the gold, had awakened the whole world. For fourteen years it had remained for the comparatively few residents of the Hills to develop its rare resources and show the world the marvelous richness of its mines. By 1890 capital from all portions of the world had sought investment in the rich deposits of the Hills. At first capital was suspicious, fearing the "wildcat" and "blue sky" schemes of every description which manifestly and unquestionably had found abundant footing in this portion of the country. By 1890 large sums of capital had come here not only from the eastern states but also from Europe, and the big mining companies had begun to crush the swindlers and show that the wealth of the Hills was all that had been dreamed of by the country in its wildest and most ardent moments. The Homestake and Holy Terror companies were two of the first to reveal thoroughly the wonders of the mines in the Hills and paint the fascination of the scenery. Others had begun to secure foothold in the '80s and the extent of the gold deposits began to be measured with some degree of accuracy. The geological ring which encircled Mount Harney and contained the gold was first found to outcrop at several places south of Lead City. Rich gold ores were found at Ruby Basin, Bald Mountain, Black Tail and near Deadwood and elsewhere. So prosperous had become mining operations by 1890 that the output of the Homestake mines during two weeks in July, was \$140,000 in gold. As time passed new deposits were discovered not only in the Hills but in many adjoining districts. Pay dirt was struck on Sage Creek, Siebach County, in April, 1891. In September, 1891, twenty-two cars loaded with gold ore mostly from Lawrence County, reached Omaha for reduction in the large smelter of that city. Many of the most prominent men of the Black Hills accompanied this train to Omaha to assist in the delightful task of advertising the wealth of that region. The Omaha smelter at this time employed about one thousand persons, and the owners were anxious to secure the trade of the Hills. The train was met by a delegation of Omaha citizens 100 miles from that city and a joyous and exhilarating time was enjoyed by all. By September, 1893, the placer mines on Deadwood Creek had been abandoned. They had been commenced in the early spring of 1876, but now the waters of the creek were clear for the first time in seventeen years, it was said.

In 1893 the Black Hills mineral region proper embraced the counties of Lawrence, Pennington and Custer, but Fall River and Meade likewise contained productive mines. In Lawrence County was the chief gold mining industry, the center of which was Lead. There the Homestake Mining Company operated with many mills, sawmills, blacksmith shops, machine shops, foundries, boiler shops, systems of waterworks and about one thousand five hundred men. The wages paid by the Homestake Company at this time varied from two and one-half dollars to five dollars per day. The Deadwood-Terra and Caledonia mines



CYANIDE PLANT, LARGEST IN THE WORLD, HOMESTAKE GOLD MINING
COMPANY, LEAD



GOLDEN STAR MILL, ONE OF FIVE 200-STAMP MILLS OF THE HOMESTAKE
GOLD MINING COMPANY, LEAD

of the Homestake group were at Terraville. These mines were closed from June, 1893, to August, 1894, and 300 men were thrown out of employment. At Bald Mountain, five miles west of Lead, were rich mining regions known as Ruby Basin, Fan-Tail Gulch, Nevada Gulch, Portland and Annie Creek. The ores from this region were not free milling like those of the Homestake group, but were refractory and required special treatment. The names of the mines in this vicinity were Ross-Hannibal, Horseshoe, Golden Reward, Double Standard, Little Bonanza, Tornado, Welcome, Hardscrabble, Boscobel, Buckston and Mark Twain. The Golden Reward Company owned the Deadwood smelter and the Chlorination Works. The men here were paid about the same as at the Homestake Mines. The term Carbonate Camp was given to the mining region eight miles northwest of Lead, where both gold and silver were found. It was officially described as "a gold and silver camp with an abundance of siliceous gold ore croppings, with as yet but little development." The mines here were called Iron Hill, Ajax, Pocahontas, U. S. Grant, Victory, Red Cloud, Transit, and Yankee Boy. About five miles north of Lead a gold mining section was known as Garden City. At Galena, twelve miles southeast of Lead, was a valuable silver mining deposit. The mines here were called Two Bears, R. B. Hayes, Silver Queen, Bullion and Hester A. Black Tail was the name of a mining region about one and one-half miles north of Lead where the following gold mines were operating: Marion, Wells Fargo, American Express and Esmerelda. At Central City, one mile northeast of Lead, were several gold mines, one of which was called Columbia. Near Lead, over the hill, was Yellow Creek, and along its banks were rich gold mines. This ore was refractory, but assayed as high as \$258 to the ton. The Alma Mine was being opened at this time. In 1893 the South Dakota Mining Company, with headquarters at Deadwood, became the owners of a group of mines on Annie Creek at Bald Mountain. This was largely an English company, at the head of which was E. W. Locke, of London.

Among the industries of Meade County the quarrying of building stone was early of great importance. At Doyle Station on the Fort Pierre & Black Hills Railway, extensive quarries were opened at this time by the Black Hills Quarry Company. They procured a pure sandstone of three distinct colors, pink, white and red. This stone ran in strata of from one to twelve feet in thickness, permitting the quarrying of the stone in immense blocks for any and every building purpose. Already this company was furnishing large quantities of stone for building purposes over a considerable extent of the United States. The greatest source of wealth of Meade County, however, was agriculture. Choice farming land lay in the north and east portions. Sturgis was the agricultural center of the Hills and was the home of the Black Hills Exposition Company, which already had inaugurated a perpetual series of harvest festivals to be held annually. At these displays were shown apples, pears, plums and grapes of the Black Hills Nursery at Rapid City; a fine display of cheese and butter from the Sturgis Creamery; fruit, jellies, preserves, apples and plums from private orchards. Hereford cattle were also shown at this exposition by G. B. McPherson. Many fine imported horses were also exhibited. The vegetable entries could scarcely be surpassed anywhere in the United States. The inauguration of this exposition enterprise was mainly due to the efforts of John Scollard, of Sturgis.

The mines of Pennington County were principally gold, the most notable being J. R., about twenty miles from Rapid City, Summit, Keystone and Standby. In this county also was the center of the tin mining industry of the Hills. Perhaps the most noted was Harney Peake, with headquarters at Rapid City.

Custer County was the seat of gold and mica mining, the leading mines being Northern Star, Mecca and Placer. In this county, in connection with mica mining, was an axle grease factory. In 1904 the buildings and equipment were completed and in a short time Sylvan City and other points were lighted by electricity. At this time a rich strike of gold was discovered at Holy Terror Mine near Keystone. The ore was free milling and ran about forty dollars to the ton. A stamp mill was being erected by the Holy Terror Company.

In Fall River County the quarrying of building stone in immense quantities was already in progress. The stone was beautiful, very hard and promised great utility. Near Hot Springs several extensive quarries had already been opened. Among these were the Patrick and Moody quarries, which turned out red and white sandstone; the Evans, a cream-colored sandstone; the Odell, a red sandstone similar to that obtained at the Patrick, Harney and Moody quarries. In the vicinity of the latter two, on Lane Johnny Creek, was mined a beautiful quality of kidney marble, which took a high and mirror-like polish. Another valuable feature of Fall River County was the natural springs of mineral water. Already they were famous throughout the world.

The gold production of the Hills in 1893 was \$4,053,500. The gold mines were Homestake, Highland, Deadwood-Terra, Caledonia, Big Missouri, Hawk-eye, Minerva, Columbus, Bartholemus & Wilson, Standy, Minnesota, Keystone, J. R., Red Cloud, Golden Reward, Rapid City, D. & D. Smelter and Two Bears. The amount of placer gold obtained this year was only \$32,000. The gross value of the silver produced was \$9,346.64.

Governor Mellette in his message to the Legislature in 1893 dwelt on the vast importance of mining in South Dakota. He declared that the advance in that industry had been phenomenal—that the previous two years had shown marvelous mining developments and evolutions. A notable fact, he said, was the great increase in the quantity of silver bullion that was then being taken out. Though considered but a secondary product, the yearly output amounted to about \$250,000. However, the greatest advance in the mining industry, he stated, had been in the successful treatment of the refractory gold-bearing ores. These high grade and other rich ores had long baffled the genius of invention and the skill of science in the efforts to extract the metal with profit. Persistent experiment aided by the school of mines, had succeeded after many years in solving the problem and now, in 1893, the governor declared, the many large mills in operation and the many more in various stages of completion proved how successful had been the discoveries of new methods of reducing the ores. He said: "The ores after perfect trituration and roasting are subjected to a chemical treatment of chlorine in vast iron retorts, which process carries off the precious metal, thus yielding most satisfactory business results. The profitable treatment of these ores, which are numerous in extent, marks the beginning of a new and most important era in the development of the mineral resources of the state and has increased by 33⅓ per cent the shipment of gold bullion from the Hills. The output from the low grade free milling ores of the Homestake

group of mines bids fair to continue indefinitely with excellent results. The entire gold bullion product of the mines will reach \$5,000,000 during the present year, while during the same period \$10,000,000 of foreign capital has been invested in mining property and \$500,000 expended in the erection of new plants; but the crowning success of our mineral industries during the past year has been the putting in successful operation by the Harney Peak Milling and Mining Company a large and thoroughly equipped mill for the reduction of tin ores, which product will be placed upon the market early in the present month. It seems now a well-established fact that South Dakota will before many years be producing bulk tin sufficient to meet the entire demand of the United States for this immense product, to pay for which we now send abroad annually over \$25,000,000. The future of our state as a mineral producer is now assured here; mining prospects never looked better." He noted that the mines of the state employed a total of about 13,000 men and complimented Titus E. Corkhill, state mine inspector, for what he had accomplished to protect the lives of the miners. He stated that the inspector had decreased accidents in mines fully 50 per cent. The inspector had in one year investigated 250 complaints and made 300 official inspections.

Up to May, 1894, the Black Hills had produced a total of \$56,000,000 in gold alone. Associated with the ores taken out were silver, copper, tin, antimony, iron, nickel, lead, uranium, mica, graphite, asbestos, salt, all varieties of building stone, granite, sandstone, white and colored gravels, porphyry, brick clay both white and red, clay pottery, cement rock, limestone, gypsum, and many other natural products.

From a distance the Hills form a striking picture. They occupy an elevated tract and are heavily timbered, principally with white pine, which at a distance make them appear black, and hence the name. All the strata of rock has been shoved up edgewise, forming a circle around the central point at Harney Peak. The entire region is about as large as the State of Connecticut. It was and is the only heavily timbered portion of South Dakota. Around the Hills is an excellent agricultural soil and the water of the springs is sweet and abundant.

Late in 1894 the state mine inspector made a complete report showing the condition of mining in the Black Hills. There were then in operation upon a paying basis fifteen companies, which produced in 1894 613,500 tons of ore, yielding \$3,354,891. During the year there were thirteen accidents in the mines, of which eight were fatal. As a whole the miners were contented. The Homestake and its associated mines were the prominent ones in Lawrence County. In Pennington County were five large and active companies. The Old Charlie Mine in Custer County was in operation this year. The most noteworthy event in mining circles was the development of the McArthur Forest or cyanide process for the recovery of gold and silver from refractory ores. This process was put in operation and proved of the greatest value throughout the mining regions of this state. About a year before a cyanide plant was erected in Deadwood under the supervision of J. S. Childs and had a capacity of about sixty tons per day. The Golden Reward Company, in addition to their chlorination plant, completed also in 1894 a cyanide plant with a capacity of 100 tons per day. The Homestake Mining Company had erected an immense air compressor plant and had added 20 stamps to the Homestake or 80-stamp mill, making a 100-stamp

mill. In addition the Homestake Company had thoroughly overhauled and remodeled their mills and added concentrators. The Bullion Company near Galena erected new housing works. The Holy Terror Company about the same time purchased the Hardscrabble or Ruby Basin field for \$50,000. Prospecting was indulged in quite extensively this year, and placer mining was quite active. The discovery of free-milling ores in Pennington and Custer counties was a notable event. The total gold production of 1894 was \$3,401,891.

Early in 1895 the Golden Reward Mining Company showed as the product of six days work a flat brick worth \$17,000. That company had recently made important discoveries. About the same time the Holy Terror Company made a rich strike at Keystone. At a depth of eighty feet they found ore that assayed \$100 per ton. This discovery caused a rush for that locality. In 1894 the Government brought suit against the Homestake Mining Company for \$700,000 for having cut a large amount of valuable timber from the natural forests. In the spring of 1899 the mines of Lawrence County enjoyed the greatest period of prosperity in their history. Many new strikes of gold, silver and copper were made. An important event was the establishment of smelters in the Black Hills. In the '90s the companies used the old iron process to separate the gold from the ore. In the Black Hills were large veins of auriferous pyrite. This was found to be an excellent flux for the separation of gold from the ore. Almost every year new discoveries and new processes of ore reduction were discovered either by the Government or by some one of the companies engaged in mining. The product of 1901 amounted to about eight million dollars in gold from the entire region of the Hills. In ten months the following amounts were taken out by the different companies; in this operation there were employed 3,207 men:

Homestake	\$4,303,997.57	Imperial	180,000.00
Golden Reward	1,223,688.99	Spearfish	165,000.00
Horseshoe	575,000.00	Deadwood-Standard	20,000.00
Holy Terror	180,000.00	Golden Slipper	20,000.00
Portland	84,000.00	Placer	100,000.00
Clover Leaf	80,320.00	Alder Creek	45,231.00
Dakota	150,000.00	Intermittent Producers.....	50,000.00
Rossiter	90,000.00		
Wasp No. 2.....	75,000.00	Total.....	\$7,342,217.56

"The wealth of the Black Hills has been known for years and yet the Hills have not been developed one hundredth part as they should have been for the reason that unscrupulous men have sand-bagged capital and made willing investors afraid to touch properties that would pay hundredfold. Fortunately for the Hills, the railroads which have only recently been completed to the central portions, have let the light in on the real wealth of the varied resources and now capital is stealthily and steadily creeping in and developing the riches which man's dishonesty has kept imprisoned. The so-called white people of the Hills are now getting the upper hand and are realizing how much they have suffered from the schemes and machinations of the daylight highwaymen who preferred a salted prospect of tenderfoot to selling a good property for a round price. Abandoned works are to be found in all parts of the Hills, but a future for the Hills and the wonderful resources which they now contain seems assured. Good property can be now secured at reasonable prices and new processes are

being discovered to extract the gold from formerly rich but refractory ores. The black times are past and the prospects for the future are now so good that it would not be surprising if another generation made what have been the Black Hills of the present day, the Golden Hills of South Dakota."—*Minneapolis Times*, January, 1895. The *Times* stated in the same article that the Black Hills were one of the wonderlands of the world; that it had been thrown up by volcanic action from the level plains and that they contained almost every mineral known to mankind and nearly all of them in paying quantities. It noted the presence of gold, tin, nickel, platinum, coal beds, excellent water, heavy pine forests and beautiful scenery.

During the year 1897 ten deaths from accident occurred in the mines of the Black Hills. The refractory ore mines produced \$2,219,287.58. The names of the refractory mines were as follows: Golden Reward, D. & D. Horse Shoe, Bonanza, Wasp No. 2, Dividend, Clifton & Ashton, Carroll Group, Harrison, Little Blue, Wasp Mining Company, Wasp No. 4, A. J. Smith, Dacy, Rua, Balmoral, Buxton, Eva H, and Yellow Creek Gold Mining Company. The Golden Reward produced the most, over six hundred and eighty-two thousand dollars. The product of the free milling mines during the same year was \$3,511,200. The free milling mines were as follows: Homestake, Highland, Deadwood-Terra, Holy Terror, Columbus, Dead-broke, Sunnyside, Grizzly Bear, Hawkeye and Burlington. There were other mines which failed to make reports, among them being Durango, Swamp Eagle, Kicking Horse, Placer, and a few others which produced about one hundred thousand dollars. This includes both gold and silver. The amount of silver was very small. Close estimates were made in a few cases. In several instances it was impossible to secure a record of the output. The total output was about double what it was in 1894.

At this time, T. J. Grier was superintendent of the Homestake mines. This was the best mine of free milling ore in the United States. A depth of 800 feet had been reached and within sight was an unlimited amount of ore. Thus far three shafts had been put down—Star, Old Abe and Ellison. The Ellison was the newest one, having been put down in 1896. Great care was used at this time to prevent accidents. About four hundred stamps were constantly at work in the Homestake Mine. The concentrates were saved and sold to the Deadwood smelter. Every scheme known to the scientists or miners was employed to save gold. The Highland Mine was under the same management as the Homestake Mine. It had a shaft 500 feet deep. The cage was large enough to carry two cars of one ton each. This mine was connected by tunnels with the Deadwood-Terra and Homestake mines. A mill of 140 stamps was kept at work here. Richard Blackstone was superintendent of the Deadwood-Terra Company. This was located at the head of Bobtail Gulch, a tributary of Deadwood Gulch. It had been a producer since the early days, was owned mostly by the Homestake stockholders, and in early times paid large dividends. The shaft was being sunk now down to the 800-foot level, and the ore chute or ledge was about three hundred feet west of the shaft. At this time the Caledonia Mine had been idle for a number of years, but was good property and could be worked from the Deadwood-Terra Mine. There was no timber used in this mine, as the ore was broken down and was left under foot with just enough taken away to make it convenient for the miners to work.

The Columbia Mine was located at Saw Pit Gulch. Christian Ruth was foreman and manager. This property was located in early days, but had remained idle most of the time and had not yet been thoroughly developed. Ruth & Lardner were the owners. In 1895 a shaft 200 feet deep was sunk and a vein of high grade free milling ore was found. A ten stamp mill was set at work. Black Trail Gulch, a tributary to Deadwood Gulch, had several good mines, among which were the Dead Broke, Carroll Group and Kicking Horse. The Dead Broke was owned and operated by Nelson & Godfrey. The ore was what is called cement, which is gravel cemented with clay, constituting an auriferous stratum. It was free milling and had rich pockets. A ten stamp mill was at work. The Carroll group of mines consisted of twelve mining claims in the Black Tail Gulch. These mines were being actively worked in 1897. Over 700 feet of drifts had been driven and 400 feet of shafts sunk. The output of first class ore in the summer of 1897 was from 15 to 25 tons per day, ranging from \$25 to \$65 per ton in gold and 2 ounces of silver.

The Kicking Horse property was in the Carroll group and was regarded as very valuable. There were several chutes of high grade ores. It was owned by Godfrey & Johnson. The C. O. D. group consisted of sixteen full claims and was owned by a party of eight men. Thus far nothing had been produced. A shaft had been started and it was the belief that the whole property was valuable. It was east of the Kicking Horse Mine. There were several small yet valuable mines around Lead, among them being Durango, Harrison, Golden Crown, Golden Summit, Swamp Eagle, Iowa and Reddy. The Durango was owned by Foley, Sullivan & Cusick. The Harrison was operated by the Harrison Mining Company. The Golden Crown, Golden Summit, Iowa and Reddy were bonded during the year, but had not yet been worked. The Swamp Eagle had been worked a portion of the year and yielded handsome profits. There were large returns in working many of these smaller mines. For instance, the Harrison mines with five men working every day in the year at \$3.50 per day, realized \$6,387.50. This sum deducted from the total output left \$34,719.30 to pay for supplies, shipping, milling, etc.

On Yellow Creek were a number of important mines. Already several fortunes had been made there. Two Bit Mines were valuable. A large body of ore was found in the Hardin shaft at a depth of 200 feet. It was iron pyrites and was valuable for use in smelters. This was a Chicago company. The shafts being worked were the Hardin, Great Eastern, Chicago, Two Bit, Great Northern and Hardin Standard. Several others were being sunk. The Clifton and Ashton mines were in Nevada Gulch. They had produced well and were under the same management as the Bonanza. Ragged Top Camp was five miles west of Bald Mountain. Several promising strikes had been made there. Seams of ore had been found from two to four feet thick. The ore was high grade, ranging from fifty dollars to five hundred dollars per ton. The Dacy Shaft here was down 430 feet.

The Deadwood & Delaware property was situated south of the Golden Reward and Horseshoe mines at Bald Mountain and was a steady producer. F. R. Carpenter was superintendent. The ore in 1897 was taken from the Fannie and Union shafts. Other shafts were being sunk.



MOLDING GOLD BRICKS, HOMESTAKE MINE, LEAD

The Golden Reward Consolidated Mining and Milling Company owned and controlled the Tornado, Sundance, Ruby, Bell, Steward and Daisy mines. Frank C. Smith was superintendent. This property was located west of Lead City about four miles, in what was commonly known as Bald Mountain. It embraced ninety-nine full claims. At this time the Tornado was the principal one being worked. The ore was treated at Deadwood in the chlorination plant of the company. The Town of Terry was built on the ground owned by the Golden Reward Company.

The Horseshoe Mining Company owned property south and west of the Tornado Mine and also the Mark Twain property at Portland. They conducted a chlorination plant at Pluma. During the summer this year they sunk a new shaft called Mogul and a large body of ore was found at a depth of 300 feet.

Rua Mine was situated at the head of Squaw Creek and was discovered in 1896. A. C. Hallam was superintendent. This mine was purchased by the Two Johns Mining Company of Chicago. Dividend Mine was situated near Portland. Its ore was sent to the Deadwood smelter for treatment. The Bonanza Mine was located near Terry and was doing well. Buxton Mine had been worked under a lease. Omega Mine was at Terraville east of Father DeSmet Mine.

The National Gold and Silver Mining Company had a shaft 260 feet deep on its property and several hundred feet of tunnels. Thus far they had encountered nothing of much promise. The Deadwood Development Company was composed of thirty-five business men of the Black Hills who spent in 1897 \$2,500 in prospecting; their most promising field thus far was at Two Bit Gulch, near the famous Hardin property. Bear Gulch and Nigger Hill Mining District were in the western part of Lawrence County, fifteen miles from Spearfish. Placer mining was done here in early days and more recently quartz ledges had been found. A quantity of tin ore had been discovered here recently. There were valuable properties at Garden City, Lone Camp, Carbonate Camp, Grizzly Gulch and elsewhere.

The Legislature of 1897 passed an important law concerning smelters and dry crushing plants, which regulated the operation of these properties. A company called the Smelters & Dry Crushing Plants operated three of these properties for the reduction of refractory ores. They were called the D. & D. Smelter, Golden Reward Chlorination and the Kildonan Chlorination. Both the Reward and Kildonan had in connection a small cyanide plant for the treatment of the dust that arose from the crusher. The men who worked the crusher wore sponges over their noses and mouths while at work.

Never had the mining interests in the Southern Hills looked brighter than in 1897. The tin excitement, which had occurred here formerly, was now, strange to say, regarded as a misfortune to that part of the country, and by many was regarded as a misfortune to the Black Hills generally. It was even said that the people of that vicinity had kept prospecting and making discoveries on the claims until they had partly succeeded in restoring confidence enough to interest capital to invest in them; and it was believed by many that if those interested could now make a success, the Southern Hills would again rank high among the mining industries of the world. It was not believed at this time that the Southern Hills had received fair play. As a rule when capital had been invested there, the company hired some one who was incompetent to take charge

of the property, because he reported himself as a miner and they could hire him for small wages. This was characteristic of the attempts made there in many cases. It was realized by experienced mining people that good mine property could be easily spoiled through mismanagement. An incompetent manager at small wages was the most expensive one that could be employed. There were jealousies and rivalries, and lies were told for business advantages.

The St. Elmo Mine was about four miles south of Hills City and was located in the early days by prospectors. It had been neglected for many years. The Eldorado was doing some work near there at this time. The Grizzly Bear was in the Southern Hills and was being worked on a small scale. The Sunnyside Mine was a steady producer, three miles north of Hill City. They had a five-stamp mill. The ledge was not large, but yielded a steady profit. The shaft had reached the 260-foot level. The Holy Terror Mine was well known and was one of the best producers in the Hills; its shaft was 500 feet deep. The Bismarck and Big Hit mines were being worked on a small scale; their value was recognized. As a whole the mines of the Hills in 1897 were being worked better than usual, but not to any extent compared with the amount of ore in sight. Many of the mines known to contain large quantities of valuable ore, were shut down or held in check. A number of mines had been hushed intentionally for business reasons.

In 1897 a big fire in the Homestake mines, which could not be controlled for a long time, caused a loss of one-third of the year to the employes of the company. It was necessary to flood the mine in order to control the fire in the end. A strike in the Bald Mountain district tied up affairs in that region about the same time. In November, 1901, a big strike of 2,800 men employed by the Homestake Company tied up operations for a long time. In 1910 several lock-outs at the Homestake Mine again shut off the supply and employes. In spite of these difficulties the gold product amounted to between seven million and eight million dollars. In 1912 the output of gold in the Black Hills was the largest in the history of the state—\$8,035,596. In 1913 the output fell considerably short of that in 1912.

The yield of mineral wealth from the Black Hills in 1900 was one of the largest in the history of the state. The silver mined was worth \$300,000, wolframite \$50,000, Spodumene \$25,000, copper for shipment \$75,000, lead \$10,000, mica \$10,000, paint pigment \$5,000, tin \$3,000, gold \$10,000,000; total, \$10,478,000. The year 1900 saw vast improvements in mine development and particularly in the methods of ore treatment. During the year shafts were sunk deeper than usual with very satisfactory results. Several entirely new mining districts were opened, many shafts were sunk, and a few new and rare minerals were discovered. Remarkable advancement in the treatment of low grade ores due to the experiments that had been made with the cyanide process was made. Also new methods for the mining of placer gold were inaugurated, and electricity was successfully employed in the separation of gold values under the chlorination process. The outlook for the future was never better than at this time.

In the spring of 1901 the Blue Lead Copper Company commenced the work of erecting a fifty-ton smelter at Sheridan, seven miles east of Hill City. This copper company was one of the oldest in the Hills, having been in operation



THE GOLDEN REWARD MINE, DEADWOOD

nearly a quarter of a century. The outcropping of the ore on the surface of the ledge was unusually abundant, and the rock carried an average of 7 per cent copper. The ledge had already been stipped, shafts had been sunk at intervals, and ore in paying quantities had been found at depths of from fifty to seventy-five feet. At this time a tunnel was being constructed near the water level with expectation of striking the main ledge of copper or beneath an ash deposit.

During the winter of 1900-01 a cave was discovered west of Custer, which proved to be one of the largest in the Black Hills country. Several miles of passageways were soon explored and the chambers were rivals in many ways of some of the best in Wind Cave. A strong current of air swept out from the entrance as at Wind Cave. The character of the crystal work therein was different from that of either Wind or Crystal cave. It was a theory for a time that this cave was in some way connected with Wind Cave.

Early in 1901 the Gilman Syndicate of Denver purchased 500 acres of choice mining ground in the Ragged Top mining district adjoining the ground of the Spearfish Company of Colorado Springs. The consideration was about one hundred thousand dollars, of which 10 per cent was paid down. Large bodies of ore had been disclosed there and its treatment by the cyanide process was commenced. About this time the District Court decided for the plaintiff in the case of P. B. McCarty vs. Holy Terror Company, Judge McGee rendering the decision for \$7,000. This case was one of great value and interest, and its result was anxiously awaited by all of the miners of the Hills. Mr. McCarty demanded an accounting of the ore taken from the Holy Terror and Keystone No. 4 claims, the latter being a portion of the Holy Terror mines. The question was whether a partner could be cheated out of his interest by the other partners.

At the close of 1902, mining operations in the Black Hills were in prosperous condition. All of the principal working mines were in Lawrence, Pennington and Custer counties. New and improved precautions to prevent danger and accidents had been adopted and were in operation. Means of exit had been greatly improved and the mines were better ventilated than ever before. The companies and individuals were obedient to law, but notwithstanding all this the result was that thirteen persons had lost their lives and nine had suffered serious injury. These accidents were unfortunate, but were beyond the control of the employer and were due mainly to the fact that life saving and accident preventing methods had not yet been perfected. They resulted purely from circumstances beyond the control of the companies or the miners themselves. During the year there had been no strikes nor ill feeling. In fact the mines of the Hills this year enjoyed unprecedented prosperity and activity. The older establishments had improved their facilities for increasing their ore tonnage and bullion output. Several plants for the treatment of tailings had been or were being installed. Several new companies had been organized and a number of capitalists from Colorado, Utah, Montana and the East had come to the hills and purchased large tracts of mineral lands and were making preparations for active operations. Much money had likewise come from Eastern South Dakota, and several companies composed wholly of persons within the state had been organized. Investments during 1902 were greater than

during any previous year. Experiments to lessen the cost of mining and reducing ores were constantly in progress and every up to date improvement was promptly secured and put in use.

The Black Hills Mining Men's Association was organized in September, 1901, with forty members. By the close of 1902 there were 188 members, which number included representative mine owners from Lawrence, Pennington and Custer counties, a number from other counties and honorary members from outside states. The association had accomplished much good by uniting the men, perfecting and systematizing their work and in promoting good conduct among their ranks. They had combined with workmen belonging to other unions for the purpose of strengthening and perfecting their system of work. They planned to protect outside investors from unfair and questionable methods in the promotion of mining companies and enterprises and to save the mining industry from dishonor. In 1902 the next session of the American Mining Congress was fixed at Deadwood and Lead. At this time the directors of the Mining Men's Association were Harris Franklin, S. W. Russell, W. S. Elder, of Deadwood; R. H. Driscoll, George Nix, of Lead; John Gray, Terraville; John Blatchford, Terry; C. H. Fulton, Rapid City; J. E. Pilcher, Custer.

The results of mining operations in 1902 were notable and gratifying. The means of transportation and treatment were greatly improved. The old difficult problem of extracting gold from refractory ores had been solved by the cyanide process which was now employed to great advantage and profit in many mines. It multiplied the number of mines and revived many old ones that were supposed to be exhausted because only a low grade ore remained. Ores of very low value could be profitably handled by the new method. Large quantities of ore not previously considered as mineralized material were discovered and the fields were expanded. Already many such bodies of ore were being successfully and profitably handled under the new process. For these and other reasons the mining operations had greatly advanced in prospect and in actuality. Mining in the Hills at last was reduced to simplicity, security and practical perfection.

The mining operations of Lawrence County in 1902 were known and conspicuous throughout the world. The Homestake Company with six stamp mills containing 900 stamps and with two cyanide plants was running on full time. During the year the Father DeSmet Stamp Mill was started after an idleness of several years. Cyanide Plant No. 2 was completed and commissioned. It received the tailings from the stamp mills by means of pipe lines. The Homestake Company purchased the property and franchises of the Deadwood-Terra Company. The latter was crushing at the rate of 104,000 tons a month, the average gold per ton being about \$3.55. The Ellison Hoist at Lead, which had been long in building, was completed this year at a cost of \$250,000. It was connected with the stamp mills at Lead by a steel tramway spanning Gold Run Gulch. The Homestake Company employed about 1,700 laborers, all of whom were paid standard miner's wages.

The Golden Reward Consolidated Mining and Milling Company operated continuous this year their 400-ton smelter at Deadwood. It worked chiefly with ores from the company's mines at Bald Mountain and Ruby Basin. The smelter handled considerable ore from other mines. They completed the cyanide

plant at Deadwood and there treated ores of too low a grade to justify smelting. Large quantities of ore were in sight. The cyanide plant was located where the chlorination plant was burned four years before. This company in production and number of men employed was next to the Homestake.

The Horseshoe Mining Company was organized in 1902 and within a few months became one of the largest and strongest in the state. It increased its acreage, purchased the new 300-ton smelter of the National Company at Rapid City, established a cyanide mill of 300-ton capacity at Pluma, and commenced to build a new cyanide plant at the Mogul mine in Ruby Basin. It was planned that the latter should handle 1,000 tons a day. The crushing was accomplished by two large machines and pulverized by 120 stamps. Forty-eight tanks were built. When completed the new plant was designed to treat 1,600 tons of ore. Up to this time the company had sent to outside smelters considerable of its ore. Late in the year shipments of custom ore for the smelter were received from various mines. The company had enormous ore reserves in its mines.

Spearfish Gold Mining and Reduction Company built a cyanide plant on the site of the original mill which was burned in October, 1901. Late in 1902 it was treating 300 tons per day. About the same time it declared its first dividend of \$9,000. It was producing about \$25,000 a month during the latter part of the year. The ore was in blanket formations near the surface and was quarried after several inches of soil had been removed. The mine and mill were connected by a steam tramway and all were electrically lighted.

Deadwood-Standard Gold Mining Company owned 500 acres of mineral land adjoining Spearfish property and operated a cyanide plant of 125 tons daily capacity. The ore was similar to that found in the Spearfish group. In addition the company had considerable ore lying near the surface which could be mined at light expense.

Wasp No. 2 Mining Company made two cleanups per month at its 100-ton cyanide plant on Yellow Creek. Every fifteen days the company deposited a bar of bullion in the United States assay office. The mill was run on shale ore, potssdam, quartzite and porphyry which contained from two to five dollars in gold per ton and was well adapted for cyaniding. The ore was mined in open pits and delivered at nominal cost to the mill. It appeared in flat beds sometimes more than twenty feet thick. A tramway was extended through a tunnel between the mill and the open cut from which the ore was taken.

The Dakota Mining and Milling Company was engaged in wet crushing ore at Deadwood. The ore was obtained from Gunnison, Jackpot, Lucy and Rehl groups of claims near Portland. During the year ten additional stamps were obtained, making thirty in all owned by the company. The ore was obtained at light expense from outcrops lying near the surface and was hauled eight miles by railroad. In sight was enough ore for operating the plant several years.

Imperial Gold Mining Company started a new cyanide plant at Deadwood in the spring of 1902. It was of different type from other cyanide plants in the Hills. It was built on a level instead of on the side of the hill and the ore was handled by automatic methods. The plant had three buildings, one devoted to crushing machinery, one to solution and leaching tanks, and one to the power plant. During the fall it ran about 125 tons per day. At this time they were securing a large roaster to be used on ores in which oxidation had not

taken place. At this time the company obtained most of its ore from Black Tail Gulch, where the company had 300 acres patented; a shaft reached to quartzite and several strong bodies of siliceous ore were exposed. The company owned mineral land near Crown Hill Station, where there was a considerable quantity of fair grade cyanide ore. It likewise owned a tract west of Spearfish River near Beaver Creek.

The Columbus Consolidated Gold Mining Company was organized in 1902. It owned 625 acres north of the Homestake mining properties and extended northward nearly a mile along the strike of the Homestake system of ore veins. The property included the old Colonel shaft on Saw Pit Gulch, which was 200 feet deep, with a 10-stamp mill in connection. This property was being reconstructed and already was being operated. The company bought the 20-stamp crushing cyanide mill built at Gayville many years before by the Baltimore-Deadwood company and operated by the Portland company under lease for the past two years. In 1902 the company was operating on siliceous ore from the Rossiter and Dalton groups of claims on Sheep Tail and Black Tail Gulches. On one of the claims was a series of siliceous ore chutes overlying the vertical slates and was situated so as to be mined at light cost. Underneath was a permanent ore supply, however. A number of strong fissure veins of free milling ore which was being developed by the Columbus shaft were here.

The Clover Leaf Gold Mining Company had an enlarged stamp mill from twenty to sixty stamps and a new hoist was commissioned; the shaft was deepened and two new levels were established. Thirty of the sixty stamps were in operation, and a new Prescott pump capable of lifting 1,000 gallons of water per minute was being built and installed. A machine shop, dry house and assay office were added. A hospital was furnished by the company and a resident physician was placed in charge for the benefit of the employees. This company in the fall employed forty-five men underground and about thirty on the surface.

The Black Hills and Denver Gold Mining Company was a reorganization of the Highland Chief Mining Company by local and Colorado men. The company owned the Champion and adjacent mining claims and a .50-ton stamp crushing cyanide plant in Spruce Gulch near Deadwood. A number of labor-saving improvements were added during the year.

The Boston-South Dakota Mining Company operated a mill in Black Tail Gulch and placed in considerable new machinery. It had forty stamps, and late in the year its mill was leased to the Jupiter Gold Mining Company. The latter company was organized by Colorado and local men. It purchased the Gustin Resumption No. 1 and Resumption No. 2 claims in Black Tail Gulch. It had a 40-stamp mill on the property of the Boston-South Dakota Company. Preparations to build a cyanide plant were in operation. Visible was a large supply of cement ore having good uniform value and being amenable to cyaniding.

The Hidden Fortune Gold Mining Company owned 240 acres parallel to the Homestake property. A main working tunnel ten feet wide and seven feet high was driven 2,000 feet between parallel veins of free milling ore with cross cuts at frequent intervals. A large amount of high grade siliceous ore was being taken from the Potsdam ore overlying the vertical formation. This ore was near the surface and easily reached. Considerable of the ore assayed \$500

per ton and was sacked for shipment. A wet crushing cyanide plant was being built by the company on Whitewood Creek, three miles below Deadwood. There large improvements were contemplated. Preparations for cyanide processes were in operation. The mine and mill were connected by the Burlington and the Elkhorn railroads.

The Penobscot Gold Mining Company operated a 40-stamp wet crushing cyanide plant at Garden City near the close of the year. This company was organized the early part of 1902 by Chicago and Michigan capitalists for the purchase of several hundred acres of valuable mineral land at Garden City, including the reorganization of the Penobscot mines. Over 700,000 feet of lumber and timber were used in its construction. It was designed to have a capacity of 6,000 tons of ore per month. Increased capacity was in process of completion. The main shaft was back of the mill and was equipped with modern housing apparatus. The ore was then trammed from the shaft house to the top of the mill.

The Cleopatra Mining Company was preparing for active operations. A shaft was being sunk to quartzite and the company owned a 50-ton cyanide mill which was idle a portion of the year.

The Alder Creek Mining Company had a new 60-ton cyanide plant on Yellow Creek and was running on quartzite ore from the Little Blue Panzy and associated claims which had been purchased by the company. Formerly this company was in California. The company was principally composed of capitalists from Des Moines, Iowa.

Oro Hondo Mining Company was organized in 1902 and purchased about 1,000 acres adjoining the Homestake Mine on the south. A shaft was started and equipped with machinery to sink 2,000 feet to reach the Homestake series of ore veins. The ore was coarse, interstratified with schist and showing generally the characteristics of Homestake ore. The shaft had air compressor and drills. The Pluma Gold Mining Company, located near Lead, had a main shaft 300 feet deep fitted with steam house and other modern conveniences. A cross cut was being built to the westward on the 300-foot level. Recently the company purchased the Hawkeye land adjoining the Pluma claim, also the Hawkeye 40-stamp mill at Pluma stationed on the Burlington Railroad. The mill was connected at Pluma with Hawkeye mines by aerial tramway over 600 feet long by which the ore was carried from the mill by buckets. Large deposits of quartz conglomerate or cement, could be seen on the Pluma and Hawkeye property overlying the vertical measures.

The Globe Mining Company was doing considerable work in tunnels and drifts near where the vertical ore bodies came together. They operated west of Lead a short distance. The company had lately started a shaft near the bottom of Nevada Gulch. The Golden Cross Mining Company operated a 10-stamp mill near the head of Two Bit Gulch late in the year. The ore was treated by cyanide process. The company had reorganized and had constructed several new ore chutes. It owned about three hundred acres of mineral land and began running full time in January, 1903.

Other companies in Lawrence County were the following: Carbonate Silver Extraction Company, which worked tailings at the Iron Hill mine and mill, treating the same with cyanide; Iron Hill mine, being worked under a lease,

treating its ores with concentrated machinery; Anaconda Gold Mining Company, which owned 400 acres near Bear Butte and Elk creeks and obtained a free milling ore; Manilla Gold Mining Company was taking out good ore on Elk Creek; Clover Gold Mining Company had a shaft down 307 feet in Nevada Gulch; Black Hills Building & Developing Company was engaged in dividing the ore from the bottom of the 700-foot shaft near Kerb Station. The company owned several hundred acres near Homestake property; Pierre Gold Mining Company was engaged in working the ore near Deadwood Gulch. It shipped its ore to the reduction works. With this ore came valuable quantities of sylvanite and white iron showing fluorine stains; the Portland Mining Company operated a wet crushing cyanide plant at Gayville, treating about fifty tons a day, but in September turned its property over to the Columbus company; the Montezuma mine was situated just outside the limits of Deadwood. Within a short time this company had sent 27,600 tons of ore-carrying iron pyrites to the Golden Reward smelter at Deadwood. The ore carried about \$200 in gold, per ton proper; Gladiator Consolidated Gold Mining Company owned a group near Deadwood Gulch, northwest of Lead. The company was preparing to operate extensively; Universal Gold Mining and Milling Company, which had taken a two-year lease on thirty-two acres of mineral land on Annie Creek belonging to South Dakota Mining Company. Already they were working the siliceous ores; Ak-Sar-Ben Gold Mining Company was composed of Nebraska and Illinois men who organized during the summer of 1902, and purchased thirty-two acres on Sheep Tail Gulch and sixty acres on Annie Creek.

The mines of Pennington County were equally as prosperous and successful as those of Lawrence County during the year 1902. The Holy Terror Company operated fifteen stamps at the Keystone mill with ore from the old slopes on the Holy Terror mine. It shipped concentrates part of the year to the Horse-shoe Mining Company's smelter in Rapid City. A cross cut was being driven to the Keystone vein on the 1,100-foot level of the Holy Terror shaft.

The Ohio-Deadwood Gold Mining Company owned a tract of 475 acres along Little Rapid Creek, half a mile from the Town of Rochford on the Burlington Railroad. A direct tunnel was started on a fissure vein of free milling ore, and an air compressor and air drills were at work.

The Columbia Gold Mining Company owned two tracts, one on Silver Creek near Rochford and the other near Castle Creek south of Rochford, all aggregating about six hundred acres. Development work was in rapid progress throughout the year. This company was composed largely of Eastern South Dakota capitalists.

Golden West Mining Company was recently organized by Chicago capitalists. They purchased the Benedict and Yellow Bird group of claims and other adjacent tracts, aggregating 300 acres, in Hornblend camp, five miles southwest of Rochford. They reached several strong fissure veins of free milling and concentrating ore. A small Chilean mill was on the ground.

The Black Hills Copper Company built a cross cut from its 800-foot level over 100 feet to the westward to reach a vein of copper-bearing ore. A shaft was equipped with steam house and machine bearing drills. This company had a lease on the Benedict group of claims, which was finally sold to the



GUARDIAN OF THE POOLS, SYLVAN LAKE
DISTRICT, BLACK HILLS



BOULDER ROCKS, SYLVAN LAKE AND HOTEL, BLACK HILLS

Golden West Gold Mining Company. The Copper Cliff Mining Company produced both copper and graphite. It made several shipments of graphite or plumbago to Chicago. This product was of superior quality.

Other companies operating in Pennington County were the following: Ajax Gold Mining Company was at work on the main ledge in the Standby mine at Rochford. The Cochran mine was under bond to the Cochran Gold Mining Company and much exploration work was done. The Gregory Mining Company was doing exploration work in the Old Montana mine. The Empire State Mining Company had a bond on the Golden Slipper mine and was running a 5-stamp mill on ore from the main vein. Several valuable cleanups were made at the Stab mill. The Lakota Gold Mining and Production Company was formed during the year by Peoria men and secured possession of the Grizzly Bear mine $5\frac{1}{2}$ miles east of Hill City. They dismantled the old 10-stamp mill and planned a modern plant in its place. Gertie Mining Company operated a shaft near Hill City, which was destroyed by fire five years before but had been replaced. In 1902 it had a new stamp house, air compressor and drill and a self-dumping skip. It mined both gold and tin. The Mt. Etna Gold Mining Company, formed of both eastern and local men, purchased the Lucky Boy group of claims near the Town of Keystone, put down a shaft and installed a steam housing plant. Tycoon Gold Mining Company, composed chiefly of Cedar Rapids (Iowa) men, owned the Ranger group of claims near Keystone and a 10-stamp mill. This company was carrying on systematic development work and were installing a system housing plant. The Sunbeam Gold Mining Company operated a tract of mineral land on Friday Gulch and a shaft was put down 140 feet and a high grade free milling ore was obtained in a vertical vein. The company had a steam house, air compressor and drill, also a saw mill and several new buildings.

The mines of Custer County were prosperous in 1902. The Northern Star Mining Company had a 10-stamp mill nine miles from Custer. The mill had sufficient power to run forty stamps and was designed for a cyanide plant in connection. The working shaft was over three hundred feet deep on a strong vein of free milling and concentrated ore. Explorations under ground were in progress. It was composed of Omaha and Council Bluffs capitalists.

Saginaw Gold Mining Company conducted deep explorations this year with diamond drills. At a depth of 550 feet they found that the main ledge of ore contained excellent value and a quantity larger than indicated at the outcrop. A steam housing plant, air compressor and drills were installed. The ore veins here dipped sharply.

Grantz Gold Mining Company was organized during 1902 by the Black Hills and Colorado men. It acquired possession of the St. Elmo mine and a 10-stamp mill and still later purchased the Roosevelt and Aspen group of mines, thus securing 300 acres all told. They started a new shaft on St. Elmo property and at a depth of 115 feet made a cross cut. A large vein of rich free milling gold ore was discovered in the Northwest and Aspen groups. It carried free gold and excellent values in telluride of bismuth, sylvanite and calaverite. This vein was open about three hundred feet. Several new buildings, including an assay office and dwellings for the employees, were erected.

The Black Hills Porcelain, Clay and Marble Company did much good work in 1902. A carload of mica containing thirty tons was shipped monthly to a manufacturing concern in Cleveland, Ohio. They were under contract to furnish this quantity each month during one year. The mica was of excellent quality and large deposits were discovered. The company was operating several quarries of different varieties of marble. They likewise purchased land where gold deposits had been discovered. The Clara Belle Gold Mining Company sank a perpendicular shaft to a considerable depth to catch the fissure vein of gold-bearing ore. Thus far the vein had been worked by incline shafts. On the property was a two-stamp Tremain quartz mill that was operated with some success owing to the richness of the ore. Late in 1902 experiments with tin ore were made at this mill. By special process a considerable quantity of metallic tin was saved.

For ten months during 1902 all of the mills except the Homestake, which reported for twelve months, yielded the following gold product: Tons of ore milled 1,621,601; gold value \$7,342,227.56; total number of men employed 3,207. Thomas Gregory was state mine inspector in 1902. He lived at Lead.

In 1902 the authorities of the state agreed that the mining outlook had never been better or more auspicious. The old mines were apparently as good as new, and new strikes were made in nearly every part of the Hills. The new reduction processes were much better than the old and yielded a much greater product from the same quantity of ore. In 1902 the total output of the Hills in gold was \$8,811,000, and the entire output of the Hills in minerals of every description was \$10,417,000. For twenty-seven years prior to January 1, 1903, the Black Hills produced over one hundred and thirty million dollars' worth of gold alone. Many new strikes were made in the north and central portions at this time. Large quantities of silver and copper were obtained. The output of silver and copper in 1900 was estimated at \$1,500,000. In all, there were nearly forty different varieties of minerals that were being obtained from the Hills, the leading ones being gold, silver, copper, tin, nickel, antimony, cobalt, galena, graphite, mica, iron and arsenic. There were about thirty others.

In October, 1903, a very valuable collection of gold nuggets and curios gathered at great expense by M. R. Russell, of Deadwood, was sold to B. W. Carlow, of Boston, for a large sum of money. It was one of the finest and most valuable private collections in the United States and had required many years to secure it. Aside from the intrinsic value of the gold, the collection possessed great worth owing to the many rare and notable nuggets taken from the local placer beds. One was taken from a mine on Bear Creek and possessed almost exactly the shape of a bear; the gold therein was worth about fifty dollars. Another specimen worth about the same in value was shaped like the American eagle with wings outspread. The collection consisted of specimens taken from all the mines of the Hills. Presumably this collection is still at Boston.

The American mining congress which assembled in the Black Hills in September, 1903, was an event of great importance to the state and the nation. The twin cities, Deadwood and Lead, vied with each other in preparing a splendid welcome for the delegates and members. The streets and the most prominent buildings were gaily decorated with bunting and brilliantly illuminated with electric lights. In the Bullock Hotel of Deadwood was arranged

a complete and interesting display of all the ores and minerals of the Hills. Lead opened to the inspection of the visitors its splendid exhibit of ores with illustrations of the various mining processes. In one collection was an admirable arrangement of representative samples of the Homestake ore body showing their general relations to one another on eleven 100-foot levels and of the hanging and foot walls. On the evening of September 7 an elaborate reception was given to all delegates at Franklin Hotel, Deadwood. Governor Herreid was present. On the 8th the congress was called to order by President Richards, of Idaho, in the skating rink, which had been transformed into a brilliantly decorated auditorium for the purpose. The invocation was rendered by Bishop Stariha of Lead, who showed his conscientious courage in a petition to the Almighty that "the Divine Majesty might speedily cease to be outraged by constant labor on the Sabbath day." Governor Herreid welcomed the delegates to the state in an eloquent and fitting address. Mayor McDonald welcomed them to Deadwood. An appropriate and encouraging letter from President Roosevelt was read. The invitation to President Roosevelt was written on an 18-carat gold plate 3 inches by 5½ inches. He replied that he could not be present. President Richards responded fittingly to the various cordial and welcome addresses. Mrs. Dignowity, of Philadelphia, read an attractive poem. In response addresses were given by J. L. Webster, of Omaha, and Congressman E. W. Martin, of Deadwood. In the afternoon came in succession the president's annual address; then speeches by Secretary Shaw of the Roosevelt cabinet on "The Importance of Mining to Other Occupations;" N. H. Darton on "What the United States Geological Survey Is Doing for the Black Hills;" J. W. Abbott on "Good Roads for Mines;" J. D. Irving on "Ore Deposits of the Northern Black Hills;" E. W. Parker on "Coal;" C. W. Merrill, superintendent of the Homestake cyanide plant, on "The Metallurgy of the Homestake Ores;" J. E. Todd on "The Geology of South Dakota;" George E. Roberts, director of the mint, on "The Supply of Gold;" John Blatchford on "Ore Deposits in the Northern Black Hills;" C. C. O'Harra, of Rapid City, on "The Geology and Mineralogy of the Black Hills;" John L. Webster, of Omaha, on "Money, Metals and Other Influence on Civilization;" E. H. Elftman, of Colorado, on "Ores of the San Juan District," and Mr. Bartlett, of Cleveland, on the "Mechanical Drying of Clays."

These various topics brought out every phase and purpose of the mining industries. The sessions of Tuesday and Saturday were held in Deadwood and those of Wednesday and Friday in Lead. Thursday was spent in excursions to Spearfish, to the mines of the Reliance and Golden Reward companies and to the lower levels of the Homestake mine, a privilege which was rarely granted to anyone. The visitors were taken down to the 700-foot level, where they were shown the practical and wonderful operations of taking out the ore. Over five hundred men were taken at once on this trip without discomfort and without having their clothes soiled. The weather was cold, and before the congress closed nearly six inches of snow fell at Deadwood. At this congress there was selected for permanent exhibit at the State University a fine collection of specimens of the different ores. One specimen showing several dollars' worth of free gold from the Uncle Sam Mine was presented by S. W. Russell, and another was a rich specimen of horn silver from Iron Hill Mine presented

by Mr. Bagley. Portland, Oregon, was selected as the place for the next meeting of the congress.

No mining school of the United States is better situated for giving practical instruction in mining and metallurgy than the South Dakota School of Mines. It is located within a few miles of the various ore districts of the Black Hills gold fields. "Though several of the schools in the East have perhaps better facilities for research they can not compare with the South Dakota institution in the practical work of the mines. The school occupies the same relation to mining that the experiment stations do to scientific agriculture. The mining men of the Hills take great pride in the institution and afford the students every reasonable consideration and facility for the inspection and study of the detailed operation of the plant. The Hills region undoubtedly affords the best field for the special study of gold mining and gold metallurgy of any in the world. Succeeding the development of the cyanide process for the reduction of certain refractory gold ores a large number of mills have been erected and put into operation where the student of the school can study every phase of this extremely important process. There are mills which employ the wet crushing process, the dry crushing process, stamp amalgamation in conjunction with the cyanide process, all of which give the student unequalled opportunities for the study of all the processes. The great stamp amalgamation mills of the Homestake Company which have become famous and are complete in every detail, give the students the best insight possible into the principles and details of gold milling. Although the Black Hills are in the main a gold milling field, still an excellent opportunity to study smelting processes is afforded. The large smelting plants of the Golden Reward Company of Deadwood and the Horseshoe Company of Rapid City are open to the students for inspection and study. The school is situated but a few hundred feet from the latter plant. Through the courtesy of officials students are admitted to the Horseshoe plant whenever desired. The process carried on here and at the Golden Reward plant is known as pyritic smelting. The plants treat the siliceous ores, smelting them with iron and some copper pyrites. The product of gold and matte contain the gold and silver which is shipped to the Denver and Omaha plants for further treatment and refinement."—State Mine Inspector.

At this time one of the shafts of the Homestake Mine was 1,400 feet deep. This company had a complete plant, hoisting engines, gallows frames, pumps, compressors, etc., which gave the student every opportunity to study modern mining machinery and methods. Plans of mining and the timbering of mines could be seen here in perfection. While many students made individual trips to the mines for study, the actual work of the school in the practical study of mining and metallurgy was carried on under the direction of the professor of the department. The whole of the mining and metallurgical part of the course was divided into the various proper subjects on which lectures were given during the last two years of the four-year course. When a practical illustration was necessary the body of students in charge of the professor visited the property and there inspected and studied the feature under discussion aided by the lecture of the professor. A summer school of from four to six weeks duration was usually conducted.

During 1903 the production of gold decreased somewhat owing to the shutting down of the Golden Reward Smelter at Deadwood in March, caused by the walkout of the employees. Its continued idleness greatly reduced the production and caused great inconvenience and suffering among the workmen. All other mines in the Black Hills showed an increase in production, while there were three more producers than ever in operation during 1902. The gold production of 1903 was \$7,159,400.70, and of 1902, \$7,342,227.56. According to the state mine inspector's report the total number of fatal accidents during 1903 was eight. The number of fatal accidents in 1902 was thirteen. In a measure the decrease in fatalities was attributed to improved operations in mine work and to greater care used by the mining companies for the safety of their men.

In the fall of 1903 there were many indications that the annual gold production in the Hills would be materially increased by the discovery that a peculiar black sand taken from the placer bars of French and Rapid creeks contained a large percentage of gold. Samples of this sand concentrated from the gravel below the sluices where all the gold had been collected by the common method employed in placer mining, yielded by fire assay \$60 in gold per ton. These sands when crushed were found to be amenable to the cyanide process and showed that a profit could be made whenever the sands were found in sufficient quantity.

In 1904 the gold product of the Hills was valued at \$7,090,481. The total mineral value of these products was estimated at almost \$9,000,000. The state authorities in estimating the resources of South Dakota annually, invariably figured in the minerals of the Hills, which assisted in building up the actual product records of the state. In 1904 South Dakota was fourth in gold production in the United States. Alaska, which was part of the United States, produced \$9,000,000 and South Dakota \$7,270,000. During the 1904-5 session of the Legislature and of Congress, new mining laws were put in operation and proved excellent. There were at this time 3,500 workmen on the rolls of the South Dakota mining companies. The average pay of the principal workers was \$3.50 per day, helpers \$3, mill hands \$2.50. The total gold products of the Hills in 1903 were \$7,159,400.

In January, 1905, the employees of the Golden Reward Smelter, numbering nearly one thousand, went on a strike at Deadwood. The strike was caused by the arbitrary laying off of one man employed as a helper on the feed floor of the smelter. Eight men who made complaint at this action were at once discharged by the superintendent, whereupon all the other employees peremptorily demanded reinstatement of the eight men as well as the helper. Wages cut no figure in this strike, because the men received the highest wages in the United States for this class of work. At this time Harris Franklin was general manager of the Golden Reward Company, which ranged next to the Homestake in the number of men employed and the quantity of ore handled. The smelter at Deadwood had been treating 500 tons a day, not including what was handled at the cyanide plant. At this time the cyanide mills of the Wasp and Alder Creek Mining companies on Yellow, a mile from Lead, were adding from \$23,000 to \$25,000 a month to the gold product of South Dakota. Of this amount the Wasp was yielding about fifteen thousand dollars monthly and the Alder Creek Mine about

ten thousand dollars. Their mills were working on Cambrian quartzite and porphyry with some shale. The ores were low in gold product, but the profits resulted from rapid and economical handling. In sight of these concerns was ore that would last for many years. As soon as the men had left the Golden Reward Smelter, the fires in the furnaces were drawn and the doors were shut. The Deadwood Labor Union, a branch of the Western Federation of Labor, held a meeting and concluded to stand by the strikers. Satisfactory settlement was finally effected.

At no time in the history of the Black Hills has it been unusual to make new and valuable strikes of high grade ore running up into thousands of dollars to the ton. Such discoveries were expected and accepted as a matter of course. Often they occurred in rapid succession. In the spring of 1905 such a strike was reported at one of the lower levels in the Homestake Mine, and this exceeded almost every other strike in the richness of the ore. It was at first stated that an average of \$1,000 to the ton was taken from this ore, but this later was found to be an over-statement. The vein was of considerable size and from the dip it was thought to extend to the surface.

In 1905 a company known as the Black Hills Traction Company filed articles of incorporation and prepared to build a trolley line between Spearfish and other valley towns and the Northern Hills section. Henry Keates became president of the new organization and J. F. Summers vice president. The company was capitalized for \$400,000 with \$50,000 paid up. It was planned to have the cars running over at least a portion of the line by November. In time this road was constructed.

In 1905 Nicholas Treweek, Sr., of Lead, was appointed mine inspector for South Dakota. He was one of the best mining experts in the Black Hills. For many years he was mine foreman for the Homestake Company and was later in charge of the Cloverleaf Mine. He succeeded Thomas Gregory, who had served for the previous two years and had given general satisfaction.

During the year 1905 still better measures were adopted for the safety of the employes in all the mines of the Hills. The number of deaths from accident was still too large. While many unquestionably resulted from the carelessness of the employes themselves, still the precautions and safety appliances needed improvement. The kindest relations existed between employer and employe. In fact, there were no complaints from either against the other. Several of the producing mines in 1904 were idle in 1905 and had turned their attention to development work, particularly in enlarging their treating capacity in order to lessen the cost and facilitate operations. The state mine inspector reported that all companies and individual operators had faithfully complied with the requirements of the law. In 1905 there were fourteen serious accidents, eight of which were fatal. This number was still too large, and renewed measures to prevent such loss of life were taken by all the companies.

The following figures show the tonnage of ore mined and milled, number of men employed and the production by companies during the past year:

	Tons.	No. Employed.	Production.
Alexander Maitland	48,000	110	\$ 320,000.00
Clinton Mining & Mineral Co.....	78,171	10	10,754.74
Dakota Mining & Milling Co.....	39,910	47	120,337.69



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BIRD'S-EYE VIEW OF LEAD

	Tons	No. Employed	Production
Gilt-Edge Maid Gold Mining Co.....	28,000	28	110,065.00
Golden Reward Cons. G. M. & M. Co.....	48,000	150	391,350.69
Hidden Fortune Gold Mining Co.....	21,235	75	80,724.24
Homestake Mining Co.....	1,437,400	2,800	5,080,000.00
Horseshoe Gold Mining Co.....	50,440	75	379,172.00
Imperial G. M. & M. Co.....	52,250	95	251,000.00
Lundberg, Dorr & Wilson.....	27,500	20	184,400.00
Portland Mining Co.....	120,722	65	8,905.59
Spearfish Gold Mining Co.....	68,493	20	157,918.80
Wasp No. 2 Mining Co.....	51,150	52	86,324.96
Placer Mining .....	.....	.....	10,000.00
Total.....	2,080,271	3,547	\$7,191,553.71

In 1907 the output of the mines was considerably less than in former years, due to the fact that several of the heaviest producers had been closed down owing to labor troubles. In addition a fire in the Homestake Mine lessened the production of that plant alone about six thousand dollars. The labor union had asked for an eight-hour day and after considerable maneuvering had succeeded in securing it. Perhaps no year showed a greater degree of care to prevent accidents than 1907. The appliances and facilities for prompt and effective rescue were better than ever before. As a consequence the fatal accidents were fewer in number, there being but six in 1907. There were seven the previous year. The non-fatal accidents in 1907 were three and in 1906 fourteen. There was thus a steady improvement for the safety of the employees. The big fire in the Homestake Mine was the most striking event of the year. It started in No. 5 slope on the 500-foot level. Owing to the large amount of carbonic acid gas that was liberated in the passages, it was found next to impossible to reach the fire with hose. But efforts were made, the men working in 15-minute shifts, to flood the mine, and the streams from the hose were turned in and left running three days, but the cave-ins prevented during part of the time the water from reaching the fire. Attempts to reach the fire by running cross-cuts from the foot wall drift to the fire were made, but this was found impossible owing to the heated condition of the rock. On April 12 the complete flooding of the mines commenced and by the 29th the water had risen to a point seventy-eight feet above the 300-foot level. At the same time, to prevent delay, the company made preparations to unwater the mine as soon as the fire should be subdued. This process began on May 30. Four skips of 1,000 gallons each, two skips of 500 gallons each and two skips of 2,000 gallons each, besides other methods, were adopted to remove the water. During this work more than 600,000,000 gallons of water were hoisted. During all this hazardous work not a life was lost nor limb broken.

The condition of the mining operations in the Hills in 1908 was never better nor more prosperous. Greater attention was paid to the security of life, and every provision known to modern mining operations was adopted to prevent accidents. In case of suffocation or injury measures for prompt rescues or assistance were up with the times. The system of mine ventilation was vastly improved and among the best in the country. Generally the mines of the Hills were dry, and few were so wet as to require the continual working of pumps. Thus far the precautions for safety and health were so thorough that mining was

regarded as safe as any other business operation. Mine managers complied with the laws better than formerly, because they found it best for their interest to do so. In smaller mines protection from fire was greatly improved. During the year the mines of the state produced in gold and silver bullion \$7,459,850. This was a large increase over the output of former years. Several mining companies did not report this year and their production was not included in these figures. The principal companies were as follows: Homestake, Mogul, Golden Reward, North Homestake, Imperial, Wasp No. 2, Gilt-Edge Maid, Portland, Lundberg, Door & Wilson, Minnesota, Branch Mint, Standby, and a few others. Placer mining realized about \$10,000 in gold and silver bullion. During this year the Westinghouse Electric and Manufacturing Company produced about eighty-five thousand dollars' worth of mine run mica. The total tonnage of all the gold mining companies was 1,938,000. The total number of men employed was 3,560. The Homestake employed 2,650 men, Mogul Company 225, Golden Reward 140 and the others all less than one hundred each. This total did not include the number of men employed in placer mining. The serious fire in the Homestake Mine in March, 1907, which generated poisonous gases and resulted seriously, was desperately fought and was finally conquered. This casualty had done much to cause the mining authorities and the state inspector to improve the conditions surrounding workmen in the mines. A thorough study was made of how to overcome the effects of poisonous gases which had been inhaled. The result was a vast improvement within a comparatively short time of the surroundings under which the miners worked.

Mining operations in 1910 received a serious setback owing to strikes and other opposing causes. Operations were interrupted almost wholly for several months during the year. In addition the mill of the Wasp No. 2 Company was destroyed by fire January 25, 1909, which caused a considerable decrease in the total production of the Hills. In October, 1909, a mass meeting of the Lead City Miners' Union No. 2 and the Central City Miners' Union No. 3 passed resolutions demanding all ex-members who were in arrears to reinstate and place themselves in good standing with the union. On October 25 the union published in the local newspapers the proceedings of a meeting held on October 24, when resolutions were passed calling upon all workers under the jurisdiction of the unions to join the organization. They further resolved that all men neglecting or refusing to become members in good standing of the local union in whose jurisdiction they might be working would be declared unfair to the union. They also resolved that the members of the unions would thereafter refuse to work with any and all men who should thus become unfair to the organization or refuse to comply with the provisions of the resolutions. On November 10, 1909, the Homestake Mining Company commenced suit in the United States Court against the Lead City Miners' Union No. 2 to recover damages resulting from the intimidation of non-union employees, and a week later the same company issued the following notice: "That the Homestake Mining Company will employ only non-union men after January 1, 1910. The present scale of wages and the eight-hour shift will be maintained. All employees who desire to remain in the company's service must register at the general office of the company on or before December 15, 1909." The registration required them to sign the following card: "I am not a member of any labor union and, in consideration of my

being employed by the Homestake Mining Company, agree that I will not become such while in its service." On November 21 a strike was voted by the union which was referred by wire to the Western Federation of Miners officials at Denver, Colo. This course was approved and the strike was set in progress. On November 24 the Homestake shut down its works and immediately afterward the mines of the Bald Mountain district ceased operations. Thereafter nothing was done until January 19, 1910, when the Homestake Company again commenced operations, requiring each employe to sign the card previously prepared before going to work. Within forty-five days after resuming operations the Homestake Mining Company was again running to its full capacity, and soon after the other companies involved in the strike were likewise in full operation. A large number of the old employes returned to work. In 1910 the mines produced in gold and silver bullion \$5,201,304. This decrease was due to the strike. The ore tonnage handled this year amounted to 1,523,903 tons and the number of men employed was 3,331. In 1910 the Westinghouse Electric & Manufacturing Company increased the output from its mines at Custer to a total of 1,856,409 pounds of mine run mica. At this time the company had three mines in operation, were installing new and more modern machinery and employed here 110 men.

In 1910 the School of Mines at Rapid City was doing a work of great value to the mining industries of the state. Its rigid investigations of all mining and metallurgical problems were productive of the most important results. At this time graduates of the school held responsible positions in the mines of the Hills and throughout the West generally and were doing much for the development of the state's mineral interests. The mining course of study, particularly in the line of electrical engineering and metallurgy, was greatly added to and strengthened and much valuable apparatus was installed and used. At the close of 1910 the alumni of the institution numbered sixty-nine, nine of whom had been given diplomas the previous June. The degree of Engineer of Mines had been conferred upon thirteen graduates of the institution. In 1910 the total attendance was sixty-five.

During the year of 1912 the mining industry of the Hills enjoyed a greater degree of prosperity than ever before. Steadily it had been getting upon a more substantial basis each year. The production of gold in 1912 was the largest total since the establishment of the office of state mine inspector. The quality of ore treated showed a large increase, and the average value of the ores milled was greater than ever. Many new works were under way or contemplated, which meant still further development and prosperity. Old plants were enlarged, new mills put in operation, additional ore bodies discovered, and the outlook at this date was exceedingly bright. The mines were managed better than before and fewer accidents under ground than in any former year had resulted. With 4,000 men employed in 1912 there were but three fatal accidents under ground. The number previously had been as high as fourteen and the lowest six.

The Lawrence County mines were exceedingly prosperous. The Homestake Company had the best year in its history. The entire plant maintained the highest standard of efficiency. Of the 2,600 employes there were only two fatalities. The company's big Spearfish hydro-electro plant was finished and put in operation; this represented an outlay of more than \$1,000,000. In October the com-

pany was using 2,850 electric horse power in its mills and hoists, and the combined capacity of the Spearfish and Eaglewood hydro-electric plants was 5,450 horse power. During the year the company erected at Lead a recreation building for the comfort and pleasure of its employees. It likewise purchased 1,000 acres of mining ground lying north of and adjoining its property. This purchase included the Columbus and Hidden Fortune ground, together with the surface mines. The Homestake Company in 1912 produced \$6,596,000 in gold bullion, this sum being taken from 1,529,474 tons of ore. During the year the company paid in dividends \$1,310,400.

The Golden Reward Company operated steadily throughout the year and constructed a roasting plant at Astoria Mine in the Ruby Basin district at a cost of about fifty thousand dollars. Crude oil was used for fuel. This plant had a capacity of seventy-five tons per day. After the ore was treated it was shipped to the company's cyanide mill at Deadwood. The company experimented much with roasting different ores to improve the extraction of the metal. During the year this company turned out \$323,846 from 52,583 tons of ore. One hundred and thirty-three men were employed.

The Mogul Mining Company lost its mill at Pluma by fire in March. After the fire the company shipped its ore to Lundberg, Dorr & Wilson at Terry. During the year the company produced \$242,568 from 59,384 tons of ore. About eighty or ninety men were employed.

The Wasp No. 2 Mining Company at Flat Iron operated steadily throughout the year except for about forty days in January and February. They installed a new No. 6 Gate's crusher. This company was the first in the Hills to use a steam shovel for removing surface dirt and waste from the top of the ore body. The ore here cost the extremely low price of \$1 a ton to be mined and milled. The mill capacity was 500 tons per day. The gross value of the bullion produced during the year was \$308,596 from 158,840 tons of ore. About 100 men were employed and \$85,000 was paid in dividends.

The Trojan Mining Company in the Bald Mountain district enlarged its scope of operations this year and made substantial improvement about the mine and mill. Several new places were opened from which ore was taken. The capacity of the mill was enlarged from about one hundred and eighty tons daily to about four hundred tons. They mined during the year 62,061 tons of ore and employed 118 men. Lundberg, Dorr & Wilson, at Terry, operated steadily during the year. It handled much custom ore, largely from the Mogul Mines. From its own mine it produced \$77,297 from 21,264 tons of ore.

The Victoria Gold Mining Company made several important improvements and extensions. There were found several large chutes of fair grade ore on this property. The mill operated during only the latter part of the year, but extracted \$14,675 from 3,247 tons of ore. The Victoria Extension Company was owned and operated by the same men who controlled the Victoria. It made extensive developments and opened large bodies of high grade ore which required treatment by the cyanide process.

Richmond Operating Company at Galena was a steady producer in 1912. As it was a close corporation, statistics were not given out. Near there was the Merritt Mine leased by H. C. Osterman, who did considerable development work. The Imperial Company at Deadwood was not in operation.

The Bismarck Consolidated Mining Company near Wasp No. 2 handled about three hundred tons of ore daily, and the Deadwood-Standard Company under lease handled about three thousand five hundred tons during the running season. The Pluma Company was preparing for active work. The Northern Homestake property was developed below the quartzite level by a shaft sunk 600 feet deep. Cross-cuts were extended out with the expectation of reaching vertical veins. The Minnesota Mining Company was idle part of the year. The Echo Mining Company at Midland did considerable work.

This year the Deadwood Homestake Mining Company was organized to take over the McHugh, Garfield, Montezuma and Whizzer's properties adjoining the Homestake Mine on the east.

Others in Lawrence County which operated more or less during the year were Gilt Edge Consolidated Mining Company, Black Hills Consolidated Mining Company, Black Hills Consolidated Mining Company, Evans Consolidated Mining Company, Deadwood Zinc & Lead Company, Custer Peak Mining Company, Heidelberg Group in the Two Bit district; Kriemer Gold Mining & Milling Company, Mineral Hill Mining Company, Anaconda Mining Company, Puritan Mine, Eagle Bird Mine, Republic Mining Company, Ruby Mine and a few others. The ore of the Deadwood Zinc & Lead Company was rebellious in character and contained zinc, lead, gold and silver. The Custer Peak Company produced considerable copper pyrites which carried gold as well as copper. The Kiemer Company produced a highly mineralized porphyry ore. The Mineral Hill Company mined ore carrying both gold and nickel.

The mines of Pennington County were prosperous and quite extensively operated during 1912. At the Golden King property on Silver Creek, new shafts were sunk and a fine vein of pyritic ore was discovered. At the Fair View Mine active development work was in progress. The owners of the Crown Mine did a small business. The same of the Golden West Mine. The Denver Company developed considerable mining property. The Hymalulu Company, near Mystic, secured good results on a mill test of certain ore. At Silver City much development work was done. The dredge at Mystic was at work during much of the summer. In the Hill City district the Golden Slipper Mine produced considerable bullion. The Forest City Company operated most of the year. Their mine was in fine condition and their plant was equal to the requirements. This property was promising at the time. The Hill City Company showed up several large veins and prepared for future operations on a large scale. The Golden Summit Mine yielded several thousand dollars in high grade ore. At Keystone, the Etta Mine yielded several car loads of spodumene ore which commanded a good price on account of the lithia and phosphoric acid. At Rapid City U. S. Gypsum Company produced stucco, building tile, terra cotta, etc., to the value of \$31,000. It employed twenty-seven men and had a capacity of thirty-five tons daily. The Dakota Plaster Company at Black Hawk placed on the market considerable gypsum products.

The Custer County mines in 1912 were quiet. About the only gold property worked was the Heartwell Mine, where much development was under way. The mica industry was also quiet. Mr. Peterson shipped a considerable quantity of mica this year from his property three miles east of Custer. Fine blocks of mica were taken out and shipped to St. Louis. Several old dumps of the Westing-

house Company were sorted and the mica taken from them was also shipped to St. Louis.

In Fall River County operations in the mines were somewhat limited this year. At Hot Springs two large quarries were worked steadily, producing high grade sandstone which had a market value of \$80,000. This stone was steadily coming into favor. Practically every large building that was being erected in the western part of the state was either built of this stone or it was used for trimming purposes.

In March, 1915, for the first time in its history, the Homestake Mining Company paid off its employes in paper money. This fact led to much speculation and it was asserted in financial circles that the action was in accordance with the national policy to reserve the gold supply of the United States, which was in danger of being depleted by the enormous demand caused by the great war raging in Europe. It was stated that the banks in all parts of the country were instructed not to pay drafts from Canada, but to hold them for collection, and that there was a growing belief that gold was likely in a short time to be worth a considerable premium. Accordingly banks in South Dakota and other sections of the country increased their gold reserves and paid out in the main only currency and silver.

In July, 1915, the Rapid City Quarries Company, with a capital stock of \$500,000, was duly chartered by the secretary of state. The incorporators were Isaac M. Humphrey, Harry M. Jones, John C. Hainez and J. P. Eisentrant of Rapid City; G. A. Hanson of Hot Springs; and J. D. Mount of Belle Fourche. They prepared to place a large amount of available building stone on the market.

The copper deposits of South Dakota are numerous and extensive and their development is rapidly taking place. They are found amid the Archaean rocks which show copper deposits from 50 to 500 feet in width. At the Blue Lead there is a large quantity of gossan ore. In sinking through the deposits the miners reached a decomposed portion of the bed. Much surface copper also has been found in the Hills. It consists of malachite, red oxide, native copper and copper glance. The ores at first showed about 35 per cent of pure copper or about seven hundred pounds of metal copper per ton. In the vicinity of Galena there is silver-bearing galena found in considerable quantity. In several places the ore is principally carbonate of iron and silver. Considerable iron has been found in this state and has been worked to some extent. Extensive deposits of siliceous iron ore are in the Archaean rocks on Boxelder Creek and elsewhere. In some places the formation has a thickness of over fifty feet. Several hills are largely composed of it. Such deposits are found on Rapid Creek. Ores of manganese have been found in the Hills; nineteen tons of this metal were shipped from Custer County in 1892. The ores showed as high as 46 per cent of this mineral. Nickel is likewise found in the Hills at several points. It appears in the form of pyrrhotite on Spring Creek and elsewhere.

As early as 1890 the cement deposits at and near Yankton were being worked profitably. The product was a cement-like clay and was the next formation immediately over the chalk-rock deposits and in places was about fifteen feet thick. Thus far it was the only deposit of that character that had been found along the Missouri River. Near the chalk deposits was a potters' clay which likewise proved valuable. At a later date cement deposits were found at other

places along the Missouri River in South Dakota. As early as 1891 they were found to outcrop in the vicinity of Chamberland and Mitchell, companies were formed and cement has been made to a considerable extent down to the present time.

In the summer of 1890 about three thousand acres of chalk land west of Yankton was sold to English parties for about sixty thousand dollars. Their plan was to commence manufacturing cement on a large scale for commercial purposes. The company prepared to be in active operation by September. Professor Free was secured to make a geographical survey of the tract. His report was forwarded to the English purchasers. The capital represented by the English concern is said to have been \$5,000,000. Another large company began work about the same time in the vicinity of Yankton. The rock and clay had been tested for two years and had been pronounced excellent in every way for the manufacture of cement. It showed a much greater per cent of strength than the product of the famous English cement mines.

Specimens of graphite, but not in large quantities, are found in the Hills. The granite of the Black Hills yields in places a considerable quantity of merchantable mica. Occasionally sheets fifteen inches in length are found. Among the building stones are the splendid granites of the Black Hills region and the no less excellent stone called the Sioux Falls granite or jasper found in the eastern part of the state. This gives South Dakota an excellent variety and quality of building stone. Beds of excellent sandstone are likewise found in the eastern and the western portion. Several large mines are on the James River. No limestone is found in the eastern part of the state except the chalk-stone which is found near Scotland, Springfield, Mitchell, Brandon and other towns. The same stone is known in Kansas as magnesian limestone. Its composition is really argillaceous chalk. It is widely exposed at a few points on the Missouri River between Yankton and Chamberlain. In the Black Hills deposits of limestone are found in the carboniferous rocks. Porphyry is found in the Black Hills. Different varieties are called trachyte, rhyolite and phonolite. Green porphyry is extensively exposed near Tilford and is as durable as granite and is more easily worked.

Cements, glass, sands, etc., are utilized extensively in this state. From the rich beds of the Triassic period are obtained inexhaustible supplies of gypsum. Several mills for the manufacture of plaster of paris and stucco have been established in the state. In 1891 the crude gypsum which was ground to land plaster amounted to 1,560 short tons and was valued at \$4,680. The quantity used for plaster of paris was 2,055 tons, valued at \$4,938. Within the state are also found potters' clay near Sioux City and elsewhere; fire clay in the Black Hills; brick clays at numerous places; and an abundance of stone and gravel in many portions of the state. In 1895 there was found near Hill City a deposit of lithographic stone, which, while not as valuable as the product obtained from Europe, was suitable for many lithographic purposes. About the same time there was found in Custer County a considerable quantity of fuller's earth, the vein being about twenty feet thick.

Coal in one form or another was known to exist in North Dakota and South Dakota from the early settlement. Indeed it was found here by Lewis and Clark on their way up the Missouri River in 1804-5. The quality was poor but it

would burn and furnish heat and that was what the early settlers wanted. It began to be mined in the districts where it was found at the time of the first settlement and afterwards as wells were sunk many reports were circulated concerning the finding of lignite or coal. It remained for the state or Government authorities to investigate and report finally to what extent lignite or coal could be found probably in South Dakota. In 1889 there were mined in Dakota Territory 28,907 short tons of coal, of which amount 7,292 tons were from ranchmen's diggings and local mines. The total product was valued at \$41,431. The coal field upon investigation was found to cover the region northwest of a line drawn from Turtle Mountains through Burley County to the south line of the Black Hills. Small quantities were found here and there south of this line. The diggings were mostly on the Northern Pacific Railway and on the Missouri River in 1891. There were also a few mines being worked in the Black Hills. Lignite or brown coal of a fair quality was found. It was good for heating and for steam and the beds varied in thickness where found from four inches to twelve feet. In the autumn of 1890 about five hundred men were employed to work in the coal mines near Spearfish. There were two excellent veins, one from seven to nine feet thick and the other from eleven to fourteen feet thick, and about sixty carloads per day were taken from these mines. Small quantities of lignite or coal were found in Yankton and Turner counties about this time. The supply of timber in the Black Hills combined with the supply of coal and lignite, gave that region abundant fuel in early days. There was much prospecting for coal throughout both of the Dakotas at this time. Strong indications were found at numerous places, but generally the supplies were quickly exhausted. A shaft that was sunk near Rapid City passed through several valuable formations. Good indications of coal were found at Red Canyon as early as the summer of 1889. North of the Hills near Hay Creek a vein was found. Another was found about the same time in Butte County and still another near the Wyoming line. The most of this product was a hard shiny lignite which burned readily, evolved great heat and left little ash, but it was far from being as good as anthracite. In 1892 it was planned to bring North Dakota lignite down the Missouri River in barges for distribution from Pierre, Chamberlain and other points. By 1894 large quantities of coal were being mined in the Black Hills. One company worked 700 men and shipped five trainloads per day. Coke ovens were at work also. More or less coal has been taken out of the South Dakota mines since that time, but the quantity is too small to settle the question of fuel in this state. In 1904 a vein of lignite of good quality was struck four miles from Mansfield, Brown County. Seven other shafts were sunk there with the hope of obtaining coal in quantities; only a comparatively small amount was secured. One bed of lignite from three to twenty-three feet thick and seven miles long, was reported to have been discovered in this part of the state. A company was organized at Aberdeen to work this product. They succeeded in taking out a considerable quantity. They had trouble with floods of water, etc., which poured into the shafts.

There are three horizons of coal or lignite in the state, namely: Carboniferous, Dakota and Laramie. The first was evidently formed under conditions not favorable to the formation of coke. The result is a form of lignite which is used to considerable extent, but its value is limited. In the upper part of the Dakota

formation near Centerville and in the extreme southeast corner of the state occur small quantities of lignite. In the Laramie formation are large beds of lignite from five to eight feet in thickness, and over the northwestern portion of the state a considerable quantity of this formation has been mined from the earliest time for commercial purposes. Peat deposits are found upon the east and west coteaus outside of the first morains. There are oil and coal lands in Meade County on Mason Creek and on Black Flats. Not long ago about thirteen thousand acres in that section of the state were leased for commercial purposes.

The rich tin deposits in the Black Hills were discovered about the year 1881-2 and at first did not attract much attention. Thereafter and previous to 1890 a period of excitement would occasionally arise, but would soon subside because no concerted and effective attempt was made to open the deposits. The best deposits were found to be in Custer and Pennington counties and occupied a tract of about twenty to forty miles extension. At the time of the gold excitement of the '70s, tin was not considered, was overlooked in the excitement over the gold discovery, but later was called to the attention of prospectors and capitalists. In the gold placer beds were found the earliest specimens of tin ore. They appeared as small nuggets of black ore in the gold washings and were called "black-jack." At first no one knew what it was, but finally specimens were sent to the assay office, whereupon it was discovered that they contained a large percentage of tin. This news at once created great excitement second only to that caused by the discovery of gold itself. At once many ledges were staked for tin. The first claims proved to be rich in the ore. Its value was soon established beyond question. New York capitalists sent large amounts of money here for the purchase of claims and the commencement of operations. About 1883 they put up the first mill for the reduction of the ore. After this mill had made a splendid cleanup, it was closed down and reports were circulated that the ore could not be worked and possessed no commercial value. This caused the excitement to die out for a while. A little later it was discovered that the purposes of these reports was to enable certain holders to secure an advantage in the market.

In the meantime the miners made investigations on their own initiative and learned that the ore possessed great value. The New York men were known as the Etta Company. It was then learned that they had been buying everything in sight that looked like a tin prospect. Soon this company had immense properties of tin ledges in the Hills. The Etta Company, after spending about eight hundred thousand dollars, found that their yield was still unexhausted. As they needed more capital they negotiated with London industries and succeeded in securing large additional sums of money for development purposes. Various reports concerning the worthlessness of the mines were circulated, but those who had made experiments never lost faith in the richness of the ores. James Wilson took with him to England 80,000 pounds of the ore, which there was thoroughly tested and found to be of great value. In about 1887 the Etta Company consolidated with the Harney Peak Tin Mining and Manufacturing Company, and the united organization became the largest tin mining concern in the Hills. By 1890 this company owned 10,000 acres of ore land and had invested over two million dollars. At this time two Chicago companies were interested

also in the tin possessions. The Glendale Tin Company was the first one to cast tin pigs for commercial purposes. The Tin Mining Company, another Chicago concern, was capitalized for \$150,000. Cyrus H. McCormick, Mr. Hibbard, of Hibbard, Spencer & Bartlett, and H. W. Fowler, of the Fowler Roller Mill Company, became large holders of the stock.

Tin ore or cassiterite (binoxide of tin, as it is technically called) is found in various parts of the world. Up to this date the principal supply had come from Wales, Australia and Southern Asia. A few deposits had been discovered in South Carolina and North Carolina. The Black Hills deposits were shown by assays to be the richest in the world and the supply seemed to be practically inexhaustible. Blasters were thrown out yielding ore with as high as from 15 to 25 per cent of metal. The prospect for immense milling works in the Hills was never better than at this time. Coal was found in abundance near; the petroleum fields of Wyoming were within easy distance; timber was found in abundance within a few miles; splendid water power for at least six months in the year could be readily obtained, so that the outlook for the tin mines of the Black Hills seemed at this time unimpaired and unexcelled. There were in sight at this time 500,000 tons of the ore. The Glendale Company prepared to put in a smelting plant by January 1, 1891. The Harney Peak Company likewise planned to commence smelting during the summer of 1890.

The Black Hills tin belt somewhat resembles a semi-circle in shape with the Harney Peak in the center and includes an area of about thirty miles in length and five miles in width. Tin ledges are found throughout this belt and they are generally continuous, well defined fissure veins of mica schist, the rock being a siliceous slate. The ore occurs in the form of cassiterite crystals from a microscopic size to those that weigh 100 pounds or more. There crystals are sometimes found near one wall and at other times are disseminated through the ledge matter. The ledges vary from a few inches to ten feet or more in width. In 1890 the outlook for the continued rapid development of the tin industry was never better. Near Custer City the outlook was most encouraging. A large force was busy at Tenderfoot Camp and an additional force had been put on at Tin Reef where the company's boarding house was located and being enlarged. Another strong force was at Flora, the noted Willow Creek Bonanza, one and one-half miles north of the city, the number of men employed there being constantly on the increase. Large quantities of machinery had been ordered by the Tin Reef and Willow Creek properties. It was estimated that the aggregate number employed in this vicinity was about two hundred men. The tin ore of this region did not require roasting like the ore of Great Britain and other countries of Europe. The Harney Peak Company tin mines cost about three million dollars, that amount having been spent thereon by July, 1890. At this time work on several small railway lines in the Hills was commenced. They were designed to be used in conveying the product of the mines to market. The above company first planned to place 12,000 tons of tin on the market annually. The owners of Etta Mines had large and valuable properties; in fact, they owned valuable tin mines in all parts of the world and endeavored to manipulate the product of the Black Hills to their own advantage, but were unsuccessful. The tin belt in the Hills, it was found, reached from Hayward to Custer along the northwestern side of Harney Ranch. The Harney Peak Company assayer made tests on new



"THE DELLS," BLACK HILLS

ore three times every week and on every mine in the Hills. It was found that there was four times as much tin in the ore as in the ore obtained at Cornwall, England. At Hillside there were in operation in 1891 the Cowboy, Coats, Gerta, Nevada, Adda and Coloron tin mines. In 1893 the tin mills shut down for a time, owing to labor troubles, and much hardship to the employes resulted. The South Dakota Mining Company had serious difficulty with its employes. Soon afterward other companies were involved in the same trouble and there was a considerable lapse of time. The Big Palmer Gulch gold field was discovered about 1893. Here tin had been found when placer mining was first commenced on the gulch. These discoveries were among the first in that portion of the Hills.

Shafts were early sunk or wells were bored in Hughes, Sully, Hyde, Hand and Potter counties to a considerable depth, and not only artesian water but both oil and natural gas in considerable quantities were secured. One of the first strikes of natural gas was in the artesian well sunk at the Indian School in Pierre in 1892-3. The gas was shown to be in considerable quantity and at once it was utilized by the inhabitants. Other wells there gave similar results, and altogether they furnished probably half enough to meet the wants of the inhabitants. The natural gas subject at Pierre cut an important figure during the capital contests. Few wells were sunk in this portion of the state that did not give strong evidences of valuable oil and natural gas supplies. West of the Missouri for a considerable distance the same products were shown to exist. North and south from Pierre for many miles along the Missouri all deep wells gave these results, but the excitement died out when investigation showed that the supply was exceedingly limited and was being rapidly exhausted. In 1893 there was an oil excitement five miles west of Fort Pierre, where 1,200 acres were quickly filed upon as mineral claims, buildings were put up and a small town was started. Since that time oil and natural gas have been found in numerous wells that have been sunk in this portion of the state. In 1903 Huron found oil and a small quantity of natural gas in one of its wells, but not enough to be of commercial value. At this time Emil Brauch was state oil inspector. A real estate concern known as the Gas Belt Company flourished at Pierre for many years. In 1904 a deep well sunk at Pierre supplied a large amount of gas. It did not seem to affect the supply in the other well at first, but later both wells began to fail in this product. At this time it was estimated that the two gas wells alone supplied about two hundred thousand cubic feet of fairly good gas per day. At a depth of 1,300 feet on the Scotty Phillips ranch, a short distance west of Pierre, excellent artesian water and a considerable supply of gas were obtained. The well was sunk to secure water to be used in irrigating alfalfa. In 1907 the Gas Belt Exposition was held at Pierre and was largely attended by persons interested in that product.

The first practical test of gas at Pierre for power was conducted in November, 1898. It was applied to operate the Hyde Grist Mill. The engine was of forty-four horse power, but was run at thirty-five horse power. It required about thirteen cubic feet of gas per hour to run the mill. The supply from the well was from sixty thousand to seventy-five thousand cubic feet per day. In 1898 the city sank another well. In 1897 gas was found in a well which was sunk at Ashton.

The approximate value of natural gas produced in South Dakota in 1899 was \$3,500; 1900, \$9,817; 1901, \$7,255; 1902, \$10,280; 1903, \$10,775; 1904, \$12,215; 1905, \$15,200; 1906, \$15,400; 1907, \$19,500; 1908, \$24,400; 1909, \$16,164; 1910, \$31,999; 1911, \$16,984; 1912, \$30,412 for both North and South Dakota. No record seems to have been kept prior to 1899. In 1912 there were 34 wells in this state producing gas and in all there were 403 domestic and 3 industrial consumers. Domestic gas was sold for 70.8 cents per thousand cubic feet. The gas in this state comes wholly from artesian wells and is limited to the counties of Hughes, Lyman, Stanley, Sulley, Potter and Walworth. In these counties owners of ranches where artesian wells have been sunk and where the gas has been obtained use it for domestic and other purposes. At the Indian school near Pierre is an artesian well which produces a considerable flow of water and natural gas. At Fort Pierre the wells supply considerable gas which is used for power at the waterworks and for domestic uses by the inhabitants. The same is true of Pierre on a more extensive scale. Power to supply water for irrigation purposes is furnished here and there by the consumption of this gas. Late in 1912 the number of artesian wells in the state, from which this gas was obtained for the various uses was thirty-five. The gas pressure varies from thirty to sixty pounds. A pumping plant operated by a natural gas engine was installed at the Indian school to aid in irrigating the gardens and fields connected with the school. Two gas wells were abandoned in 1912. The supply thus far is limited. Pierre and Fort Pierre are the only two cities in the state which are supplied with this gas. They use it steadily both for domestic and public service.

CHAPTER III

THE INDIANS; THEIR SCHOOLS AND LANDS; THE VERENDRYE PLATE

Dakota Territory was informed by telegram from Washington, D. C., on May 1, 1888, that President Cleveland had signed the Sioux Reservation Opening Bill. This intelligence caused intense joy throughout the whole territory, particularly in the towns along the Missouri River. The inhabitants in those districts held formal celebrations to voice their joy at the opening. There were left of the Big Sioux Reservation in Dakota the following tracts still under the domain of the Indians: (1) Upper Brule or Rosebud; (2) Lower Brule; (3) Cheyenne River; (4) Oglala or Pine Ridge; (5) Standing Rock. In addition a new but small reservation was created from the old Crow Creek and Winnebago Reservation on the east side of the Missouri River. The Yankton Reservation, also on the east side of the river, was left intact. The latter had never been a part of the Great Sioux Reservation which originally included every foot of Dakota west of the Missouri River and south of the Cannon Ball River. The Treaty of 1875 took a large slice from the western side of the original Sioux domain, and the new treaty of 1888 was planned to remove a large portion of the remainder. The five smaller reservations under the proposed law of 1888 were all of the Sioux tribe, the ownership being divided among the various bands. The Yanktonaise, the Crow Creeks, and the Yanktons at Yankton were members of the great Sioux family, and were related to the Sioux of Pine Ridge, Rosebud, Lower Brule, Cheyenne River, and Standing Rock agencies west of the Missouri River.

The territory to be surrendered under the bill of 1888 included all of the (then) counties of Nowlin, Scobey, Delano, Choteau, Rinehart, Martin, Wagner; nearly all of Ziebach, Stanley, Sterling, Jackson, Pratt and Presho, and portions of Hettinger and Todd. The big opening of the Government tract between the Rosebud and the Pine Ridge agencies, and the big opening between the Cheyenne and the Standing Rock agencies were for the purpose, so far as possible, of dividing the large tribe and separating them so that they could not unite for an attack upon the whites.

The title of the act in Congress was "An act to divide a portion of the reservation of the Sioux nation of Indians in Dakota and to separate the reservation and then to secure the relinquishment of the Indian title to the remainder, and for other purposes." The act really opened to settlement the entire Sioux Reservation, with the exception of the five comparatively small reservations mentioned above. The Santee Sioux and others in the northeast part of the state received satisfactory allotment.

The Government Indian Commission left Washington for Bismarck July 14, 1888, for the purpose of securing, in accordance with law, the signatures of a

three-fourths of the adult males to the treaty agreement. The design was to leave Bismarck and pass down the Missouri River and visit the agencies in succession. A member of this commission was Rev. W. N. Cleveland, a brother of the President. The Cheyenne Agency Indians included the Minneconjous, Sans Arcs, Blackfeet and Two Kettles. The commission first visited Standing Rock Agency, arriving there in July. A conference was called, the object of the visit was explained and the Indians were asked to sign the agreement. Under the direction of their leaders and under still other influences, all refused to do so. John Glass was one of the eloquent leaders of the opposition. Governor Church, who was present, used every effort in his power to induce the head chiefs to sign the agreement, but was unsuccessful. Other prominent chiefs present were Big Head, Circling Bear, Long Dog, Mad Bear, Rain-in-the-Face, Gall, a speaker of great power and eloquence, Running Antelope, and others. Sitting Bull, not being a chief, did not participate in the conference, but his baneful influence on the outside in opposition to the agreement was probably stronger than that of any chief present. The cattlemen and the squaw-men were equally influential in preventing the Indians from signing the agreement.

Thus in succession the commission visited the various agencies, but were unsuccessful in every instance. By September, after about two months of hard work, the commissioners had succeeded in securing only about one hundred signatures to the agreement. One of the first to append his signature was Bowed Head, who made an appeal to the members of his band that overcame the objections of White Ghost, chief of the Crow Creek Indians. Bishop Hare was present at several of the conferences but did not have sufficient influence to induce the Indians to sign the agreement, or else in secret did not desire then to do so.

The commissioners, though baffled at the start, did not give up the struggle, but continued their efforts, directing their work to the bands that were most easily influenced. By September 12th, three-fourths of the adult males at the Lower Brule Reservation had signed the agreement, which fact caused the commissioners to hope that they could approach the other agencies with greater promise and leave with a greater degree of success.

The Government made very liberal offers. Secretary of the Interior Vilas offered to increase the \$1,000,000 to be set apart under the agreement to the credit of the Sioux tribe, to \$2,000,000 as an extra inducement to secure the signatures of the Indians. It was provided that they should be paid \$1 an acre for all land sold within three years, 75 cents for all sold within two years thereafter, and 50 cents an acre for the remainder. Congress, it was provided, should have the right after five years to sell the remainder at 60 cents an acre. In addition the Indians were to receive large herds of cattle, horses and many implements. Still the Indians refused to accept the proposition. Sitting Bull and Gall held out perhaps stronger than any of the others against the proposition of the Government. The negotiations were continued for several months, and the chiefs were invited to visit Washington to confer with the authorities with the hope that the influences there might cause them to change their minds. Chief Glass was sent to represent his tribe, which act roused the wrath of Sitting Bull, who seemed to think that he should have secured that pleasure, distinction and honor. Upon the return of Chief Glass another sitting of the commission was held at Standing Rock Agency, on which occasion Black Thunder delivered an

eloquent address against signing the document and was cheered loudly by hundreds of his warriors. Young White Cloud finally yielded and announced his intention of signing the agreement. At this act Sitting Bull became intensely angry and moved his hand as if to shoot Young White Cloud, and caused a score or more of Indians to rush upon the young warrior, but all were promptly halted by Chief Gall, who thus probably prevented an open conflict at the conference. Sitting Bull, however, promptly left the conference, whereupon Black Thunder soon afterwards broke off the pow-wow. John Glass was a member of the Black-foot Sioux and was poisoned by young Indians acting, it was later shown, under the influence of Sitting Bull. He recovered from the poison. At the Cheyenne Agency among the first to sign the agreement were White Swan, Yellow Hawk, Crow Eagle and Little Bear. A number of Indians finally offered to sign the agreement provided they were allowed \$1.25 an acre instead of 75 cents. In the end the commission failed to secure enough signatures to make the agreement binding and effective. During this period Delegate Gifford worked hard at Washington for the reduction of the great Sioux Reservation.

The failure of the commission in 1888 caused the people of the state to redouble their efforts to secure the opening of the reservation at a later date. Very active work in Congress was commenced in December, 1888, with this object in view. Senator Jones of Arkansas introduced the measure in the Senate. John H. King, of Rapid City, and ex-Congressman J. J. Kleiner, of Pierre, were sent as special representatives to Washington to use every reasonable effort for the passage of the bill. All this action was taken in response to the suggestions of the commission who had recommended strong measures. The commission had discovered that one of the chief obstacles to success was the established custom of Congress to support the Indians in idleness. This fact had been prominently mentioned by the newspapers and public speakers of South Dakota for many years. It was insisted that even the whites themselves would deteriorate in civilization if placed under the same conditions and environments. No wonder the Indians wanted no change and refused to sign the agreement that threatened to cut off their livelihood and end their influence with the Government.

The Gifford bill of 1889 provided for opening the Sioux Reservation without the consent of the Indians, and was first introduced in December, 1888, as Congress had re-convened succeeding the November election. It was announced soon afterward, no doubt in view of this proposed drastic course, that the Indians had signified their willingness to sign the opening bill in accordance with the terms offered them during the summer of 1888. Numerous amendments were offered in House and Senate to the Gifford bill. One provided for the payment of \$1.25 per acre for all land settled upon during the first ten years after the opening and 50 cents an acre for the remainder. Although many attacks were made upon the provision of the bill which fixed the opening without the consent of the Indians, that measure was not changed because it was believed that the threat contained therein would be sufficient to force the Indians to the Government's terms.

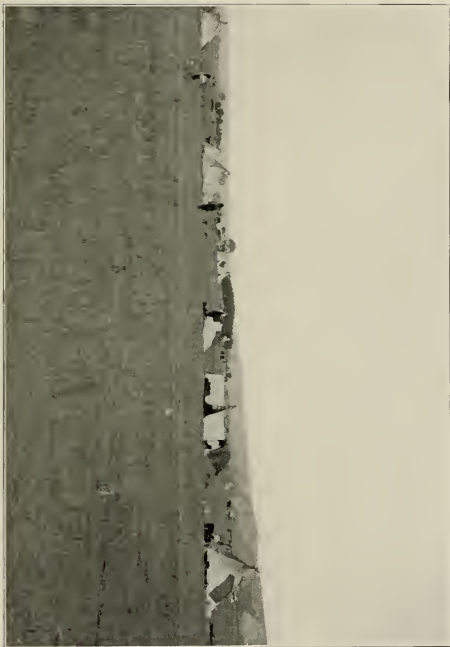
Early in 1889 many persons, among whom was M. H. Day, contended that the new Sioux bill was too liberal, as it gave the tribe \$10,000,000 for lands which really did not belong to the Sioux, but which were taken at war from other nations; and that the lands as a whole were not worth over 50 cents an acre.

The Gifford bill, with some amendments, became a law in February, 1889. Upon receipt of the news early in the latter month that President Harrison had signed the measure, intense enthusiasm again broke forth throughout the whole territory, particularly in the Black Hills and along the Missouri River. Numerous public celebrations with bonfires, speeches and parades were carried into effect with great enthusiasm. At Chamberlain a grand inaugural reservation ball was held as a part of the celebration. Young men dressed and painted as Indians galloped through the streets and held war dances in open places with all the enthusiasm characteristic of Indian gatherings. At the same time a mock sitting of the Sioux Commission, which had failed the previous year, was held to voice the regret, if not the contempt, which the citizens felt for the failure to secure signatures to the agreement.

In April, 1889, the new commissioners under the Gifford bill came to Dakota for the purpose of putting the law into effect. These commissioners were Gen. George Crook, Hon. William Warren of Missouri, and Hon. Charles Foster of Ohio. They were required to visit the Indian tribes and secure the signatures of the Indians to the opening agreement. Late in May they arrived at Valentine, Neb., and thence went to the Rosebud Agency to secure the signatures of the Indians there first.

Both of the commissions of 1888 and 1889 found that the Indians were influenced against signing the opening agreement by persons or organizations difficult to trace and to circumvent. The Indian Defense Association, at the head of which was Dr. T. E. Bland, editor of the Council Fire, a paper conducted in the interests of the association and of the Indians, took a strong position against the signing of the agreements by the natives. At all times the commissioners found that the association effectually either blocked the progress of the proceedings, or threatened to do so, until the demands of the Indians for certain concessions were complied with. Doctor Bland, especially through his paper, said that the law of 1889 in particular was unjust to the Indians, and that its measures were bulldozing and should be resisted. It was stated at the time by many newspapers of the state that Doctor Bland caused Red Cloud's opposition. John Gall and Glass in the end said that they signed the measure because they had come to believe it was the best terms the Indians could get from the Government, and that if they did not sign the Government probably would use coercive measures, would take the lands in any event, and would give the Indians no supplies, annuities, etc.

During the proceedings of the commission, Bishop W. H. Hare, of Sioux Falls, leader of the Episcopal Church in South Dakota, took much interest in the opening of the reservation. He requested General Crook to open the proceedings of the commission with prayer and services from the Episcopal prayer book. It was reported that General Crook was unwilling to grant this request, declaring that he was not there for "any such damned nonsense." This offended the dignity and religious sentiment of the good bishop, who thereafter offered no encouragement to the Indians to sign the agreement. As his influence was exceedingly strong with the Indians, the proceedings for a time seemed blocked, or at least checked. Senator Pettigrew finally induced Bishop Hare to modify his position somewhat, after which no further opposition was offered by him.



INDIAN CAMP NEAR OAHE, TAKEN ABOUT 1886

The secretary of the interior, Noble, promptly refused to listen to the implication or the direct charge that the Government would be less than fair in all dealings with the Indians. The Council Fire came out immediately afterwards advising the Indians not to sign the agreement unless their expenses should be borne by the Government and unless the secretary should agree that no part of the expense should be taken from the money due the natives. The attitude of the Indian Defense Association was so unusual, so independent of the Government and so officious, that the secretary determined to enforce at once the rights of the Government. It was thereupon announced that the Indians were not an independent nation with which the United States must treat, but were wards of the Government and that all the lands belonged to the United States. He further intimated that dealings with the Indians would be carried on by the Government without the help or interference of the Indian Protective Association. Thus at once the secretary of the interior and the Indian Protective Association, as represented by Doctor Bland, failed to agree on all material points. Doctor Bland with much asperity demanded to know the nature of Secretary Noble's Indian policy and upon being refused such information and being told that such a demand was wholly unbecoming, meddlesome and obtrusive, came out with severe articles in the Council Fire covertly but specifically advising the Indians not to sign the agreement or treaty unless certain important concessions were made.

The Indian commissioners held their first council at the Rosebud agencies on June 3, 1889. Nearly all of the most prominent Indian chiefs and medicine men were present, including delegations from all the other agencies. The signatures needed by the commissioners to make the agreement successful and binding were as follows: Rosebud, 1,130; Pine Ridge, 946; Standing Rock, 825; Cheyenne, 563; Lower Brule, 230; Crow Creek, 212; total, 3,906. This number constituted the legal three-fourths of the 5,207 Sioux who were over eighteen years of age. When the commission began independent action it found at once that the Indian Protective Association and others having influence over the natives had circulated among the Indians statements of the case which were prejudicial to the duty and prerogative of the commission and were calculated to influence and prevent the adult Indians from signing the agreement. White Ghost, Drifting Goose and Bull Ghost from the Crow Creek Agency promptly opposed the signing of the treaty. They disclosed the fact that a certain church man had advised them not to sign the agreement at that time and had created considerable opposition and ill-feeling against the commission. White Ghost was an eloquent speaker, had much influence at the Crow Creek Agency, and used his power openly and ably against the commission. He did much to influence the 117 young Indians who had recently graduated from Carlisle University and were regarded with much esteem and respect by the whole tribe. White Ghost, as an orator, was fully the peer of John Glass, the famous Standing Rock orator. He was even more wily as a politician than Red Cloud. He had influence over the 1,200 Indians who were partly civilized and very prosperous on Crow Creek Reservation. Other very strong leaders in opposition to the commission were Sitting Bull, Gall and John Glass. All seemed determined not to sign the agreement, and at the start all used every influence in their power to prevent the successful conclusion of the commission's duties. Gall openly declared in a speech that it was only another attempt of the whites to crowd the Indians from their

lands. No doubt another of the strongest influences which prevented the Indians from signing the agreement at the start, was the fact that as long as the conferences continued, as long as they refused to sign and as long as they delayed the work of the commission, they were treated royally by the Government, and were given free rations, including plenty of fresh beef and other articles of consumption and wear.

By June 10, 1889, the commission had secured 825 signatures to the treaty, all at the Rosebud Agency. By July they had secured 260 out of 300 at the Lower Brule Agency. At this time, in addition, they had 530 signatures from Pine Ridge and 1,125 from Rosebud. Red Cloud and Sitting Bull were the most determined and immovable in their opposition to signing the agreement. They really favored the old Indian policy of primeval tribal relations, while all the younger Indians who had come more in contact with the whites and had felt the enchantment of civilization, favored the new way of human progress and the alluring customs of the whites. Red Cloud, in spite of all the commission could do, had a large following at Pine Ridge, and all held out against signing the agreement. At this time about two hundred and fifty of the Pine Ridge Sioux adults were abroad with the Buffalo Bill show. It was believed by the commission that all of the males with Buffalo Bill could be influenced by him and would sign the agreement. In a short time the necessary signatures among the Santee and Ponca Indians were secured. By July 15, 1889, the commission had secured 2,495 signatures out of 4,064 that were necessary to make the agreement binding under the law. The condition on this day is shown by the following tables, there being 1,568 more names needed:

Agencies	Total Indians	Three-fourths	Signed by July 15, 1889
	Males		
Rosebud	1,384	1,038	1,200
Pine Ridge	1,260	945	565
Santee	250	187	250
Flandrau	80	60	80
Lower Brule	308	231	270
Crow Creek	280	211	130
Cheyenne	755	563	.....
Standing Rock	1,118	829	.....
Totals.....	5,435	4,064	2,495

It was learned about this date that several of the South Dakota cities that were aspiring for the state capital were advancing money at the Cheyenne Agency to defeat the ratification of the bill and the signing of the agreement by the Indians. It was stated by several newspapers that this action was taken by the friends of several cities that hoped and expected to, secure the removal of the state capital in the end from Pierre to the James River Valley. On July 27, 1889, the Press and Dakotan said: "The perpetrators will not abate their efforts and the public will condone the wrong in a general verdict that there is nothing really iniquitous in whatever an aspirant for a capital may do. This is a lesson our aspiring towns should have learned from the infamy surrounding the capital deal of 1883 when men were openly bought and publicly bulldozed and other species of infamous manipulation resorted to."

By July 26, 1889, the commission had concluded its work at all the agencies except Standing Rock. At the others they had secured 3,028 names. They thereupon proceeded to Standing Rock, where it was necessary to secure 878 signatures. It seemed at this stage that they were bound to win in spite of the desperate efforts of Red Cloud, Sitting Bull and others of the hostiles who still held out stubbornly against every effort to win them over.

The Indians at Standing Rock Agency were the most difficult ones to induce to sign the agreement. For many days John Glass, Mad Bear, Big Head, Bear Face, Deer Heart, Fire Heart and Sitting Bull held out against every inducement that could be offered by the commission and against other efforts of the Government. Finally the first six mentioned above signed, but Sitting Bull still remained obdurate and defiant. He did everything in his power to break up the council and prevent the chiefs from signing. Finally Gall yielded and signed. At this time word was received that Major Randall had secured many other signatures at the Cheyenne Agency after the departure of the commission. This result was announced and had a subduing effect upon the Indians who still refused to sign at Standing Rock. At last, however, enough signatures were secured to cover the number required, whereupon the work of the commission was over. Sitting Bull held out to the last and left the council angry with the whites and with the Indians who had signed. Thus at last after more than ten years, the hopes of the whites in South Dakota were realized and the great reservation was soon to be opened to settlement. No sooner was the news known throughout the state than celebrations were held in almost every city and town and many schoolhouses to voice the delight that was felt over the result.

It was known during the efforts and works of the commission that Red Cloud had opposed the signing of the treaty owing to the influence of Doctor Bland's Council Fire. This fact became absolutely proved soon after the completion of the work of the commission. No doubt Doctor Bland and the Indian Protective Association were sincere in what they believed were just attempts to protect the legal rights of the Indians; but when their judgment ran counter to that of the Government officials the case assumed an altogether different aspect. They were placed in an attitude not only of opposition, but of hostility, to the attempts of the Government to open the reservation in the interests both of the Indians and the whites. This was one of the first important steps of the Government to inaugurate its new policy of opening to white settlement all the reservations, of allotting tracts of land to the Indians, of breaking up the old tribal relations and of compelling the Indians to disperse their bands, to live on their ranches and to adopt in a large measure the business and domestic customs of the whites.

There was intense rejoicing in the Black Hills, which for so many years had been effectually separated from the eastern portion of the state. While it was not known that the opening would mean the construction of railway lines west of the Missouri River, it was confidently hoped and expected by the inhabitants of the whole state that such would be the result.

In the fall of 1889 all matters were temporarily postponed upon receipt of the news that owing to the lateness of the season and to the hardships that were sure to result to the new settlers, the opening of the reservation would be postponed until the following year. In the meantime the necessary preliminary work for the opening of the reservation, the ratification of the commissioners' work

by Congress, and other necessary steps would be taken. In January, 1890, Chief John Grass and other distinguished Indians, visited Washington and addressed the House Committee on Indian Affairs. They stated that all they wanted was that the promises and agreements just made by the Sioux commission would be faithfully carried into effect. Sitting Bull was intensely angry at this time, because he was not permitted to go to Washington with Grass, Gall, and others. He was angry at the whites and at Grass and Gall as well. He called the latter two traitors who had deserted their tribe and joined the whites. At this time Judge Plowman, of the Black Hills, was called by Crowdog the "Little man with the big voice." By January 16, 1890, the news was received that President Harrison would formally issue a proclamation as to the date when the Big Sioux Reservation would be thrown open for settlement. Knowing that the opening could not be far distant, the opening months of 1890 brought large delegations of "boomers" and "sooners" to all the towns along the Missouri, ready to invade the reservation as soon as the proclamation should announce the opening.

It was at this time that provision for the opening of the Indian Industrial School at Pierre under Prof. Crosby Davis, superintendent, was provided for. The Government appropriated \$35,000 for this purpose and the school, it was announced, would be opened as soon as practicable, with from sixty to seventy Indian students enrolled at the outset. It is a singular fact that the number of applicants for teachers' positions in this industrial school was almost overwhelming. Bishop Marty was the author of a prayer book of nearly two hundred pages in the Sioux language which was issued about this time.

The Sisseton Indian Reservation consisting of about one million acres and occupied by about one thousand five hundred Sisseton and Wahpeton Sioux Indians, was situated in the extreme northeast corner of the state, a small portion being in North Dakota. It was wedge shaped, about seventy-five miles long north and south and fifty miles wide along its northern end, and its southern extremity was near Watertown. It was set apart at an early date, long before there was any survey by the Government. The Indians themselves, upon being removed from Minnesota, asked for the tract and in general fixed its boundaries. Within a few years prior to 1889, the Indians there took lands in severalty, but left about seven hundred and fifty thousand acres to be sold to the whites. No step to open this land to settlement had been taken, but now in the spring of 1889, a movement to open this land to homesteaders and other purchasers was inaugurated. At this time Gabriel Renville was head chief of the Sisseton Sioux. On May 21 he and nine other head men of the tribe held a council and discussed whether they should then surrender a portion of the reservation to the whites. General Pease was present and took part in the discussion. All enjoyed a huge dinner and then adjourned to a grove where speeches were made and a general discussion of the subject ensued. The white committee which had been appointed to confer with the Indians were Gen. H. R. Pease, A. S. Crossfield and D. W. Diggs. Governor Mellette was also present on this occasion. Rev. Charles R. Crawford, half brother to Chief Renville, was present and offered prayer at the commencement of the proceedings. The first speech was made by Chief Renville. He asked on behalf of the Indians that they be given at once patents for their tracts of land in severalty; also that their past due annuities, which had been provided for under the Treaty of 1851, amounting to about three hundred and forty-three thousand

dollars, should be paid them without further delay. The matter was not concluded at this conference; but an agreement was finally reached by December, 1889, whereby the Indians agreed to sell nearly one million acres at \$5 per acre, and the Government agreed to pay back annuities to the amount of \$350,000 and a bonus of \$18,400 per year for twelve years. The Government also ratified a bill allowing \$2,600 for the right-of-way of the Chicago, Milwaukee & St. Paul Railway across the reservation. It was provided that every resident Indian, regardless of age or sex, should receive 160 acres. It was discussed during the proceedings that in the survey of the reservation the Indians had been cheated out of 48,000 acres of land. It was also shown that during the Civil war Chief Renville and twelve other Indian scouts were not paid for five months of arduous service on behalf of the Government. Chief Renville accordingly asked to have this amount allowed and requested that it be paid in cash and not in shoe-pegs and overalls. When all necessary action had been taken, it was shown that about eight hundred and eighty thousand acres of land were left for sale to the whites, after the Indians had received their allotments. In October, 1890, the President signed the Sisseton and Fort Randall reservation bills. In the Sisseton Reservation 80,000 acres were scheduled to be sold for not less than ten dollars per acre. Early in 1890, 30,000 acres at the Fort Randall Reservation were thrown open to settlement. Late in November, 1889, Eliphalet Whittlesey, secretary of the Board of Indian Commissioners; C. A. Maxwell, chief of the land division in the office of Indian affairs; and D. W. Diggs, of Milbank, were appointing commissioners to negotiate with Sisseton and Wapeton Indians in South Dakota for the sale of their surplus land.

In the spring of 1889 the Yankton Sioux Indians offered to sell about seven townships of their reservation on the east side of the Missouri and at this time the remaining Indians there selected their land in severalty.

Even before the result of the Sioux commission's work was known, a caravan of Oklahoma land boomers arrived and camped at Pierre in May, 1889, prepared to push into the reservation and select claims as soon as they could legally do so. At this time also a similar movement was inaugurated at Chamberlain and opposite Standing Rock Agency. The Indian themselves, seeing the inevitable, though unwilling to admit it, were already engaged in selecting the tracts which they desired to own in case the tribes were divided and the system of allotment was practiced. So great became the pressure that here and there along the Missouri and elsewhere, irresponsible whites began to invade the reservation several months before sufficient Indians had signed the agreement to make the bill binding. While the commission was still at work and the Indian bands were still at their old places on the reservation, white adventurers crossed the Missouri and fastened themselves on the choicest tracts of land. The Government promptly ordered bodies of troops along the Missouri to prevent at all hazards the invasion of the reservation at Pierre, Chamberlain and elsewhere. Notices warning all boomers to keep off the reservation were posted at conspicuous places along the frontier. The opening of about eleven million acres, much of which was excellent land for farming, was an event of great importance to home seekers not only in the United States but in all of Europe. It also meant the payment of an immense sum of money to the Indians in the end. Thus it was believed that prosperity for both the whites and the Indians was sure to follow the opening of

this immense tract of land. No wonder the pressure to enter the reservation was enormous and was pushed beyond legal limits by adventurous men. Secretary Noble issued a warning that all whites must remain outside of the great reservation until they could legally enter. In this notice he called attention to the experience of the Black Hills settlers who had really gone there, many of them, before they had a legal right to do so. He further announced that the Indian police would aid the army in preventing the illegal invasion of the reservation. At this time Fort Bennett was the Government military station at the Cheyenne Reservation. It was an outpost of Fort Sully, five miles away, with the Missouri River between them. In May, 1889, Fort Bennett was ordered abandoned and troops were sent to Fort Sully. In spite of the warning of the Government and the energy of the troops and Indian police, many "boomers" entered the Sisseton and the Big Sioux reservations. However, the most of them were promptly removed by the authorities. Strange as it may seem, the "boomers," though opposed by the press and the soldiers, were encouraged to enter the reservation by the adjacent white communities who desired above all things to see the speedy and extensive settlement of the reservation and were willing that the "boomers" should have amply leeway to secure permanent homes.

Three classes of land claimants at least had to be reckoned with, namely: squaw-men and half-breeds, the full-blooded Indians, and the whites. Many squaw-men and half-breeds lived at Fort Pierre and other towns along the Missouri bordering on the reservation. These men determined to have the first selection of land after or before the reservation was opened. As a matter of fact, the whites who claimed possession at Fort Pierre were really speculators or adventurers who were endeavoring to force out men who had been there a dozen years as squatters and possessed at least a shadow of right to the soil. Generally the newspapers denounced the stampede of new settlers into the reservation, but it must be admitted that the people of the state along the Missouri as a whole, welcomed the appearance of the many white settlers. It did not matter to them that many of the prospective settlers were being deceived as to the value of the soil, the character of the climate and the prospects of success at agriculture. The object desired was the speedy settlement of the reservation, and accordingly the people generally were calloused as to how that was accomplished or executed before the soldiers performed their duty. Scores of squaw-men, "sooners" and "boomers" were ejected from the reservation. The squaw-men with their dusky wives had the advantage, because they were not interfered with by the soldiers. This caused almost an open war between the "sooners" and the squaw-men, to which the soldiers soon put an end.

In the Treaty of 1875 between the United States and the Sioux nation of Indians, provision was made for a strip of land extending from Pierre to the Black Hills to be used as a road for freighters and for the conveyance of the United States mail, to be known as the "Black Hills Trail." Fort Pierre was made the starting point, and the treaty included the temporary transfer of a tract of land one mile square on the land where old Fort Pierre was located. This latter land was entirely occupied by the Northwestern Transportation Company until the completion of the first railway into the Black Hills in 1885, when it was abandoned. Old Fort Pierre was abandoned in 1882, and it then seemed right that all the land there should revert to the Indians, but trappers, squaw-men, and

half-breeds who had lived there long before the fort was in existence, remained after the fort, the trading company and the Government had abandoned the land. About this time the Dakota Central Railway, by an agreement with the Sioux Indians, acquired the right to occupy a section of land at the mouth of Bad River, opposite the City of Pierre, and paid for the privilege by installments. Such agreement and occupation were recognized as valid by an act of Congress approved March 9, 1879. This mile square embraced what is now the site of Fort Pierre on the west side of the Missouri River, on both sides of Bad River at its mouth. That stream divided the tract into two almost equal parts. On the north side was Fort Pierre, a prosperous town in 1889-90, and there resided about twenty families of prosperous squaw-men, half-breeds, etc., who were engaged in raising a few cattle, trading with the Indians and with each other, and cultivating a few acres of corn. They occupied the land by permission of the Indians and the grace of the Government.

By January, 1890, matters at Fort Pierre were seriously complicated and open hostilities were threatened and even commenced. The mile square was divided into two nearly equal parts by Bad River. In the fall of 1889 about twenty families of whites lived on the northern side of the river and had been there for some time by agreement of the Government and the Indians for purposes of barter and trade with the Indians. Already Fort Pierre was a great cattle center and a few fields of corn and other grain were cultivated on the adjacent bottom. When it became clear in the fall of 1889 that the reservation would be opened soon, many speculators crossed the river and squatted on the mile square. The half breeds endeavored to drive them back but stubborn resistance was offered. On the southern side of Bad River was a half breed family named Traversy that owned nearly all the good land in that vicinity. The white squatters and "sooners" went en masse to the southern side of the river one night and before the half breeds were aware of their doings, had laid out a town, erected temporary buildings and constructed fences with the intention of permanently occupying the place. Immediately the half breeds organized, assaulted the squatters and "sooners," routed them and chased them back across the river. During this affray, several persons were injured. The prospective squatters were backed by the Fort Pierre white settlers. At once information of what had transpired was sent to the military authorities at Fort Bennett. Four companies were promptly dispatched to the mile square with orders to prevent all settlers from locating west of the river or on the mile square. Tomahawk, a Sioux Indian, concluded that if the Traversy half breeds could hold land there, he certainly could also. He had lived at or near Fort Pierre for about fifty years. Accordingly he laid claim to a strip of land extending across the mile square from north to south, which took in the entire east half of the tract, including Fort Pierre and also including about half of the tract claimed by the Traversy heirs. This act still further complicated matters. The settlers continued to appear on the west side and continued to traffic in town lots in that vicinity. This was about the situation on February 1, 1890.

At this time "boomers" were gathering in large numbers at Chamberlain, Pierre and other points along the east side of the Missouri River. Finally word came that President Harrison would sign the Sioux bill on February 7th, and all made preparations for the rush, but were kept back by the troops until the signal

should be given. On February 10th came a telegram to all South Dakota, that the President had issued his proclamation opening the reservation and that it went into effect immediately. The news was received at Pierre about 3.30 P. M. A local newspaper said:

"Men had stood in great crowds on the streets all day anxiously awaiting news and when it was known, a mighty cheer went forth and the scene of excitement beggared description. The crowd made a break for the river bank and participated in a grand rush for the other side. When the news was made known in the state house by the firing of a cannon, the members of the Legislature arose from their seats and gave three long cheers and a motion to adjourn went through as soon as it could be heard. Flags floated from every building and several bands played. Those who did not go across in the rush kept up the general hurrah in the city until nightfall. Teams hitched to wagons had been stationed all along the river bank on this side all day and countless boomers remained by, ready to make a start for the promised land. When the word was received each team, with the wagon filled with men, started and many races were had to see which would gain the other side and be the first to get on the choice quarter sections of the famous mile square. They found no hindrance in crossing the river, the ice being sound."

However, upon reaching the other side, they were all halted by a wall of troops. The soldiers had not received word announcing that the reservation had been opened and accordingly opposed any further progress of the movement. Soon nearly one thousand angry men were collected in front of the troops, demanding that they should be permitted to advance. All were told by Colonel Tassin, who was in command, that they must return, because he had received no orders to permit them to advance. Down the river two miles below East Pierre, the "boomers" succeeded in crossing the river and soon were seen climbing the hills and locating claims, but they were pursued by the soldiers and all that could be found were compelled to return. At Fort Pierre another attempt was made to break through the line of troops and about five hundred were surrounded and arrested, several suffering wounds during the encounter. The "boomers" made desperate efforts to evade the soldiers or break through their line, but on the whole they were unsuccessful.

At Chamberlain an immense crowd of "boomers" was ready for the rush. It was arranged that as soon as news of the opening should be received, a cannon should be fired, whereupon the boomers of a prospective town site on the west side of the river were to advance across the river at full speed and set up the houses which they prepared in advance. A large body of "boomers" was collected and secreted on American Island ready for the rush when the cannon should sound. As soon as the report of the cannon was heard, the rush was made. A local paper described the scene as follows:

"Immediately all were in motion and teams with loads of lumber started on a dead run across the river, but it was plainly evident that the local town-site 'boomers' had secured an important advantage by reason of their closer proximity to the lands. It was a grand sight, viewed from the high bluffs where several thousand people had gathered, to see as many more take part in this exciting event. Indian police numbering 100 had been placed as a guard to prevent any premature invasion, but they stood dazed and helpless as they viewed the great



BLACK HAWK, THE FAMOUS SIOUX SQUAW

and irresistible rush for the reservation. A most novel sight was the moving of a large building under which had been placed heavy timbers and wheels. This, like the other wagons, was pulled across the river by galloping horses. It took but a few minutes for several sections on the valuable bottom to be literally covered by claimants and it will take a score of lawyers to solve the problem as to who are the rightful owners. Many other intending settlers rushed promptly into the uplands and began at once the erection of houses. The Indian police are entirely inadequate to evict the 'boomers.' That night the settlers encamped on their claims."

The tract to be opened extended westward from the Missouri to the forks of the Cheyenne and lay between White and Cheyenne rivers. Another large tract consisting of about six counties and extending north from Belle Fourche and Cheyenne rivers to the northern boundary of South Dakota, was also included. Many boomers assembled at Niobrara and prepared to cross as soon as the opening should be announced. On February 12th orders were received by military authorities to cease all opposition and to permit the "boomers" to enter the reservation and locate their claims. It was estimated that about five thousand people were in the rush westward from Fort Pierre alone. Many of them had horses and wagons in which they carried lumber with which to build houses and fences, plenty of provisions and other homesteading equipment. Nearly the same number rushed westward from Chamberlain. Probably no town in the state was established quicker or more expeditiously than Oacoma on the bottom just westward across the river from Chamberlain.

In the spring of 1889 sixty white settlers were living on the Crow Creek and Winnebago reservations, but had no patents to their lands. They had entered the reservation under the proclamation of President Arthur of February 27, 1885, which act of the President opened there 331,980 acres of the reservation to settlement. The proclamation was immediately followed by a rush of settlers and soon every quarter section had a house and an occupant. On April 17th, of the same year, President Cleveland issued a proclamation withdrawing such lands from market and ordered those who had located thereon to leave the reservation. Many did so and others did not, and an attempt to eject them failed. Thus in the spring of 1890 those squatters or claimants asked for relief under the Sioux bill.

The Bland educational bill in Congress in the spring of 1890, which provided for the education of the Indians, was amended by United States Senator Moody to the effect that the four new states which were then being admitted to the Union should be given a proportionate amount of the fund thus set apart for the education of the Indians. This amendment passed and gave to South Dakota about two hundred thousand dollars instead of \$60,000, which it would have received had not the Moody amendment prevailed. In April, 1890, Indian Commissioner Morgan estimated that there would be \$660,483 for the education of the Sioux Indians of South Dakota; of this sum about \$92,600 was planned to be used for the construction of buildings and \$173,883 for the support of the Indian pupils. At this time the Government was behind \$1,322,796 in money that was due the Indians under the Treaty of 1868. As a matter of fact the Government had not during any year since the war done as it had agreed to do under the Indian treaty.

What became known as the Messiah craze in 1890 is said to have been started by a Nevada Indian named Wovoka, otherwise known as Jack Wilson, who had been reared by a family of that name near Pyramid Lake, Nev. Whether Wovoka's delusion came from one of his dreams or was the result of a religious enthusiasm created by the whites will probably forever remain a question of doubt and dispute. Of course the missionaries taught the Indians that Christ was to reappear in person on the earth, but it is claimed that Wovoka was told in a dream to do as he did. The facts are that within a comparatively short time after he had started the craze, practically all of the tribes west of the Missouri had given themselves up to the frenzy and extraordinary proceedings which characterized the movement.

Knowledge of the Messiah craze reached the Sioux nation in the summer of 1889 through letters received at Pine Ridge from Indian tribes in Wyoming, Montana, Utah, Oklahoma, and various portions of the two Dakotas. These letters were interpreted by William Selwyn, who informed the Indians of their import. Immediately the Pine Ridge Sioux became great interested. A great council was called to discuss the subject. Among those who took an active part at the start were Red Cloud, Little Wound, American Horse, Man Afraid of His Horses, and others. It was believed that the new Messiah would restore the Indians to their old hunting grounds. With this belief came the determination to send a delegation to Nevada to learn more of the movement, and to ascertain if possible the wishes of the new Messiah. This delegation consisted of Broken Arm, Yellow Breast, Good Thunder, and Flat Iron, from the Pine Ridge Agency; Short Bull and another from the Rosebud Agency; and Kicking Bear from the Cheyenne Agency. These Indians visited Wyoming, Utah, and Montana, and soon confirmed the reports that had been received concerning the advent of the Redeemer. They were gone all winter on this mission, and, in the meantime, their long absence and the reports which arrived from the West, caused intense and increasing excitement among the Sioux in the Dakota territory. The reports led all to believe that the Messiah had actually appeared near the base of the Sierras, that he had had once been killed by the whites, and that he bore on his body the scars of crucifixion. The Indians who were prompted by the teaching of the missionaries construed at once the return of the Messiah to mean that the whites would be banished from the loved domains of the natives and that they themselves would again be placed in possession of their old hunting grounds with buffalo and other wild game. This conclusion was the inevitable result of the belief that the Messiah had returned to redeem the earth. No doubt the simple teachings of Wovoka were distorted and misconstrued by the Sioux and other tribes to meet their own national grievances, wrongs and wounds.

In April, 1890, the delegates who had been sent West returned to Pine Ridge and made their report. A council was promptly called to consider the momentous question and their proceedings were reported to Major Gallagher, the Government agent. Those Indians who had counseled hostile measures, among whom were Good Thunder and two others, were arrested and placed in prison for a few days. The agent saw at once that serious trouble might be expected unless the Indians were controlled from the outset. At this juncture, Kicking Bear, who had just returned from a visit to the Arapahoes, announced that the Indians of Cheyenne River were already holding the Ghost Dance and that they could see

and talk with their dead relatives while engaged in the dance. This declaration kindled anew the wildest religious enthusiasm and hostilities were again openly threatened. This placed the missionaries, agents and other whites in the position that they must either support the movement or oppose the Messiah on the one hand, or deny that the real Messiah had come. Red Cloud in open council declared his belief in the craze doctrines and said that the Indians must obey the directions and commands of the Messiah. Another great council was called on White Clay Creek and was held by thousands of Indians in spite of the Government agent, and thus the Ghost Dance was formally commenced, with Short Bull and his immediate followers acting as leaders of the riotous and threatening ceremony. Within a day or two nearly all of the Indians at Pine Ridge were enthusiastic and demonstrative in their adhesion to the new doctrine. The craze spread rapidly to all portions of the Dakota reservations, though the real disturbance was confined to Pine Ridge, Rosebud, Hump's band of Minneconjous on Cherry Creek belonging to the Cheyenne River Agency, and Sitting Bull's band on Grand River belonging to the Standing Rock Reservation.

It must be admitted that independent of the religious movement, the Indians had just complaint at this time against certain designing and unscrupulous men who had taken advantage of the occasion to incite an outbreak, hoping to benefit themselves thereby. At first the Indians apparently had no definite design to attack the whites, but soon, it was alleged, they planned such an outbreak through the influence of these men. Many things contributed or were made to contribute to the hostile attitude of the Indians against the whites. The signing of the Treaty of 1889, a recent and painful event, by which the Great Sioux Reservation was broken up, was in part used as a pretext or cause why the Indians should assail the whites. Both Red Cloud and Sitting Bull argued now and had argued previously that under the new treaty the Indians would be more than ever at the mercy of the whites. They declared further that the annuities and rations, both very important to the Indians, would probably be cut off. It was also recalled to the Indians having a hostile intent, that the Black Hills Treaty of 1876 was an injustice and had been secured by misrepresentations and that the Indians as a whole had never agreed to such treaty. At this time also the Indian department of the Government had made it known that the intentions were to compel the Indians to become self supporting and to break up the old tribal relations and live like the whites. It was also true that the years 1889 and 1890 were disastrous ones in the history of Dakota's agriculture and stock raising. Owing to the intense drought thousands of white settlers were compelled temporarily to relinquish their homes on the Dakota plains and seek subsistence elsewhere. All of these circumstances contributed to furnish what seemed to be excellent reasons why the Indians should openly revolt against the whites, in view of the believed fact that the Messiah had again come to give the Indians the justice which they had failed to secure from the Government. Short Bull, in part, claimed supernatural powers and announced a hostile version of the Messiah theology. Under his teachings large numbers of the Indians were led to believe that, if they should act promptly at this juncture, the unjust and mercenary whites would be miraculously crushed and driven from the coveted domain of the Indians. The Messiah had come to right all wrongs, and this was a great wrong, they claimed.

About this time also, or early in the autumn of 1890, while the Ghost Dance was in progress and at its height, Major Gallagher, the Government Indian Agent, was succeeded by Doctor Royer, whose appointment, like that of many other Indian agents of the time, was purely political and not because Major Gallagher was not wanted. Doctor Royer was wholly inexperienced in handling Indian problems and was apparently unequal at this critical emergency to influence the Indians to remain at peace with the whites. Being at a loss what to do, he called upon the military for support, an act very unusual and one that was promptly resented by the Indians as one of open hostility to their interest and the Messiah. Under previous agents, such as Doctor McGillicuddy and Major McLaughlin, the Indians had ever been at peace with the whites because they were well treated and thoroughly controlled by the executive ability and fair mindedness of these agents. They had introduced home rule or tribal rule under a force of Indian police who had been drilled in regular cavalry and infantry tactics and had, under the agent, maintained absolute control of the younger Indians, but under Doctor Royer a momentous change took place. He possessed no control over them and made the mistake of calling upon the military arm of the Government at this critical and irritable time, an act which kindled the wrath of the younger members.

The Messiah Dance continued to increase in fervency and intensity and spread with astonishing rapidity from tribe to tribe throughout the entire West. Hundreds of Indians danced incessantly until they fell exhausted on the ground and many never recovered from the violent exertions which it was claimed by the leaders were necessary to secure the vast results expected from the coming of the Messiah.

The cattlemen were the first to sound the coming danger of the settlers. In May, 1890, reports of the danger arrived at Chamberlain, Pierre and other exposed points along the Missouri River. In November, 1890, the friendly Indians and half breeds began to reach Pierre with thrilling stories of the Messiah craze. All along the Missouri companies of citizens were at once formed to prevent any trouble before the arrival of the troops. It was noted by the newspapers that for the first time in the history of the settlement, whites and Indians were all talking fluently in the Sioux language. From all directions west of the river came reports of the capture of cattle by the hostile Indians. At Gettysburg the citizens organized, put out sentries and prepared for emergencies in case the bells should ring and the whistles should blow. In April, 1890, Governor Mellette telegraphed to Gen. Nelson A. Miles, at Chicago, stating that Scotty Phillips, who owned 1,000 head of cattle west of the river near Fort Pierre and had lived at the mouth of Grindstone Butte Creek, thirty miles up Bad River, with his half-breed family since 1879, and a Mr. Waldron, another large cattle man, who lived seven miles down the river from the Phillips place, had left their homes on the 25th and had come to Pierre with a message that the Indians were gathering from all points and concentrating for an attack upon the whites. These men stated that the Indians were gathering at the mouth of Pass Creek, that messengers were passing swiftly back and forth between the bands, that all were defiant and surly and were boasting of the whites they had killed in the past and declaring that they intended to repeat the grim performance. One of the chiefs declared, it was stated, that Phillips was raising horses for the Indians

to ride and that hunting and killing cattle was as pleasant and profitable for the Indians now as hunting and killing buffalo had been in the past. Phillips announced that Yellow Thigh was the leader of a gang of twelve Indians who were armed with Winchester rifles and were intent on hostilities. He stated that within a few days he had lost twenty cattle killed, and that Waldron had lost seven. Phillips and Waldron were apprised of the doings of the Indians by the friendly half-breeds who came from the Indian camps to the homes of the whites. At this time the Pass Creek dances had been in progress for about a month and the greatest excitement prevailed. Many declared that during the dance they saw the spirits of their departed friends. Short Bull's headquarters were there. He had announced himself as the true Messiah and the news had spread like the wind in all directions. There were on Pass Creek about one thousand lodges and nearly fifteen hundred armed warriors, so it was reported. Both Phillips and Waldron stated that every day for some time past, Indian runners had passed their places conveying intelligence of the Messiah craze and the uprising of the Indians from camp to camp with incredible speed day and night. Upon receiving this information, Governor Mellette called for 1,000 guns and an abundance of ammunition to be shipped to Huron and other towns and asked to have military posts established at Chamberlain and Forest City. This action of the governor was taken because he had implicit confidence in the judgment, intelligence and character of Scotty Phillips, who was widely known for his upright character and was liked by all the Indians, half breeds and whites alike. He served with distinction as a scout through the Sioux troubles of 1875-76 and through the Cheyenne troubles of 1879.

News continued to pour into Forest City, Pierre, Chamberlain and other towns concerning the craze and the hostile movements of the Indians far back on the reservation. No doubt Short Bull, who claimed to be the Messiah, did more than any other Indian except perhaps Sitting Bull to stir up excitement and incite the Indians to attack the whites. He announced at the councils and the dances that he was the Messiah and had come to crush the whites and place the Indians in possession of their former domain. Everywhere surveyors returned to the settlements, having been warned by friendlies to leave the reservation. At Gettysburg streets and outskirts were picketed, and all retreating and defenseless settlers were given accommodation at O'Niell's and Francis Hall's. Arrangements for the citizens to assemble instantly upon signal were made. Scores of friendly Indians and half-breeds arrived at Pierre with all sorts of rumors and tales. This was about the condition on November 28th. By this time General Carpenter of Governor Mellette's staff had succeeded in organizing companies of citizens at Campbell, Walworth, Western McPherson, Faulk, Potter and Sully counties and had equipped them with arms and ammunition. About this time the imminence of danger was believed at Pierre to be dissipated and accordingly Governor Mellette reported the situation less ominous and critical. He stated to the Government authorities that in many sections of the reservation the Ghost Dance was subsiding, that rumors of open or threatened hostilities were largely groundless and that the Indians as a whole, though much aroused by the craze, remained on their reservations. He announced that if any attack should be made by the Indians, it would probably occur in the vicinity of the Bad Lands. He also stated that in his opinion the state militia could handle the situation. While

this conclusion was true as a whole, the outlook in the vicinity of the Bad Lands continued to grow worse. Several thousand Indians had gathered there and were making open threats of attacking the whites, while at the same time they were destroying property and killing cattle. Several cabins near Wounded Knee Creek were burned. Gall and Glass were friendly, but Sitting Bull was like adamant and seemed determined upon war.

By December 8, 1890, it became generally known to the whites that about two thousand Indians were entrenching themselves in the Bad Lands, much of the work being done, of course, by about five hundred squaws. About the same time a few skirmishes between cowboys and Indians occurred near Buffalo Gap. Bishop Haire in a statement to the public said that the trouble was not due to food or lack of it, but was due to the treaty for the big reservation which was not well understood by the Indians. The latter, under former treaties, had felt aggrieved because they had depended largely upon oral promises which were usually not kept. The facts, he said, were stated plainly to the leading chiefs who did not communicate all the circumstances to the Indians as a whole. Hence they now felt themselves imposed upon and cornered, and therefore, being under the excitement of the Ghost Dance, resisted any attempt to restrict or control them. The bishop did not ascribe the outbreak to the hope or belief that the Messiah would restore the Indians to their former rights. From the border came the news from time to time of further skirmishes between cowboys and small parties of Indians. It is estimated that between three thousand and four thousand head of cattle were driven into the Indian camps and many were killed for subsistence. Kicking Bear was an emissary of Sitting Bull and both were in direct communication with Short Bull, the alleged Messiah. Red Cloud was hostile, but was too old to take part in active hostile demonstrations. Two Strike was the friend of the whites.

In response to the request of Governor Mellette, the Government sent to Huron about seven thousand rounds of ammunition, of which about four thousand rounds were sent to Pierre and a considerable quantity to Rapid City. In December all settlers in Cheyenne Agency departed for Fort Bennett, where they were given protection. Many Indians continued steadily to depart for the Bad Lands. At Sturgis fifty picked men were armed and organized to check any hostile movement. Small bands of hostiles were scattered throughout the reservation and the whites residing therein hastily departed for the settlements. Spotted Tail was in reality a distinguished chief and warrior. In fact it is said that Spotted Tail was a warrior and Red Cloud was a horse thief. In the moral code of the Indians there was but little difference between the two, because a successful horse thief was almost as valuable to a tribe as was a successful warrior. All Indian nations respected the courage and ability to successfully steal horses or any other valuable property of an enemy.

As soon as the Government concluded to resort to hostile measures, there was no hesitation and the soldiers were moved with great rapidity to the positions assigned them. General Miles had command of the military department of the Missouri. Gen. John R. Brooke was ordered to take the field with his troops. On November 19th, the first body of soldiers arrived at Pine Ridge and soon there were concentrated there over eight troops, one battalion and several companies. At Rosebud there were two troops of the Ninth Cavalry and other reserves.

Between Pine Ridge and Rosebud were seven companies of the First Infantry. Another considerable body was located north of Pine Ridge. At Buffalo Gap on the railroad were three troops and near Rapid City were six troops. Seven companies were near the southern fork of the Cheyenne River, and a short distance further east were three more troops and a squad of Crow Indian scouts. There were also small garrisons at Forts Meade, Bennett and Sully. The object in stationing the troops was to place them in such a position that they would separate as far as possible the different bands of Indians and be in position to strike with greatest effect at the opportune moment. The hostiles first gathered in the Bad Lands under Short Bull and Kicking Bear. In order to prevent the Indians of Cheyenne River and Standing Rock reservations from reaching the Bad Lands, seven companies were stationed along the Cheyenne River. Within a short time nearly three thousand soldiers were in the Sioux country ready for any emergency. General Miles made his headquarters at Rapid City to be as near as possible to the center of disturbance.

It has been maintained by excellent authorities that the sudden stampede of the Indians to the Bad Lands was not due to their design to concentrate in an attack upon the whites; just the reverse. It was declared by many who were familiar with the plans of the Indians at the time that their flight was due almost wholly to the belief that they were about to be attacked and annihilated by the soldiers, who seemed to be rapidly concentrating at central points. Commissioner Morgan and the leading Indians themselves afterwards declared that this was the view taken by the Indians. While the Messiah craze would have no doubt continued in any event and might, probably would, have been succeeded by an attack on the whites, the rush to the Bad Lands, it was declared, was caused by the fear of an attack from the whites. At this time the Sioux nation numbered about twenty-five thousand individuals and had from six thousand to seven thousand warriors. It is a known fact that of this whole number only about seven hundred were concerned in the movement to the Bad Lands. Many of the Christian Indians took no part in the disturbances. Thus the flight to the Bad Lands seems to have been the result of a panic at the appearance of the troops. On the other hand, it is true that the troops were not ordered out until requests for their services had been sent by the civilian authorities. General Miles said that it was not until the civil authorities had lost control and had declared themselves powerless to preserve peace that the soldiers took the field. During the entire disturbance Commissioner McLaughlin at Standing Rock persistently and consistently maintained that he could control the Indians under his jurisdiction without the aid of the troops.

The withdrawal of the Indians to the Bad Lands served to sever every communication with the whites and accordingly prevented those who could control them from exerting their good offices. Of course all the bad element fled to the Bad Lands. There Short Bull, Kicking Bear, Sitting Bull, and others, determined upon hostilities, found they could control the semi-hostile masses without interference or hindrance. After the stampede to the Bad Lands had occurred, the reservation as a whole was quiet and orderly. The dances were stopped, the friendly Indians went to their camps or homes and all became comparatively quiet.

One of the first steps of the troops and of the Indian agent was to secure the arrest of the leaders in the Bad Lands. In order to accomplish this William F. Cody, well known as Buffalo Bill, who had much influence with all the Indian chiefs, was asked to get in communication with Sitting Bull and to effect his arrest at a convenient time. McLaughlin, the agent, believed that measures to arrest Sitting Bull or other leaders should not be made at this time, because under the exciting circumstances such an attempt would be misconstrued. He thought that the friendly designs of the whites should first be made known generally to the Indian refugees in the Bad Lands. It was known that Sitting Bull had deliberately destroyed the pipe of peace which he had kept in his house since 1881. He announced that he wanted to fight and was willing to die. In the meantime McLaughlin made himself familiar with the movements of Sitting Bull and the other leaders and made preparations for their arrest at the proper time. Several dates were fixed for the accomplishment of these results, but circumstances compelled postponement.

Finally, in order to prevent Sitting Bull and others from an open act of hostility, McLaughlin determined to arrest him on the morning of December 15th. He planned to effect the arrest with a body of Indian police assisted by a detachment of troops, the latter to be placed within supporting distance. It was aimed to arrest him at his house on Grand River at daylight. Red Tomahawk had charge of the Indian police and Captain Fechet had charge of the troops. At daybreak on December 15th, the police and Indian volunteers numbering forty-three, under the command of Bull Head, surrounded Sitting Bull's house. They found him asleep on the floor and arousing him told him he was a prisoner and must go with them to the agency. He expressed his willingness to do so, but upon learning that his friends were gathering to resist he changed his mind and refused to go, calling upon his followers to rescue him from the police and volunteers. At this moment Bull Head and Shave Head of the police were standing on each side of him and Red Tomahawk was guarding him from the rear, while the rest of the police were endeavoring to clear a way through the crowd that had gathered. Suddenly Catch the Bear fired and wounded Bull Head in the side. The latter instantly turned and shot Sitting Bull through the body. At the same moment also Sitting Bull was shot through the head by Red Tomahawk. Shave Head received a shot from the crowd and fell to the ground where lay Bull Head and Sitting Bull. Catch the Bear, who fired the first shot, was promptly killed by Alone Man, one of the police. All of this occurred within a few seconds and precipitated a desperate and bloody hand to hand fight between the police force of forty-three men and more than one hundred of the armed and desperate followers of Sitting Bull. The trained police were more than a match for their assailants, whom they drove to a strip of timber near by and then returned and cared for their dead and held the ground until the arrival of Captain Fechet with his reserves. Hawk Man, one of the police, taking desperate chances and being aided by Red Tomahawk, eluded the hostiles and carried information of the engagement to the military authorities. Upon the approach of the soldiers the Sitting Bull warriors retreated to Grand River and thence turned southward across the prairie and Cheyenne River. The troops did not pursue the Indians, believing that nothing could be gained by so doing, and returned to assist in caring for the wounded. This fight, which had lasted but a few minutes, resulted

in the death or mortally wounding of six policemen, including the two officers, Bull Head and Shave Head, and in the death of eight of the hostiles, including Sitting Bull and his son, Crow Feet, age seventeen years, and in several wounded. While the battle was in progress, the women of the hostiles attacked the police with knives and clubs, but were easily disarmed and placed in one of the houses under guard. In his report on this engagement McLaughlin paid the highest praise to the bravery and gallantry of the Indian police. Couriers were sent to the fleeing Indians by McLaughlin with inducements to come at once to the reservation and surrender and nearly two hundred and fifty promptly complied, one-third still remaining out. The latter in part surrendered a little later by joining Big Foot, or going to Pine Ridge.

On December 18th the Bad Land group of warriors attacked a party of white men on Spring Creek and Major Tucker with 100 troops was sent to their assistance. About this time nearly one thousand Indians who had fled from Pine Ridge upon the appearance of the troops, returned to their homes. At the same time there were about fifteen hundred Indian fugitives camped upon Cheyenne River in the vicinity of Spring Creek.

The death of Sitting Bull and the dispersion of his band removed one of the most vexatious elements of hostility. However, there remained Hump with a band of nearly four hundred warriors and Big Foot with nearly as many more, all in camp near the junction of Cherry Creek and Cheyenne River. This band had been dancing almost incessantly and were sullen and ready for hostilities. The authorities decided at once to get into communication with Hump, and having succeeded in doing so, induced him to dissuade his people from any hostile movement. Hump complied with all his promises and promptly enlisted as a scout under Captain Ewers. This adroit movement was accomplished by Captain Ewers, who still further showed his skill, ability and diplomacy by conducting the northern Cheyennes from North Pine Ridge to Tongue River in Montana, a distance of over three hundred miles, in the most rigid weather and without an escort of troops and without the commission of a single hostile act by the Indians.

The next movement of the authorities was to secure the remainder of the Sitting Bull fugitives who had not come in, but had fled south to their friends and near relatives on Cheyenne River. This was accomplished through the skill and diplomacy of Ewers, Hale and Angel. The movement was under the command of Capt. J. H. Hurst. There remained out a considerable band under Big Foot, whose camp was at Deep Creek, a few miles below the fork of the Cheyenne River. To Colonel Summer was assigned the task of managing this hostile band. Enormous complications were involved in the attempt to circumvent this body of hostiles. Small bodies of the Indians connected with the band were induced to join the friendly Indians. The majority, however, retreated to the Bad Lands, where they made preparations for battle. This movement was due in a large measure to rumors which reached the Indians that the whites intended to slaughter them. At this time nearly three thousand troops were on active duty in the Sioux country. They were more than sufficient to defeat the hostile Indians in any engagement that might occur.

While it was believed that a battle was imminent, attempts to prevent such finality continued to be made by the white authorities and friendly Indians. On

December 27th the entire hostile camp left their stronghold in the Bad Lands and moved toward the agency at Pine Ridge. They were closely followed by the troops, all bodies of which kept within supporting distance of each other. It was at this time that the hostile Indians became divided into friendlies and hostiles, which resulted in an open quarrel between the two factions. Two Strike and his party departed for the agency, while Kicking Bear and Short Bull with the irreconcilables moved farther into the Bad Lands. On Christmas day a body of Cheyenne scouts who were encamped on Battle Creek north of the Bad Lands were attacked by a body of hostiles commanded by Kicking Bear. Several were killed and wounded on both sides, but the hostiles were finally driven off. Attempts were made at this juncture to intercept Big Foot's body of friendlies and they were reached on December 28, a short distance west of the Bad Lands. Big Foot had made no stop, but had continued his march toward Pine Ridge. Upon seeing the troops approach, he raised a white flag and asked for a conference, but was told by Major Whiteside that he must surrender unconditionally at once, which he accordingly did. This band of Indians moved on with the troops to Wounded Knee Creek about twenty miles northeast of Pine Ridge Agency, where camp was struck. At this juncture Major Whiteside was re-enforced by four additional troops of the Seventh Cavalry acting under the orders of General Brooke. The white force now numbered eight troops of cavalry, one company of scouts and four pieces of light artillery consisting of a number of Hotchkiss guns, the total force numbering 470 men in opposition to a total of 106 warriors, all that remained of Big Foot's band.

The battle of Wounded Knee occurred on the morning of the 29th. The Indians were approached with friendly communications, and they pitched their tents on the open plain and were there surrounded on all sides by the soldiers. They hoisted a white flag as a sign of peace. Not to be deceived, the military authorities made full preparation during the night to suppress the Indians should they show hostilities the next morning. Big Foot himself was ill with pneumonia in his tepee. The next morning when the Indians were asked to deliver their arms, they failed to do so, though they showed no hostile movements. The soldiers were directed to search their tents for their rifles. The result was greatly to excite first the women and children and then, in consequence, their husbands and brothers. At this juncture, Yellow Bird, a medicine man, precipitated a hostile movement of the Indians. Apparently on signal, he threw a handful of dust into the air, whereupon Black Fox, a young Indian, drew a revolver that had been hidden in his blanket and fired at the soldiers, who instantly replied with a volley directed at the body of warriors and so near that the fire of the guns almost reached them. At this volley nearly half of the hostile Indians fell to the ground. The survivors sprang to their feet, threw off their blankets and made a desperate resistance in a hand to hand struggle against the troops. Few of the Indians had guns, but nearly all had revolvers, knives and war clubs which were still carried by the Sioux. At the same time the Hotchkiss guns which had been turned on the Indian camp sent a shower of shells and bullets crashing among the tents where the women and children had cautiously gathered to watch the proceedings. This movement upon the defenseless women and children was wholly unnecessary, brutal, indefensible,

and served to inflame the surviving male Indians to a furious and desperate resistance. Proper diplomacy could have wholly prevented this unfortunate outcome. Soon nearly all of the male Indians were killed or wounded and the remainder were sent flying off to the ravine that was not far distant. The women and children also made haste to reach the ravine, but were shot down and killed or wounded by the pursuing and maddened soldiers. The pursuit was nothing short of a massacre of fleeing women, helpless children and a few surviving warriors. For a distance of two miles from the camp, bodies of women and children, mangled and bloody, were found during the next few days. Most of the men, including Big Foot, were killed at the camp. This was the bloody and inexcusable outcome of the conference which it was expected would result in the surrender of the Indians on the morning of the 29th. It must be admitted that the conflict was due largely to the mismanagement of the military authorities and to the anger of the soldiers, a number of whom had never before been engaged in open hostilities with the Indians. While it is true that the first shot was fired by an Indian, it is likewise true that the hostile act of Yellow Bird could have been prevented had the right course been taken with the hostiles early in the morning.

In his message to the Legislature in January, 1891, Governor Mellette paid considerable attention to the Indian war. He reviewed, somewhat in detail, all the movements that had taken place down to date. His views are here given. He stated that the hostilities had resulted from a growing discontent among the Indians as a result of their being compelled to change their mode of life and leave the lands; that this discontent had been nurtured by unscrupulous and vicious leaders through the agency of the ghost dance, which, he stated, had been adroitly substituted in the guise of a religious frenzy for the war dance. The war dance, as was well known, was used to incite savages to warfare, but had been forbidden among the Indians by the Government. The insubordination resulting culminated in the collection of bodies of defiant Indians on the outskirts of the agencies, west of the Missouri River. There they were incited to frenzy and were soon ready for the uprising. Steadily they grew more domineering and insolent on the Upper Cheyenne, White and Bad rivers until finally they became openly defiant and at last began pillaging and robbing the settlers and conveying the plunder to a general rendezvous in the Bad Lands between the forks of the Upper White River. The governor stated that the prompt action of the United States troops in breaking up the smaller camps and the early death of Sitting Bull, the real leader of the disaffected, did much to check the uprising at the commencement. He further stated that at the outset the arms and ammunition on hand, consisting of about five hundred stands, were distributed among the settlers adjoining the reservation where the demand was most urgent. There the few settlers became equally well organized for their own protection under the aides of the governor. A little later 1,000 additional stands of arms were secured from the secretary of war. They were likewise placed where they would probably do the most good in emergencies. The governor recognized the valuable and unselfish services of Col. M. H. Day and Col. V. T. McGillicuddy in the Black Hills district, where all the active demonstrations thus far had occurred. He noted that Colonel Day had organized a troop of 100 volunteers who for several weeks had patrolled the Cheyenne

River opposite the principal hostile camp between Battle Creek and Spring Creek and restrained marauding bands from raids upon the deserted homes and other property of the settlers. This command had three sharp engagements with the Indians near Phinney's ranch and succeeded in totally dividing them. The governor reported that no depredations had been committed by the Indians east of the Missouri River and that he had no apprehension that any would be in that section of the state. However, he expressed the belief that the demand for protection to property from the settlers on the Upper Cheyenne, White and Bad rivers should receive prompt and generous response from the citizens, Legislature and general Government. In a measure, the general Government, according to Governor Mellette, was under obligations to sustain much of the expense, because, in opening the lands to settlers, many whites had been placed in a critical position in the midst of presumed civilization, and for this situation the United States was really responsible. It was therefore the duty of the United States to protect the people, said the governor. However, in case the Government should not do so, then the state must undertake the task and should be provided with adequate means by the Legislature. Governor Mellette noted with some feeling that he was placed in the trying position of being constantly beset with calls for aid and being powerless to render help. He called attention to the fact that the supreme law making body of the state, could be lawfully employed in this emergency, and recommended that provisions should at once be made for maintaining a volunteer troop which could be instantly called into existence for the defense of their firesides near the center of hostility. He insisted that stringent laws should be passed by the nation and the state, prohibiting the selling and furnishing of arms and ammunition to the Indians, and should be strictly enforced. Arms in the hands of the Indians, he declared, were a constant menace to the settlers and were an immovable obstacle to the control and civilization of the Indians. He hoped that in the adjustment of the difficulty the customary governmental policy of rewarding the perpetrators of deeds of violence by extra rations and supplies would not be exercised in this instance and hoped that the doctrine of rewards and punishment would be applied among the Indians as it was applied among the white communities. The object of such a step would be to encourage the large mass of Indians who were well disposed and had refrained from hostilities to remain faithful to their obligations to the white people.

A trenchant and notable address on the Indian troubles was delivered at Vermillion in January, 1891, by Rev. W. A. Lyman, who said: "Some think that the red men have been starved into war, others say they have not. In either case the actual responsibility for the slaughter that has taken place must rest upon the whites. Some blame the Government for not keeping faith with the savages. If the charge of perfidy be true, Washington surely is putrid with guilt. It seems to me evident that the responsibility must be shared by the church. If the Government has owed them blankets and beef and other articles which they never secured, the church by covenant, not with Sitting Bull or Red Cloud, but with Jesus Christ, the king of heaven's hosts, has owed them a knowledge of the uses and economy of these articles. If the Government has made the mistake of allowing them firearms, the church has neglected her duty of long since raising them out of the preference of rifles, butcher knives, rat-tail



SIoux INDIAN GRASS DANCE, ON CHEYENNE RESERVATION, NEAR PIERRE



OVERLAND TRANSPORTATION IN EARLY DAYS FROM PIERRE TO BLACK HILLS

Photo taken near Fort Meade, about 1885

files and whisky instead of plows, seeders and mowers. If some agents and settlers have cheated them in buying their blankets and rations, the church has cheated them by withholding from them a proper appreciation of the value of these things. If some have stolen from them their regular allowance, the Christian Church has used in dress and travel and many luxuries what should have given them the bread of life and put them out of the power of dishonest agents. There would be no Indians in arms today against the United States flag if the church had seen to it that there were no heathens within our borders. Our Government is composed of a Christian people, therefore the guilt lies on all, but especially upon the church, which is the Christian agency of the Government."

It was about this time that a famous speech of Red Cloud concerning the Messiah craze was published in an eastern religious paper. It was as follows: "We felt that we were mocked in our misery; we had no newspapers and no one to speak for us or take our part. We had no redress; our rations were again reduced. You who eat three times each day and see your children well and happy around you, cannot understand what a starving Indian feels. We were faint with hunger and maddened with despair. We held our dying children and felt their little bodies tremble as their souls went out and left only a dead weight in our arms. We ourselves were faint and the dead weighed us down. There seemed to be no hope on earth and God appeared to have forgotten us. Some one had again been talking of the Son of God and had said, 'He has come.' The people did not know, they did not care; they snatched at any hope, they screamed like crazy men to God for mercy. They caught at the promises which they heard he had made."

On New Year's day, 1891, Henry Miller, a cattle herder, was killed by the Indians near the Pine Ridge Agency. He was the only non-combatant killed by the Indians during the campaign. During the whole period of hostilities no raid outside of the reservation was made by the hostiles. Most of the cattle captured were taken because they were necessary for subsistence. Early in January Red Cloud, Little Wound and other immediate followers, would have come to the agency had not Two Strike, Short Bull, Kicking Bear and other hostiles threatened to kill the first one who should depart for the agency. However, from this time forward, in spite of the hostiles, small bands began to desert and return to the agency. In the meantime the troops were moved rapidly to positions where they could check any further hostile demonstrations. A small skirmish occurred on Grass Creek January 3d, and another on Wounded Knee Creek on January 5th. At this stage General Miles successfully made overtures for peace with the leaders so that by January 12th the whole body of hostiles, numbering in all about four thousand, were camped within sight of the agency and had sued for peace. By the 16th of January all had surrendered and hostilities had ended.

One of the offers of General Miles was that the civilian or political Indian agents would be removed, and men experienced in Indian affairs would be appointed in their places. They were promised that Capt. J. H. Hurst would be made agent at Cheyenne River, Capt. J. W. Lee at Rosebud, and Capt. F. C. Pierce at Pine Ridge. The latter was soon relieved by Capt. C. G. Henney. After the surrender of the main body about twenty of the leaders,

among whom were Kicking Bear and Short Bull, were sent as hostages to Fort Sheridan near Chicago until all danger of further hostility should be over. Among the leaders who surrendered were Little Wound, Little Hawk, Crow Dog, Old Calico, Lance, High Hawk and Eagle Pipe. On January 30, 1891, the Dakota Indians in the state numbered 19,068, among whom were 1,356 males and 1,467 females at Cheyenne River Agency; 1,003 males and 1,101 females at Lower Brule Agency; 2,675 males and 2,858 females at Pine Ridge Agency; 2,646 males and 2,735 females at Yankton Agency; 767 males and 755 females at Sisseton Agency. The others were at Crow Creek and Rosebud agencies.

Since 1891 the events in Indian affairs have been comparatively few, scattered and unimportant. In the spring of 1891, 568 settlers who had been evicted from Crow Creek Reservation by President Cleveland, petitioned to have their claims allowed. The amount claimed was over two hundred and five thousand dollars.

In the early nineties the Pine Ridge Indians who had been friendly to the Government during the war of 1890 and had remained its steadfast friends ever since, found much fault because they were not treated as well as those who had been hostile or stubborn during the Messiah craze. They declared, in effect, that hostiles received better treatment from the Government than the friendlies did. But they were soon pacified.

In April, 1892, the Sisseton Indians, having taken out their allotments, signified their wish to have their reservation on Lake Traverse and Lake Kampeska thrown open to settlement. About this time the plan to enlist Indians in the regular army was formulated. In July, 1892, Senator Pettigrew's bill in Congress provided that the Fort Randall military reservation lands should be wholly devoted to school purposes. There were about ninety-six thousand acres thus turned over to education.

The admission of South Dakota to the Union threw a flood of light on the management of Indian affairs in this state. Numerous errors and mistakes in management were promptly corrected and in a short time the Indian schools were both efficient and well managed. The rights of the Indians were better protected than ever before. Senator Pettigrew was active in this work and deserves much credit for the excellent results which followed. In October, 1892, he delivered a strong address on citizenship to the Indians at Sisseton.

Soon after this date the Dakotas of this state were located on nine reservation agencies and four citizen communities as follows: The citizen communities were Sissetons in Roberts and Marshall counties, Yanktons in Charles Mix County, and the Santees at Flandreau and Minnesota River. The nine reservations contained the following: Santees in Knox County; Brules at Rosebud Agency; Oglalas and a portion of the Minneconjous at Pine Ridge; Lower Brules at Lower Brule Agency, also Yanktonais at Crow Creek; Minneconjous, Two Kettles and Sans Arcs at Cheyenne River; Blackfeet and Uncapapas at Standing Rock; Upper Yanktonais and Sans Arcs also at Standing Rock. There were good and prosperous Indian schools at Flandreau, Chamberlain, Pierre and Rapid City and prosperous elementary schools throughout the reservations. There were also denominational schools conducted by the Catholics, Congregationalists, Episcopalians and Presbyterians.

The buildings put up at the Lower Brule Agency were extensive and excellent. Over forty thousand dollars was spent on the buildings alone. It required 1,000 wagonloads of lumber for their construction. The Pine Ridge Indian church convention was a notable affair in Indian circles in September, 1893. The Indian appropriation bill of August, 1894, provided for the surrender of 168,000 acres on the Yankton Indian Reservation to settlement upon proclamation of the President. There were twenty townships the most of which were to be thrown open. This reservation dated back to 1859, before which date the Sioux Indians had owned all of South Dakota south of the 45th parallel of latitude and east of the Missouri River.

During the congressional session of 1893-94 Congressman Linton delivered in the House a speech of unusual power in opposition to the continuance and establishment of Catholic and other religious schools among the Indians. Over five million copies of this speech were circulated all over the country. Seven carloads of paper and wrappers were consumed. He showed in his speech both the benefits and objections to the denominational schools among the Indian tribes. The wide demand for the speech showed a strong undercurrent of opinion throughout the country against the continuance and effects of such educational institutions.

In September, 1894, upon request of the Indians and settlers, the name Forest River Agency was changed back to Cheyenne River Agency as it had formerly been. It was announced late in 1894 that the Yankton Indian Reservation would be duly opened for settlement early the following year. The Indians had taken their allotments and the remainder of the land had been surrendered. On May 21st the opening occurred. There was a rush of settlers, but not as great as had been expected. The land was partly in Charles Mix and partly in Douglas County.

In April, 1898, the Rosebud Reservation was swept by the most destructive fire that had occurred in the state during nine years. In April, 1898, the Crow Creek Indians held several meetings and decided to assist the United States Government in its war with Spain.

This year Senator Pettigrew introduced in the Senate a bill for the establishment of an insane hospital for the Indians at Canton. It provided for an appropriation of \$45,000 and a tract of 100 acres to cost about thirty dollars per acre. This bill became a law and the hospital was accordingly built. In April, 1899, J. B. McCloud presented a claim against the state for \$2,700 which he showed was due him for supplies which he had furnished the militia during the Indian war of 1890. The Legislature appropriated \$500 toward the claim, but Governor Lee vetoed the bill. In December, 1899, the Indian Department upon investigation reported that there was yet due the Sioux Indians for their ceded lands the sum of \$687,000, which sum was to be divided between the approximate twenty thousand members of that tribe. By 1901 there was not a single blanket Indian within the limits of the state. All had adopted the habits and customs of the whites. They lived on farms, had schools and churches, dressed like the whites and were largely agriculturalists and stock growers. In October, 1901, the secretary of the interior did away with compulsory education among the Indians. This order was due to the actions of the sectarians in increasing the number of denominational Indian schools. In Feb-

ruary, 1902, the Yankton Indian Agency, the oldest in the state, was abolished by the Government.

In 1902 Indian Commissioner Jones issued peremptory orders requiring members of the Rosebud Indian Reservation either to work or go hungry. This was at first regarded as a severe blow at the spirit and dignity of the Sioux, but in the end it prevailed in accordance with the plans of the Government for the industrial management of the natives. In fact, by 1903 the Sioux had accepted what to them was the lowest degradation to which a red man could be subjected, the habit of steady work. At first they were required to do day labor, then gradually the work became steady. It was declared with emphasis by the Indian agents and by the instructors at the Indian schools, that it was not the lack of disposition on the part of the Indians to work, but it was due to the inefficient and stupid attitude of the Government in not giving them the opportunity. Within less than one year many of the younger Indians were earning money cheerfully for themselves and their families. The only difficulty at first was in providing steady and profitable work for them. It had already been proved that the Sioux were willing to work if they were given the opportunity. They objected to temporary jobs, when half or three-fourths of their time was spent in vice and idleness. It thus became a serious question with them, a question which in large measure had to be solved by the Government, as to what they could do steadily to earn a living. Indian Commissioner Jones declared in 1903 that he had 8,000 able-bodied Sioux who were persistently clamoring at his door for something permanent to do. Indian Agent Brennan of the Pine Ridge Reservation uttered a similar declaration.

After gold was discovered in the Black Hills region claimed by the Sioux, the Government sought to secure the Hills by purchase. The Sioux demanded \$7,000,000, whereupon the commissioners laughed and the Sioux left the council ready to fight. Red Cloud interfered and in part effected the treaty of 1868. This provided that for thirty years the Sioux should be given rations and for a considerable time thereafter were likewise to be helped until they should become self supporting. By 1898 these thirty years had expired, but many of the Sioux were no nearer self support than when the treaty was signed, because the Government had not helped them to become so, as was promised and had been expected. In 1902 Commissioner Jones directed the agents to announce several months in advance that the regular and customary rations would be withdrawn July 1, 1903, and the Sioux were thereupon told that they would be given work by which they could obtain more food and clothing than they had ever received before. With July came grumbling and discontent. The older Indians were stubborn and implacable, but the younger members were prepared for labor. One day three Indians asked the Rosebud agent for work, which was given them. At night they showed their money to their tribesmen, with the result that ere long many were set at work. At first they were employed by the Government upon the roads at \$1.35 per day, and when this work became slack they were put to work upon bridges. As soon as the Indians learned how easy it was to earn money, they became insistent for permanent work at good wages. To give them employment the Government thereupon carried out various reservoir and irrigation schemes, constructed storage tanks for stock, etc. Three large reservoirs were built in Wakpamini District, four in Medicine Root Dis-

tract and six in Pass Creek District. A dam built entirely by Indians was located near the Pine Ridge Agency, contained 3,500 cubic yards of earth and made a reservoir 1,000 feet long and 10 feet deep. The Government thus carried out with Indian labor solely all the work necessary to be done on the reservation, whereupon the Sioux were forced to leave to secure employment elsewhere. In 1903 for the first time a few Sioux helped shock wheat and barley in the northern counties of Nebraska and in Charles Mix County, S. D., at \$2 per day. In the fall of 1903 about two hundred and fifty Sioux from Rosebud and Pine Ridge agencies helped on the construction work of the extension of the Elkhorn Railroad to Bonesteel. Several secured permanent employment as section hands. A few of the younger Indians became cowboys for ranchmen, and a few others secured work with ditching gangs. Red Elk of the Pine Ridge Agency conducted a ferry on White River at Westover. A son of Sitting Bull became a locomotive fireman on a South Dakota railroad. It was soon learned from these and other instances that the Indians made competent workmen when they were given opportunity and instructed what to do.

The Flandreau Indians were already self supporting and had been for a number of years. The Sissetons, Santees and Yanktons, all of whom had received allotments in severalty, did considerable work, although they usually leased their lands to white men for enough rent upon which to live. A great majority of the Sioux were yet confined to the reservation in the semi-arid district where the land could not be used generally for agriculture, but was amazingly suited for grazing. A small proportion of the Indians there already owned herds of cattle; in fact, the Pine Ridge Indians at this time owned a total of about fifty thousand head. The Indians were not good cattle raisers. They found it easier, even if not so profitable, to lease their lands to the ranchmen. Agriculture without irrigation was difficult in this portion of the state, and as irrigation was too painstaking and elaborate for the patience or industry of the Indians it was out of the question. All whites realized at this time that to transform the Indian into a working man required time, care, patience and opportunity.

An important problem on the Rosebud Reservation early in 1903 was the status to which the Indians of mixed blood were entitled among their fellows. At this time the Indians of mixed blood were not supported by the Indian Department, nor were they permitted to enjoy the rights of citizenship. Their names had been stricken from the agency rolls, yet the Interior Department continued to exercise its power over them. To meet this condition of affairs they drew up a petition, signed it numerously and forwarded it to Senators Gamble and Kittredge and Representatives Martin and Burke. The petition read as follows: "We, the undersigned mixed blood Sioux Indians residing upon the Rosebud Sioux Indian Reservation, do most respectfully petition you to introduce and use your utmost endeavors to pass an act allowing all of the mixed blood Sioux Indians now residing upon the aforesaid reservation, to sever entirely their tribal relations with the Rosebud Sioux Indians, that they may receive patents for the lands they have taken by allotment in severalty and receive all moneys and credits which may be due them from the United States Government according to the treaties between the Government of the United States and the great Sioux Nation of Indians. It is understood that the passage

of this act does not work a forfeiture of any money to be paid to said Rosebud Sioux Indians for any land now within the boundaries of the aforesaid reservation which may be purchased by the Government of the United States from said Indians subsequent to the passage of this act." The principal reason advanced for this action was that because the names of all the mixed bloods had been stricken from the rolls at the agency, they in consequence received neither beef rations nor annuities.

During the spring and summer of 1903, many allotments were made on the Cheyenne River Reservation. It was estimated by Colonel Knight, the allotting agent, that it would require at least four years more to permanently locate the Indians on these tracts. When this should have been accomplished there would be a large acreage, the agent stated, which would not be taken, but would become the property of the Indians in common to be used in any way they thought best for the interests of the tribe as a whole. When an Indian thus took his allotment for himself and family it became the property of the family and could not be disposed of for twenty-five years.

Under an order of the Interior Department in 1904, the money paid the Indian heirs was not given them in a lump sum, but was handed out by installments in order to prevent swindlers from cheating them out of part or all that was paid them. From 1868 to 1904 over fifty-five million dollars was paid to the Sioux Indians. Of this sum more than thirty-six million dollars was paid after 1875 when the Black Hills were first invaded by the whites.

In 1905 an Indian skeleton was unearthed in Charles Mix County, to which was appended a silver medal which had been bestowed by President Jefferson on an Illinois Indian.

The Indians of Cheyenne River Agency late in 1904 held a well attended meeting to discuss the delay in the matter of payment of money due them for rentals for their leases and for the right to use a cattle trail across the northern end of their reservation. They appointed delegates at this meeting to visit Washington to inquire into the matters which they desired adjusted. The delegates were Ed Swan, Percy Phillips and Walter Swiftbird, who were bright members of the young and progressive element on the reservation.

In the spring of 1905 President Roosevelt authorized the payment of \$100,000 to the Sisseton and Wahpeton Indians of South Dakota. This sum was distributed from the principal of their trust fund held in the United States treasury, owing to the disastrous failure of crops among them for two years. One object of the distribution was to enable the Indians to purchase seed and another was to assist with food and other supplies the very old and helpless members of the tribe. Connected with this distribution of funds came the pathetic story of the gradual descent of the tribe into debauchery, that had been called to the attention of the Indian office for years. Ten years previously the Sisseton and Wahpeton tribe of Indians had \$1,699,800 in the treasury drawing 5% interest. The tribe was then self supporting, was progressive, had learned rapidly the ways of the whites and had become good citizens or as good as Indians ever become. But other subtle influences were at work and gradually the Indian officials became aware that schemes or plots to secure the withdrawal of a certain amount of the Indians' trust fund from the deposit for direct circulation among the tribe were in progress. Soon afterwards

\$100,000 was withdrawn under authority, then other sums followed from time to time, until by 1905 not more than one-half of the large sum above mentioned remained for the use of the Indians. By reason of this constant withdrawal of money and its misuse by the Indians and no doubt others, they soon ceased to be self supporting; grew worthless, lazy and drunken. Many became little better than gamblers and all drifted steadily back toward savagery and extinction. It was stated by a high official in the Indian Department in 1905 that it was the positive opinion of thoughtful men that the downward career of the Indian tribes was mainly due to the pernicious and hazardous practice of withdrawing their funds from the treasury and giving to every man, woman and child a portion of the total amount set aside for distribution purposes, as it tended to make them indolent and wasteful and in consequence to drift from responsibility and respectability to degradation by easy and alluring stages.

In March, 1905, it was thought by many visitors to the Sioux Reservation in Western South Dakota that a change for the better had taken place in the warriors since the Government had required all able-bodied male Indians to work for their living rather than to depend upon the Government for support. The change certainly vastly improved the melancholy and abject condition of the squaws. The warriors had at last discovered that manual labor was not disgraceful nor degrading and would not result in death from heart failure at such radical change in their condition. Instead of the squaws doing all the hard and menial labor while their lords and masters spent their time in smoking and boasting as was the custom under tribal relations, the warriors now watered the horses, carried the water, chopped firewood, and did the chores and otherwise assumed their rightful portion of the burdens of married life.

This year about three hundred Indians were put to work at road making within the boundaries of the Cheyenne Indian Reservation. They were likewise required to build dams across the gulches at road crossings for the purpose of holding water in storage. By this time the number of Indians who had given up their government rations and taken to work had been materially increased. It was now realized and admitted that before many years every able-bodied Indian on the reservation would be earning his living and perhaps supporting a family instead of depending on the government issue of supplies. They were paid \$1.25 per day in cash and were privileged to make purchases wherever they pleased. With this money the Indians themselves soon learned that they could live better and far more independently than on the government rations. They were now learning to look out for themselves, an accomplishment that never could come to pass under the old tribal system.

In the spring of 1905 the Indians at the different agencies in the western part of the state formed cattle associations of their own and conducted them after the practices of the white men. They alone planned to conduct a round-up on the reservation each year and to look after their own cattle, which were rapidly increasing in number. While thus engaged they could prevent the trespassing of stock on the reservation. They planned to hold such stock for damages, or if not claimed by a certain time, to sell them for the benefit of the Indians. They "rode the range" extensively this year and held their annual round-up much after the fashion of the white man.

After a while the Indians of the Cheyenne Reservation came to the conclusion through sorry experience that the leasing of their lands for pasturage had not on the whole been satisfactory to them. It brought them an annual revenue, but, although the sum was large, it did not seem so when divided among 5,000 Indians. Previous to the leasing, many of them had gathered together large herds of cattle, but upon adopting the lease system these herds steadily began to diminish or disappear. Now, when it was concluded to give up leasing, they realized that it would be a difficult thing for them to do and require much time before they could expect to become again the possessors of large herds.

The Sisseton Indians at this time protested against the manner in which they were given their payments. The Indian Department ruled that all money due Indians under eighteen years of age should be retained. As fully 75% of the Sisseton Indians were under eighteen years of age, and as the proposed payment was for \$100,000, the government policy would permit the payment of only \$25,000. This, it was claimed, would work a serious hardship upon the Indians. These matters came out upon an investigation by Maj. James McLaughlin, the veteran inspector of the Indian Bureau. At this time it was estimated that these Indians owed almost five hundred thousand dollars.

An important case before the United States District Court at Sioux Falls in 1905 was that of *Mrs. Jane E. Waldron vs. Black Tomahawk*, which directly involved the ownership of a tract of land adjoining the townsite of Fort Pierre. Judge Carland conducted the case. It was considered important because other cases of similar import were in progress throughout the country at this time. While a tract of land was the immediate bone of contention, the rights of mixed-blood and full-blood Indians was also involved in the case. Mrs. Waldron had a trace of Indian blood in her veins, but was a refined and highly educated woman. Black Tomahawk was a full blooded Sioux Indian. The tract of land involved had been in litigation ever since the opening of the Sioux Reservation in February, 1890. As a result the Government issued to Black Tomahawk a patent to the land. Mrs. Waldron now sought to have the patent set aside and the land awarded to her. She was a member of the Two Kettle Band of Sioux Indians which occupied the Cheyenne River Reservation. She had established her residence on the land in controversy in July, 1889, and ever since had resided thereon with her family. After she had settled on the tract, Black Tomahawk claimed the tract as his allotment. It was charged that he was induced to make this claim by several townsite boomers who evidently were using him as a cat's paw to secure this land in order to place it upon the market. Black Tomahawk in due time applied for a patent to the land and after the case had been fought through the local and general land offices and before the secretary of the interior, he was granted a trust patent to the tract. This patent was approved by the secretary of the interior in December, 1898. The patent was issued to him because the department held that Mrs. Waldron was not an Indian in the full meaning of the term. A little later Indian Agent Hatch was instructed to remove Mrs. Waldron and her family from the land. She thereupon instituted suit. Judge Carland decided the case in her favor. He stated that Black Tomahawk's settlement on the land was not done in good faith, but was accomplished in the interest of other persons. This was considered an important decision because it defined the rights and status of full-blood and mixed-blood Indians.

The old Indian church in Stockholm Township, Grant County, was still standing in 1905. It was then planned to destroy it, but finally a subscription was taken up, the building was purchased and finally deeded to the State Historical Association. This church was constructed of logs in 1876, was used as a mission and was devoted to the Indians until a better one was constructed near the agency north of Milbank. In 1905 a picnic and memorial services were held in this structure and among the speakers were Rev. Daniel Renville, the first Indian preacher and the first and only preacher the mission ever had, and Rev. John P. Williamson, a missionary among the Indians of South Dakota. Mr. Williamson's father, Dr. T. S. Williamson, was one of the first missionaries among the Sioux, starting a mission at the trading post of old Dan Renville, an Indian, at Lac Qui Parle, Minn., in 1835.

The right of the Indian agent to place all money belonging to Indians from the sale of their inherited lands in a United States depository and allow the money to be paid out only on an order from the Indian agent was a question of much importance on the reservations. A short time before this A. J. McKeever, of Sisseton, obtained a judgment against Titus White, an Indian who had money due him as an heir to some inherited Indian lands. An execution was issued and the sheriff levied upon such money which was in a United States depository. The bank refused to turn the money over to the sheriff except on an order from the Indian agent. The sheriff thereupon went before Judge McCoy in Aberdeen and asked for an order requiring the bank to turn the money over to him to be applied on the execution. The United States district attorney objected and the court decided that the proper manner would be for McKeever to bring suit through the sheriff for the money in the hands of the bank, which course would enable the court to handle the subject.

In the summer of 1905 it was ascertained by Doane Robinson that tuberculosis was one of the prevailing diseases among the South Dakota Indians. Fifty years before it was unknown to the tribe. The reports from the Sisseton Indians showed that nearly all of that tribe were infected with the virus of this disease to a greater or less extent. On the Rosebud Agency 68 out of 130 deaths in 1901 were caused by tuberculosis. In 1905, 80% of the deaths were from the same cause. Tuberculosis prevailed on the Lower Brule and Crow Creek reservations, the greatest number of deaths thereon being from that disease. At the Cheyenne Agency the disease was prevalent and caused a greater number of deaths than any other. On Standing Rock Reservation 64% of the deaths were due to this disease in 1904 and 75% in 1905. On the Yankton Agency tuberculosis and old age were the chief causes of death.

In the spring of 1906 Allotting Agent Gunderson of the Grass Agency gave the head of every Indian family 640 acres, each single person under eighteen years of age 320 acres, and each child 160 acres. In addition he gave each head of a family a team of mares, a wagon and harness, cow, farming implements and \$50 cash. Besides this the Indians there had about two hundred and fifty thousand dollars in the treasury. There was very little good land left at that agency after the Indians had received their allotments. All valuable lands fronting on water courses had been taken up some time before, and prior to the spring of 1906 nearly all of the level flats had likewise been allotted.

It was quite clear by this time that the Indians, if properly taught the principles of economy and industry, would soon become, in the main, industrious and thrifty citizens. This was particularly emphasized by the progress of the past three or four years at the Crow Creek Agency under the able administration of Major H. D. Chamberlain, agent. His report showed that the Indians at this agency had made almost phenomenal progress for four years ending with the close of 1905. They were almost wholly independent of the Government so far as rations and money considerations were concerned.

In the summer of 1905 an investigation into the practical working of the Indian leasing system for grazing purposes was conducted at the Cheyenne Agency under the direction of the Interior Department and an attorney representing the Indian Rights Association. The big cattle raisers who for many years had enjoyed a free range and had made millions of dollars out of the business, now complained that the leasing system was not working to the satisfaction and advantage of the Indians. This investigation resulted from their complaint. Previous to three years earlier, a few big stockmen and cattle syndicates in Sioux City, Omaha, Chicago, Kansas City and elsewhere, grazed thousands of head of horses and cattle on the Indian lands within the Cheyenne Reservation absolutely free except for small sums paid to squaw men and half breeds who possessed enough influence over the other Indians to secure this immunity. In 1901 Major Ira Hatch, the agent of the reservation, took steps to clear the Indian lands of the trespassing stock. It was at this time estimated that 90,000 head of cattle were grazing upon the lands owned by the Indians, for which the latter received nothing. The total value of this number of cattle at \$30 a head was \$2,700,000. As a result of the leasing system the Indians had already received in rentals \$298,000, or nearly twenty-five dollars for every man, woman and child on the reservation, the total population being about twenty-five hundred. As the time now approached when the leases would expire and as the citizens were aware of all the circumstances, the cattle barons sought to retain the hold on the reservation which they formerly possessed and tried to achieve their object through the Indian Rights Association.

At the hearing of the conference over the complaints many significant facts concerning the unusual conditions came to light. One change made at once by the conference was an order requiring the government agents to accompany the round-up outfits to the leased pastures to oversee the proper branding of the Indian cattle. Nearly every Indian announced a considerable decrease in his herd since the leasing propositions had been in force. Among the reasons they gave was that the large herds of the leaseholders kept the Indian cattle from the water and likewise destroyed their hay lands. On the other hand the lessors alleged that the Indians were fencing larger tracts than they were entitled to under their allotments and keeping their cattle in the pastures away from the water-holes. Black Body was almost the only Indian called upon who expressed himself satisfied with the existing conditions. While he admitted that his herd had decreased since the pastures were re-leased, he said he had about seven hundred dollars in an Everett bank and was doing well.

In August, 1905, a census of the Indians on the Cheyenne River Reservation showed a total of 2,526. This was an increase of fifty-three over the census of the previous year; forty-nine of the increase were Indians transferred here from

Pine Ridge, they rightfully belonging to the Cheyenne Reservation. They had been at Pine Ridge since the Indian war of 1889-90.

By the close of the year Allotting Agent Carl Gunderson had completed the field work of allotting their lands to the Cheyenne River Reservation Indians and had gone to Standing Rock Reservation with the same object in view. All the Indians on the Cheyenne River Reservation had been thus located, but there was likely to be some conflict or change, and matters were not wholly settled. Mr. Gunderson reported that the allotments absorbed about 30% of the reservation and that the remainder would some time in the future be opened to settlement. The land taken by the Indians was mainly in the vicinity of their old home camps and did not comprise, by any means, all the best farming lands in the reservation. When the remainder is thrown open, thousands of excellent acres will be offered to settlers.

By 1905 the Indians at the Faulkton and Crow Creek agencies were exceedingly prosperous and contented. They had adopted in many particulars the ways of the whites, were generally industrious and law abiding and were fast becoming independent of the Government and largely self supporting. Since 1900 they had prospered more than ever before, as had their institutions.

To meet the United States Supreme Court decision that the allotment of lands to the Indians was sufficient to constitute them citizens with the incidental right to buy liquor whenever they chose the same as white citizens, Congressman Burke, at the congressional session of 1905-06, introduced a bill postponing the right of citizenship upon the Indians until the formality of the transfer had been fully complied with after May 8, 1906, and providing that the allottees should be subject to the exclusive jurisdiction of the United States until they should acquire full citizenship under the law. It was really a trust period designed to fit the Indians for sober and sane citizenship. In May, 1906, Crow Dog and Red Cloud finally though unwillingly accepted their allotments in severalty and were given the rights of citizens subject to the above trust period and provisions.

Previous to the time when the Lone Wolf decision of the Supreme Court of the United States was rendered in 1903, it was generally assumed and supposed by the whites that the Indians possessed an inalienable right to the lands which had been granted them by the treaty of the Government. In this case, however, it was held that the Indians occupied the same position that minor children did among the whites and that Congress could dispose of their lands as it saw fit. All congressional acts thereafter and all governmental dealings were in accordance with this decision. Thus it came to pass that within six years thereafter movements to open every foot of the reservation lands west of the Missouri River were taken. This settled the fate of the Indians and placed them on the path of civilization, law and order. It really forced them to become farmers and good citizens. The action also meant that thousands of acres of excellent land would at last be thrown open to homesteaders. The bill making provision for opening all Indian lands not allotted became a law in January, 1910. Already all of this land was surrounded with white settlements. On the Standing Rock and Cheyenne reservations were about six thousand Indians all of whom were thus required to take allotments and to become self sustaining. Many of the old Indians who could not easily surrender their former fixed and loved habits and customs were intensely grieved at this outcome. On the other hand the younger Indians, with

scarcely an exception, were delighted with the change and cheered with the alluring prospects of becoming civilized like the white people.

In January, 1908, the Sisseton and Wahpeton Indians began action against the United States under the treaty of 1851 to secure the remainder of the annuities which had not been paid them since the Civil war. Under the treaty of 1851 these annuities had been promptly paid until the time of the Sioux outbreak in Minnesota in 1862 when the payments were suspended by the Government. The suit amounted to a total of \$788,971, of which \$305,000 was cash. Senator Gamble this year introduced in Congress a bill for the payment of these annuities to the claimants. The bill became a law. The total claim of both the South Dakota and the Minnesota Indians at this time was in round numbers \$1,500,000.

In March, 1908, under a recent decision of the Interior Department and in accordance with the Indian treaty of 1889, each married Indian west of the Missouri River, especially those located on the Cheyenne and the Standing Rock reservations, was given the right to take 320 acres in addition to the allotted 640 acres which had been given previously to each head of a family. It was provided that this land should not be disposed of for twenty-five years except with the definite and special permission of the Government. This made the head of a family the owner of 960 acres. It was estimated that the land in twenty-five years would be worth at least \$50 an acre, in which case each Indian family would possess property worth at least \$48,000. At this time there were about three thousand of these native families that were affected by these provisions.

It should be noted as a conspicuous fact that on the soil of South Dakota, the North American Indian finally accepted his destiny, namely, to live at peace with the whites and to assimilate domestic rules and civilized customs. It was at this time that the demand arose generally over the state that in the new capitol building at Pierre the mural decorations should represent local historic scenes in which the Indians should be fittingly represented. The mural ornamentation was designed to be historical rather than allegorical.

By January, 1911, the Indians of the Sisseton Reservation in the northwestern part of South Dakota had made rapid progress toward civilization. Maj. S. A. Allen, the agent, said that 75% were full bloods and of that number 65% were agriculturists, were thrifty and had proved themselves fairly successful as farmers. The reservation was eighty miles long and forty miles wide and contained about two thousand Indians.

In the spring of 1911 another meeting of the Sioux Indians at Cherry Creek was held for the purpose of perfecting an organization to secure from the general Government payment for the Black Hills territory which was opened to settlement in 1876. The Sioux still claimed that the right to go into the Black Hills was never granted by their nation and that the whites were wrongfully allowed to go into the territory under a false treaty which was signed by only a few of the chiefs. At this time they had no idea whatever that the territory would be restored to them, but they believed they should be paid cash for the land. Another meeting of similar purport was held at Lower Brule Reservation in November, to which all the bands of the Sioux were asked to send representatives to further complete the organization with the object of pushing the claims. The Government contended that even if the whites were admitted into that country without the consent of a majority of the Sioux, that defect was corrected in the

treaty of 1889 by which the territory between the Missouri River and the Black Hills was open to settlement, and in the same treaty the opening of the Black Hills section was ratified. However, the Sioux were determined to test their rights in the courts.

The annual report of the commissioner of Indian affairs for 1914 gave the following facts concerning the Indians of the Cheyenne Reservation: On the reservation were 2,691 Indians; of these 1,293 spoke English and 1,174 could read and write the English language; \$33,050 was received from crops raised and sold by the Indians; \$30,000 was received from the sale of live stock; \$49,551 was received from leases; \$120,480 was received from the sale of lands; \$47,188 was derived from the proceeds of Indian labor; 800 Indians were reported as self supporting.

In the spring of 1915 an old time roundup of cattle was had on the Rosebud Indian Reservation adjacent to the Town of White River. Between twenty-five and thirty expert riders were engaged in this roundup and were provided with about two hundred and fifty saddle horses. It required two weeks to complete the roundup. The cattle were found in unusually good condition after their winter's grazing on the open range. Most of the cattle belonged to the Indians. In June, 1915, Frank E. Brandon, superintendent of the Indian Department in South Dakota, was authorized by Cato Cells, commissioner of Indian affairs, to put on an exhibit of Indian agricultural practice at the state fair. All of the Indian agencies of the state, eight in number, and the Indian schools at Flandreau, Pierre and Rapid City, besides many native rural schools, prepared exhibits. A boys' Indian band was one of the attractions of the display. Space was reserved by the Federal Government in the west end of the horticultural building. The Government at this time disapproved of Indian villages and wild West shows at agricultural fairs. It was expected that the Indians would make exhibits at state fairs thereafter on the same basis as white men. Valuable medals, silver cups, etc., were offered them by the state fair authorities.

INDIAN LANDS

In opening the reservation in 1890, the first act was to survey the land. This was necessary before the settlers could establish the boundaries of their claims. George W. McLean, special allotting agent of the Government, maintained that the Indians should have the first claims on the reservation lands. He thereupon permitted them to select the tracts they desired and they in consequence chose those which had been occupied by the squatters. More than twenty surveyors, many of whom lived in this state, were soon at work laying out the lines. H. J. Austin of Vermillion secured a contract from Surveyor General Sullivan to run a base line from the Missouri River westward to the state line and then to run guide lines north and south twenty-four miles apart for the use of the section surveyors. The east part of the reservation was surveyed first in order that the land there might be thrown earliest into market. On February 10, 1890, President Harrison issued a proclamation opening the reservation to settlement. At the same time there were opened two new land districts, one at Pierre and one at Chamberlain. The commissioner of the general land office approved the contracts submitted by Surveyor General Sullivan for the official survey of the

Great Sioux Reservation. This was a big task, but was accomplished on time. There had been appropriated \$100,000 by the Government to cover the costs of this great survey. At this time the commissioner granted the first installment of \$65,650, under the appropriation toward this expense. At Chamberlain in April, 1890, during the first three days, there were filed eighty homestead, twenty-five pre-emption and ten timber claims on the Crow Creek lands.

In March, 1891, it was announced that settlers on the recently ceded Sioux Reservation land would be allowed to perfect title after fourteen months' residence upon payment of \$1.25 per acre, or after five years' residence without being required to make any cash payment. When these lands were first thrown into the market, the law required residence of five years and cash payment of \$1.25 per acre before patent could be secured, while homesteaders in all other portions of the country could secure patent after residence of five years or commute at the end of six months' residence and perfect title upon payment of \$1.25 per acre. This discrimination against Sioux lands had a tendency to discourage settlement and served to turn the tide of immigration into other sections of the United States, and accordingly there was much complaint from the citizens and authorities of South Dakota. This equalization of the conditions of settlement, it was afterwards found, had a strong tendency to stimulate and encourage immigration into this state.

Stanley, the county made famous by containing the "mile square," is possessed of other interesting items of history. Here on the hill at Fort Pierre was planted the famous Verendrye leaden plate in 1743. It was in this country that the Ree and Sioux nations of Indians struggled for final supremacy. A short distance to the north of Fort Pierre is the scene of the first important battle of the tribes, the trenches still remaining to mark the battleground. A little further to the north and west, on one of the bluffs, is the memorable spot where the last stand of the ill-fated Rees was made. Here they were finally defeated and almost exterminated and the Sioux became the possessors of the "Land of the Dakotas." Thus the Sioux could rightly claim the land only by conquest.

The act of February 10, 1889, which provided for the opening to settlers of the Great Sioux Reservation west of the Missouri River, also specified that after the lapse of five years all that remained unsettled should be sold at 50 cents per acre. As this law expired on February 10, 1895, many settlers immediately thereafter entered and laid claims to extensive tracts of the best that remained.

In 1897 the act of Congress gave South Dakota one year in which to select lands for the state from the abandoned Fort Randall Reservation. This year expired on August 29th. Accordingly, State Commissioner Lockhart made an examination of the land, but none of it seemed of sufficient value for state purposes. However, the school lands were taken at this time and all was later thrown into the market. The state had large demands against the Government. It claimed 5 per cent of the amounts paid to the general land office by settlers for land in the ceded portions of the Sioux, Sisseton, Wahpeton and Yankton reservations, amounting in all to about ten thousand dollars. It also claimed 5 per cent of the aggregate sum of \$1.25 per acre of the lands in Pine Ridge, Rosebud, Lower Brule, Crow Creek, Cheyenne River and Standing Rock reservations in this state. The total amount thus claimed by South Dakota was about seven hundred and fifty thousand dollars. The state likewise claimed a percentage

of the value of the lands allotted to the Indians on the Sisseton and Yankton reservations.

In August, 1898, the registrars of the various land offices in South Dakota reported to the commissioner of the general land office the following classification of state lands: (1) Unappropriated and unreserved; (2) surveyed and unsurveyed; (3) reserved; (4) appropriated and entered. In all there were within the state in round numbers 11,000,000 acres of Government land subject to entry. There were seven land districts at this time as follows: (1) Rapid City with a total of nearly 7,500,000 acres subject to entry; (2) Pierre with over 1,700,000 acres subject to entry; (3) Chamberlain with over 1,200,000 acres subject to entry; (4) Aberdeen with nearly 300,000 acres subject to entry; (5) Huron with nearly 125,000 acres subject to entry; (6) Watertown with about 75,000 acres subject to entry; (7) Mitchell with about 50,000 acres subject to entry. Secretary Bliss of the land office approved for patent in South Dakota 3,961 acres in the Huron district for the school of mines; 2,953 in the Pierre district for educational and charitable institutions; and 1,121 acres in Aberdeen district for the agricultural college. In the spring of 1900, 10,000 acres of the Yankton Reservation were taken up under the new homestead bill. The land was located mainly in Charles Mix County. By June 1st only about 1,500 acres were left.

In 1901 there was constant friction between the state and federal authorities in regard to the jurisdiction over offenses committed on Indian reservations. Owing to this friction it not infrequently happened that offenders had gone unpunished. This year a bill was passed by the South Dakota Legislature, relinquishing to the United States the exclusive privilege of apprehending, convicting and punishing such offenders and to pay the bills therefor.

In December, 1889, Registrar M. H. Harris ruled that the Omnibus Bill admitting South Dakota as a state did not repeal the Pre-emption Law and that entries could be made as before. It was claimed by the opposition that the Pre-emption Law of 1841 was repealed by this bill, but was admitted that those of 1836 and 1843, equally as good, were not. Many persons in South Dakota believed that the Pre-emption Law had served its purpose in this state and should be repealed, as it gave speculators a chance to take and keep all the best land. If it was repealed the Homestead Act for real settlers would prevail and thus benefit the whole state. It was declared at the time that 80 per cent of pre-emption land in South Dakota had been taken by speculators. The old law provided that a settler should be permitted (1) to acquire a quarter section by living on it five years and paying the land office fees; (2) to acquire a second quarter section by growing a certain number of trees for five years and paying the land office fees; (3) to acquire another quarter section by improving it and paying the Government price and the land office fees. The latter two provisions were in time repealed, because they gave speculators too great an advantage. It was argued in 1904 that if it was fair to give 480 acres as above in 1864, it was fair to give 640 acres west of the Missouri River in 1904. Congress finally came to recognize the obstacles when it became known that forest growing on the plains was very difficult and wholly unprofitable. Accordingly, that body repealed all except the 160-acre homestead clause. One class of people argued in 1904 that the 640-acre homestead would deprive the state of many settlers, because

the larger the farms the fewer the owners and residents. They declared that the matter was being pushed by the land-grabbing bureau and that there was no general demand for such a law; but the truth was there were thousands of acres west of the Missouri River that could not be profitably irrigated and were season after season only fit for the ranges and would be suitable for nothing else for many years or until whittled down by density of population.

In 1903 Congressman Burke introduced in the House a bill providing for the opening to settlement of 600,000 acres on the Rosebud Indian Reservation. This bill was duly considered, but failed to become a law. In January, 1904, the same bill with some changes was reintroduced. The price per acre was fixed at \$2.50, although Indian Commissioner Jones asked that the price be placed at \$5 per acre. He finally receded from his position when it became clear that \$5 per acre was too much for the land. The South Dakota members of Congress in 1903 had made a strenuous fight to secure the passage of this opening bill but had failed. In that bill was a provision appropriating \$25,000 for the Rapid City School of Mines. Perhaps this and similar amendments were the load-stones which dragged the bill of 1903 to its death. The bill of 1904 eliminated all such riders, fixed the price at \$2.50 per acre, but was vigorously opposed by several of the House members. Kittredge in the Senate supported the bill. The entire delegation of South Dakota in Congress fought all in their power for its passage. The most of the land lay in Gregory County. However, President Roosevelt opposed one feature of the bill. He declared his belief that most of the land there was worth more than \$2.50 per acre. In the end the price was fixed at \$4 per acre. The House had fixed the price first at \$2.50 and then at \$3 per acre, but the Senate raised it to \$4, passed the bill in that form and it was promptly signed by the President. During this controversy a commission was appointed by the President to go over the land proposed to be opened and estimate its value. To this proposition Congressman Burke assented. The result was the conclusion to raise the price to \$4. There were to be 2,500 claims of 160 acres each, or a total of 400,000 acres, opened to the whites.

It was at this time that Congressman Burke secured the assistance of President Roosevelt and Secretary of the Interior Hitchcock to postpone leasing the Indian lands in the two Dakotas for a short time in order to circumvent a scheme of rich real estate dealers to secure the land and cheat small ranchmen out of their possessions. This scheme was thoroughly discussed in Congress, and the act of Congressman Burke was applauded by the people of this state.

During the winter of 1903-04 the settlers in the northern part of South Dakota likewise demanded a similar opening of portions of the Cheyenne Reservation. In that reservation were many thousand acres of good land which were lying idle and should be populated with prosperous agriculturalists, it was declared. They demanded that allotments should be made to the Indians and that from time to time tracts of the surplus should be opened to settlement.

The passage of the bill opening the lands in Gregory County was not secured without opposition. From that section of the reservation came all sorts of objections, suggestions and plans, but in the end all were finally reconciled to the measure. It was provided that sections 16 and 36 throughout the entire tract should go to the schools of South Dakota. At first it was proposed that the state, like an individual, should pay the Indians for this land, but this contention

was finally dropped. In due time the registration of prospective settlers commenced at Bonesteel, Fairfax, Yankton, Chamberlain, and perhaps other points. In all there were filed 106,326 claims. This meant that over one hundred thousand people who filed claims would be disappointed, but it was realized by the inhabitants of the state and made the most of by the newspapers and orators that the opening would bring here many thousands of men who desired homes and that outside of the Rosebud Reservation were hundreds of thousands of acres well fitted for agricultural purposes which could be bought at much less than \$4 per acre. This fact was called to the attention of the public and no doubt contributed in a large measure to the large number of filings made on the Rosebud Reservation. Those who filed no doubt thought that in case they should fail to secure one of the Rosebud homesteads, they could readily secure tracts equally as good elsewhere in Western South Dakota.

The total filings at Bonesteel were 35,064; Fairfax, 8,690; Yankton, 57,434; Chamberlain, 6,136. The center of interest during the registration for homesteads in the Rosebud opening was at Bonesteel. The officials of the town, in order to secure money to cover necessary expenses during the emergencies, were too free in granting licenses for all sorts of games. The result was that the town became filled with crooks, bums, law breakers and scalawags of every description, all of whom apparently united to make as much money as they could out of everyone who came there to register. Soon stealings and hold-ups were numerous and all gambling games ran without hindrance. Finally the disorder and riot became so threatening that the officials were compelled to interfere to prevent the town from being practically captured by the law breakers. The law-abiding citizens united, went to the hardware stores, took possession of all arms and promptly arrested forty-five crooks of all sorts and placed them in a bull-pen, which was guarded by 100 armed citizens; but as this did not seem to check the lawless proceedings they began the systematic work of hunting out the rascals in all parts of the town, scattering them from their haunts like rabbits from the sagebrush. Finally the law breakers were driven to one end of the town where they halted and threatened to shoot any citizen who should approach them. To circumvent any hostile act of this sort, the armed citizens promptly covered them with rifles, whereupon the law breakers drew back and lowered their weapons. They were informed by Mayor Berg that they must at once leave the town and the officials enforced this command by driving them a mile from the corporate limits. At this time forty-five of the worst ones were still under guard in the bull-pen. Upon reaching the distance of a mile the crooks suddenly began to break in all directions and rush back to the town, firing as they ran, but immediately the battle commenced. A volley was poured into their ranks by the police and eight or ten of the crooks were wounded and in the return fire four of the police were seriously shot. This fire checked the stampede and compelled the lawbreakers to stop and obey the commands of the legally constituted authorities. However, as they seemed to be unable to leave, all were arrested, driven back to the town and placed under guard in the new bull-pen. This act of the authorities greatly incensed the gamblers who claimed they had paid comparatively large sums for immunity to run their gambling establishments as they pleased. However, their protests were not heeded, and the authorities from this time forward enforced law and order as well as could be expected under the riotous proceedings. This was called the "Battle of Bonesteel." One gambler was killed

and two others were dangerously wounded. The authorities have ever since been blamed in a large degree for the criminal and unfortunate proceedings. In their zeal to secure large license fees, they gave the gambling fraternity, as it was asserted, and no doubt true, almost unlimited authority to carry on their practices. In August Governor Herreid went to Bonesteel to learn of the actual conditions there and ascertain if troops were needed to control the unlawful element. He told the authorities that he was unwilling to order the troops there to aid the city in granting illegal licenses to secure revenue to pay the expenses of the registration office. He was informed that the services of the troops were not needed and that the law-abiding citizens could and would control the unlawful element and maintain order. He was told by many that at the outset the police and town authorities were to some extent in league with the gamblers, and that as the crowd continued to gather the law breakers took control of the establishments and endeavored to run the city in the interests of crime and outrage. It was further stated that when the proceedings of the gamblers and thieves became too menacing, the city authorities revolted, though they did not revoke the licenses for which they had collected goodly sums of money.

It was provided that the registration in Rosebud could not be affected through the use of the mail or through an agent except in the case of qualified soldiers or sailors. Each person could register but once and was required to give his true name. The registration at Chamberlain was moderate compared with that at Bonesteel and Yankton. At the latter city enough special officers were put on to keep the crowd in order and facilitate the registration. The crowds at Yankton broke all previous records. Hundreds slept in line at the land office, day and night, for a considerable time, to be in readiness to make their filings. On one day in July nearly seven thousand were thus registered. It was estimated that more than one thousand people were in line one morning at one time, having slept there all night. At 4 o'clock in the morning the lines were joined by 1,000 more until they extended one block and a half from one office and nearly as far on Capital Street at another office. A carload of ready eatables came from Sioux City and was sold to the men waiting in line. The rush in the city and especially on the trains was something that had never been witnessed before in this state. It was noted that many of the applicants were clerks from scores of eastern cities. Many who came out did so merely to take a chance at the game of drawing, and in case they should win they were ready to sell out for the best price they could secure. It is a fact that not over half of those who succeeded in drawing homesteads, embraced the opportunity of completing their purchases. After they had won and had learned the nature of their claims, they sold out for the best price they could secure and either entered other tracts or returned East whence they came. Many did not go to their claims at all, but sold out upon general representations. These lands were called the "Surrendered Tracts." They were again turned over to home seekers in October, on which occasion there was another rush to secure them. It must be admitted that much of the land thus surrendered was secured by speculators who had no intention whatever of becoming settlers, but who made the effort simply to make money later out of the sale of the tracts in case they won.

It was developed at a later date that much of the lawlessness at Bonesteel was due to the rivalry between ambitious and unscrupulous town-site companies

whose interests conflicted. Geo. W. McLean, special allotting agent, investigated the conflicting rumors and interests from the Town-site of Oacoma, over which so much strife was engendered during the opening of the Big Sioux Reservation. He likewise investigated similar contests at the opening of the Rosebud Reservation. In regard to the Oacoma contest he decided after thorough investigation that the two Indians, Iron Nation and Useful Heart, who had claimed the land there, had no legal rights thereto and this finding was reported to the Chamberlain Land Office, whereupon the registrar there threw out the claims of the Indians and received and accepted the filings of white settlers who showed legal and valid claims to the land. It was shown that certain unscrupulous white men had used the names of the Indians as a cloak to cover up their own fraudulent intentions and actions.

The State of South Dakota through its authorities was given the lead in selecting lands for school purposes. The school authorities of the state were empowered to fix the town sites. In selecting land they were accused of taking more than they were allowed by law. This protest came from the Indians, who declared that the school authorities had chosen 6,660 acres more than the two sections in each township aggregated, but it was later shown that this selection was permissible owing to the fact that many of the school sections had been squatted upon by the Indians. Thus the state was permitted to indemnify itself for those losses by choosing other tracts, which came to be called "indemnity lands." To prevent confusion the state was given the first right to select its indemnity lands before the tract was thrown open to settlement, but they were forbidden to select more than two sections in any one township.

The commissioner of the general land office at Washington expressed the opinion that the population of the state would be increased by 100,000 as the result of opening the Rosebud Reservation. He based this view upon two points: (1) It would bring in many new families who were lucky enough to draw quarter sections; (2) the many thousands of others who came out to register and who would thus see the state at its best—crop time—would buy homes and become permanent residents.

The 640-acre Homestead Bill became a law, and by December, 1904, nearly all of the best tracts to the westward had been filed on. Already the Government and the state were figuring how to dispose of the interior tracts to the best advantage. By increasing the size of the homestead to 640 acres, more would be sold, it was figured, and thus a larger area would be placed under taxation and more general farmers would be brought to the state. This was the logic of the situation. This law was called the Gamble-Martin Bill. These men argued in Congress that, owing to the wild and trying conditions west of the Missouri River on the old Sioux Reservation, settlers would not buy the land and live on it unless extra inducements were offered. On the other hand it was declared that the object of the measure was to enable the cattle-men to have cowboys take up the land and afterwards deed it to them to be converted into ranges. It was noted that up to January 1, 1905, the big Sioux Reservation had been open to the settlers for fifteen years and that out of 8,550,000 acres thereof, only 1,342,420 acres had been filed on and only 687,700 acres had been proved up. The facts then were that the conditions of settlement were too severe for the homesteaders and therefore it was manifest that extra inducements must be

held out or the tract would remain uninhabited indefinitely. The big cattle kings were mostly aliens. All this discussion or controversy showed the importance of irrigation and forestry west of the Missouri River, both of which propositions received fresh stimulus and propulsion at this time.

Homestead rights went to any man of age or married, to single women of age, to deserted wife or to widow, providing none of them owned 160 acres in any state or territory. The entrance fee was \$4, paid in person. The claimant was required to live five years on the land, or after fourteen months of actual residence, with certain improvements, could perfect title by paying from sixty cents to one dollar and twenty-five cents per acre. Great improvement in the land and homestead laws was made in 1904. The great object of the citizens was to secure more settlers, as the inhabitants as a whole favored far more liberal laws for homesteaders. Thus in 1904 they supported the 640-acre homestead proposal, because it was believed that the offer of so large a tract would induce many settlers to come who otherwise would not.

"There is in progress an agitation of a proposition to open to general settlement the several Indian reservations of South Dakota. There are 20,000 Indians in the state and all but about three thousand of them are located upon the four immense reservations of Rosebud, Pine Ridge, Lower Brule and Cheyenne. The Rosebud Reservation alone, containing over three millions acres, would give to each Indian a quarter section of land—men, women and children—and it has been demonstrated that those Indians who take land in severalty and occupy it make the most rapid progress towards civilized self support. Vast tracts of unused land afford only a roaming ground for their occupants, keeping alive the nomadic instinct and interfering with the development of the home sentiment that constitutes the first and most important step in the domestication of the red man. The land occupied and not utilized by the Indians would become productive under the ownership of the white homesteader and would create those necessities with which the Indians had to be supplied while they are attaining a condition of self maintenance. The arguments are all in favor of the disintegration of the reservations and the division of the land among red and white occupants. South Dakota should insist upon farm settlement of its entire area."—Sioux Falls Press, October, 1904. "The white people need the lands and the Indians are making no good use of them and would be infinitely better off without them. The Cheyenne River Reservation, especially, is ripe for opening, and the Indians residing thereon are in good shape to take lands in severalty and assume the ways and adopt the pursuits of civilization."—(Same.)

The Treaty of Laramie in 1868 specifically defined the boundaries of the Big Sioux Reservation. That treaty specified that the reservation could not be opened to white settlement unless three-fourths of the adult male Indians should sign an agreement to that effect. In 1875, when the invasion of the Hills for gold was imminent, a commission was appointed by the Government to negotiate with the Indians for the right to mine gold in the Black Hills. This was believed to be a wise step in view of the fact that white men in any event would invade the Hills, thereby causing conflicts with the Indians. The commission assembled all of the Teton tribes at Red Cloud Agency on September 20, 1875. Sen. W. B. Allison, of Iowa, was chairman of the commission. He asked the Indians if they were willing to give to the white people the right to mine gold and other precious

metals in the Black Hills for a fair and just consideration as long as such minerals could be found. He stated that if they were willing the United States would pledge that when the gold should be exhausted the Hills would be surrendered absolutely to the Indians to do with as they pleased. Strong opposing influences were present at this conference. Regardless of the fact that the Government was willing to be more than fair in its offers, great opposition was encountered to any compromise or deal whereby the whites could secure a footing in the Hills. For twenty days the commission talked, argued and presented its proposition, but the Indians, through their agents and interpreters, hedged and stubbornly refused to come to an agreement. The result was that this commission absolutely failed to secure what was wanted by the Government. No doubt its failure was mainly due to the fact that the commission did not understand Indian nature and that the opposition was too influential, determined and strong.

In 1876 the Government, seeing that the Hills would be invaded by large numbers of white men and knowing that such a result would be succeeded by bloody encounters with the Indians, made another effort to come to terms with the natives. Newton Edmunds and Bishop Whipple were actively concerned in the new movement. They resorted to different tactics. In order to evade the alleged friends of the Indians who would strenuously oppose any deal whatever, the new commissioners instead of calling the Indians together in conference went among them quietly and secured the signatures of many of the chiefs and leading men to an agreement to relinquish the Black Hills absolutely to the whites. They succeeded in securing many of the leading men, if not three-fourths of them, and on the strength of their report the Hills were declared open by the Government. At once serious opposition to the alleged cession and to the invasion of the Hills was offered by the Indians and their representatives; but the settlement and invasion, based on the signed agreement, went on just the same with the result that the Hills were soon peopled with the whites. From that time forward the Indians, as a whole, declared that they never had consented to surrender the Hills nor had agreed as a body that the whites should have the right to mine minerals in that region. They further insisted that not only were they misled as to the intentions of the Government by the commission of 1876, but that the tribe as a whole had never consented to the cession of the Hills to the whites for any period. They denied the cession even though they were willing to permit the whites to carry on mining operations there. The bill of 1875 provided that such an agreement should be signed by three-fourths of the adult male Indians. This gave the tribes a precedent for their proceedings of 1876. The Indians accordingly insisted that before the Hills could be ceded or even leased it would be necessary for the Government to secure the signatures of three-fourths of the adult males.

This was the statement of the Indians concerning the Black Hills cession of 1876, during the controversy which again arose over the problem in 1904. At the latter date the Indians insisted upon being paid for what they claimed they had been cheated out of in the Black Hills. The Government, however, refused to entertain any proposition of a re-transfer of the Black Hills to the Indians. The fact was that the Treaty of 1876 was valid in every particular, and was an absolute necessity to prevent a general war at the time with all the Indians of the Dakotas, Wyoming and Montana. While it is true that nearly all of the

leading chiefs and medicine men signed the agreement, it was not done in open council nor were the terms known generally by the Indians. In July, 1904, a convention of the leading Sioux Indians were called at Cherry Creek to consider the matter. They were asked to review and discuss the old Treaty of 1876 by which the Hills were claimed to have been ceded to the whites. The object of this conference, it was openly stated, was to demand the return of the Black Hills to the Indians or adequate pay therefor or war. The inference, if not the intent, was that war would follow a refusal to reopen the question and pay the Indians for the Hills. There were present between five thousand and six thousand Indians. All Sioux agencies and tribes were represented. It was shown the whites that in order to secure this result the Sioux nation had formed complete organizations at every agency of the reservation. There were six independent though closely united organizations, each having a president, secretary and a body of trained soldiers. Regular meetings had been held for some time and funds were collected to purchase food and pay expenses. He Dog, one of the leaders at the Pine Ridge Reservation, announced to the open conference that his society had over three hundred and fifty soldiers who had collected over one thousand dollars in cash to meet general expenses. He insisted that the Indians should stick together and insist that the Government should right the wrong that had been done the nation in 1876. Big Mane, a prominent Sioux orator of the Lower Brule Reservation, likewise demanded that the Government should right the wrong that had been done the tribe, and insisted that all should stand together and under the United States flag fight for their rights, if necessary.

Owing to the extreme cold during the winter of 1904-05, many of the winners of claims on the Rosebud Reservation during the drawing of the previous summer abandoned their property, an act which caused the forfeiture of their rights. February was the last month for them to file and as the weather was still intensely cold many were forced to forfeit their claims. Hundreds arrived by every train, but were unable to carry out the legal requirements to protect their rights. The most of them had not even had shacks built.

In the spring of 1905 the Supreme Court ruled in favor of Henry J. King and Mrs. Eliza Reynolds, homestead claimants, for a tract of land adjoining Chamberlain on the northern side, a part of which the newly projected railway line to the Black Hills would cross in its approach to the Missouri River. Since 1885 this land had been subject to contest between the homestead and townsite claimants. Already the homesteaders had been awarded a judgment in the United States Court of Appeals. The land at this time was very valuable.

This year Congress was asked to pass a free home bill for the Rosebud Reservation, by which the settlers who drew claims and had been paying installments thereon would be relieved of the burden of these payments. It was thought here that if the Cherokee Strip could secure such an act Rosebud Reservation also should be able to do so. Many men who had taken claims had spent their last dollar and were hard pressed and the bill was projected for their relief. On August 8, 1905, the first anniversary celebration of the opening of the Rosebud Reservation was celebrated in the true wild west style at Herrick and elsewhere. Among the attractions were Indian dances, buffalo chases after modern buffalo, festivals on the Ponca, and the genuine old fashioned Indian pow-wows. Excursions were run from the white settlements to these points.

In the summer there were at one time thirteen Government cases against prominent ranch owners along Bad and White rivers, who were charged with having illegally fenced Government lands. These were only a few of the number charged with the offense. It was rumored that half a dozen more were guilty. The Government took necessary steps to stop this practice at once.

In 1905 there was much complaint from many persons who had obtained homesteads on the Rosebud Reservation at \$4 per acre. They formally asked the Government authorities to have a portion of that sum abated, on the ground that \$4 per acre was far more than the land was worth, and that hundreds of other tracts west of the Missouri River and equally as good could be secured for \$1.25 per acre or less.

There was in existence at this date a syndicate which had for its object a contest for the homestead entries in the ceded portion of the Rosebud Indian Reservation, thus putting the settlers to serious trouble and expense. The settlers formed a protective organization with the object, first, of discouraging such contests of homestead entries, and, second, of fighting the syndicate to a finish in the courts and otherwise. The object of the movement was to form a permanent protective association to consist of every homesteader on the ceded lands. In several instances already contests had been instituted against the entries of homesteaders, but the contestants usually offered to withdraw their suits, providing the homesteaders interested would pay them a satisfactory sum. Many homesteaders were induced to comply with the demand rather than have a cloud on their land titles. The first contests were genuine, but later, when schemers found that on slight pretext they could do the same and thus secure goodly sums of blood money, this association was formed to check such unfair and dishonorable practices.

In 1905 a large protesting meeting was held at Hill City by settlers on the Forest Reserve, who had been unable to secure titles to their lands. They numbered about one hundred and came not only from Pennington County, but from Custer and Lawrence counties as well as from the State of Wyoming. There was much open excitement over the situation. A number of the ranchers wanted to apply to the Government for permission to lease the land, while others believed it wiser to ask for the right to buy. As a matter of fact they really agreed on only one thing and that was that they must keep their homes. Many had lived on their small plots of ground for many years and had improved and cultivated them with the intention of making them their permanent homes. Secretary Wilson had held up the order of removal in the spring of 1905 for a period of one year, during which time all were then required to tear down or remove their property from Government land. Finally, after much diversity of opinion, an organization known as the Black Hills Forest Reserve Home Builders Association was formed, and a committee was appointed to communicate with South Dakota congressmen in regard to the subject. They were instructed to ask for a bill to be passed by the next Congress allowing all settlers on the reserve, whether they had used their right of homestead or not, the privilege of homesteading their land by paying therefor \$2.50 per acre.

In June, 1906, the elaborate plan of opening the Rosebud Reservation west of Gregory County in what is now Tripp County was first set in motion. Many insisted that this should be done in the interests of the whites, the Indians and

the state, but action was postponed. It was at this time that the Watertown land office was consolidated with the Aberdeen land office.

The drawing of claims in the Lower Brule Reservation was made at Pierre from October 7 to 12, 1907. Between three hundred and four hundred new farms were drawn, and, as the land as a whole was exceptionally good, nearly that number of families located permanently thereon. In October, 1907, owing to the striking improvements in agricultural methods in the Black Hills, a large entry of Government land was made in the vicinity of Rapid City and elsewhere. There were 150 applicants at the land office there in one day. Twenty-four thousand acres were thrown open to the homesteaders.

In 1908 the opening of reservation land in Tripp County again became a paramount question. Upon the proclamation of the President, the registration began on October 7th and continued until the 17th. This was one of the notable openings in recent years. In all there were 114,769 registrations with only about four thousand homesteads to be drawn. The rush was enormous and dangerous, but the experience at Bonesteel was sufficient to spur the authorities to take extreme measures to preserve order, which they accordingly did. On the first day nearly fifteen thousand persons filed their applications at Dallas, S. D., among whom were a number of women. They were thus permitted to acquire homesteads. At O'Neill, Neb., registrations for this opening were likewise made, and Chamberlain was another of the central points of registration.

In 1909 the question of opening the Cheyenne River and Standing Rock Indian reservations was thoroughly discussed and analyzed by the press and speakers of the state. There was a general and pronounced demand at this time that all Indians within the state should be given allotments and that the remainder of the land left over on the reservations should be thrown open to settlement of the whites. In a short time this demand was actually carried into effect. There were 10,000 homesteads thrown into market, and in all there were 80,142 registrations from October 4th to October 23d. The land office at Aberdeen alone registered approximately twenty-eight thousand in one week. Many hundreds filed their applications at Pierre. The crowds were large but orderly and were mainly homeseekers.

Under the law of February, 1910, 1,400,000 acres in the Rosebud and Pine Ridge reservations were ordered opened to settlement under a bill which passed Congress at that time. The conditions were similar to those of the Cheyenne River and Standing Rock reservations ceded lands. This large opening was mainly in Mellette and Washabaugh counties, but it did not occur in 1910. It was postponed until 1911, when the tract was thrown open by proclamation of the President. In all 53,388 persons registered at Gregory, Dallas, Chamberlain and Rapid City. The largest number, 14,448, registered at Dallas.

In the fall of 1911 the allotting agent, Bates, raised an important point against the state selection of indemnity lands on Pine Ridge Reservation. He held that lands claimed by the Indians, whether allotted or not, were exempt from state or private selections. He expressed the opinion at the time that there would be a shortage on the reservation to fill the claims of the Indians which would reach practically two hundred thousand acres and that the natives had the first claim. Agent Bates and State Land Commissioner Brinker united in an attempt to secure a ruling of the general land department on this disputed point and suc-

ceeded. They realized that if the department should hold with the allotting agent the state would be forced to go outside the reserve to secure lands to indemnify it for sections 16 and 36 which were taken in Indian allotments.

In the spring of 1913, O. W. Lange, assistant attorney for the interior department, came to Rapid City and began an investigation of the operations of special agents of the land office who were charged with conducting a system of espionage to the detriment of homesteaders in proving up on land in Western South Dakota. At the same time he prepared to look into the Chamberlain-Gregory-Carter land office matter. This was a sectional quarrel which had grown up partly in political circles and had become so violent that it was found necessary for Washington authorities to intervene. A short time before quitting office, President Taft consolidated the Chamberlain and Gregory land offices and removed them to Carter. When President Wilson took the reins of government, he revoked the Taft order and reapportioned the district, attaching a part thereof to Pierre and a part to the Gregory office. This arrangement was as unsatisfactory to the people there as President Taft's order had been. This investigation, in part, was occasioned by the memorial to Congress of the South Dakota Legislature in 1913, a part of which read as follows: "There has grown up in the practice of the general land office of the Federal Government, a system of espionage that works extreme hardship on many of our settlers upon homestead lands and this espionage permits the most serious abuses of the recommendation power held by the inspectors of the general land office. There, however, came under the notice of many of our citizens, cases in which some men, who had selfish purposes to serve in getting rid of some homesteader who stood in their way and by entering protest to the final proof of settlers who were honestly hoping to establish themselves upon new farms, had brought much hardship and needless expense upon the settlers who thus protested. We believe that the long delays in securing patents to lands that have been homesteaded have caused, in some cases, large losses to the state in tax revenue. The uncertainty of obtaining title to certain lands has caused this land to be deemed a fluctuating security and rates of interest to be high and losses small, thus hampering the legitimate growth of the state." The assistant attorney prepared to settle this whole question and in the end succeeded.

In the spring of 1913, a general council of the Sioux Indians of the Cheyenne River Reservation was called June 23d, on the Trees Camp and all male Indians over eighteen years of age on the reservation were asked to attend. The object was to secure the removal of the agency office to a more central place on the reservation. This was accomplished. At this time the agency was on the Missouri River just opposite Forest City and a long distance from the western end of the reservation. In the olden times when they were not busy, the Indians made no complaint against covering this distance, but now, since they had settled down to farming and caring for live stock, the time lost in making the trip had to be taken into consideration. In the summer of 1913, the Indians generally on the reservations west of the Missouri River refused to renew their leases to range lands owned by them. They planned to devote their lands in part to cultivation.

The annual report of the commissioner of Indian affairs, in March, 1914, gave the following statistics: "The figures apply only to the Indians of the Cheyenne

Reservation, but those of the other reserves will also be of interest. These only are given with the hope that the Indians and their friends will follow them up to inquire if the figures are true, and to enable the Indian to know how rich he is—on paper. There are 2,691 Indians on the reservation; 1,293 speak English and 1,174 read and write the English language. The sum of \$173,370 is expended in per capita and trust fund payment; \$33,050 was received from crops raised and sold by Indians; \$30,000 was received from the sale of live stock; \$10,632 was expended in issue of rations; \$49,551 was received from leases; \$120,480 was received from the sale of lands; \$35,472 was received from interest on trust funds; \$6,100 was paid out to fulfill treaty obligations; \$47,188 was derived from proceeds of Indian labor; 53 Indians are regularly employed and \$18,705 is paid to them; 800 Indians are reported as self supporting."

The homestead law passed by Congress early in 1915 provided that 320 acres instead of 160 acres could be filed on; that any person who had an unproved-up filing on 160 acres, could file on 160 acres adjoining; that this land must be "non-mineral, non-irrigable, unreserved and unappropriated surveyed public lands which did not contain merchantable timber;" that entry men or entry women who had an unperfected homestead filing of 160 acres and a desert filing of 160 acres, might acquire still another 160 acres additional under the enlarged homestead law; but one entering an enlarged homestead first or increasing his filings to 320 acres could not afterwards make a desert land entry; that the second year of the entry one-sixteenth of the total area must be cultivated; that the third year double this, or one-eighth, must be under successful cultivation; that all entries must be made under the three-year residence law and must be proved up within five years; and that the entry fee on 320 acres should be \$18 and on 160 acres \$14. Filings were ordered made at Belle Fourche.

Under the new law the occupation of five-acre tracts in the National Forest Reservation is allowed, but the lessees will not be permitted to acquire permanently these tracts in the end as has been suggested and hoped. This law is a part of the 1915 agricultural appropriation bill and says: "Hereafter the secretary of agriculture may, upon such terms as he may deem proper, for periods not exceeding thirty years, permit responsible persons or associations to use and occupy suitable space or portions of grounds in the national forests for the construction of summer homes, hotels, stores or other structures needed for recreation or public convenience, not exceeding five acres to any one person or association; but this shall not be construed to interfere with the right to enter homesteads upon agricultural lands in the national forests as now provided by law. At the expiration of the lease, unless renewed, the land will revert to the Government." The object of the law was to secure the abandonment of temporary structures in order to offer inducements for permanent improvements and other advancements for recreation and amusements. In 1915 this law attracted great attention all over the country and particularly in the vicinity of the national forests. The law became instantly popular in the Black Hills.

In March, 1915, it was announced that a list of heirship and non-competent Indian lands would be offered for sale in May at Mobridge. These tracts were scattered over Standing Rock Reservation and were ordered sold upon the following terms: One-fourth down, one-fourth in two years, one-fourth in four years and one-fourth in six years, the deferred payments to draw 6 per cent

interest. Previous to this time, all sales of Indian lands in Standing Rock Reservation had been for cash only. It was believed that the new terms and propositions were more liberal and would accordingly bring in a greater number of settlers. The early opening of all land that was left of the entire reservation was predicted at this time.

While the act of February 14, 1913, provided for the opening of the surplus and unallotted lands of the Standing Rock Reservation, no provision for registrations or entry had been made up to the spring of 1915. That act of 1913 provided that the price of lands entered or filed upon three months after the opening should be \$5 per acre; between three and six months after the opening should be \$3.50 per acre and after six months, \$2.50 per acre. It also provided that the land should be subject to entry without registration. This was an important change over all previous customs. A recent homestead law of Congress is merely an extension to South Dakota of the 320-acre law, which has been in operation in Montana and several other states since 1909. It amended the original law so as to permit applications for entry to be filed before the lands had been designated as subject to the provisions of the act. Such applications it was provided were to be held without action until after the land had been examined, when, if found subject to entry under the act, the applications would be allowed a place on the record. Additional entries could be made by persons holding homestead entries on lands of the character contemplated by this law where adjoining land of the same character could be obtained. Cultivation of one-sixteenth of the entry was required the second year and another one-sixteenth the third year.

Late in March, 1915, President Wilson approved the opening to settlement of several thousand acres in Standing Rock Indian Reservation in the two Dakotas. It was shown that after the two states had made the selections to which they were entitled, there would remain in South Dakota about forty-seven thousand acres subject to entry. No general time for registration was set. In South Dakota the filing were fixed at Timber Lake. There were in all 1,300,000 acres in the reservation, but after all allotments had been made, it was shown that there would be a total of about three hundred thousand acres subject to white settlement. Under the act of Congress the secretary of the interior was given the right to bestow citizenship on such Indians as he believed fitted for the duty. In order to investigate thoroughly, the secretary sent Colonel McLaughlin, the well known Indian agent and inspector, and F. A. Thackery, another able inspector, to the reservation to make investigations and to learn what the Indians wanted and for what duties they were fitted. Their report was satisfactory and accordingly the secretary of the interior prepared to admit many of the Standing Rock Indians to citizenship under certain restrictions.

The laws of much interest to homesteaders or prospective homesteaders, enacted in 1915 by Congress, were as follows: The appropriation of \$14,000,000 to be expended on reclamation work in 1916; the creation of a board of review in land cases in the office of the secretary of interior; authorizing the President to provide a method of opening lands restored from reservations or from withdrawal; allowing the husband to select the residence of both parties in case of intermarriage between homesteaders; allowing two periods of the five months' absence privilege to the three-year homestead law; allowing the homestead entry

woman to perfect her claim although she might lose her citizenship by marrying an alien; allowing a deserted wife of a homesteader to submit proof of his claim and receive patent in her own name; extending to South Dakota a part of the enlarged homestead law permitting 320-acre entries; terminating entries under the enlarged homestead law where parties had partially exhausted their 160-acre homestead rights.

In the summer of 1915 Judge Elliott of the United States District Court handed down an important decision concerning homestead owners. The decision confirmed their right to a homestead exemption of the value of \$5,000 against all indebtedness except a mortgage. This decision came from a case against a Lincoln County farmer who resided on a quarter section which was incumbered with mortgages and judgments to over \$16,000. A referee in bankruptcy decided against the farmer, but his decision was reversed by Judge Elliott. The judge also held that the homestead holder might select the land on which the dwelling house was situated, to the value of \$5,000; and that if the homestead and other lands were sold to satisfy mortgages the other lands must first be sold and the portion reserved by the owner as his homestead exemption could be sold only to make up any deficiency in the payment of mortgages. He further held that if it was necessary to sell such homestead to make up the full amount of the mortgage, the homestead owner was entitled to receive the amount above the amount of the mortgages to the extent of \$5,000 before any portion of the proceeds could be applied to the payment of general creditors. Thus the decision held that the \$5,000 homestead exemption was confirmed as against all claims except a mortgage.

On July 27, 1915, Secretary of the Interior Lane issued an order opening for settlement a large tract of farming land in Harding, Perkins and Corson counties, the order to be effective September 10th. The lands were offered at homestead prices and without residence requirements and thus presented an unusually attractive land offer. Some of the tracts were grazing, others were fine farm land and very little comparatively was worthless. The price of the grazing land was fixed at from four dollars to seven and one-half dollars per acre, and the farming tracts from six dollars to fifteen dollars per acre. The reason for this sale of Indian lands was because there was a surplus, and the Government preferred to sell a portion and use the funds to buy live stock and farm machinery in order to encourage farming operations among the Indians on the reservation. It was also believed that the white people adjacent on such lands sold would cause the Indians to respond more quickly to the proffers and inducements of civilization.

The Committee on Federal Relations of the General Assembly, to which was referred Governor Herreid's communication relative to the Sisseton Reservation and of the likelihood of the property reverting to the United States because of noncompliance with the grant, recommended that the lands and profits from the land should be diverted to the fund for the benefit of the militia. Several members of the committee were in favor of asking Congress to grant the reservation to the state for reform school purposes and suggested that the reform school should be removed from Plankinton to the new place owing to the superior fertility of the land. It was thought the richness of the land would make the institution self sustaining. This proposal, however, did not meet the favor of the majority of the committee.

INDIAN EDUCATION

The education of the Indians was resumed again with much zeal by the Government, state and denominational authorities soon after the Messiah war. The Episcopalians and Presbyterians already had excellent schools among the Yanktons. The Catholics had well attended schools on several of the reservations. There were two Government schools at the Yankton Agency with about one hundred and fifty pupils and with Colonel Foster as instructor. Two-thirds of the students there were females. This institution was well equipped and probably was not surpassed in discipline by any school in the state. The Indian school building at Pierre was constructed in 1890-1 and was a large brick structure surrounded by many small buildings, all constituting an Indian educational institution not surpassed anywhere in the West. There were separate dormitories for the boys and the girls. The studies were thoroughly classified, and the most experienced and wisest authorities were consulted as to the courses best adapted for Indian students. There were bathrooms, iron bedsteads and everything necessary for the comfort of the school. The institution was under the supervision of Superintendent Davis, with Dr. C. C. Sprague as attending physician. In 1892 Senator Pettigrew, in Congress, made an effort to secure an appropriation of \$100,000 for the Indian schools at Chamberlain and Rapid City. He also endeavored to secure an appropriation of \$187,000 for the Crow Creek Indian Commission to make up a deficiency, and \$11,600 as an installment on the claims due the Yankton scouts for services in 1864.

At Flandreau is Riggs Institute, one of the largest and best equipped schools for Indian education in the United States. For many years the Government maintained there a day school for Flandreau Indians, but in 1891 Congress appropriated \$75,000 for the erection of an industrial training school for native youths residing in this section of the country. This appropriation act provided for the purchase of 160 acres of land located about half a mile north of the village and for the erection of three large brick buildings with a capacity for 150 pupils. These structures were built. On July 1, 1892, W. V. Duggan became the first superintendent. During the first two years the school passed through many trying and critical experiences owing to lack of supplies, defects in the buildings, and lack of method to carry into effect to the best advantage the objects of the institution. The Indians themselves at the start had not reached the stage of development to give the school proper support, so that as a whole the opening of the institutes was more or less crude, unsystematic and unsatisfactory. In March, 1894, Leslie D. Davis was transferred from Pine Ridge Agency to the Riggs Institute as superintendent. With his several years of experience in Indian school work and with his thorough knowledge of Indian character and requirements, he soon filled the institution to its fullest capacity. Steadily thereafter the school prospered and became popular with the Indians of all the reservations in the state. It was now realized, therefore, that here was an excellent location for a large Indian training school. At this time Senator Pettigrew was chairman of the United States Senate Indian Committee, and through his efforts additional land and much larger and better buildings were secured, so that by 1899 there were eight brick and three frame structures at the institute with a capacity for 350 pupils. The title of the institute was changed

from the old name to Riggs Institute in honor of S. R. Riggs, one of the famous pioneer missionaries among the Sioux Indians. In March, 1900, Charles F. Pierce, who had for thirteen years been stationed among the Santee Indians in Nebraska and the Oneida Indians in Wisconsin, succeeded Mr. Davis as superintendent of the institute. His large experience in Indian school work admirably qualified Mr. Pierce for his duties. He promptly mastered the situation as Mr. Davis had done and soon the institute was the most successful of its kind in the United States. The corps of instructors and employes was selected under his supervision and recommendation and was extremely efficient. By the summer of 1903 the attendance numbered 380, ranging in ages from six to twenty years.

At this time the whole United States was divided among large reservation schools such as Carlisle, Riggs, Genoa, and others, each being allotted certain reservations or localities from which to gather its pupils. It was required that pupils must have been in attendance at some of the reservation graded schools before being permitted to enter these more advanced institutions. Riggs Institute was allowed to gather its pupils from the reservations of Wisconsin, Minnesota, South Dakota and Nebraska, and on its rolls in 1903 were found Oneidas from Wisconsin, Chippewas from Minnesota, Sioux from the Dakotas and Winnebagoes from Nebraska. The pupils were enrolled for a period of not less than three years, during which time they remained in school. They were clothed, fed, educated and cared for at Government expense, Congress annually making an appropriation of \$167 per capita to meet this expense. They were likewise transported to and from their reservation homes free of charge by the Government. By 1900 this school and others like it had become largely filled by mixed-bloods or so-called "white Indians" to the exclusion in many cases of the full-blood Indian. In 1903 the Government issued an order shutting out the "white Indians," and thereafter only pupils of more pronounced Indian blood were received. In the summer of 1903 there were at Riggs Institute about 35 per cent three-quarter-bloods, 34 per cent half-bloods and 13 per cent quarter-bloods or less. Previous to about 1898 it was a difficult matter to induce the adult full-blood Indian to accept the advantages of an education, but after that time, owing to the rapid settlement of the reservations by whites and because the Indians and whites were living near neighbors in many cases, the full-blood Indians began to realize that the white men through their education had much the advantage in the business world. This caused the full-blood Indians to commence sending their children to the schools.

The curriculum of the Riggs Institute about 1900 embraced both literary and industrial studies and followed an elaborate program sent out from Washington by Miss Estelle Reel, the general superintendent of Indian schools. The aim of the course of study was to give the Indian child a practical knowledge of the English language, and to equip him with the facilities to become a self supporting citizen as speedily as possible. The literary work covered about the same ground as the eight grades of the public schools. Miss Louise Cavalier, principal teacher, under whose direction were six additional instructors, all of whom had been specially selected for this particular work, dispensed all of the instruction at the institute. Vocal and instrumental music was taught; connected with the school was a concert band of thirty-six pieces and an orchestra under the



INDIAN INDUSTRIAL SCHOOL, PIERRE

leadership of Fred E. Smith, who for several years was solo cornetist in the famous Carlisle College band. For the purpose of teaching industrial work the school was divided into two sections; one for the literary department and the other for industrial training. All pupils were required to devote at least half of their time to industrial or domestic training. As the institute was known as a boarding school, all domestic work was carried on by the girls. This department was under the supervision of Mrs. Roma F. Ewbank, chief matron. Girls were taught how to cook, wash, iron, cut and make their own clothes and do all kinds of house work. In consequence the girls were well dressed, ladylike and neat in appearance and their quarters were scrupulously clean and neat. Connected with the institute was a well equipped hospital under the management of a trained nurse. The general health was excellent owing largely to the care exercised in selecting the pupils, all of whom were required to pass a physical examination before being received. In the hospital the girls were taught how to care for the sick, administer simple remedies, to act in emergencies and were given other instruction necessary for their duties. The industrial training for the boys consisted in farming, which included gardening, and the care of stock, carpentering, tailoring, harness making and engineering. R. A. Voy had charge of the agricultural department where boys of all ages were given systematic training in scientific agriculture. The farm consisted of 480 acres of excellent soil. In 1902 the institute produced 2,100 bushels of potatoes; 400 bushels of beets; 400 bushels of onions; 500 bushels of turnips; 60 bushels of carrots and 6,000 heads of cabbage. On the farm was kept a herd of full-blood short-horns, and ten head of horses were there for daily use.

The object of all of this instruction was to prepare the Indian to be thrown upon his own resources so that the annuities in the end could be stopped. As many of the students possessed allotments of fine agricultural land, this branch of instruction was of the utmost importance. The elementary principles of scientific agriculture were taught in class rooms, among the subjects considered being germination of seeds in different soils; selection of seed; testing the vitality of seeds in boxes and jars; management of model gardens; transplantation of plants; selection of soils; rotation of crops; fertilization, and many others—all planned to fit the student for the practical management of his own farm. In the carpenter shop the boys were taught the use of hammer, saw, square, compass and other tools necessary for the construction of buildings, etc. Painting, calssomining and whitewashing were also taught. This department was under the direction of O. B. Olson. A well equipped harness and shoe-shop also was conducted by J. T. Edworthy. Other pupils were taught to make and repair harness and shoes. During the summer of 1903 over twenty sets of harness which had been made wholly by the pupils were on exhibition at the institute. The tailor shop was managed by Joseph James, a young man of Indian blood and a graduate of Haskell Institute. Here the boys' uniforms, school suits and underclothing were made. The engineering department was managed by E. D. Selby. Here the Indian youth learned about power, heating, lighting, sewerage and pure water. Five large boilers furnished the steam with which the classes were instructed. On the bank of the Big Sioux River a half mile distant was the pumping plant with a capacity of 15,000 gallons per hour. The older students were permitted to operate the engine, dynamo, etc. The plan of the organization and management was of the semi-

military style, everything moving with the precision of a machine. At this time W. A. Harris was chief clerk of the institute. A complete record was kept of every transaction. The weekly issue of subsistence at this time was about as follows: 2,400 pounds of flour, 2,200 pounds of beef, 300 pounds of dried fruit, 300 pounds of sugar, 36 pounds of coffee, 12 pounds of tea, 150 pounds of beans, 50 pounds of rice, 50 pounds of lard, 150 pounds of bacon, 100 pounds of salt, 6 pounds of pepper, 35 bushels of potatoes, 5 bushels of onions, 5 bushels of turnips, and 170 gallons of milk. A stated allowance of clothing was given to each student. Each boy was allowed one uniform, one school suit, one work suit, an extra pair of pants, three pairs of overalls, four pairs of shoes, five shirts, together with underclothes, socks, hats, caps, etc., per year. Each girl was allowed five dresses, six suits of underwear, five skirts, six pairs of hose, four pairs of shoes, one pair of rubber, one coat or cloak and other smaller articles.

Few whites realized at this time how far and well the Indian had advanced in school-book education. At the Pine Ridge Agency in 1903 were thirty-three Indian schools with an aggregate attendance of 1,180. There was a reservation boarding school, at which 230 pupils were in attendance. There were thirty-two district schoolhouses, each under the control of a man and his wife. The Holy Rosary Mission of the Catholics had a school which was attended by 180 pupils. It was largely through the work of the church missions that the Indians were induced to take up generally the task of securing an education. At this time Bishop Stariha of the Catholic church claimed 7,000 Catholic adherents among the Sioux.

The Government fund for the support of sectarian Indian schools for 1905 was given to Holy Rosary School with 200 pupils at Pine Ridge Agency; Immaculate Conception School with sixty-five pupils at Crow Creek; St. Francis School with 250 pupils at Rosebud. The fund thus distributed amounted to \$108 for each pupil and came from the appropriation of the Government for the industrial schools of the Sioux and other tribes.

"Boarding schools conducted on the basis on which the Government conducts those established for the benefit of the Indians, are an anomaly in our American scheme of popular instruction. They furnish gratuitously not only tuition, but food, clothing and permanent shelter during the whole period of a pupil's attendance. In plain English they are simply educational almshouses with the unfortunate feature, from the point of view of our ostensible purpose to cultivate a spirit of independence in the Indians, that the charitable phase is obtrusively pushed forward as an attraction instead of wearing the stamp which makes the almshouse wholly repugnant to Caucasian sentiment. This tends steadily to foster in the Indian an ignoble willingness to accept unearned privileges; nay more, from learning to accept them he presently comes by a perfectly natural evolutionary process to demand them as rights and to heap demand upon demand. The result is that in certain parts of the West the only conception his white neighbors entertain of an Indian is that of a beggar as aggressive as he is shameless. For the continuance of over twenty-five non-reservation schools there is no longer any excuse. We spend on these now nearly two million dollars a year, which is taken bodily out of the United States treasury. The same spent for the same number of years on expanding and strengthening the Indians' home schools would have accomplished a hundred fold more good, unaccompanied by any of the harmful effects

upon the character of the race. The non-reservation schools ought to be dropped off one by one, or two by two, so as to produce the least practicable disturbance of condition, but the beginning of this gradual dissolution ought to be no longer deferred."—Francis E. Leupp, commissioner of Indian affairs, December, 1907.

He suggested two methods of abolishing the character of these schools as exclusively Indian. (1) Open them to the youth of all races as training schools for some branch of Government service; (2) give or sell the schools to the states or counties where they stand. It was shown that the average cost to the Government of a pupil in the non-reservation boarding schools was \$250 per annum and to pupils in the day schools from thirty-six to sixty-seven dollars, depending on the enrollment in a single school. The following Indian schools were in operation at that date in South Dakota:

Schools	Number of Employees	Capacity	Enrollment	Average Attendance
Pierre	17	180	158	148
Flandreau	88	375	421	392
Chamberlain	23	200	247	215
Rapid City	27	250	272	247
Totals	155	1,005	1,098	1,002

In April, 1909, Congress enacted that over one million dollars should be distributed among the Indian schools in South Dakota as follows: Cheyenne River schools \$4,153, Crow Creek \$21,620, Lower Brule \$49,615, Pine Ridge \$5,597, Rosebud \$255,625, Sisseton \$204,133, Yankton \$588,866.

THE BURIED PLATE FOUND

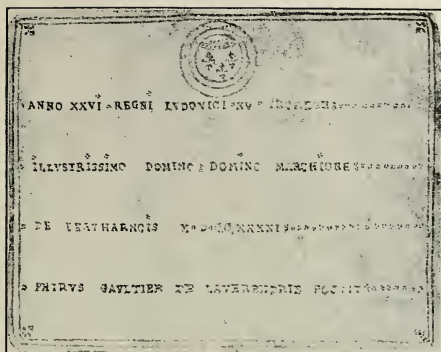
Contributed by Doane Robinson

On Sunday afternoon, February 16, 1913, a party of school children were playing upon a bare shale hill within the village of Fort Pierre. Harriet Foster, a miss of thirteen, observed a piece of metal obtruding from the earth, and, placing her toe under a corner of it, lifted it out of its resting place. Observing printed characters upon it, one called the attention of George O'Reilly, a fifteen year old companion, to it, and he picked it up and endeavored to decipher the inscription, but being unable to translate it, took it to his father. Thus, after 170 years, was recovered a memorial to one of the most interesting and significant facts in the history of the West; the claiming of the region for France and definitely determining the point where the Verendrys reached the Missouri upon their return from the west. Where they were between the time when they left the Mandans, on July 23rd, and their return to the Missouri on March 19, is a subject of much interesting speculation. They were themselves of the opinion that they had reached the Rocky Mountains, and the French writers have uniformly taken that view. The weight of opinion among modern writers, however, is that they reached the Bighorns and were there turned back. The report does not make it appear possible that they could have gone even so far as the Bighorns.

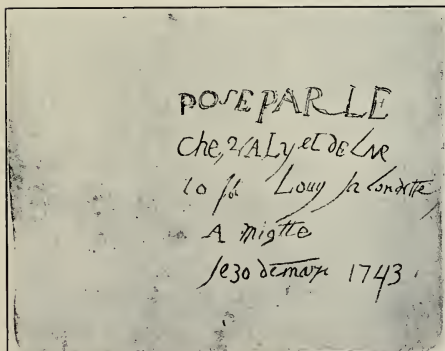
To arrive at a reasonable conclusion as to the distance traveled, one must consider their speed upon known routes. They would probably make their maximum speed when traveling known routes to attain definite ends. They left Fort La

Reine, fresh and enthusiastic, to go over a known route, a distance of less than two hundred miles, to the Mandans, and traveled at about the rate of nine miles per day. They were forty-six days upon the return from Fort Pierre to the Mandans, a distance by the convolutions of the river of 320 miles, or seven miles per day. From the Mandans to Fort La Reine, in company with a party of Indians, they were thirty-eight days, or about five miles per day. It seems not improbable, therefore, than in an unknown country, with no definite object in view, and subject to the whims of the tribes they visited, they traveled not more than five or six miles a day, and that it is scarcely possible that they made more than seven miles. They traveled twenty days southwesterly from the mouth of Heart River, near Washburn, N. D., which probably brought them to about the big bend in the Little Missouri River. Here they stayed for a month and then moved on in a more southerly direction, meeting and visiting with various bands of Indians, which it is not possible to identify, though there is ground for the belief that the tribe of the Beautiful Men were the Crows, as that people especially prided themselves upon their pulchritude, and that the Norse Indians were the Cheyennes. Presently they came to the Indians of the Beautiful River. Perhaps this statement affords a bench mark from which we can reckon. The Sioux, from time immemorial, called the Cheyenne River of South Dakota and its north branch, Wakpa Waste—that is, Beautiful River. The French gave to its north branch the name it still bears—Belle Fourche—undoubtedly simply adopting the Sioux name. It is not a violent assumption to suggest that the Sioux may in turn have adopted the name given the stream by their predecessors, and that Verendrye's Belle Riviere was, in fact, our Cheyenne, or the north branch, the Belle Fourche.

Not far from the Beautiful River, they came upon the Bow Indians, who were leading to war all the neighboring bands against a people whom Verendrye calls the Snake Indians. Historians have assumed that these people were, of course, the Shoshones, but the character assigned to them does not at all comport with the known characteristics of the Shoshones. The description, however, exactly applies to what we know of the Kiowas, who at that period infested the Black Hills. In this connection it should be noted that all of the western Indians metaphorically designated their enemies as "snakes." It will be recalled that the word "Sioux," itself, is derived from the Algonquin word for "snake," applied to the Dakotas because they were enemies. Therefore, it may be and even appears probable, in the light of all the circumstances, that Verendrye's Snakes were the Kiowas of the Black Hills. The Frenchmen determined to accompany the valiant Bow upon this military enterprise. With the mountains in plain sight, they settled the families of the warriors in a camp, and very slowly and cautiously indeed did they approach the enemy. Twelve days did they proceed before they reached him, only to turn in terror to flee back to the camp of their families, which they "reached upon the second day of their retreat." They could travel when they put their minds upon it. They reached the noncombatant camp on February 9th and remained there five days, while a severe blizzard raged, burying the earth in two feet of snow. On February 14th they set out in company with all the Bow Indians, compelled to live off the country as they traveled in a southeasterly direction. Such a band could not, under the conditions, have moved more than five or six miles daily. On March 1st they appear to have stopped ten days while awaiting the return of their men sent off to visit Little Cherry. On the



Obverse—In the 26th year of the Reign of Louis XV for the King to the Most Illustrious Sir Lord Marquis de Beauharnais, 1743. Pierre Gaultier la Verendrye deposited.



Reverse—Deposited by le Chevalier de Lar. Witnesses le Louis la Londe, A Miatte. On the 30th day of March, 1743

PLATES FOUND NEAR FORT PIERRE IN 1913

15th they joined Little Cherry two days from the Missouri, evidently remaining in the winter camp two days, and finally, on March 19th, reaching the Missouri at the mouth of Bad River, the present site of Fort Pierre, S. D.

The best evidence of where the Verendryes were when at their extreme western point, is determined by the distance it is probable they might have traveled from the date when they started east on February 14th and the time they reached the Missouri on the 19th of March. The extreme total is thirty-four days, less twelve days in which they probably did not travel, or twenty-two days actually upon the road, and at six miles per day they could have come 132 miles from the non-combatant camp.

In view of these considerations, I am led to suggest the probability of the following conclusions: The Bows, the Belle River Indians and the Little Cherries were the allied Arickaras and Pawnees. Historically, the Arickaras are known to have resided in the vicinity of Fort Pierre at that time. The Bows, a people who built forts and planted grain, were manifestly of the same family. The "People of the Serpent" were the Kiowas, hereditary enemies of the Arickaras and Pawnees, then living in the Black Hills. That the noncombatant camp was upon some of the lower waters of some of the streams that debouche from the Black Hills and enter the south branch of the Cheyenne from the west. That the mountains reached and described by the Verendryes were the Black Hills, and that they were not at any time west of the Dakotas. That manifestly the return party could not have traveled a greater distance than from the Black Hills and the Missouri in the time assigned.

That the only argument in opposition to these conclusions is the general statement of Verendrye that the general course pursued outward was to the southwest. He states that their course was not direct, that sometimes it was nearly south, and in the wanderings from day to day it would have been a very easy matter for them to lose the course. Certainly it cannot be conceived that in company with a very large number of women and children upon the return trip they traveled faster than the average for other known routes. The only portion of the trip in doubt is the distance between the noncombatant camp and the mountains, but this they covered in two days, which would show it to be no great distance.

CHAPTER IV

STATEHOOD, GOVERNORS' MESSAGES, ETC.

Among the urgent reasons why South Dakota wanted statehood were (1) the bad government under the carpetbag executives of the territorial period. No doubt the complaints of the citizens were just when they declared that the territory had been miserably ruled by crafty politicians who usually had no interest in its welfare and who occupied their positions solely for the money that could be made therefrom. (2) The finances of the territory were in bad condition and getting worse. The laws under which the territorial government was conducted were so slack, vague and inefficient that corrupt practitioners found official positions an easy medium through which to fleece the departments and line their own pockets. (3) Because the territory was too large, sparsely settled and lacking in community interests to be well managed by one administration. (4) Admission meant increased population, greater prosperity, increased revenue, better laws, wiser administrations and purer government. It was believed that statehood would add at least 25 per cent to the value of all property, besides bringing in a large amount of outside capital. At the date of statehood (1889) Dakota Territory had twelve public institutions as follows: Two penitentiaries, two insane hospitals, two universities, two normal schools, one agricultural college, one school of mines, one school for deaf mutes and one reform school. Of these nine were located in what is now South Dakota and three in North Dakota. In dividing the territory these institutions and other important matters had to be taken into consideration. South Dakota with nine state institutions, was required to pay North Dakota with only three state institutions, a considerable sum of money for this advantage. When it became clear that Dakota Territory would be divided and that two states would be formed therefrom, the portion which expected to become South Dakota assumed the following debt of the old Dakota Territory:

South Dakota assumed:

Insane Hospital bonds, Yankton	\$210,000.00
Deaf Mute School bonds, Sioux Falls	51,000.00
State University bonds, Vermillion	75,000.00
Penitentiary bonds, Sioux Falls	94,300.00
Agricultural College bonds, Brookings	97,500.00
Normal School bonds, Madison	49,400.00
School of Mines bonds, Rapid City	33,000.00
Reform School bonds, Plankinton	30,000.00
Normal School bonds, Spearfish	25,000.00
Soldiers' Home bonds, Hot Springs.....	45,000.00

North Dakota assumed:

Insane Hospital bonds, Jamestown	266,000.00
North Dakota University bonds, Grand Forks	96,700.00
Penitentiary bonds, Bismarck	93,600.00
Refunding the Capitol Building warrants	83,507.46

In February, 1889, a telegram received in this state that the lower house of Congress had receded from every contested proposition and that admission was sure, was welcomed with celebrations and hosannahs generally. The bill as passed provided for the resubmission of the Sioux Falls constitution, for a separate submission of the prohibition clause, and required that the voters should pass on the changes of boundary between the two Dakotas, should settle the name of the state, and at the same election, should choose all necessary state officers. When this should have been accomplished and the fact had been certified by the proper officers, it was provided by the bill that the President could then issue his proclamation admitting South Dakota to the Union. This federal law was signed February 22, 1889. It admitted South Dakota as a state. The election occurred in October, 1889. The proclamation of the President was issued November 2, 1889. Thus all necessary steps for the legal admission of the new state were taken.

At the election in 1889 Pierre was chosen by a large majority to be the temporary capital after a campaign of great energy. The people of that city in anticipation of the result had begun a frame capitol building, but it was not ready for the first Legislature which assembled about the middle of October. Accordingly the Senate met in the old schoolhouse which for a long time had been used as the Grand Army Hall and later became Riverview Hotel. The House convened in the Hughes County court room. At the Wells House in East Pierre, were the governor and state officers. When this old building was finally torn down the material was used in the construction of the Catholic Academy on the hill. By January, 1890, when the first Legislature reassembled after the October adjournment, the Locke Hotel was ready for their reception. Likewise the frame capitol building was ready for the assembly and the state officers. Hon. S. E. Young, who had served as speaker of the House in October, continued to occupy that position at the January session. Later on he became superintendent of the State School at Plankinton.

Late in October a special train carrying J. M. Whitman, general manager of the Northwestern Railway Company; John E. Blunt, chief engineer; P. Holenback, assistant general superintendent; H. R. McCullough, general freight agent; and J. S. Burke, assistant superintendent of the South Dakota division, arrived at Pierre. They came to confer with the city authorities concerning freight and station land, tracks, grades, etc. They at once transferred to the city Capitol Hill—ten acres—where it was proposed a temporary building should be erected, and agreed to erect the following spring at a cost of about five thousand dollars a fine brick station house and depot, providing the city would postpone temporarily the opening of certain streets across the tracks. They announced that it was the intention of the company to reserve all their lands to the northwestward for the use of shops, a roundhouse, division terminals, a bridge across the river, etc.

Pierre formally celebrated her capital victory on November 15, on which occasion Governor Mellette and other prominent men delivered addresses. Soon after this event the city settled down to business. At a meeting of the citizens John J. Kleiner, L. W. Albright, Dr. W. M. Blackburn, W. H. Glisker and J. A. Johnson were appointed a committee to receive formally the Legislature and the

state officials on October 15th, the date set for the first meeting of the state assembly.

Important problems in 1889 were prohibition, statehood, constitution, temporary capital and first state officers. The election of October, 1889, settled all this and quieted the nervous tension that had prevailed for so many years. In December, 1889, South Dakota was divided into two census districts in anticipation of the census to be taken by the Government in the summer of 1890. The state was the fortieth admitted to the Union and North Dakota was the forty-first. These two states and Washington and Montana were admitted under the same act. Although the admission of the state was certain long before that event, yet on November 2, 1889, when President Harrison formally declared South Dakota a member of the Union, many formal celebrations were held in every part of the state to give vent to the enthusiasm which had been held in subjection for ten or twelve years. President Harrison signed the proclamation at 3.40 o'clock P. M. November 2, 1889. Immediately thereafter, Senator Moody sent forth the telegram to the state as follows: "North and South Dakota proclamation issued. We are a state."

When the state was admitted, the assessed valuation of all property was about one hundred million dollars and at that time the indebtedness was about one million dollars and there was very little cash on hand. Concerning the administration of Governor Mellette, Doane Robinson said in the *Sioux Falls Press* in March, 1910: "The way was uncharted and he displayed a patience and wisdom which will always distinguish him and commend his memory to the respect of the people who annually come to give him higher veneration. He was the first of a succession of good men who filled that office." The annual cost to administer South Dakota was about six hundred and seventeen thousand dollars in 1889. This covered all expenses including interest on bonds and territorial and state expenses. The public institutions alone cost about two hundred and twenty-four thousand dollars. The tax amounted to about three hundred and thirty thousand dollars. Thus the receipts were not sufficient by a considerable sum to meet the annual legitimate expenses. The constitution provided that the state could run up an indebtedness of \$100,000, but even then the receipts would amount to but \$430,000, which left a deficit of more than two hundred thousand dollars which must be met either by economy or by some other method. It was suggested that if necessary, several or all of the state institutions could be dispensed with. It was incumbent on the Legislature to find a way out of the darkness. Many suggestions were offered as to the manner of economizing on state management. It was pointed out that the law relating to the insane asylum could be so changed that the counties could be required to take care of the insane. It was further argued that the \$500,000 debt limit meant that that sum could be run up as a debt over and above the amount of the old territorial debt which was to be paid by South Dakota. There was a senseless craze about state economy—a craze that was wholly unnecessary and should have been wholly prevented by the able men who managed the state government in its infancy. While the constitution provided that but two mills could be assessed for ordinary expenses, yet it further provided that in emergencies, such as deficiency, two mills additional could be levied. Thus the constitution provided a remedy. Not only that, but its measures were eminently wise because the restrictions of the two



GERMANIA HALL, SIOUX FALLS

In this building were held the Constitutional Conventions of 1883, 1885 and 1889, together with other historic conventions

mill clause would cause strict economy which was necessary for the young state in order to get out of debt and to remain out. The difficulty that arose was one of politics. It became a fashion for politicians and all others seeking public favor to raise a great hue and cry about economy. In fact the officials often seemed to vie with each other in cutting down to the bone important appropriations that were necessary for the life and prosperity of state institutions and state progress. All of this cry of economy was in a measure a necessity under the constitution, but was also a political dodge for the officials to curry favor with the people. All agreed that the state must have whatever was necessary to carry on legitimate expense and propel the commonwealth on its stride upwards.

South Dakota became a state under somewhat difficult circumstances. The labor conditions were in a chaos. From the ranks of both old parties had come a revolt and the populists became a power in the state. This was a period of great depression, but it was hoped that the opening of the Great Sioux Reservation would so increase population that South Dakota would not feel so severely the depression resulting from hard times. There had been two successive crop failures due to drought. Owing to this fact many new settlers who had little or nothing upon which to live left the state and returned to the East, and South Dakota suffered from the depressing stories told by these families.

All things considered, the constitution of 1890 was an admirable document fully up with the times and amply sufficient to advance the state in prosperity and safeguard all the rights of the inhabitants. The constitutional convention of 1890 was a notable gathering. At that time the state was full of adventurers and speculators and the convention itself had among its members cranks of all classes and perhaps actual criminals. This constitution was not a new measure. Three times were the people called upon to enact and re-enact it, but in spite of all opposition they managed to keep the virtues which had accumulated and been made part of the constitution during a period of ten years. One measure which came through and which has been the salvation of the schools, was the provision that no school lands should be sold for less than ten dollars an acre. W. H. H. Beadle has been given credit for this important constitutional measure and has been duly honored for the good it has done the entire state. The people in October, 1889, determined at the polls to keep all the merits of the old constitution. The state officers had been chosen in anticipation of the adoption of the old constitution, but the act of admission required that a new election should be held. The young state was lucky in having able, honest and experienced men to set the wheels in motion. The big four at this time were A. C. Mellette, governor; R. F. Pettigrew and G. C. Moody, United States senators; and A. J. Edgerton, of the Supreme Court. The two congressmen were O. F. Gifford and J. A. Pickler. There were many other able, honest and careful men who assisted in starting the new state on its journey upward.

The State of South Dakota having no swamp and saline lands was awarded other tracts in lieu thereof by the United States Government. In 1889 Congress gave the School of Mines an allotment of 40,000 acres; Reform School 40,000 acres; Deaf and Dumb Asylum 40,000 acres; Agricultural College 50,000 acres; State University 40,000 acres; State Normal Schools 80,000 acres; State Capitol 50,000 acres; other charitable institutions 170,000 acres; total 500,000 acres.

Mineral lands were examined for this allotment. School lands, it was provided, should be located elsewhere if they were found to contain minerals. The officials promptly took measures to survey large portions of the new state.

In the spring of 1891 the Government called for bids for the survey of the boundary line between North Dakota and South Dakota. At its last session Congress had appropriated \$25,000 to pay the expenses of this survey. The initial point of the boundary line was the intersection of the seventh principal meridian and the Big Sioux River. From that point a survey was made to the Sisseton and Wahpeton Reservation, a distance of $11\frac{1}{2}$ miles. Across the reservation an original survey of nearly thirty-three miles was then made. Thence westward another original survey was made to the Missouri River a distance of a little over one hundred and forty-five miles. From the river westward another original survey to the Montana line, distant over one hundred and seventy-one miles, was projected. This made the distance of the southern boundary of North Dakota and the northern boundary of South Dakota $361\frac{1}{2}$ miles, of which 157 miles had already been surveyed. The boundary line was marked with stone monuments at intervals of half a mile. These monuments were 10 inches square, 7 feet long and weighed 1,200 pounds. On the north side of each monument were the letters N. D. and on the south side the letters S. D.

In his message to the Legislature January, 1890, Governor Mellette called attention to the fact that the finances of the state were the most important subject for the immediate and mature consideration of the Legislature. He submitted a statement of the financial condition of all the departments. This statement showed that the bonded debt at the time of the admission of the state was \$710,000, of which \$116,000 bore 6 per cent interest; \$125,000, 5 per cent interest; \$317,000, $4\frac{1}{2}$ per cent interest, and \$152,500, 4 per cent interest. The state also owed from seventy-five thousand to one hundred and fifty thousand dollars of territorial funding warrants, and in addition South Dakota was required to pay North Dakota \$46,500 to adjust accounts between the two states up to March 8, 1889. He stated that South Dakota had overdrawn its rights from the territorial fund and that the amount due from this state had thus been increased to about \$150,000. He noted that there had been refunded on insurance hospital bonds \$77,500 and on penitentiary bonds \$35,000. Both were refunded at the lower rate of 4 per cent interest. The State treasury had received \$84,441.93, of which \$38,407.70 was in bond funds. He estimated the total expenses of the state for one year at \$508,222.50 and the receipts at \$335,326.68, leaving a deficiency of \$172,905.82. The clause in the constitution concerning the subject of annual tax was as follows:

"The Legislature shall provide for an annual tax sufficient to defray the estimated ordinary expenses of the state for each year not to exceed in any one year two mills on each dollar of the assessed valuation of all taxable property in the state to be ascertained by the last assessment made for state and county purposes. And when it shall appear that such ordinary expenses shall exceed this income of the state for such year, the Legislature shall provide for levying a tax for the ensuing year sufficient with other sources of income to pay the deficiency of the preceding year. And for the purpose of paying the public debt the Legislature shall provide for levying a tax annually, sufficient to pay the annual interest and the principal of such debt within ten years from the final passage of the law creating the debt, provided that the annual tax for the payment shall not exceed

in any one year two mills on each dollar of the assessed valuation of all taxable property in the state as ascertained by the last assessment made for state and county purposes."

The Governor after taking all figures into consideration estimated that the deficit for 1890 would amount to \$236,719.75. He admitted that the state could contract a debt to meet the deficiency, but not to exceed \$100,000, so that even if the state should conclude to raise \$100,000 the deficiency still would be \$136,719.75. Governor Mellette then recommended the following course: "To meet the emergency it is recommended, first, to annul all appropriations made by the territorial Legislature and to cover into the general fund all unexpended balances remaining to each account on the first day of January, 1890. Then ascertain as near as may be the floating indebtedness of the state at the date of its admission into the Union and provide for its liquidation by the issue of bonds and proceed to make a careful estimate of the amount that will occur from a two mill levy during the current year and also the year ensuing for ordinary expenses. Then it is advised that you take the list of estimated expenses and provide for those first which are actually indispensable under careful and economical management and divide the remaining sum available among the other public institutions and administrative departments so as to serve best the public interests, in no event permitting a deficiency to exceed the limit of \$100,000 permissible by the constitution."

The governor commented with some strictures upon the reports from the penitentiary, the reform school, and the insane hospital. He expressed the belief that the labor of prisoners should be made available by the state and that steps to this end should be taken at once. He suggested that the granite quarries near Sioux Falls would be a suitable place in which the prisoners could be employed. In this connection he said, "From observation of its practical operation the executive is strengthened in the former conviction that the fixing of the punishment of criminals within the discretionary limits allowed by the statute should be left to a jury rather than to the court. The freeman's right to a trial by his peers is believed to owe its value as much to this principle as to the determination of the question of his guilt. It would seem the peculiar and fitting province of the jury to fix the term of punishment upon the sliding scale which must ever modify judicial sentences. It is believed such verdict is more easily acquiesced in by the criminal, and that punishment is thus rendered uniform and more in accord with the popular living sentiment whose sanction is so necessary to the support of criminal statutes."

In reference to the reform school at Plankinton he said that the institution had been in operation for two years and "It is believed in some instances its inmates have been committed rather as to an orphan or foundling asylum than to a penal reformatory." He asked that an inquiry be made for the purpose of learning just how the institution was conducted in this particular. In speaking of the building there he said "The building was constructed at a reckless expenditure and more than one-half of it has been fitted and extravagantly furnished as a home for the management." He recommended that the building should be remodeled and fitted for a shop-room and for the other necessary accommodations and pursuits of the inmates.

The governor referred in detail to the management of the insane hospital at Yankton. He stated that the institution had been well conducted notwithstanding

it had received a large increase of inmates in 1889. He said that the inhuman and murderous practices usually or often in vogue in similar institutions elsewhere, should not be countenanced by this state. He asked for an investigation as to whether expenses of these inmates should not be borne in part by the counties where the institutions were situated. He thought the law of transportation regarding inmates should be modified. The officers in charge of such institutions should be sent after the inmates, he stated.

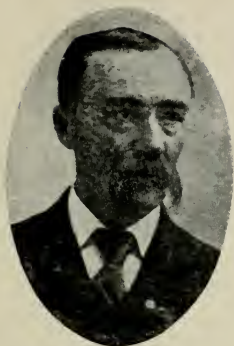
Governor Mellette said that the constitution placed the penitentiary, insane hospital, school for the deaf and dumb, and the reform school under a State Board of Charities and Corrections; that such board consisted of five members, and that the state was under obligations to pay them for their services. He said, "The wisdom of this single system of management of these institutions is apparent to all who have had experience in such service and ought to result in the saving of many thousands of dollars annually to the state besides being of marked benefits to the public service."

The governor urged a liberal policy toward the railways of the state, the continuance in power of the Board of Railway Commissioners, the appointment of commissioners of insurance, banks and loans and of labor, all to be elected by the votes of the people. He recommended that wages be made the first lien on property, that penalties for a violation of the prohibition law be enacted, that means for the enforcement of such law be provided, that irrigation be fostered, and that representation in the Legislature be reduced. He urged that the commissioner of immigration should be better provided with funds so as to be more serviceable in his duties, and demanded that all necessary measures to protect the citizen in the free and untrammelled use of the ballot be adopted.

GOVERNORS

Arthur C. Mellette	1889-93
Charles H. Sheldon	1893-97
Andrew E. Lee	1897-01
Charles N. Herreid	1901-05
Samuel H. Elrod	1905-07
Coe I. Crawford	1907-09
Robert S. Vessey	1909-13
Frank M. Byrne	1913-17

In his message to the Legislature in January, 1891, Gov. A. C. Mellette stated emphatically that the most important question for the consideration of the Legislature was the finances of the state. He declared that the financial conditions were embarrassing and that the revenue system could be scarcely worse; that the state should have at once a systematic and efficient code of revenue laws; that such laws should restrict expenditures; that disaster was sure to come unless the revenue laws were revised and codified; that members of the Legislature from counties where there were state institutions, who considered themselves agents of their communities to procure large appropriations for such institutions, should consider whether they wanted a warrant for \$1 worth 100c on the market, or a warrant for \$200 worth 100c on the market; that the state must live within its income under the constitution; that there were outstanding against the state in warrants the sum of \$46,000, upon which were endorsed the words "Not paid for want of funds" and bearing 7 per cent interest and being at a discount on



Andrew E. Lee, 1896-1900



Charles N. Herreid, 1900-1904



A. C. Mellette, 1889-1894



Charles H. Sheldon, 1894-1896

SOUTH DAKOTA GOVERNORS

the market; that the state had recently issued \$100,000 in bonds to meet current expenses and thereby the state indebtedness had been increased to the maximum allowed by the constitution; that the state government therefore must retrench or suffer disaster. He further showed that from November 6, 1889, to November 30, 1890, the total state receipts amounted to \$500,542.70; that the future receipts were sure to fall short of this amount; that the sum of over thirty thousand dollars received from the territorial treasury would not be duplicated in the future; that the receipts of the past were under territorial law which allowed a three-mill tax levy; that under the new state constitution the tax levy was limited to two mills except in extreme emergencies; that also the railway tax procured under the territorial law was greatly reduced under the state law; that \$100,000 in bonds which were recently issued must also be deducted from the receipts; that therefore these various reductions amounting to nearly three hundred thousand dollars would leave a deficiency for the coming year of about two hundred and thirty-seven thousand dollars; that this sum would be reduced by various other receipts, so that the actual deficit would amount to about one hundred and seventy-five thousand dollars. The state assessment at this time was \$110,000,000 and the two-mill tax thereon would furnish a revenue of \$220,000 if all should be collected; besides there were about twenty thousand dollars in fees from the state auditor and other departments so that the total receipts for the fiscal year 1891 would amount to about two hundred and forty-three thousand dollars. The Governor further proved that the first State Legislature had made specific appropriations to the amount of \$417,014.24. After various additions and deductions the state expenditures for 1890, the governor said, were found to be \$415,452.76 with only \$243,000 in receipts. Thus the Legislature must either retrench to the amount of over one hundred and seventy-two thousand dollars, or adopt some other method of carrying the state through the year.

He suggested two important steps that might be taken: (1) All offices as far as possible should be dispensed with, others should be consolidated and the salaries of still others should be reduced; (2) definite expenses for all officers of the state should be fixed so that such limit could not be exceeded except through violations of the law. The governor further said, "Then prune down to the lowest amount consistent with the public welfare the appropriations for the public institutions, closing some of them entirely if necessary. The county might bear the expenses of transportation of the inmates to the penal and charitable institutions or it might pay into the state treasury monthly a fixed sum in part for their maintenance. The latter is believed to be more equitable, since the expense for transportation would be nothing to the county where the institutions are located, but might be burdensome to remote counties. At the same time it is suggested as a temporary expediency that the number of students admitted free to the educational institutions be limited to a certain number from each county to be designated by county authorities, and that additional students be required to pay into the state treasury a tuition fee in part maintenance of the institution or let it be paid by the county of the student."

The governor said that the two-mill levy was designed to cover merely the ordinary expenses of the state and that a liberal construction of the constitution permitted the levy of an additional mill to cover any emergency deficit that might arise. However, he insisted this should not be done unless it was exceed-

ingly important and necessary. He believed that a new constitution would no doubt greatly benefit every state institution, because they were now under far more liberal regulations and were managed by more competent and responsible boards. As a matter of economy he recommended that insurance on public buildings be dispensed with and that the actual expenses of each institution should be specifically provided by suitable appropriations. He spoke severely against expenditures which were not definitely permitted, and declared that the administrative agents of the state should be held accountable for the enforcement of the law.

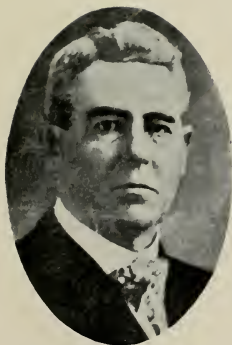
In general terms he spoke well of the management of the state institutions. He recommended that the Hospital for the Insane, at Yankton, about which some complaints had been made, should be put in the best possible condition so that it would stand in the front rank of such institutions. The average number of patients was 264 and was rapidly increasing. Superintendent Livingston, against whom certain charges had been made, had been investigated and exonerated by the special committee.

He stated that the penitentiary at Sioux Falls was a model institution of its kind. On December 1, 1890, it had ninety-six inmates, of whom only one was a woman. He recommended that a system of labor should be introduced for the benefit of the prisoners and the remuneration of the state, and suggested the establishment of a knitting plant, but later a binding twine plant was located therein. He believed that the authority given the governor to sell certain penitentiary lands should be revoked. In regard to the Deaf Mute School at Sioux Falls, he recommended a reduction in the salaries of several of the officials. He likewise recommended a reduction in the expenses allowed the Reform School at Plankinton, and spoke well of the management of the Soldiers' Home at Hot Springs, which then contained forty inmates. He stated that the fund received by the Agricultural College from the Government would be sufficient except for certain emergency expenses which had been anticipated. The Government allowed the institution \$15,000 in 1890 and \$16,000 in 1891.

In regard to the State University at Vermillion, which had an enrollment of 435 students, he stated that excellent and progressive work had been done, but that the available funds were not sufficient to meet all the requirements of the rising institution. As this institution was wholly dependent upon state appropriations and tuitions, he called the attention of the Legislature to the absolute necessity of providing for its actual needs. He recommended the abolishment of the normal department. He spoke well of the Madison Normal School and the Spearfish Normal School, the former having an attendance of about one hundred and eighteen. He particularly asked for better care of the Spearfish Normal School, as it was the only public institution for general educational work in the Black Hills region of the state. In regard to the School of Mines, which had eleven males and five female instructors, he recommended that surplus assistants should be dropped and that the "luxuries" such as music, fine arts, etc., should be removed and only the "substantials" retained. He noted that the blind children of the state were cared for at the Iowa State School for the Blind at a cost of about \$300 each person per year. This expense included tuition, clothing, supplies, etc. The cost to the state in 1890 for its blind patients was \$1,051.



Samuel H. Elrod, 1904-1906



Robert S. Vessey, 1908-1912



Coe I. Crawford, 1906-1908

SOUTH DAKOTA GOVERNORS

In his message of 1891, Governor Mellette specially recommended general supervision of corporations about as follows: (1) One commissioner of railroads and warehouses in place of the present board of three; (2) one commissioner of insurance and corporations other than for railways and warehouses; (3) the commissioner of labor and statistics be given the additional duties of immigration commissioner and be required to arbitrate questions of dispute between corporations and their employees. He recommended that each commissioner above named be given original jurisdiction in the affairs pertaining to his office, and that enlarged powers be given to the railroad commissioner so that he could have control of charges and especially could have the power to adjust damages for the killing of live stock, the setting of prairie fires, etc. He also requested that the commissioner of other corporations should be specially charged with the duty of assessing banks and other moneyed corporations up to the limit of their just proportion and have control of the strict enforcement of the usury law.

Governor Mellette in his message of January, 1893, said that the three years just passed had shown the wisdom of the demand for the admission of South Dakota to the Union, because the several state departments had been more economically managed than ever before, were under abler and wiser control and the state had accordingly received a better reputation as a place of residence and a field for labor and prosperity. He stated that the ordinary expenses, by means of rigid economy, had been brought within the bounds of the sum provided by the two-mill tax on the assessed valuation of the state without having occasion to resort to the emergency levy provided in the constitution. The collection of revenues was all important though extremely perplexing, he declared. Tax reform was urgently needed. The State Board of Equalization and Assessments had done its best under the circumstances and restrictions, but uniformity of tax as demanded by all could not well be secured under the constitution and the existing laws. The tax on farms could perhaps be well adjusted and equalized, but on the property of cities uniformity was out of the question. He said "The task is more difficult as to city and village real estate, entirely impractical as to stocks and corporative property, while it is an impossibility when directed to merchandise and miscellaneous personalty." He said that the formation of a state board with due authority would be necessary to carry out any measure that would insure uniformity in taxation of municipalities.

The governor noted that the railways of the state covered 2,703 miles and were valued at \$8,916,342, or an average of \$3,298 per mile. Concerning the railways he said, "A most rigid examination into the affairs of the railroads of the state, shows that since the organization of the state government most divisions have been operated at a loss, so that the fiscal value only could be considered, and upon this they are rated as near as might be on an equality with other property. This condition, however, cannot continue in the present general prosperity of the state." The state tax on railways had been apportioned and collected without delay or confusion, but the same could not be said of the state tax on telegraph, telephone and express companies, all of which had refused to pay their state taxes for 1891 on the pretense of exorbitant valuation. This was true notwithstanding the fact that the entire valuation of the Western Union Tele-

graph property in the state was only \$223,620, on which it was earning at the time a handsome dividend.

The governor stated that payments of the three funding warrants of \$53,000 each and interest, which had been assumed by South Dakota in its settlement with North Dakota, were finally accomplished after much difficulty. The entire bonded debt of the state June 30, 1892, was \$1,040,200. Of this debt the state treasurer had succeeded in refunding at a lower rate of interest \$92,500. "I renew my recommendation to the first and second legislatures that every territorial and state statute providing for the expenditure of public money be formally repeated, except such items as are included in the general appropriation bill so that the state officials may know beyond question, the amount to be by each expended." He further stated that it was the duty of the Legislature under the constitution to appropriate by specific enactment the public money to be expended for the benefit of the state. He said, "A reference to these acts will show that they involve the payment annually of from \$100,000 to \$280,000 by the state which the legislatures have failed to take into account of public expenditure and for which they make no provisions. Besides the legality of such expenditure in many cases cited which have not been adjudicated by the Supreme Court, is left in doubt and subject to the construction of some state official. Much embarrassment during the past year has resulted from the failure of the former legislatures to do their duty by either repealing specifically these statutes or appropriating funds to meet their requirements. The present executive has resisted the payment of all claims against the state since its organization where a specific appropriation has not been made therefore by the State Legislature." The governor observed that the growth of the commonwealth was shown by the large number of domestic corporations, 675 of which had been created and of these about two hundred were for charitable and benevolent purposes. He said that the attorney-general had been called in consultation in an attempt to divert and checkmake certain movements that were intended to rob the state of its school lands. He notes that the reports of the state superintendent showed that in 1892 there were 87,317 persons of school age in the state and that the average enrollment was 73,962 for the past two years; that the average number of teachers employed was 4,298, the total wages paid \$1,381,481 and that there were 3,253 school buildings of all kinds. The governor noted particularly that 599,360 acres had been granted by the government as an endowment fund for the educational institutions of the state, and that of this acreage 474,671 had already been selected.

In regard to the state institutions, the governor spoke at considerable length and with considerable criticism and feeling. The report of the regents of education showed that the educational institutions were in prosperous condition. The governor stated that he did not believe it wise to expand these institutions unduly until the common schools should have been brought up to a higher standard in order to become feeders of the higher institution of learning. He said that there had been much confusion, ill-will and annoyance in the management of these institutions due to the unfortunate conflict of authority and resulting antagonism between the state regents and the local trustees. He asked that the jurisdiction of each board be definitely defined by an act of the Legislature. He spoke of the troubles at the State University and of the hard and conscientious work

that had been performed there by the faculty to bring the institution up to the standard of other state universities.

The governor referred somewhat in detail to the management of the penitentiary, the reform school and the asylums and delineated with excellent effect what had been accomplished by these institutions. He spoke well of the exacting work that had been done by the public examiner in the financial institutions of the state. Also, he warmly commended the work of the state oil inspector, labor commissioner, board of health, pharmacy board and dental board. He gave statistics to prove that there had been a wonderful advance in the mining industry of the state.

The governor said that the railways of South Dakota showed great progress in equipment and efficiency, the total earnings in 1891 and 1892 being \$8,494,831.94 and the expenses of maintenance and operation, \$512,448.78. He noted that often the railways were taxed to their utmost and then could not meet the requirements at crop moving times. The railway commissioners could not prevent this blockade. The governor said that the railroad board was little more than an advisory board under the law. However, the railways showed a disposition to comply as far as practicable with the requests of the board and to do their utmost to meet requirements at critical times. At this time H. J. Rice was president of the Board of Railway Commissioners and had occupied that important position since the organization of the state. The governor again urged that there should be but one railway commissioner and that such officer, the public examiner, and the attorney-general, should be constituted an appellate board to consider and adjust important railway problems.

In January, 1893, Governor Sheldon assumed the duties of chief executive. In his message to the Legislature he spoke particularly of the rapid settlement of the state, the vast production of grain, the immense herds of live stock and the phenomenal development of every industry. He recommended an adequate appropriation for a state exhibit at the World's Fair, and further asked that the citizens who had advanced money for the construction of the World's Fair building should be reimbursed by the Legislature for their outlays.

He said, "A large amount of land granted us by the Government for state and educational purposes, still remains unselected for want of means to defray the expenses of its selection and certification. Wisdom would seem to indicate that these lands should be secured as speedily as possible, because our most valuable land is taken by settlers under our homestead law. An appropriation for this purpose will be asked by the state, and it is believed a reasonable amount should be granted." He stated that Congress had given South Dakota one section of land in the Sisseton military reservation, together with the fort buildings thereon, all to be used by the state for military purposes, but to revert to the Government if not so used. He urged that action should be taken to save this property to the state. He recommended that the oil inspection law both as to kerosene and gasoline be revised and that the duties and power of the oil inspector should be increased. He further asked for the inspection of steam boilers, owing to the fact that numerous deaths had been caused by the explosion of steam boilers connected with threshing machines.

He noted that there was much complaint throughout the state over the discrimination in freight rates shown by the railways. He did not believe in an

indiscriminate war on railways, because he realized their value and importance to the state. They were among the pioneers of the inhabitants. On the other hand the railroads could do nothing without the people, were valueless without their aid and support and should not be permitted to become their masters. He therefore urged that unfair and unwise discrimination by the roads should be prevented and that they in turn should be treated with fairness and justice. He noted that there were many serious objections to taking the office of railway commissioner into politics. It meant that the railways themselves would thus be forced into political strife in South Dakota with the resulting injurious consequences. He expressed the belief that the governor should be authorized to appoint the railway commissioners.

He further noted the prosperous condition of the various state institutions. Their importance, he declared, was admitted, and their usefulness should not be infringed. They were entitled to have suitable appropriations, but should not be permitted to become one-sided or inefficient in management nor indiscriminate and reckless in the use of public funds. He observed that the Soldiers' Home had already proved its value and success and declared that it was not a charity but a duty which the Government and the state owed to the old soldiers and to a grateful and appreciating public.

The message of Governor Sheldon to the Legislature in January, 1895, dealt elaborately on the problem of revenue. The newspapers of the state had persistently demanded immediate reform in this regard, and the governor now stated it was the duty of the Legislature to meet the wishes of the voters. He noted particularly that the scanty revenue was insufficient to maintain properly the institutions of the state and particularly those founded for penal and charitable purposes. At this session, after transmitting his message to the Legislature, he sent a hurried correction or amendment to that body the next day, owing to the fact that he had spoken well of the administration of State Treasurer Taylor, who had just been pronounced a defaulter. He stated that when the message was written he believed his statement to be true, but that recent developments convinced him otherwise. The next day Kirk G. Phillips, the incoming treasurer, presented a statement showing that Taylor was short \$367,023.84. The Legislature on receiving this information offered a reward of \$2,000 for his apprehension. After due investigation at Pierre one of the marvels of the defalcation was the apparent fact that Taylor had succeeded in keeping his shortage from the knowledge of the other state officials.

Under the laws of the state, the governor had power to appoint certain other officials whenever in his judgment it seemed to the interest of the state to do so. Governor Sheldon therefore, for what he believed to be sufficient cause, removed President Shannon from the State Board of Regents upon the charge of misappropriating state funds, which accusation Mr. Shannon promptly denied. Soon thereafter Governor Sheldon appointed Dr. J. J. Collier of Brookings to the place occupied by Mr. Shannon. He likewise prepared to remove Regents Hale and Finnerud, both of whom were enjoined from acting as state regents. The matter thereupon passed into the jurisdiction of the courts. Governor Sheldon held that Shannon had caused to be drawn to himself a voucher of \$150 from the experiment fund of the Agricultural College for services rendered, which act was forbidden by the statute. There was grievous trouble at the same time



FRANK M. BYRNE

Present Governor of South Dakota

between Mr. Shannon and President McLouth over the forced resignation of the latter. The State Supreme Court enjoined Mr. Shannon from acting as regent, and about the same time the same court enjoined Governor Sheldon from removing others of the regents; but the governor refused to be bound by the decision of the Circuit Court against him and was accordingly brought before the tribunal on the charge of contempt. Judge Campbell issued restraining orders against all members of the board of regents until they had had time to pass on the Sheldon-Shannon imbroglio. In August the case was argued in the Supreme Court. Early in May, 1896, the Supreme Court sustained the act of the board of regents in making removals from the faculty of the Agricultural College. This act apparently sustained Governor Sheldon in filling vacancies that had occurred on the board of regents.

As a consequence of his experience, Governor Sheldon, upon retiring from office in January, 1897, recommended that the chief executive of the state should be given greater power for the removal of officers who had been appointed by himself. As it was the governor, he said, was a mere figurehead. He was unable to remove an officer appointed by himself no matter how urgent or imperative the cause. "Without such power how could a governor see that such officials appointed by himself were honest or carried out the laws?" he asked.

In his first message to the Legislature in January, 1897, Governor Lee recommended the enactment of the Iowa railway law; legislation to regulate the liquor traffic; the separation of school institutions from politics; improved registration and better election laws; improvement of arid school lands so that they could be sold; improvement of the oil inspection law, and improved revenue laws. He said among other things that he had been elected to the office from the ranks of the plain people who hoped and expected he would give them a practical business administration, therefore he was determined to conduct his administration along that line. He brought with him, he said, no practical training in statecraft, but depended upon the Legislature to help him put in operation the reforms which the party that had elected them had demanded both during the campaign and at this session of the Legislature. The people wanted wholesome laws that would promote the common welfare. Although elected by partisans they must now represent the whole state and not a partisan faction, he declared. One of the most important problems was that of economy, but it should not be carried to the point of detriment to the public service. He suggested that all state officials should save time as well as money and thus serve the state in both particulars. He urged the Legislature to do work at the commencement of the session and not to wait until near the close and then be obliged to kill many meritorious bills or put on the party club in order to force them through the assembly. He insisted that the appropriation bill should be reported not later than the thirty-fifth day of the session in order that due deliberation on the appropriation for every object or institution might have due consideration. He said: "We have no right to waste the people's time or draw public money for services not rendered, and if by conscientious and arduous labors we can shorten the session and save expense to the state, we can do nothing that will be more thoroughly approved by our constituents." He appealed to his party members of the Legislature who were in the majority not to disappoint the constituents who had trusted them by placing them in power.

The governor then took up the different topics which he considered of greatest importance. He advised that a statute regulating railroad freight and passenger tariffs should be passed. He pointed out that the majority of the Legislature and state administration stood pledged to the people under the Huron platform to enact the Wheeler bill, which was a substantial copy of the Iowa railway law. This law, the governor maintained, had withstood all the assaults of the railways in the courts of that state. "It was matured long before and finally introduced at a session of the Fourth General Assembly, and after a terrific struggle was defeated by the pernicious corporation which had infested the capitol at every session of the Legislature since the organization of the state. The necessity for the enactment of a law governing the railroad carrying traffic had been painfully apparent for many years and the people have been frequently promised the relief they sought, but up to the present time the promises made have been ruthlessly broken and the lobby which has controlled party caucuses, and conventions, dictating nominations and appointments, has insolently defied public demands and successfully defeated every effort to overthrow its domination. This lobby cannot flourish unless it finds public servants that can be fooled or bribed." He urged the immediate passage of the measure before the lobby could have time to offer any serious obstacles or opposition. He spoke particularly of the discrimination practiced by the railroads against the people in the different portions of the state. Farmers were unjustly and seriously discriminated against, the railway charges to market on freight being almost twice as much to some portions of the state as to others. In the same way the cities and towns were discriminated against. He cited instances where there was a vast difference in the cost of marketing corn from different parts in the state. In this connection he said, "Rates on corn from all points in the central part of the state are greater per bushel than the first cost of the corn in the southern part of the state. This entirely prohibits internal commerce and forces the shipment of corn to the Chicago market. The demand for the passage of this law is therefore legitimate fruit of railroad abuses." He also noted the vast difference in coal rates to different parts of the state. He cited as instance that the rate to Sioux City from the nearest coal mine, a distance of about four hundred and thirty miles, was \$1.76 a ton and to Vermillion, only thirty-three miles further on, was \$2.30 a ton. Rates for passenger service were equally bad, according to the governor. While such rates should be the same as in Iowa and Minnesota, they were proportionately much higher. The people had submitted for a long time out of consideration for railroad companies to whom the state owed so much, but now patience, he declared, had ceased to be a virtue. Nothing unreasonable was asked of the railroads, but he insisted that they should share the reversions as well as the prosperity which attended the people in their endeavors to build up the state. He did not want the railroads to operate at a loss, "but we do insist that they shall discontinue the practice of assessing against their customers rates which will yield profits over and above operating expenses on millions of dollars of watered stock." He was not hostile to the railroads, but wanted justice extended to all the people.

He called particular attention to the needs of the higher educational institutions. He stated that they should be such as all citizens would be proud to sustain. He believed "their usefulness has been impaired and their good name well nigh

ruined by the scandals which have grown out of their mismanagement." However the governor did not specify in what respect the institutions had been mismanaged. The fact was they had been well managed, but had been torn to fragments by the personal rivalries and ambitions of those having them in charge. He asked that all such institutions should be permanently divorced from politics. He further intimated that sectarianism had probably crept into several of these institutions and had done more or less damage. He urged that sectarianism should be rigidly excluded from the state institutions by the board of regents. He expressed the belief that the board should be elected by the people and not be appointed by the governor as it gave the latter too much power. He said, "There is no disposition, so far as I know, to disrupt or disorganize any of these institutions, but there is urgent necessity for their reorganization upon a basis of greater usefulness and broader culture. The appropriations for these institutions should be liberal, but not extravagant. The time has come when no more institutions should be created simply for jobbing purposes or to tickle ambitious localities, but those we have should be decently maintained."

He stated that in his opinion the schools of the state generally should be made more useful to the people who maintained them. He spoke in severe terms against the school book trust which seemed to have absolute control of the books used by the schools of this state, and in this connection said that such organization had maintained a lobby at every Legislature to control the school book supply and management. He thought the state should publish its own books.

He stated further that the state printing was costing too much and should be investigated. He favored the registration of voters in order to protect the ballot from fraud and from colonization, which had been practiced to some extent ever since territorial times. He deprecated betting at elections and declared that all such gambling devices and intrigues should be throttled by the Legislature.

He favored the early organizations of all unorganized counties which desired such action in order to place the citizens thereof in a position to prevent and punish crime.

He urged that help should be given to counties which contained school land that was arid or otherwise likely to be unproductive, and suggested that wells should be sunk at public expense for the purpose of securing water to irrigate school lands and spoke particularly of a few such tracts in Meade County. He asked that the laws of the state which were now scattered, conflicting and confusing, should be collected and codified in accordance with the unanimous desire of the judges and the courts. The laws of Dakota Territory had been compiled in 1887, but now the volumes were so scarce that they were worth from \$18 to \$20 a volume. Hence he urged that under the state government a new code should be prepared, because many laws had been repealed, new ones passed, and others become obsolete.

He referred to the Taylor defalcation and said that the Legislature should now ascertain the exact status of the matter. He suggested that the Legislature should help in giving the state a suitable exhibit at the Trans-Missouri Exposition to be held in Omaha. He questioned whether the oil inspector's office should be abolished, and thought it was better perhaps to amplify the power of the oil inspector rather than to do away with the office and thus flood the state with oil so poor that it had been rejected by other states.

He spoke at considerable length on the question of revenue and taxation and said he had estimated that all receipts had fallen short of actual necessities, and hence the state at all times was hard up and compelled to issue temporary warrants and to pay interest thereon. As another result the State Board of Equalization had steadily levied a deficiency tax, and the constitutional limit of two mills had been continually exceeded. This had caused much criticism, discussion and ill feeling, particularly during the political campaign. The hard times had caused a heavy delinquency, but no one was to blame. The practice of issuing revenue warrants to be sold for money with which to keep the state's paper at par, was humiliating and expensive, he declared. "The temptation under this system is strong to issue these revenue warrants months in advance for necessary money, thereby furnishing capital at the expense of the people for favorite banking institutions—a very profitable privilege to the banks, but a practice which no prudent man would employ in his own business. He believed that a constitutional amendment, as had been suggested, to increase the regular tax from two to three mills would not be favorably received by the state at this time. He thought the Legislature must seek new fields to get money. "Our laws relating to taxation do not give satisfaction. Indeed the question of taxation is difficult of solution. No system can be made to suit everybody." He believed that the Legislature should remedy the weakness. He stated that corporate property was not proportionately taxed in South Dakota. Particularly, the railways were taxed only about one-tenth of their actual valuation. He called attention to the current statement that in the range country west of the Missouri River there was a vast amount of property that continually escaped or evaded taxation. It was rumored that 200,000 head of cattle in that district were not taxed. This fact was inexcusable and ridiculous. The cattle at this time were owned largely by foreign corporations. In any event the Legislature should consider the question of their suitable assessment and taxation.

In a special message to the Legislature on January 9, 1897, Governor Lee urgently asked the Legislature to pass an immediate resolution demanding that State Treasurer Phillips be required to produce and have counted the state funds in his possession before his official bonds should be approved. The governor states that he had no authority to count the money and therefore asked the Legislature to carry this investigation into effect. He said he had learned that the treasury contained only \$282, while there should be over two hundred and fifty thousand dollars. The republican press throughout the state promptly scored Governor Lee for his course in compelling Treasurer Phillips to produce the cash in the state treasury. Mr. Phillips signified his willingness to have the money counted and promptly issued a statement showing that the funds in his possession were distributed in the banks of Chicago, Pierre, Deadwood, Yankton, Spearfish, Lead and Rapid City. In all he had deposited in these banks, he stated, \$282,639.22. In the Pierre banks alone was a total of \$71,897.32. The charge made by Governor Lee against State Treasurer Phillips was that he loaned the state money to banks and pocketed the interest received thereby. The governor took the position that this interest was part of the state funds proper and that the state treasurer should return it to the treasury. He claimed that this was a real shortage which amounted to about fifty-two thousand six hundred and fifty-three dollars. The political opponents of Governor Lee declared with much

emphasis that in asking the Legislature for super-official authority to count the money in the state treasury, he was actuated wholly by political motives. They declared that the step was taken by the populists with the anxious expectation of finding some irregularities, if not worse, in the treasurer's office. A thorough search by the investigating committee and a count of all the money in the possession of the treasurer, showed no irregularities whatever and cleared that official from all suspicion and charges.

The cash in the Black Hills banks and elsewhere was brought to Pierre under the guard of a detachment of Company K, of the Dakota National Guard, from Huron. The amount thus brought from the Hills was found to be \$188,060. It was duly counted by the so-called "third house" which assembled in the Hotel Locke. Another train loaded with state gold was stuck for a while in a deep snowdrift in Minnesota while soldiers guarded the treasure. "The sensation of the day, the 22nd, was the appearance of a company of militia, which boarded the train at Huron as escort for the state cash in transit from Chicago. Under this guard and with the attendance of six armed messengers who had accompanied the money from Chicago, a procession formed at the express office and marched to the capitol building, where the funds were counted by the legislative committee appointed for this purpose. The military escort was requested by the state treasurer as a precaution against robbery. When the cash is shipped out Company K will escort the funds to the state line. The funds on deposit in the three Pierre banks, amounting to \$71,000, were also taken to the state house under militia escort. The count was completed and the committee reported they found in the treasurer's office, the full amount of the state funds and the governor will approve Treasurer Phillip's bond."—Press Cor. January 23, 1897. The counting of the state cash was attended with many interesting and ludicrous features. The joint committee appointed for that purpose was amusingly denominated the "third house." They had regular sessions in the Locke Hotel and a large concourse of cowboys, inquisitives and legislators gathered to witness the proceedings. The leader of the committee was designated Squatter Governor Ballard. In charge of the work of counting were Gen. G. A. Silsby yclept state treasurer and the commission was manfully guarded by "the bell boys militia company of the Locke." The "third house" attracted far greater interest and attention for a time than did the regular houses. All assumed that the movement was one calculated to kindle amusement, and jokes of every color, garb and description were cracked at the expense of the movement and the officials.

At the legislative session of 1899 the message of Governor Lee proved one of the first most important topics for consideration. It was so extremely long, forceful and critical that many members of both houses favored not reading it, but it was finally read to both houses jointly. Much of the message was sagaciously devoted to answering the many pungent criticisms of his administration. Another large section was devoted to Kirk G. Phillips who had conducted more or less of a crusade against the governor since his first inauguration. He reviewed the merits and demerits of the various cases he had instituted in the courts against Auditors Mayhew, Hipple and Anderson; and said the acquittal of Mayhew by Judge Gaffay was uncalled for, officious and unjust. He declared the judge had decided in positive and contemptuous defiance of a rule of law laid down by the Supreme Court. It was owing to these adverse rulings, he declared,

that he had directed the dismissal of similar suits which he had commenced against other officials. He thus took the position that the rulings of the court were unfair and unjust, and that by reason of that fact, he was unable to proceed and consequently had ordered the cases dismissed.

The governor took up in detail the report of the railroad commission which he said was doing good and satisfactory work for the state, and he asked that they should be given a larger appropriation to enable them to continue their duty. He sustained his veto of the insane hospital appropriation of two years before, but observed that the state could better meet such expenses and expansions at the present time. He recommended that the statute be so changed as to allow the land commissioner to invest state funds in state securities. He devoted much space to the question of permitting state officials to accept interest on public funds. This was the open charge he had made against Kirk G. Phillips during the campaign of 1898 and was the nature of the suits which he had contemplated bringing against other state officials. The governor asked for reform in the law concerning brand fees. He commended the idea of a referendum, but considered the Moody question of free text books more or less of a hobby. The entire message was burdened with a review of the vexatious obstacles which the governor had valiantly encountered during the two years of his administration. He took up in detail and reviewed with apt discrimination the progress that had been made by the state institutions, and said that the work done by all was comprehensive, effective and along the line of improvement. He expressed a belief that the state had enough state institutions, but that the number already in existence should be furnished with adequate means for potent operation. He warmly congratulated the state on the adoption of the progressive principle of direct legislation, and expressed the sincere opinion that it was the duty of the Legislature to make this path easy and clear for subsequent administrations in this state.

He observed that the state was nearly out of debt, which fact was due in the main to better crops and thus better times. He noted that the liquor license receipts amounted to \$60,000, and said that the total state revenue in two years amounted to \$3,905,024.46 and that the disbursements amounted to \$3,405,506.02. The state debt from January 1, 1897, to January 1, 1899, he said, had been reduced \$554,501.60, and the net debt on the latter date was \$738,300. He asked what should be done with the interest on the state funds which had been deposited in various banks by the treasurer, Kirk G. Phillips. He stated that an investigation of the treasurer's books had shown that they had been doctored, and he declared that it was the duty of the Legislature to look into the matter. He boasted of the passage of the amendment on initiative and referendum, and insisted that it was the bounden duty of the Legislature to put these reform measures into active operation. The amendment for state control of the liquor traffic had carried at the election of 1898, therefore it was now incumbent on the Legislature to provide for a state dispensary law in accordance with the pronouncement of that election. He stated that some action concerning the fellow servant problem should be taken and recommended eight-tenths of a mill as a permanent appropriation fund for the state educational institutions to be apportioned among them according to their proportionate needs. He reviewed in detail the questions of assessment and taxation and insisted that radical reform was necessary. He showed that 60 per cent of the burden of taxation was now placed upon the land, and

that in a considerable portion of the state, land was assessed at its full value and that in no case was it assessed at less than one-third of its value; and that bank stock, moneys, and credits, and all forms of profit-bearing securities, practically escaped taxation. Live stock, he said, was assessed all it could legally stand. Railways escaped taxation and so did other large corporations throughout the state.

In speaking of the railways he said, "These institutions have grown so bold and audacious that they appear to believe the state was created for them to plunder. During two sessions of the state board of assessment I have made a conscientious effort to increase railroad valuations, but being unaided by any member of the board except the auditor, I found the task practically hopeless. It is an outrage upon the state that this class of property dictates how much taxes it will pay and this outrage has been rendered unbearable by the frequent insolent declarations of the railway representatives before the board, that their companies would pay no more taxes unless they were allowed virtually to fix their own valuations." He said that the railways did not make an honest and comprehensive return of their annual earnings to the state. He cited instances where both the Chicago, Milwaukee & St. Paul and Chicago and Northwestern railways had brazenly shown that their earnings had steadily decreased instead of increased during the previous seven years. He called attention to the fact that the big mining companies of the Black Hills escaped taxation except upon a ridiculously small portion of their property. The annual product of the hills, he said, was \$8,000,000, while their tax was a mere bagatelle.

At the legislative session of 1899 Governor Lee vetoed many bills, more perhaps than any other governor thus far during statehood; but not as many as Governor Church had vetoed during his term as territorial executive. While the republican newspapers severely criticised Governor Lee for many of his acts, no one questioned that he was conscientious, honest and fair minded; and all were pleased that he could not be bluffed, bullied or bull-dozed by politicians or other self-seekers. All admitted his courage and sound judgment, even though they might oppose his politics.

The following important measures were vetoed by Governor Lee: Permanent educational levy; depository act; sugar bounty bill; pure caucus bill; increase in judges' salaries; license to steam engineers; to abolish days of grace; to allow non-English reading voters to have help in marking ballots; to prevent a man's name from appearing twice on a ballot; to establish a Normal School at Watertown; to establish a Normal School at Aberdeen; appropriation for Springfield Normal School. He gave his reasons for every veto, and his friends accepted his views as reasonable and wise. On the other hand he was rigorously criticised by the republican press of the state.

In his retiring message to the Legislature in 1901 Governor Lee opened by saying that nothing of grave importance had disturbed the growth and tranquillity of the state during the past two years. The tide of immigration had set in toward South Dakota with great strength, and the increase of population from 1890 to 1900 was 22 per cent. He noted that the public health generally throughout the state was good; that peace had been constant and unbroken; that the education of youth had advanced at rapid and felicitous strides; that the total of state school funds had already reached the vast amount of \$3,372,926.16,

and that it was now yielding annually for the support of public schools about two hundred and fifty thousand dollars.

Governor Lee said that so long as the present crude system of assessment and taxation prevailed the question of revenue would be all important and one of extreme difficulty. As the state was bound to increase rapidly in wealth and population, it was necessary that the Legislature should provide for its proportionate and harmonious development; that all stages of growth should be weighed and considered in order that justice might be done and all property owners be required to pay their just proportion of the public expenses. The revenue law was wholly inadequate, was cumbersome, confusing and out of date and should be amended or killed. The state had steadily been borrowing next year's revenues and paying interest thereon to meet this year's expense until the limit in this unwise respect was almost reached. Now the heads of the state institutions asked for appropriations amounting to a total of \$930,000, and he noted that this sum was greater than had been the total expense of maintaining the institutions during any previous biennial period prior to 1899. He called attention to the fact that the state auditor had just announced that by July 1, 1901, the state deficit would amount to between \$150,000 and \$200,000. He stated that there were three ways open through which to meet this deficiency: (1) To register warrants at a high rate of interest and take them up as rapidly as the increasing revenue permitted; (2) to issue bonds which though at a lower rate of interest would cost more than registered warrants in the end; (3) that the business like way was to tax all the property of the state in an equitable manner, instead of allowing railroad, telegraph, telephone, express and mining corporations to escape their just burden of taxation. He said that the state board of equalization had pretended in 1899 and 1900 to raise the railway assessments, but that the increased valuations were really and unjustly placed upon other over-taxed forms of property held by the people. The increase on other property was so great, said the governor, that the railroad companies actually paid less money proportionately into the state treasury than they had previously paid under smaller valuations. He recommended that in order to avoid the undue influence of the railway companies over the state board of equalization an assessment law should be enacted giving assessors power to fix the valuation of railway property within such counties. He recommended that the telephone and telegraph companies should be placed under the authority of the railroad commissioners who should be given power to regulate railway rate charges. He said that telephone charges were outrageously high—that the rates charged the previous year were more than the cost of construction and operation and that a reduction of 50 per cent should be made thereto in all justice. He believed the state should buy up the existing telephone lines or build and operate its own system.

Concerning the finances of the state, Governor Lee said that they were as a whole in as good condition as could be expected. Expenses were high and getting higher and the revenue was low and getting worse. On June 30, 1899, the cash balance was \$537,110; on June 30, 1900, it was \$555,701. Registered warrants had been issued on which the interest charge at 7 per cent amounted to \$4,891. These warrants were worth par. He said: "It seems absurd that a state should tie its hands by the creation of separate funds and be forced to

pay interest on its own money or suffer depreciation of its paper. For two years the banks in which the treasury deposits its funds, have held nearly half a million dollars belonging to the different state funds and still the state has paid the banks interest to keep its general fund warrants at par. We have paid the bank cashiers 7 per cent to transfer our money from one state fund to another. Some method should be devised to allow a safe transfer of funds and avert the further registration of general fund warrants. The books of the treasury disclosed no interest paid to the state by depository banks although there is the best of reason for believing that the practice of receiving interest on state deposits indulged in by former treasurers is still in vogue. It was proved by the bank books that ex-Treasurer Phillips had received interest on daily balances on state funds deposited in the Dakota National Bank at Sioux Falls, and that someone had endeavored by the use of chemicals to destroy the evidence of the offense. The amount of this shortage on interest received from various banks was estimated to be over fifty thousand dollars. I placed the findings of the public examiner before the last Legislature and the attorney general. Both made the treasurer's offense their own by neglecting to protect the public interest." Governor Lee thereupon recommended the following reforms in the office of the state treasurer: (1) The treasurer should be paid a salary commensurate with his duties and responsibilities; (2) his bond should be increased to the full amount of his liability, it being now only one-half the amount of money collected and disbursed each year; (3) a depository law to force banks to pay interest on state deposits or else the funds should be locked in the state iron vaults. The governor further said: "There can be no good reason offered why a state treasurer should be permitted to enjoy a sinecure by which he makes from twelve thousand to fifteen thousand dollars per year at the expense of the people." He noted that the state debt had been reduced by \$248,000 in two years and that the total indebtedness June 30, 1900, was \$613,300. He recommended that the Legislature appropriate \$28,662 for the purpose of refunding to the counties the amounts advanced by them to bring back to South Dakota the First Regiment from the Philippine Islands.

In 1901 Governor Lee recommended the following: A law governing and controlling corporations; improvement of railway freight and passenger rates; prohibition of the sale of oleomargarine; repeal of the wolf bounty law which he said had cost the state \$40,000 in two years and was probably both fraudulent and unjust; correction of weaknesses and errors in the liquor laws; a law to compel officers of state institutions to furnish bonds for the safe conveyance into the state treasury of all revenue collected by them.

In his message to the Legislature in January, 1901, Governor Herreid recommended that the board of regents of the state educational institutions be increased from five to seven members; that the office of commissioner of immigration be re-established in order to better enlighten the world as to South Dakota's agricultural, live stock, dairying and mineral resources; that the governor be given adequate power to remove undeserving officials who had been appointed by himself; that the office of state veterinarian be made a salaried one and the duty of the office be made to include a study and investigation of the causes of infectious diseases; that the office of dairy and food commissioner be created and that official be empowered to enforce the pure food law.

At this session, out of sixteen recommendations by Governor Herreid, all except three were adopted. He had recommended no assisting committee; how to mark ballots, a name to appear but once on the ballot; a secretary for the board of regents; appropriation for a geological survey; power of governor to remove officers; a salaried veterinary surgeon; a new state fair board; appropriation for the state fair; the pure food and dairy commissioner to be elected by the vote of the people; legislation for the Soldiers' Home; organization of the State Historical Society; appropriations. These were the measures approved by Governor Herreid, and were passed by the Legislature.

The message of Governor Herreid to the Legislature of 1901 was pronounced by the press to be a strong document. "It has the twentieth century ring, and there is not a despondent or discordant note in the whole composition," said a republican newspaper. One of the first subjects considered by him was that the election of 1900 revealed a grave defect in the election laws which should be at once remedied by the Legislature. "Experience has demonstrated that a ballot law which permits the name of a candidate to appear on the ballot more than once for the same office leads to confusion and fraud," he observed, and therefore recommended that this defect should be promptly corrected.

He advised the Legislature to sustain liberally the state educational system and expressed the opinion that the number of members of the board of regents should be increased from five to seven and that the board should be given the services of a secretary.

He said that South Dakota had for years been famous as a great wheat producer, and that now the state was known far and wide as a great live stock and dairy producer. He insisted that the tide of immigration should be directed to the undeveloped fertile lands of the state, and that the office of commissioner of immigration should be re-established. He further advised liberal appropriations and support of farmers' institutes.

He said that South Dakota had developed astonishingly in mineral wealth and that its mine products of the future were established and certain without doubt or question. He noted that Prof. J. E. Todd, of the state university, had prepared a scholarly and valuable report on certain phases of state geology; had done so on an exceedingly small appropriation; and had been at great expense. It was proper that he should be suitably recompensed.

He declared that the present insane and chaotic condition of the statutes relative to the powers of the executive in removing his own appointees caused him to earnestly insist that this Legislature "should take some action upon the subject. As the law is at present, there is no doubt that some appointees may be removed at the pleasure of the executive and as little doubt that others cannot be, while as to the large majority of such appointees the law is ambiguous and uncertain. Since the executive, as is ever the case, is charged with the acts of his appointees, his power to remove them should not be uncertain and he should be given complete and absolute power over his subordinates to remove them at pleasure should he deem their actions derogatory to his administration." He therefore, unhesitatingly and courteously requested the Legislature to give him such power.

He remarked that the live stock industry of the state was assuming gigantic proportions and that the present laws did not suitably protect and care for this

class of property. He recommended that the state veterinary surgeon should be paid an adequate and liberal salary, should be given authority to establish quarantine to prevent the spread of animal diseases, and should be empowered to investigate and study the subject in order to prevent animal diseases from securing a foothold and from spreading over the state. He noted that the state fair had become a valued and established state institution, and that its wise management and proper conduct, its usefulness and powers should be studied and developed by the Legislature.

The governor said that in 1899 the Legislature had prudently enacted a pure food law, but that it had remained inoperative because there was no provision made to put it in operation. He recommended the creation of the office of dairy and food commissioner with full power to investigate those subjects from the standpoint of health and success.

He favored a new legislative apportionment and said that one of the duties of this Legislature was to abrogate the partisan inequality existing in the state under present district limits. He questioned whether the state should make an appropriation for an exhibit at the Pan-American Exposition, but spoke favorably of an appropriation for the Louisiana Purchase Exposition.

In regard to the soldier's home the governor promised to see that the institution should be well managed, and he asked that necessary appropriations be made in order that the inmates whom the state and nation admired, respected and revered, and to whom they owed so much, could be properly cared for. He expressed the wish that the Legislature after mature deliberation would select the right man for United States senator, and promised that as governor he would obey the mandate of the people who had placed him in this responsible and honorable position. He noted that the people during the campaign and in the platforms had indicated what they wanted him to do and he promised faithfully to carry out their wishes to the best of his ability. At this time he recommended the establishment of a state historical society and hoped that an ample appropriation therefor would be made.

In his message to the Legislature in January, 1903, Gov. C. N. Herreid called attention to many important wants throughout the state. He noted the deaths of three prominent citizens, James H. Kyle, John L. Pyle and Frank J. Washabaugh. He called particular attention to the wonderful prosperity that had come to the state within the past two or three years. Never before had South Dakota advanced so rapidly along every avenue of prosperity. Two years previously the state administration had been changed in political complexion by the will of the people who had placed the republicans again in power, and he ascribed much of the unexampled prosperity to the proper management of state institutions under this change of government. He observed that he had filled numerous vacancies with men well qualified to carry on the official duties of the state. He said, "Impressed with the belief that the affairs of the state should be managed according to the rules of business recognized by managers of great and successful organizations, my first efforts to apply these convictions came in the selection of men to fill the various responsible positions in the service of the state. I soon found that my ideals of good government were not easily put into practice. Whenever I have believed that the public service could be made better I have ignored applications for appointments and even the recom-

mendations of my best friends in order to carry out my convictions of duty. Generally speaking, the offices have been seeking the men. Sometimes it has required a personal appeal to their sense of duty as good citizens to assume definite official burdens which to them meant neither honor nor reward. I have constantly endeavored to enforce the doctrine that the offices were not created for the benefit of any individual or class of individuals, that with each position there were certain peculiar duties and responsibilities and that whenever any official fails to measure up to the requirements of the position he must step out willingly, if possible, but if not, then expeditiously by order of the appointing power. The act of the Legislature of 1901 giving the governor power to unceremoniously remove officials is a most important step toward good government."

In his message the governor entered into details concerning the financial affairs of the state. He announced that the bonded debt during the fiscal year ending June, 1902, had been reduced \$185,000. Of this sum only \$35,000 was matured, all the remainder being paid before maturity and in this way the state had been saved in interest alone about \$43,000. During the previous five years the bonded debt had been reduced \$710,700 by a small, almost imperceptible, tax levy, thereby reducing the annual interest from \$59,000 to \$10,000. The remaining bonded indebtedness was \$427,500. There was also outstanding in revenue warrants \$150,000, bearing $4\frac{1}{4}$ per cent interest and falling due April 1, 1903. They had been issued May 1, 1902, in accordance with the law of 1895, and in accordance with the practice that had been established during nearly all former administrations. The governor showed that the issue of the revenue warrants was made necessary by the large appropriations of the Legislature of 1901. He said, "The Legislature which convened January 8, 1891, was confronted with a variety of deficiencies and claims against the state created by the various boards that have been administering the affairs of the state." In all there were seventeen of such claims aggregating a total of \$68,386.08. In addition the Legislature had seen fit to appropriate \$180,790 for new buildings and other permanent improvements of the state institutions. All of this combined made a total deficiency of \$258,356.08. As the state had greatly increased in importance and magnitude and as its institutions and offices had all widened greatly in their duties and functions, there was now, the governor said, a much larger demand than even before for more money to pay the expenses of all state departments. It had been found necessary to put on many additional clerks and to widen the sphere of operations of all state institutions, all of which had increased the expenses and exhausted the available funds. It was therefore incumbent upon this Legislature to make liberal appropriations to meet the altered and enlarged conditions. The governor said: "These expenditures exhausted the funds in the treasury available for current expenses and produced the anomalous condition of warrants 'not paid for want of funds' and drawing interest while the cash on hand in the state treasury December 30, 1902, was \$727,248.81. This unfortunate state of affairs has been caused by legislative appropriations in excess of the revenues of the state and by failure to enact legislation that will enable the safe investment of the accumulating school funds. During the last few years the state has lost thousands of dollars in interest paid on revenue warrants and registered warrants and a vastly larger sum by accumulating funds lying idle in the treasury. Your attention is directed to this extraordinary expenditure aggregating more

than two hundred and fifty thousand dollars. This sum is so much in excess of the revenue of the state that the difference between the expenditures and the revenues will continue during the present biennial period, as appears from the report of the state auditor. From the estimate of the auditor it will appear that the inherited deficiencies will be carried forward and that it will require another deficiency levy to pay current expenses and balance the extraordinary appropriations of two years ago. The officials charged with the financial affairs of the state are helpless to effect a remedy. The appropriations are made by the Legislature, the revenues of the state are limited, but the power of the Legislature to pass appropriation bills for lawful purposes is unlimited."

The governor stated that the permanent school fund on June 30, 1902, was \$4,084,566.59, of which amount \$538,511.06 was idle in the treasury. The schools had thus lost \$16,000 in interest in one year. The school land commissioner stated that the school fund would undoubtedly reach \$31,000,000 in the end if all the rest of the school land brought only \$14.60 average per acre, as it had brought thus far. What to do with this large trust fund was the most important question of the day. The governor advised that it be invested at the best rate practicable consistent with absolute security. The Legislature should carefully consider the question and provide how this should be accomplished. He remarked that the state treasurer's bond of \$250,000 was not high enough, because quite often the total amount in his possession was from two to three times as large. The condition of the treasury at this time is shown by the following figures:

Cash on hand July 1, 1900.....	\$ 555,701.37
Receipts for year ending June 30, 1901.....	1,738,587.24
Total June 30, 1901.....	\$2,294,288.61
Cash on hand July 1, 1901.....	\$ 764,888.46
Receipts for year ending June 30, 1902.....	2,174,257.47
Total June 30, 1902.....	\$2,939,145.93
Cash on hand July 1, 1902.....	840,525.40

"On June 18, 1902," said the governor, "the cash in the treasury was \$1,103,710.58." For these reasons he urged that the treasurer's bond should be increased. He did not believe that the usual surety or guaranty bond was free from objections, though good in many respects. In case of a general panic such surety company might fail, in which case the bond would be worthless. On the other hand, a bond with from 50 to 100 good local or state names would be certainly reliable and sufficient.

Concerning the inspection of illuminating oils the governor in 1903 said. "I am informed by the oil inspector that he has been continually deceived, hampered and annoyed by representatives of oil companies who evade the existing laws with impunity." He therefore recommended that the oil inspector be called before the Legislature to give all information possible in order that the laws might be effective and suitable.

The governor said that the attorney-general was at this time investigating the subject of requiring fraternal societies of all kinds to pay tax; recommended

an appropriation for the state geologist who recently had made important discoveries concerning the artesian water supply, but had not been paid commensurate with his services; noted that the report of the state veterinary surgeon showed that great progress had been made in controlling all stock diseases in South Dakota; said that the report of the state mine inspector, Thomas Gregory, showed that enormous advances had been made in the mining industry of South Dakota.

The governor commended the report of the state board of embalmers; said that the report of the state engineer of irrigation showed that great changes had taken place in the problem of irrigation in South Dakota and that great advances had already been made; announced that the reports of all state institutions showed that all state buildings had suffered great decay, that many were old and dilapidated, and he therefore asked for an appropriation of \$30,000 to make repairs on these buildings; observed that the project for good roads throughout the state had made a notable advance within a few years; said that good roads like good streets made good homes and economized time, saved money and reduced wear and tear of vehicles and horses; suggested that the old custom of working out the poll tax be repealed and that the road officer having the responsibility of good roads on his shoulders should be appointed; asked for the enforcement of the game law, said that pot hunters should be abolished wholly, insisted that all hunting out of season should be adequately punished, and asked that the transportation of game out of the state be prohibited.

The governor said that the board of pharmacy should be divorced from the pharmaceutical association and that such association should not be allowed to dictate bondsmen, nor redistrict the state, nor fix annual license fees, nor foist upon the board a secretary and treasurer, nor pay the salary and traveling expenses of its officers out of the funds belonging to the state treasury. He declared that the Legislature should determine whether the time had come to repeal the free range law; also when the time should come that the 750,000 acres in the free range could be made a source of revenue to the school and endowment funds. He made several recommendations concerning aid to the state fair and concerning the expense incurred by state officers in going to San Francisco to formally name the battleship South Dakota.

Every governor of South Dakota, from Mellette down to Herreid, had urgently asked the Legislature for power to remove their appointees, but all had been denied this authority. Governors Sheldon and Lee demanded this power for a specific purpose, while Governor Herreid demanded it on general principles, with the expectation no doubt that he might have urgent need for its use. The election of a certain man to the governorship is undoubtedly preceded by the opinion among the people that certain measures should be carried into effect, and that such official should have sufficient power to enable him to carry out the policy and principles which served as the basis of his election. Often political principles were at stake. Sometimes economic principles cut the greatest figure. More than once in the history of South Dakota the management of the state institutions was more important than any other problem, and yet for reasons not altogether clear, or for none at all, the Legislature had refused thus far to grant such power to the state executive. Governor Sheldon had urgent need for such power when he attempted to remove Regent Shannon from the state

board, but in this case there were equal chances that Shannon was right and Governor Sheldon was wrong. Perhaps it was right that this prerogative was too sweeping and drastic to be given the governor. Governor Lee unhesitatingly dismissed every appointee who proved unfaithful to his trust. However, many believed that in his zeal for upright official conduct he carried matters to an unwarranted extreme. It was no secret that Regent Spafford and Regent Blair did not in some way measure up to the requirements of Governor Lee. More than one newspaper declared that the inability of the governor to remove these men was the bar of salvation between the state institutions and a political revolution. With such power it was seen that the governor if so disposed might become domineering, autocratic and might make the executive office one that was offensive and crushing to the management of various state departments. A governor controlled by malice or consumed with political ambition could nullify the power of every state board and arrogate to himself control of the board of charities, board of regents, superintendent of the reform school, superintendent of the insane asylum, warden of the penitentiary, and president and faculty to every state educational institution. On the other hand, a prudent, wise and honest governor could and should carry into effect the policy and principles of the dominant party if he were given such power. Thus it was regarded as a matter of honest opinion based upon personal judgment, whether such power should be granted to the state executive.

Governor Elrod said in 1905 that the natural tendency of things was for much property to escape taxation and as real estate was the most tangible and accessible it was compelled to bear the greatest burden of taxation. Thus the homes which should carry the lightest burden were compelled to bear the heaviest. If anything escaped taxation, he declared, it should be the homes of the people. At the present time about 75 per cent. of the tax was paid on other than personal property. This condition should be rigorously changed by necessary legislation. Money lenders concealed their cash, bonds and mortgages and escaped investigation while real estate and homes sustained the cities, the schools and the state. The state wanted and must have revenue. The people wanted equitable assessment and taxation. It was therefore the duty of the Legislature to meet this requirement without delay, evasion or equivocation.

The governor remarked that this Legislature was probably the ablest in personnel of any that had yet assembled in the state. "You will fail in your duty if you do not remedy some of the gross inequalities in the present tax laws. Let us put aside politics, schemes and combines for larger appropriations and each and every one aid the clearest and wisest heads in bringing forth an important tax code, one that will be fairer and more equitable to our people and one that will put up the tax on much property that now escapes taxation. * * * Candidly and seriously, the most important question before the Legislature is the problem of taxation, and if this Legislature does not do its duty it will be the most important question for the next and each succeeding Legislature until it is rightfully settled. South Dakota is behind the times in handling taxation problems."

He noted that the telegraph and telephone charges throughout the state were unjustly high and burdensome and needed suitable regulation. He further said that the time had come to lower the rate of interest. "It is a shame that any

citizen can be required to pay such a rate. It is not fair to borrower, neither is it consistent with sound banking principles."

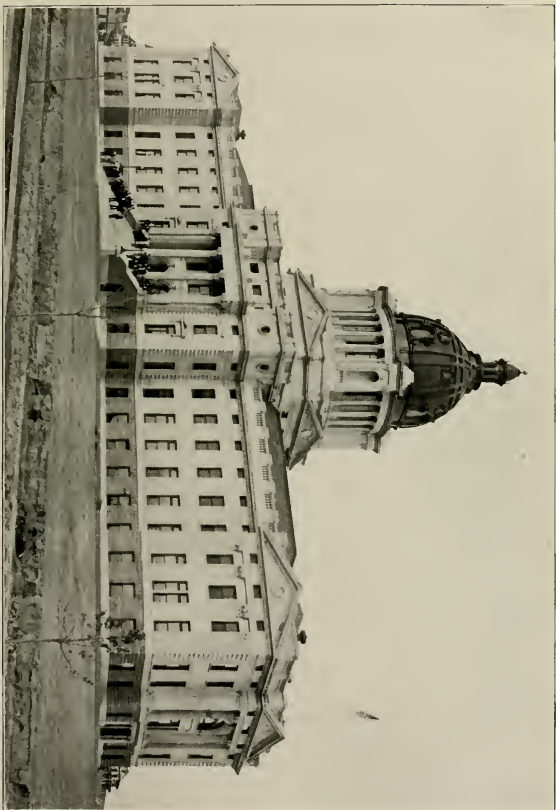
Inasmuch as the people had recently voted to amend the law relating to the loaning of the permanent school funds, he believed that the Legislature should provide the method of determining the amount of such fund which should be invested from time to time, but that great care should be used.

He observed that cattle mange had appeared in several places in the state and suggested that steps to check the disease should be taken at once. He recommended that each township be required to construct a dipping plant when directed to do so by the county board, such plant to be under control of township supervisors, and each township to bear the expense of construction. As the national Government was making strenuous efforts to stamp out this disease, this state, he declared, should not hesitate to help the movement.

The governor recommended the construction at the earliest practicable date of a twine plant at the penitentiary for the following reasons: (1) Useful employment for the inmates; (2) reduction of the cost of twine to the farmers; (3) if well managed such a plant would place a profit in the state treasury. Therefore, concluded the governor, if the revenue of the state warrants it, an appropriation for this purpose should be made. He asked the Legislature to establish the parole system and provide for the indeterminate sentence of convicts. He also asked that a chaplain be permanently provided for the penitentiary, and said that a kind word from a good man at the right time could not be overestimated in its excellent effect upon convicts—that the penitentiary should be governed largely by kindness.

He said that the main building of the soldier's home needed repairs and recommended that a reasonable appropriation be made to give the old soldiers proper housing and care, both of which seemed lacking. He noted that Gen. S. J. Conklin had asked for \$70,000 for the national guard, but he expressed the belief that half this sum would be sufficient. A little later when the Legislature granted the \$35,000 appropriation asked by Governor Elrod for the national guard, General Conklin resigned his position.

The governor noted that South Dakota was emphatically an agricultural state and that therefore the state board of agriculture should by all means be provided with sufficient means to take suitable care of the agricultural interests. The Legislature should provide for holding farmers' institutes under the supervision and direction of the agricultural college. He said, "Every state in the Union save South Dakota and Arkansas provides for these institutes. Our people are prone to do too much poor farming and plant too much poor seed. If the institutes did nothing but instruct our farmers how to select seed corn, we would in five years' time double our corn crop in quantity and quality." Concerning the primary law and its effects when put into operation, the governor said: "With our appropriations exceeding our revenues and with no safe or adequate capitol building, we do not think it advisable for the state to go into the experiment business. If once such a law is enacted at least 90 per cent of all offices will be filled by men who live in towns and cities and it will be only a question of time until the rural districts would be unrepresented." This was the opinion of many citizens at this date. He declared that a primary law would be expensive and unfair, would raise taxation, would place the unworthy rich



STATE CAPITOL, PIERRE

man in office and leave the struggling poor man no part in carrying on the important affairs of the state. He believed that a good caucus law would answer every purpose. The governor observed that the time had come for the construction of a suitable capitol building and recommended that plans for a structure to cost \$500,000 should now be adopted and a reasonable appropriation be made by this Legislature with which to commence its construction. He said, "For the purpose of defraying extraordinary expenses and making public improvements, or to meet casual deficits or failures in revenue, the state may contract debts never to exceed, with previous debts, in the aggregate \$100,000, and no greater indebtedness shall be incurred for the purpose of repelling invasion." He recommended that one wing of the capitol building be constructed in 1905, and noted that if the present frame temporary capitol building should be burned the invaluable Supreme Court library and all state files and records, which neither time nor money could ever replace, would be totally destroyed.

The governor expressed the emphatic belief that the salary of the attorney-general was miserably low and wholly inadequate to meet the dignity and requirements of that important and responsible office and that it should at once be increased to a suitable amount.

He stated that the regulation of railroads was a question of vast importance not to this state alone but to the whole country; that the railroad rate bill pending in Congress was one indication of what would likely happen soon in every state of the Union and that South Dakota should not be behind the others in effecting such regulations. He said, "Railroads are public servants and should serve the people well and reasonably. They should be managed with due regard to the interests of the people. The state should treat them fairly and they in return should respect the rights and wishes of the people. If existing laws were not adequate to protect the rights of the people, laws that are such should be enacted."

He recommended economy in all transactions of the Legislature. He talked at considerable length about assessment and taxation, became humorous and sarcastic concerning the state's weaknesses in these particulars, dwelt on the wonderful progress made by the state during the past four years and made the following boasts: (1) Splendid educational institutions; (2) normal certificates for teachers; (3) state aid to high schools; (4) management of state school and public lands; (5) effective work of the public examiner; (6) probability of the early commencement of a new state house.

By 1905 the state fair had become an institution of great advertising value to the state and the governor thereupon, for that reason alone, if no other, recommended a liberal appropriation for its maintenance and expansion. He called the attention of the pure food commissioner to the frightful adulterations of nearly every article of food disposed of within the state limits, but noted the excellent work that was being done by the commissioner to end this alarming state of affairs. In March, 1905, a meeting of the county auditors and the board of equalization at Pierre was glowingly and exultantly pronounced by the newspapers a grand success. Every feature of their work was discussed, analyzed, compared and extolled. New rules generally were agreed upon, made uniform and accepted cheerfully by the county auditors present.

After 1905 South Dakota was no longer a crestfallen and a borrowing state. The farmers generally had paid off their mortgages, had large sums of money to invest or loan and all had available and swollen bank accounts. From 1897 to 1905 inclusive, the statistics of the state showed a marvelous increase of wealth in every department of industry. The appropriations of the Legislature in 1905 for the biennial period amounted to \$1,702,354, including railways, express companies, etc. This was more than \$210,000 less than it had been two years before. The general appropriation bill of 1905 amounted to \$1,347,310.

The law of March, 1905, provided for an annual joint meeting of the county auditors and the board of equalization to consider the questions and problems of assessment and taxation and provide for the employment of tax ferrets by county boards. In 1905 both Governor Herreid, the retiring executive, and Governor Elrod, executive-elect, gave revenue and taxation the first consideration in their messages to the Legislature. This showed how important, even momentous, the question had grown in South Dakota. The inevitable climax of improvement was swiftly approaching. Reform and advancement in taxation was now demanded with such emphasis that the legislators could barely hold out against odds. In 1905 the state valuation of property of all kinds was \$199,326,081.

In 1905 Mrs. Mellette won her legal fight to retain possession of her homestead property in Watertown. This case had vexed the courts for many years, for sentimental reasons mainly, but at last was settled in her favor. Governor Mellette had been on Taylor's bond to the amount of \$50,000. Upon his defalcation the governor loyally and squarely turned over to the authorities all his property, including the homestead. It was now generally demanded by the citizens and was so held by the courts, that this homestead of the Mellette family should be exempt from this unfortunate obligation.

The governor recommended that the railroad commissioners should be authorized by law to employ experts to ascertain the actual value of all railway property in the state, with the following two principal objects in view: (1) In order to make such valuations the basis of freight and passenger rate schedules; (2) in order to learn the actual value of railway property so that the state board of equalization could make correct, adequate and just assessments. In this connection he said, "I earnestly recommend this subject to you as one of the greatest that demands effective legislation at your hands."

In January, 1907, Governor Elrod in his message to the Legislature made numerous requests, suggestions and recommendations. He asked for an anti-pass law, for an immigration commissioner, and for a new primary law; dwelt on the rapidly increasing importance of improving the common schools and the high schools; noted the excellent condition of the state penal and charitable institutions; estimated the expense of the state militia for two years at \$30,000; showed that the condition of the soldiers' home was satisfactory and never better; asked for a permanent memorial in honor of Governor Mellette; advised a heavy appropriation for the new state capitol; explained the fallacy of agitating the question of withdrawing school lands from sale by noting that if the lands were handled as wisely in the future as they had been in the past it would require 307 years to sell what remained; called the attention of the Legislature to the importance and wisdom of revising the revenue law; asked for an adequate appropriation for the state fair; suggested that the state should aid in the rapid

and specific development of the forestry industry; pointed out the surprising expansion of the corn growing area and the improvement in the quality and value of the corn itself; asked for a more prudent and stringent game law; insisted that the state should at least help to construct better roads; recommended that the rate of interest be reduced from 12 per cent to 10 per cent; and asserted that the divorce law was too liberal and farcical.

The administration of Samuel Elrod as governor of South Dakota from 1905 to 1907 was generally regarded as one of the most practical, straightforward, honest and sincere that had ever been given the state. He did not possess uncommon intellectual qualities, nor exceptional oratorical gifts; was not high-headed nor egotistical and was exactly the opposite of a bigot. The result was that his administration was practical, successful and satisfactory.

His last official act was to call upon State Treasurer Collins for a statement of the condition of the treasury. Mr. Collins reported that the state had no bonded debt and had a floating debt of only about \$217,600. By January 1, 1910, the net debt was \$875,418, showing a net increase in three years of \$657,607. During those three years, namely, 1907, 1908 and 1909, the following permanent improvements were made; this was the principal cause for the increase of the debt: Aberdeen Normal, \$82,109.84; Insane Hospital, \$53,588.45; Madison Normal, \$40,025.18; Penitentiary, \$60,167.85; Soldiers' Home, \$48,793.73; School of Mines, \$19,505.53; Agricultural College, \$79,957.72; Deaf and Dumb School, \$5,000; Live Stock Pavilion, \$2,000; Redfield Asylum, \$26,122.75; Manual Training School, \$4,999.61; Spearfish Normal, \$51,522.11; State Fair buildings, \$53,000; State University, \$84,729.89; other amounts, \$516.93; total, \$612,019.05. The total assessment for 1910 was \$337,702,289.

In January, 1907, the state was still under the apportionment made in 1897. Much dissatisfaction now arose over this condition of affairs. The state had grown rapidly and had gone far beyond the old apportionment and a change was needed and demanded. So sharp had been the criticism concerning the wrong use of the contingent fund upon which the state administration for many years had drawn for various expenses, that Governor Elrod adopted the course of keeping such money separate from all others and of giving a faithful account of how every dollar was spent.

Governor Crawford's message to the Legislature in January, 1907, was one of the strongest, most unique and unusual that had ever been delivered in the state. As Senator Benton said of Senator Douglas's arguments embodied in the Kansas-Nebraska bill in 1854, so it could be said of this message that the governor "injected a stump speech into the belly of his message." The message was forcible, direct, comprehensive and a terse and candid presentation of progressive principles and contemplated reforms. He made numerous recommendations after analyzing the most momentous questions that would likely come before the Legislature. His first sensational utterance was that he intended to compel by civil action two former governors to return to the state treasury several thousand dollars which they had drawn by means of the alleged illegal and unconstitutional acts of the last Legislature. Being the first insurgent governor and having been elected upon a platform of stringent reform principles and upon the profuse pledges of himself and associates to institute far-reaching and much-needed reforms in all departments of the state government, he caused every

feature of his message to bear the manifest and undoubted marks of insurgency. His remarks scintillated with public progressiveness and glowed with the most urgent calls for official reform. He charged that the state governors had taken without right sums of money for "perquisites" ever since 1901, that the amounts varied from \$500 to \$1,500 annually, that such sums had been taken by the unaccountable authorization of the Legislature and that the fund thus drawn upon was called "contingent" and had not been recognized when the constitution had been framed or when the laws had been passed. He referred in unequivocal terms directly to an alleged political intrigue which had been found to permeate nearly every state institution to the detriment of the public service and to the curtailment of their growth and development.

He brought out convincingly and succinctly what he denominated as the "transparent subterfuges" adopted by state officials to gain "perquisites" not intended or permitted by the constitution or the laws. In this connection he said: "I consider it my duty to call your attention to what I am convinced has been an unconstitutional attempt of prior legislators to circumvent the plain and emphatic inhibitions of the constitution." He declared it unlawful for the Legislature to allow the governors to take installments of what was called the contingent fund. He said that any appropriation invading this fund was a subterfuge of the Legislature and any such law was wholly void because unconstitutional, and that officials who received portions of the fund could be compelled under civil action to give a full accounting of every dollar they received. He announced that he intended to ask the attorney-general to look into the matter and take whatever action he deemed best. He proposed a rule of civil service in the conduct of state institutions and declared that there was in existence a system of political intrigue or mismanagement which threatened the life of the State University at Vermillion, destroyed much of the influence of the Agricultural College at Brookings and involved several other state institutions in disastrous personal, political and contemptible wire pulling.

He further said, "First, in practice, there are no sufficiently clear and well defined limits as to the scope within which a given educational institution is confined in its work. As a result there is a growing tendency to overlap and to work at cross purposes; constant temptation on the part of one to enlarge its plan so as to receive students who more properly belong to the other. This condition should not exist between institutions which belong alike to the state, and which are maintained by taxes imposed upon all the people. Each institution should be given strong support in the work it is designed to do and should be built up to the highest point of efficiency, but there should be a clearly marked line fixing the limits within which it is to perform that work. I am looking at the matter with perfect impartiality and with the desire to be just and fair to each institution; and I submit that it will be better for each and all of them to have their several courses of study and lines of work so clearly defined that each will perform its function in the most acceptable manner to the state without overlapping the work of another, and that they be held strictly to these channels, and that the expenditure of public funds in their aid be kept strictly within the limits prescribed by law. Great care, of course, should be used in fixing these limits so as not to impair the usefulness of each, but they should be made clear and specific and when made should be strictly adhered to.

"Second, there is a feeling of uncertainty and insecurity among many who are connected with these institutions, which grows out of a fear that, regardless of merit and faithful service, their tenure of position is in constant danger from personal intrigue and partisan politics; and that merit and faithfulness must yield to favoritism and the political 'pull.' There should be no ground for concern on this account. The time has come when it should be made clear and emphatic that the fixed and permanent policy of the state is to place the management of these institutions entirely above all question of political expediency and favoritism. A rule of civil service should be applied to the administration of the public institutions of the state. They are maintained by taxation upon all the people. The purpose of the state to deal with them along non-partisan lines should be declared so emphatically that no faithful and efficient president, superintendent, professor or employe need have any fear of losing his place through intrigue, favoritism, factionalism or changing political fortunes. He should be made to feel that he can rest implicitly upon the assurance that the only test of his right to continue in the service of the state is his faithful and efficient performance of duty and his worthiness."

He said that many of the buildings of the state institutions had been hastily constructed and poorly planned many years before, had become worn out and dilapidated and should now be replaced with buildings in keeping with the dignity and wealth of the state. In regard to the school lands he quoted from the commissioner's report as follows: "On the 30th day of June, 1906, there were only 7 cents of the permanent school funds uninvested and lying idle in the state treasury; the balance of said fund, consisting of \$3,267,489.52 loaned in the several counties of the state, and \$1,540,097.56 in deferred payments in school lands sold, making a grand total of \$4,807,587.08, is now drawing interest. Of this amount, \$998,403.19 in loans and \$1,540,097.56 in deferred payments, is drawing 6 per cent interest and the balance \$2,269,086.33 is drawing 5 per cent interest."

The governor further said that while the unsold public lands were rapidly advancing in value, it was of very doubtful wisdom to continue selling them. He expressed the opinion that the best tracts should be withheld from the market. He recommended, with the commissioner, that a minimum price be fixed at \$20 instead of \$10, as under the constitution. It was shown at this time that the average price of sale of such lands from 1891 to 1894 was \$13.56 per acre; from 1895 to 1898, \$12.76; from 1899 to 1902, \$15.86; from 1903 to 1906, \$26.85 per acre. He therefore believed that the best interest of the state required that such lands should be at once withheld from sale and that the price per acre for all lands sold in the future should be raised. He recommended that the wages of the Supreme Court clerk be fixed by law either as fees or as a salary. He made this recommendation because investigations and current reports indicated that such officer was receiving larger wages than any other state official. At this time the governor and each member of the Supreme Court received a salary of \$3,000 per year, circuit judges \$2,500, attorney-general \$1,000, other state officials \$1,800. None of these officials, he declared, could receive under the law any perquisites whatever.

The governor insisted that the pledges publicly and widely given during the late political contest and the principles enunciated in the insurgent platform

should be faithfully and rigidly carried into effect. He dwelt at length upon the evil effects of free tickets, free passes, franks, etc., and declared that all should be prohibited. He asserted that this Legislature was in honor bound to enact an efficient anti-pass law. He insisted that circuit judges and other officials when traveling in the interests of the state should be allowed every legitimate expense in addition to their salaries provided by law. He noted that the national Congress had recently enacted an anti-pass law, but believed that document did not reach the evils within the limits of South Dakota; therefore he recommended that the Legislature should enact an anti-pass law similar to the one adopted by Congress.

"Experience, observation and exceptional opportunities for noticing the effect of these favors upon men have thoroughly convinced me, as they have many others, that the most seductive and dangerous influence at work in the field of politics and in official life today is the pass. It benumbs sensibility and acts like an opiate in dulling the edge of conscience. It is equivalent, nay, it is more than equivalent, to the money its possessor would otherwise have to pay for the privilege it confers, because the recipient is flattered by the compliment paid him and persuades himself that receiving or using the pass is not in any sense a bribe but rather an act of courtesy due to him because he has become a distinguished citizen of the state. Its influence is everywhere in caucuses, conventions, legislative halls, courts and juries. Administrative, executive and ministerial officers, as well as party organizations and committeemen, come within the range permeated by its mystic power. Congress recognized the necessity of abolishing it, and the states are rapidly following with effective legislation. No half-way measure should be passed; the evil must be abolished root and branch. Deal with it as men acting under your oaths to execute the commission given you by the people who sent you here."

The governor dwelt at length on the evil influence and effects of the lobbies present at every legislative session, and called attention to the fact that other states had passed anti-lobby laws or laws restricting and controlling such influences or bodies. He said there was no wish to prevent the fullest hearing on all problems affecting public interest; and that lobbies, if working within their right sphere and functions, should not and would not need to be molested. The legitimate lobbyists, he said, should receive courteous treatment and should have their purposes fully considered by the Legislature. The blow of a lobby law, like that of other laws, was aimed at vice and not at the proper exercise of the duties of citizenship. The object of the law was to nullify the practice too often present to gain the legislative ear by unscrupulous means.

The governor considered the character, functions and operations of primary laws in general, traced their evolution and development generally in the United States, and contended that their main object or one of their main objects was to prevent trusts, unworthy corporations and private interests from controlling mass meetings, conventions, legislatures and other public bodies, and to end forever the corruption of public officials with offers of money and position. He further said, "The question confronting the people of this state and indeed the people of all the states, is whether they shall in fact rule by selecting their administrative, legislative and judicial officers, and whether such officers shall be sufficiently free from undue influence by public service corporations to enable the

state to control and regulate these interests; or whether such officers shall be selected by such corporations and the state be ruled by them. This is the question. No amount of sophistry and evasion can set it aside. It is the issue before the American people today. No reasonable and fair minded person desires to treat the corporations unjustly, or in a spirit of prejudice and demagogism, but, on the contrary, wishes to give them a square deal. The trouble is not with the corporation in its rightful place. It begins when the great corporate interests refuse to submit to regulation by law; when they seek to prevent control through unfair means by granting special favors to public servants for the purpose of placing them under obligations which hinder a faithful discharge of public duty; by going into nominating conventions and establishing partnership relations in politics with party nominees for mutual co-operation in controlling party organizations by such means as free transportation dealt out lavishly to convention delegates and party committeemen, by large contributions to campaign funds so that they may claim immunity from legislative restriction. These abuses exist. Any man who affirms otherwise is either blind or reckless of the truth. The political machine and the public service corporations are in partnership everywhere. The purpose of the primary election in nominating a ticket is to get a direct expression of choice of candidates from the people. Under such a law the power of directly expressing his choice remains in the hands of the voter, who is allowed to say by his ballot who should be placed upon the ticket of his party as its candidate for Congress and for state, legislative and county officers; also who should be selected as the candidate of his party for United States senator. The object is to preserve the right of choice in its purity in the individual voter. It gives him a weapon of defense against the encroachments of the machine-corporation alliance. You will find that the principal objections urged to a state wide primary are the following: First, that it is too expensive and bars poor men from office; second, that there is no limit to the number of candidates, and the person receiving the highest number of votes may, notwithstanding, receive only a minority of the votes cast; third, that voters of the opposition party vote at the primary of the party of which they are not members and force weak candidates upon it whom they will afterward help defeat at the polls; fourth, that in country politics it results in the success of towns and denies to the country a fair representation upon the ticket."

The governor answered at length the numerous objections which had been offered to the value and utility of a primary law, and in this connection gave a full exposition of the views of the progressives concerning the nature of such a measure. He insisted that the state should have an adequate primary law, and further declared that there should be a public accounting of campaign funds in order that the corrupt use of money could not be implied to influence or alter proper legislation. "The corrupt use of money to influence votes and to carry elections is a danger which attacks the very foundation of representative government. When assessments are made and money collected for the purpose of carrying on political campaigns, the public welfare is involved in its expenditure. If it is used to buy votes, make bets upon results, pay for whisky and treats, and debauch the morals of men, it sows the seeds of a rotting cancer. If no responsibility to account is placed upon the men who receive and disburse it, they may collect it for one purpose and spend it for another; they may embezzle it with

impunity, or use it against the very men who paid it. To assert that no legal checks or restraints should be placed upon the use of money in political campaigns and elections, is to take a position that is little less than monstrous."

The governor said that all persons in the state conceded that the assessment and revenue laws were crude and inadequate. Previous governors had referred in detail to their imperfect and ineffective nature, had discussed them and analyzed them and all the legislatures thus far had failed utterly to meet the requirements by correcting one of the greatest obstacles to the progress of the state.

"The franchises of public service corporations organized in this state and the privileges to do business and hold property in this state granted by its laws to non-resident public service corporations are of very great value, and the law prescribing a rule for assessing the property of these corporations whose property is a kind possessed of marvelous earning power, omits all reference to the value of the franchises, and in fixing values no reference is made to increased value on the part of the property of these companies lying between towns and cities, where they have depots, machine shops, enlarged grounds, sidetracks, general offices and personal property of great value. The terminal grounds and depot buildings of the Burlington & Missouri River Railroad Company and of the Chicago & Northwestern Railroad Company with rights of way in the City of Deadwood and of Lead worth many thousands of dollars, are valued under the law at the same rate per mile as one mile of single track over the open space of land in Custer or Fall River or Pennington counties. With one of the richest gold mines in the world in its midst, the average value of mineral lands in Lawrence County is only \$91.66 per acre; total number of acres of mineral lands in the county is 44,770 and the total assessed valuation thereof, \$3,908,235. With 2,734 miles of Western Union Telegraph lines in the state assessed by the state board at \$240,000, and 20,723 miles of telephone wires in the state assessed by the same board at \$780,293, and the property of the express companies assessed at \$139,298, and the Pullman Company assessed at \$22,500, we find all this property going entirely free of road tax because the tax levy is made upon it by the state board exclusively and no equivalent to the road tax is levied at all."

By 1907 the state had paid off its entire bonded debt, but had outstanding a floating debt of \$217,101.04. These figures were published in the summer of 1907. On November 8, 1907, the floating debt was stated to be \$500,643.38. There was a 3 mill levy for the fiscal year 1907-08; also a one-fourth mill levy for a twine plant at the state penitentiary, which measure had been carried at the November election, 1906. The total assessment in 1907 was \$260,640,077. This included all corporate property. The state board fixed the assessable property, exclusive of corporate property, at \$237,582,181. In 1908 the assessed valuation was in round numbers \$268,000,000. The tax levy amounted to \$1,214,933.42. In November, 1908, the state owed a total of \$779,501. This debt had been incurred in anticipation of the annual tax levy of 1908.

The most conspicuous events of history in South Dakota from 1890 to 1908 were the following: The Messiah Indian war of 1890; delinquency of State Treasurer Taylor, 1895; Spanish-American war efforts of 1898; capitol removal contest of 1904; opening of Rosebud Reservation lands in 1904; construction of railway lines west of the Missouri River in 1905-06; opening of Pine Ridge Reservation lands in Tripp County in 1908.

In his message to the Legislature of 1909 Governor Crawford made many specific recommendations for the improvements of the public service. Among his earnest requests were the following: (1) Insurance of bank deposits; (2) a tax commission for the general good of the state and particularly to compel large concerns with vast personal property interests to disclose their taxables; he declared there was too much valuable personal property in the state that wholly escaped the search of the assessor and therefore was lost to taxation; (3) in regard to the capitol building fund, he stated that 40,586 acres had been sold for \$293,195.10; of this sum \$110,512.82 was on hand to be applied toward the construction of the building; these lands were the endowment from the Government for this purpose; it was necessary, he said, to raise about \$400,000 more with which to complete the building; he suggested that in order to finance the project to completion it would be well to renew the former special appropriation of \$200,000 from the general fund for two years, and to issue \$100,000 of capitol building bonds, all to be repaid in the end from the sale of capitol lands; (4) to give the railway commissioners extra power and authority over express, telegraph and telephone organizations, owing to the fact that under the existing laws these organizations were not adequately controlled and were practicing various fraudulent operations on the public; (5) that the Legislature should pass an indeterminate sentence law as had been recommended by the board of charities and corrections; in this connection his message was forceful and eloquent and reached the sentimental side of the question; he pleaded that due consideration should be extended to young convicts whose subsequent lives would, in a large measure, be determined by the treatment they received while confined by the state; (6) that young convicts should be given short terms for first offense and then be surrounded with uplifting influences in the penitentiary, and for good behavior be granted liberties upon pledge of reform; (7) that there should be a permanent state parole officer who should make a study of the system or law of paroling convicts and should have absolute control of their movements after the law had once been defined; (8) to regulate banks which had too many liberties in this state; (9) to increase the number of the Supreme Court to five; (10) to increase the salary of the attorney-general.

Governor Vessey's inaugural message of 1909 was a little unusual in its tone and innovations. Many of his terms were unexpected but all were received seriously and duly considered by the State Assembly. Many citizens were present to hear what the governor had to say. He had the courage to speak out his convictions on all questions of state government. However, neither the outgoing nor incoming governor seemed to have sufficient courage to point out and analyze and hold up for inspection, the serious difficulties that had involved several of the state institutions. He made many useful recommendations to the Legislature, among them being the following: (1) To carry into effect the pledges and platforms of the party having control of state affairs; (2) indeterminate sentence of convicts; (3) restrictions of the powers and privileges of banks; (4) important amendments to the primary law; (5) enlargement of the office of immigration commissioner; (6) a new road law; (7) a revision of the insurance code; (8) severe penalties for white slavery; (9) a hospital for inebriates to be maintained by one-half of the license fees of the state; (10) two additional supreme judges.

Many laws of South Dakota previous to 1909 were extremely deficient in several important particulars. They doubled taxation on property represented in mortgages from 1889 to 1909. Reforms had been repeatedly called for by many eminent men for years, but no change for the better had been made.

In 1909 the total state debt was \$1,083,472.18. In order to meet the interest on this debt and to carry on current affairs of the state, it was necessary in 1909 to levy the full 4 mill tax permitted by the constitution. The total assessment of the state in 1909 was \$321,070,665. In 1908 it was \$283,696,268. There was thus a material increase from 1908 to 1909 due to the increased expenditures growing out of a larger and more expensive state government.

Governor Vessey's message in 1911 was regarded as a wise and worthy state document, somewhat brief, but was full of suggestions for thought on the part of the legislators. He pointed out where legislation was needed and lacking, and indicated how certain laws should be enforced. He stood pat on the subject of temperance and how to deal with the liquor traffic. He spoke particularly of the rapid strides made in education and declared that the educational institutions from the university down to the common schools were doing a great work for the state. He did not point out, however, in what respect any great progress or advancement had been made in the rural schools. His assertion was sweeping but was not applicable to the common school which had received very little attention and had made less advance during the previous quarter of a century. He believed that to withdraw any part of the aid from the educational institutions would result in retreating the state in its highest development. He spoke of the great progress which the state had made in all its varied industries and its numerous departments. Education had advanced with unexpected strides and the population had increased even more than had been hoped. He noted particularly the wonderful improvement that had been made in agricultural methods during the previous two years. He asked the Legislature not to retard the state institutions by lack of appropriations, but at the same time recommended economy and business methods. He warmly praised the management of the state institutions and declared that they were never in better condition and were steadily advancing onward and upward. He suggested that part of the wages of convicts should be given to their families. He expressed the opinion that the primary law was a vital public measure and that it was still inadequate to meet the dispensation of justice to all factions in the political field. He thought that party interests should not be made to conflict on the ticket. He advised the Legislature to pass additional laws discouraging the sale and use of intoxicants; asked that a larger salary be paid the attorney-general; suggested better wages and enlarged powers for the state board of health; called for better roads; insisted on better farming along scientific lines; advised a liberal appropriation for the national guard; asked for an appropriation with which to build a suitable governor's mansion at the state capitol, and urged that a constitutional convention be held to revise the old organic law.

It was charged in 1911 and 1912 that Governor Vessey during his second term continuously neglected his duties, absented himself from the capitol and devoted the most of his time to his private interests in other parts of the state.

In March, 1912, he visited San Francisco and while there selected the site of the South Dakota Building on the grounds of the Panama-Pacific Exposition. With him was a party of prominent citizens and officials of South Dakota.

In January, 1913, Governor Vessey in his final message to the Legislature urged greater diligence and activity upon the Legislature at the commencement of the session. He pointed out that it was customary to give very little consideration to the bills until a week or two before adjournment, at which time it was too late to pay them proper and adequate consideration. As it was, he declared, the rush at the close of each session permitted many objectionable laws to evade scrutiny and study. This, he declared, occasioned later much unnecessary litigation and expense in the courts and much annoyance and waste of time to rout out and eradicate undesirable legislation. He asked that far better care and much larger appropriations be given to the tuberculosis hospital at Custer. He recommended that criminals quite often should be given conditional sentences and be afforded an opportunity to assist their families. He recognized the importance of good roads and asked that additional laws for their maintenance be passed. He spoke particularly of the amendments necessary to the educational laws so that the people of the rural districts could have much better schools. He recommended the passage of a law empowering the governor to remove a minor official who refused or neglected to carry out his plain duty under the law, and stated that many complaints on this score came to his office. He also dwelt upon the subject of the transfer of various tracts of state land in the Black Hills.

Governor Byrne's message to the Legislature in January, 1913, was broad and sensible. While pointing out many errors and shortcomings in the management of state affairs, he praised the progress and management as a whole. He sharply criticised the federal courts, made important recommendations relative to good roads, dual boards of control and more efficient system of taxation, a so-called blue sky law and other measures. He favored giving the Richard's Primary Law a fair trial and thus agreed with the voters at the election in November. He recommended that saloons be limited in the ratio of not more than one to each 1,000 people. He gave his views also concerning prison labor, farmers' institutes, inheritance tax, brewery ownership of saloons, official service and many other popular subjects of that day. He suggested greater economy in all departments of the state government, and was pleased to announce that the management of the insane hospital at Yankton was excellent and that the institution was a model of its kind. He recommended that an additional hospital for the insane be built at or near Watertown owing to the great size and rapid growth of the institution and to its overcrowded condition at Yankton. There were nearly one thousand inmates in that asylum at this date. He recommended that another building for the feeble minded should be erected elsewhere and that the new institution should be called the Northern Hospital for the Insane. He noted that the deaf mute school was well conducted and in prosperous condition. This institution, he said, was growing rapidly and needed up to date improvements. The governor opposed prison contract labor because he believed that it interfered with the dignity and good repute of labor outside of that institution. He recommended that nearly all state educational institutions be provided with instruction in agricultural extension work. He noted that the appropriation of \$1,000,000 by the International Harvester Company for special extension work in agriculture

was a timely reproof to the various state governments and was a striking example of what the farmers really required. He urged a summer school at each of the state normal institutions and the establishment of an industrial and manual training school at Aberdeen. He approved the able report of the state educational association, and agreed with the recommendation of the board of regents concerning the annual appropriations for the state institutions, but disagreed with the board that a special tax should be levied for the sum needed to carry on the institution. He said that this would only lead to worse confusion than before. The present arrangement of giving to each a stinted sum annually was awkward, cumbersome and unscientific. Under the present method the annual appropriations for the state institutions were inconsistent and unappreciated. He declared that the whole unwieldy and confusing plan of handling and managing the institutions of the state should be overhauled and regenerated. The state already had two general boards with more or less specific duties, namely: the board of regents and the board of charities and corrections, each of which consisted of five members. The duties of the board of regents differed much from those of the other board. The latter was permitted to purchase supplies, while the former were required to put new educational projects into execution. He suggested that the board of regents be reduced to three members, be made wholly non-partisan and non-political and be given control of both classes of institutions, educational, charitable and penal, and that the members of the board be paid salaries. The powers of the board of regents should be enlarged and made more definite, and they should be required to administer the educational policies and direct the instructors, etc.

The governor further said that the earnest efforts to secure satisfactory freight and passenger rates had not been successful. He said that the state should be and could be made secure in its rights and that the laws should prevent the railways from evading lawful rates for their own betterment as well as that of the state. In January, 1913, within thirteen minutes after the governor had signed the railway rate bill, the federal judge at Sioux Falls, who was sent a telegram from Pierre that the measure was a law, had signed the restraining order on the state officers not to put it into operation. The railways were doing all in their power to defeat the object of the bill, and this course of action had been in successful progress for many years, or ever since the original rate bill was passed by the Legislature in 1897. By January, 1913, no final decision of the new case, begun in 1909, had been reached. The 2½ cent rate had been held up in the courts; various suits had been pending for from two to six years merely for the purpose of checking or preventing as long as possible the enforcement of the law. These actions were begun in the federal courts where the railroads wanted them, and thus the government was arrayed in apparent opposition to the states. Governor Byrne insisted that the Legislature should proceed at once to remedy this mischievous and unwarrantable condition of affairs. He said, "The people do not so much complain of any specific decision by the courts as of the contemptuous way in which the railways trample on state laws and hinder the officials in the performance of their duty to enforce the laws when any decision or judgment on the merits of such laws has been ordered." He recommended that the railway commissioners be required, like other state officials, to

live at the state capital, be paid salaries and be required to devote all their time to their duties.

He called attention, as every governor had done since 1889, to the well-known fact that assessment and taxation in South Dakota were both extremely defective and ineffective. He noted with emphasis that real estate and poor men bore the heaviest burden of taxation, while personal property and rich men managed in a large measure to escape the law. In this connection he remarked, "The constitutional provisions do not permit a perfectly scientific and equitable system of taxation." He therefore recommended the establishment of a permanent tax commission with ample powers to meet all emergencies, the commission to be wholly non-partisan and to consist of three members. He suggested that the inheritance tax law should be amended because as it now stood it was practically useless, and insisted that it was the duty of the state authorities to carry into effect the Richard's Primary Law, which had recently been adopted by the vote of the people. He called attention to the importance of doing something in regard to the Corrupt Practice Act, referred to the evasions and abuses of the constitutional law authorizing the application of the initiative and referendum, and spoke particularly of how easily signatures to petitions could be secured by purchase. He said that it was commonly reported that in two instances in the past the referendum had been invoked against laws passed by the Legislature where money had been paid to secure signatures. He believed that corporations should be prohibited by law from using threats, either express or implied, to compel employes to vote in the interests of such organizations. He declared that the public printing was needlessly and excessively expensive, double what was fair and right, and that the work was no better. Wanton oversight and inattention by the authorities caused this additional expense. He recommended the establishment of a state printing plant and bindery and a thorough revision of the laws concerning this subject, and revealed the fact that it was customary for printers to charge twice for matter set up only once for both House and Senate. He asked that a bank deposit guaranty law be passed, that banks be required to give a guaranty for deposits; that a blue sky law be enacted; that the construction of good roads throughout the state be continued; that farmers' institutes and short courses be encouraged and cared for by the Legislature and the state, and that the state fair receive adequate support from the Legislature.

He said that the 9 o'clock closing law had proved a striking success throughout the state, and recommended that a law be passed to allow one saloon to every one thousand population or less and one or more for each additional thousand population. He urged that a law should be passed preventing breweries and wholesalers from conducting retail liquor establishments; that a survey of the water resources of the state, west of the Missouri River, should be made with a view of impounding the water to be used in dry seasons or dry months, and that a liberal appropriation for the state militia be made.

At the session of the Legislature in 1915, Governor Byrne took a strong and inflexible position against certain contemplated appropriations which he believed should not be made. He said, "For the Legislature to attempt surreptitiously to defeat these actions now is inexcusable. It is your plain duty to defeat these appropriations, and I urge it with all the vehemence in my power." He took the position that several former state treasurers had drawn from the treasury unlawfully,

the interest on state funds which had accrued in banks where they had placed the money on deposit. The governor asked for an appropriation which he believed should be made for the prosecution of former state treasurers who had withheld this interest on state funds. But the Legislature did not see the subject in the same light that the governor did, and accordingly, notwithstanding the urgent language used by the governor, they took no action on the recommendation. They believed that they were competent to judge whether former treasurers had been slack or overreaching in their methods, and that they themselves, were competent to pass on such measures without special intimations or instructions from the state executive. When the general appropriation bill came up for final consideration, early in March, 1915, Governor Byrne addressed the Legislature in a special and urgent message in which he insisted that vigorous action should be taken by the Legislature to push these interest suits against former state treasurers. The Legislature had a short time before adopted as a part of the legislative record a concurrent resolution providing that any amounts which had been lost by past state treasurers through bank failures should be allowed them as an offset against claims; that any extraordinary claims which had been forced against treasurers should also operate as an offset, and that the amount of interest which might be claimed by the state should be upon the basis of interest secured on state funds since the provision for the payment of interest to the state instead of to the treasurers had been adopted. This action had not met the approval of the governor, and hence was followed by his special message and his recommendation for the commencement of court action.

Early in March, 1915, Governor Byrne vetoed six items in the general appropriation bill, cutting out a total of \$49,050 from the items covered by the Legislature. The special items which the governor vetoed were as follows: From the insurance department appropriation \$17,000, on the ground that the law provided that the office should exist on its receipts and appropriations; he declared this appropriation illegal; from the railroad commissioners' appropriation, \$4,000; from the militia department association's appropriation, \$18,000; from the clause carrying the Richard's Primary Law into effect, \$8,000, which appropriation, the governor asserted, was not a valid charge against the state; from a deficiency appropriation of \$1,050, on the ground that special departments must exist on their fees; from the "blue sky" provision on the ground that it was illegal; from the livestock fund for the Cottonwood Experiment Station, \$1,000 appropriation, on the ground that such an experiment was not advisable at this station. At the same time the governor vetoed the bill providing that the tenure of office of county superintendents should run to June 1, on the ground that unnecessary confusion would be caused thereby. He likewise vetoed the bill which attempted to change the existing public building inspection law permitting towns to have loose chairs in halls where motion pictures were shown, on the ground that such arrangement would make it unsafe for the public. Owing to his firm and independent attitude on these various appropriation bills the governor was subjected to severe castigation by the press and the speakers of the state. It was insisted that the constitution which said that "No money shall be paid out of the treasury except upon appropriation by law and on warrant drawn by the proper officer" left it optional for the governor and the Supreme Court to pay out without any formality the money received in the miscellaneous or special fund without the interven-

tion of a legislative appropriation. It was said at this time that in 1906 the full amount paid out of the miscellaneous fund was over \$21,000 and that in 1914 the amount thus paid out was nearly three hundred and ninety-eight thousand dollars. It was argued that aside from the specific restriction of the constitution, former rulings or holdings of the governor and of the Supreme Court were to the effect that such money could be paid out without any legislative action or interference. It was argued by others that when such sums could be taken and spent annually from the special state funds without legislative appropriation, what reliance could be placed upon figures of the state officials concerning actual expenses and appropriations. It was argued that constitutional "perquisites" and unconstitutional appropriations from the miscellaneous funds were not per se illegal, but were really moral questions and the principles or rights could be settled only by suit against members of the Supreme Court. It was charged by several newspapers that the Supreme Court had by skillful language changed the thought and intent of the constitution, and that the only remedy for procedure or misconduct of this kind was a jury trial provided for in the judicial recall of the amended Richard's Primary Law.

In rejecting the bill providing for the state printing, Governor Byrne encountered severe abuse from the printers of the state in the spring of 1915. He believed that the printers were being paid far more than was necessary to secure good and satisfactory work. Evidence showed that such was the fact. The governor had previously discovered that there were many apparent discrepancies in the printing contracts which had been awarded to the concerns doing the state printing. Any irregularity on their part was promptly denied by the printing companies, but the fight continued with considerable bitterness. In the end many suspicious facts concerning state printing were revealed to the public, with the result that important reforms were demanded generally by the public. The press unitedly continued to abuse the governor, but the people applauded his course in ferreting out and exposing the fraudulent operations. There was much diversity of opinion concerning the justness of this attitude taken by the governor. Many held that he was correct in vetoing the insurance commissioner's allowance, thereby leaving the matter solely to the judgment of the insurance commission to spend what was deemed fit of the \$50,000 that came to the department from fees and taxes. Others argued that the system was too loose and flexible and that the time had arrived when an exact amount to be spent by every department and official should be fixed by the Legislature and when the pay of superintendents be established on an exact and reasonable basis. State Insurance Commissioner O. K. Stablein said in this connection: "The laws of the state require that the state insurance department must be self sustaining and that all expenses must be paid out of the income. Last year the income was \$30,000, while the expenses of the department were only about eight thousand dollars. We turned back into the general fund of the state approximately twenty-three thousand dollars. We had absolutely no use for an appropriation from the State Legislature and inasmuch as such an appropriation is illegal, it was very wisely vetoed by Governor Byrne."

Governor Byrne was persistent in his efforts to press to conclusion suit against the alleged delinquent state treasurers even though the Legislature refused to make provision to assist him in this course. He was convinced that former

treasurers had received perquisites to which they were not justly entitled. It was brazenly argued by many newspapers that it had been conceded before the election of the state treasurers that they were to receive interest on the surplus funds deposited in banks to compensate them for the extra hazard of protecting the funds and that there was no constitutional provision to prohibit such a step. This unworthy answer did not satisfy the governor. Suit was instituted against the estate of Kirk G. Phillips, former state treasurer, and against his bondsmen. The case came to trial, but the state was defeated. In this suit the state undertook to recover more than fifty thousand dollars alleged to have been received by Mr. Phillips as interest on deposits of state moneys in his custody. The state was represented by Attorney-General Caldwell and E. E. Wagner, of Sioux Falls, former United States district attorney. The Phillips estate was represented by Judge W. G. Rice and Judge A. J. Plowman, while the interest of the bondsmen was guarded by Messrs. Martin and Mason. The arguments on the demurrer continued an entire day and evening, the defendants evading the issues and contending that the statute of limitations operated against the possibility of recovery. During the progress of the trial the attorney-general became convinced that the state could not recover, and hence agreed that suit should be discontinued. It seemed that on the face of facts the only successful court contest with state treasurers would lie against C. H. Cassill, whom the statute of limitations did not protect. It must be admitted that all the former treasurers had made as much money as possible by loaning the state funds, owing to the fact that their salary of \$1,800 per year was comparatively small, that their responsibility was very great, and that the state laws did not prevent them from thus loaning the money in their possession. It was admitted that the campaigns revealed these facts and that no serious objection had ever been offered to the proposition that state treasurers, owing to their great responsibility, should be permitted to make these loans and to pocket the interest. Whether this custom was satisfactory to the people of the state cut no figure in view of the refusal or failure of the Legislature to take specific action to remedy the existing condition of affairs.

Early in 1915 the public charge of former State Auditor Henry B. Anderson that the state administration could be conducted for \$500,000 less than was being spent attracted general attention. He was asked to come before a joint committee of the Legislature to explain what he meant by this charge. In his reply he admitted that he may have placed the amount too high, but insisted that the amount was approximately correct. He declared that if purely business methods were applied to all departments of the state and to all its institutions, a large sum could be saved. He pointed out that an immense sum could be saved annually by consolidating all the normal schools at one point in the central part of the state to be under one management, and declared that all the state institutions, both penal and educational, could be placed under a board of control not to exceed three members and that this board could be required to devote their entire time to looking after these state institutions, thereby saving another large sum. This course would reduce the thirteen members of the two state boards to but three members, thereby saving thousands of dollars annually in hotel expenses, railroad fare, salaries, etc. He further pointed out that the board of control of three members could be authorized by law to make a tax levy each year not to exceed a fixed rate of mills to pay the running expenses of all the state institutions and

other needs, and that this board could apportion the money so raised to the different institutions in accordance with definite regulations and with their particular needs. Of course all of this would require an amendment to the constitution, but it would be a movement in the right direction and should be made at once by the Legislature. Although this matter had been presented to the voters of the state at the last election and had been defeated, this did not prevent the Legislature, he asserted, from taking action to educate the people as to the wisdom of this procedure.

Governor Byrne early in 1915 said: "In the case of the judges of the Supreme Court there is no provision of the constitution, express or implied, requiring them to reside or maintain offices at the capital, but it is clearly in the public interest that they do so, though it is well known that in some states the judges of the higher courts do not live or maintain offices at the seat of government. The constitution requires that at least two terms of the Supreme Court shall be held each year at the seat of government. If the judges continued to reside at their homes instead of coming to the capital and giving their entire time to the services of the state they would unquestionably be saving themselves much in living expenses. Also, if they continued to live at home no one could question the validity of a law providing for the payment of personal expenses when coming to the capital to hold terms of court. In North Dakota when the Supreme Court judges reside away from the capital the Legislature provides for each in addition to an annual salary of \$4,000 the sum of \$100 per month for personal expenses when such judge was away from home in the discharge of the duties pertaining to this office and for other necessary expenses. If payment of such expense is constitutional, can it be claimed that a law providing for payment of part of their personal living expenses incurred in the service of the state and incidental to and a necessary result of their residing at the capital is unconstitutional? If it is unconstitutional to provide money to pay the personal expenses of the circuit judges in the discharge of their duties, it must be just as unconstitutional to pay the other expenses of the courts which the constitution does provide for."

In regard to the expense account of the railroad commissioners the governor early in 1915 said: "In my first message to the Legislature I urged the importance of requiring the members of the board to reside at the capital and remain in continuous session as a board, and because of the meager salaries paid them, which would not support their families at the capital, I urged that some allowance for personal expenses be made to each commissioner who would so enter upon his duties. The Legislature embodied these recommendations in the laws of 1913. I knew I performed a valuable service in bringing about this change and I surely have no apology to make for it."

In March, 1915, Governor Byrne said: "Much of the talk about the laws for the payment of expenses of the governor and other officials incurred in the discharge of their official duties being unconstitutional is mere captious criticism by interested parties and is not made in good faith. Those who want to prey on the government need not be expected to want the governor and other officials constantly on the job at the capital. The Hipple Printing Company pretends to be much interested because of the extravagance of what they call unconstitutional provisions for the payment of such expenses, including rent for a home at the capital for the governor. An examination of the vouchers on which they

drew for years suggests that they may not be wholly disinterested in this matter. For instance, this company was paid for the 1912 publicity pamphlet \$13,795, and the 1914 publicity pamphlet of approximately the same number of pages was furnished by another house at a cost of \$2,544. Thus the Hipple company seems to have received in excess of a fair profit \$11,251, which was taking down excess profits in good sized chunks. It is almost equal to the governor's entire salary for four years. * * * Largely, I believe, because of the inadequacy of the salaries we pay our officers, we have had too much absentee government in the past. I have been trying to establish the policy of requiring officers to give their time and attention to the duties of their offices in the interest of the public."

In July, 1915, a test case was instituted by the governor against the state treasurer to decide whether the interest paid on the daily balances of the permanent and income public school fund, should be paid into the school fund or the general fund of the state treasury. The law stated that all interest collected on such balances should be paid into the general fund while the constitution provided that no income received on school funds, should ever be diverted from that purpose. The treasurer had been placing this interest in the general fund and the object of the test case was to find where it should be legally placed.

CHAPTER V

CAPITAL CONTESTS DURING STATEHOOD

Perhaps no single feature of South Dakota history sheds so much light on all conditions of growth and advancement in the state at the time as do the several prolonged and elaborate capital contests. The rivalry was so vigorous, intense, audacious and remorseless that every item of information was laid bare for the historian by the capital committees, the local boards of trade, the newspapers, and generally by the elaborate, studied and acrimonious campaigns. In details, research, artifice, abuse, personality and misrepresentation they far discount and surpass any political campaign ever conducted in the state. These contests were proper and legal, because it was the privilege of any town or city to aspire to this great distinction and honor; but when they resorted to the tactics that are not even allowable in politics for power and position and in business for commercial advantage, they were striving far beyond the domain of their acknowledged rights. When they went beyond what may be considered strictly honorable measures to achieve success, their course, while no more reprehensible than is that of many active business men, professional men and politicians of today, reached within the boundaries of criminality, dishonored the contestants by unbecoming and disgraceful conduct, and cast a shadow upon the fair name and fame of the young state.

As will be learned in detail elsewhere in these volumes, one of the first contests for the capital site after it became clear that Dakota Territory would be divided into two states before long occurred in 1885, when the question was submitted to a vote of the people with the following result: Huron, 12,695; Pierre, 10,574; Chamberlain, 3,232; Sioux Falls, 3,338; Alexandria, 1,374; scattering, 613. The large vote for Pierre indicated this early that at least three important principles were taken into consideration by the voters, viz.: (1) The location of the capital in the geographical center of the state; (2) the belief that in the end the great reservations west of the Missouri River would become thickly populated with white people; (3) the envy or jealousy of the towns in the James River Valley against one another, each wanting it, but being unwilling to let either of the others have it, thus fearing injury to its own material growth.

Again in 1889, immediately after the passage of the enabling act, the contest for the temporary capital sprang into life and action. At first there were many aspirants, among which were Watertown, Chamberlain, Mitchell, Pierre, Highmore, Huron, Woonsocket, St. Lawrence and Miller united, Redfield, Aberdeen, Madison, Alexandria, Sioux Falls, Yankton and perhaps others. No town was too small and unpretentious to covet the honor. Gradually the least desirable ones were eliminated by popular opinion until Huron, Pierre, Chamberlain, Sioux

Falls, Mitchell, Watertown and Redfield alone remained as the real and active contestants.

In the spring of 1889 the Sioux Falls Commercial Club voted that that city was in the race for the temporary capital, but R. F. Pettigrew opposed this action for prudential reasons and favored Pierre. He realized that Sioux Falls could not hope to be the permanent capital and that if the temporary capital should be located there the fact would bar out other permanent state institutions that might otherwise be secured. Redfield was a vigorous aspirant for the honor, particularly after July. Aberdeen assumed the role of a compromise contestant—a sort of dark horse—hoping to secure the prize when the others should fail through jealousy to settle on a mutually satisfactory candidate or aspirant. The James River towns all favored the location in that valley, but could not agree among themselves as to location. All of them at first opposed Pierre with many manifestations of indignation and self sacrifice. At this time Yankton favored Sioux Falls for temporary capital, because that city previously had opposed the removal of the capital from Yankton and because both Pettigrew and Grigsby, residents of Sioux Falls, had previously worked and voted in the Legislature to prevent the removal of the Supreme Court from Yankton to Mitchell. Pierre and Chamberlain were favored by the Black Hills.

Late in August, 1889, the Woonsocket Capital Investment Company, a strong, moneyed corporation, decided to cast all its influence and efforts in favor of Pierre. That company claimed to control 10,000 votes. They established an office in Pierre and began to work for that city. They at once secured much land near the limits and did everything in their power to boom Pierre as well as the real estate in that vicinity. At this time the big Locke Hotel was projected and commenced and electric lights could be seen for the first time on the streets. The action of this company roused the indignation of Mitchell, Huron, and the other capital possibilities. Both of those cities organized for the fight and raised large sums of money with which to conduct the campaign. In fact about half a dozen James River towns, seeing now the strength of Pierre, organized and united in part to oppose to the bitter end the ambition and pretensions of that town. Even Chamberlain joined them, owing to its jealousy of Pierre. As a matter of fact the Woonsocket Investment Company was a private organization to make money out of real estate deals and speculations. It went to Pierre, because it believed that town had much the best chance to become the capital site, both temporary and permanent. Aberdeen was so indignant at the conduct of this company that her citizens held a big mass meeting and denounced this act of a money making and private institution as a contemptible interference with a purely state affair that affected all the people and should be above greed, selfishness and private schemes and intrigues. Major Barrett of the Aberdeen Republican charged that this movement of the Woonsocket Investment Company was a dastardly attempt to buy the votes of the citizens in favor of Pierre. For this charge he was assaulted and thrashed by Ordway Johnson, a member of the company, but did not retract what he had said.

Many newspapers in the Black Hills, including the Times, favored Sioux Falls for the temporary capital, because that was the only city in the state that could take care of the Legislature and the crowds. The Times said of Huron that at the dates of the democratic and republican conventions many persons were forced

to sleep on cots in halls, that the meals were bad and that conditions were even worse in Pierre, Chamberlain, Mitchell and Watertown.

The Woonsocket Investment Company did not claim to be anything but an organization to make money. It sold many lots at Pierre for reasonable prices. It held the ground that Pierre was bound to win unless a combination that could beat it should be formed; but the combination of towns to secure the capital for the James River Valley was a rope of sand which fell to pieces readily when either of the towns involved saw its chances fade in the dim distance. If at this time these towns had united on one location and if they had stood by and fought for that spot, the capital today would be in the James River Valley instead of in Pierre. Neither of these towns would concede the capital to either of the others, hoping for its own success and in the end actually voting in favor of Pierre.

By the middle of September Aberdeen was out of the race—was too far north, and Pierre was far in the lead and gaining new voters every day. Watertown was too far to the eastward and Redfield did not have a very strong and enthusiastic following. At Pierre the Capital Investment Company reorganized, had two offices and sold hundreds of lots in the city and suburbs at rather high prices based on the supposition that the capital would come to Pierre. Another argument in favor of Sioux Falls was that the state would not be put to any expense for buildings, a statement that could not be made with truth about any of the other contestants.

At a secret meeting held in Aberdeen on September 5, 1889, it was disclosed, so the newspapers said, that the Woonsocket Investment Company had applied for tracts of land at low rates to all the capital aspirants of the James River Valley, but had been turned down by each in succession and had thereupon gone to Pierre where the land was forthcoming. It was later openly claimed that this was a fact.

On September 13th, Redfield withdrew from the race and came out in favor of Huron for the temporary capital site. It was claimed that Huron money accomplished this withdrawal and support. About the same time Yankton was accused of selling its support to Sioux Falls for from three to four thousand dollars. Other similar charges and counter charges were afloat in the Sunshine State.

Finally, in October the election was held, with this result: Pierre, 27,096 votes; Huron, 14,944; Watertown, 11,970; Sioux Falls, 11,763; Mitchell, 7,516; Chamberlain, 2,414; scattering, 44. Pierre had wisely anticipated this victory and had prepared for an elaborate celebration. On October 3, when the long train pulled up at the station, about five hundred people, all warm friends of Pierre, stepped off amid cheers and joyous acclamations, waving banners on which were emblazoned the words, "Pierre is the Capital." At once the whole population turned out and bedlam for a season reigned. Bells were tolled, engine whistles were blown, guns were shot off, cannons were fired and a genuine love feast of delight swept the young city for thirty minutes. The leading men were called out, both in the street and at the opera house, and compelled to give voice to the joy that possessed the city. A large number of Two Kettle's Indian band was encamped on the river and they too soon joined in the revelry with an energy that dwarfed the transports of the whites, but their enthusiasm was forgiven and even applauded under the extraordinary circumstances. At night the revelry was continued with fireworks, torches, bonfires, etc.

"For the capital honor Chamberlain, Huron, Mitchell, Pierre, Redfield, Sioux Falls and Watertown entered the race, and each organized a strong propaganda backed by vast sums of money secured through subscription or the issue of municipal bonds and warrants, and the interest in the capital fight overshadowed the interest in the constitution or any other topic at that time before the people. To say that it was a campaign of wholesale corruption of voters is to put the matter in its mildest form. Practically every newspaper in the state was subsidized in the interest of some candidate and many voters were subsidized by all of them. From the standpoint of public morals it was a most unhappy time."—(South Dakota Historical Collections.) "Under the terms of the constitution the permanent seat of government was to be determined by another vote of the people in the fall of 1890 and Huron, Pierre and Watertown announced themselves as contestants for the prize. However, before the campaign fairly opened, Huron, through negotiations with the Watertown people and for a substantial consideration, induced the city to withdraw from the race, so the issue was fairly drawn between the cities of Huron and Pierre. It was another campaign over which it is perhaps charitable to throw the mantle of obscurity. Both cities bankrupted themselves to secure funds to prosecute the fight, Pierre being again victorious by the vote of 41,876 to 34,852."—(Same.)

The people of Watertown entered the capital contest in 1889 against the advice of the local newspapers and secured third place with an alleged expenditure of \$96,000. In 1890 Pierre offered Watertown a bonus to again enter the race in order probably to draw as many votes as possible from Huron. There was a general demand all over the state early in 1890 that the election the next fall should settle permanently the capital site. Huron showed such strength early in this campaign that Pierre became alarmed and organized at once for a relentless fight to the finish. With Pierre the great object was to draw by hook or crook as many votes as possible from Huron. All over East South Dakota, particularly the James River Valley, there at first arose a preponderating movement for Huron. At a big mass meeting held at Howard a Huron capital club was organized from the citizens in several counties near that town.

At this time it was a recognized fact that nearly all the newspapers of the state outside of those cities were purchasable by either Pierre or Huron, so that because any newspaper supported either town it was not an absolutely certain indication that it was best adapted for the capital site. It was true then as now that individual voters could be induced for small sums to poll their votes for either town. This fact induced both cities—Huron and Pierre—to raise large sums of money with which to buy newspapers, voters, supporters and influence generally. Pierre in this regard possessed far greater means than Huron. The former had many rich men, shrewd financiers, who did not hesitate to supply the means to carry on a strenuous and undeviating campaign. Huron was not so fortunate or unfortunate and soon "went broke."

In July both Pierre and Huron made ample preparations to entertain the editorial excursion from Pierre across the reservation to the Black Hills and return in order to win their support in the capital contest. Pierre's object was to secure favorable notices for the region west of the Missouri while Huron's object was to secure a statement of the defects of the region. Pierre bought at St. Louis twenty-five large tents for the accommodation of the editors on their



VIEW OF PIERRE IN 1881

One year old



VIEW OF PIERRE IN 1907

trip to the Black Hills. It also enlisted extra freight wagons to carry the tents, wire mattresses and luggage. A load of ice was taken along to cool the lemonade, mineral water and other seasonable, refreshing and harmless drinks. It also provided thirty carriages to carry four passengers each. P. F. McClure had charge of the details. A courier was sent in advance to select the most agreeable spots for the encampments and to make every thing there fresh and attractive. The excursion terminated at Rapid City whence the editors dispersed throughout the Hills. Later all came back as they went out. It was stated that Pierre also paid the expenses of the editors on their return. All of this made Huron very envious and sarcastic.

Four principal points were urged by Pierre why she should be given the permanent capital, viz.: (1) Two miles of street railway; (2) the Presbyterian University; (3) a large brick packing house; (4) the geographical center. At this time the best business lots in Pierre were valued at about three thousand dollars and good residence lots at from one hundred to three hundred dollars. The Pierre Board of Trade stated in September that the city had many hotels with a total capacity of 1,000 guests and that three of them—the Locke, five stories; the Park, four stories; and the Wells, three stories—were conceded to be the best in the state. Huron charged that Pierre's chief drawbacks were inconvenience to reach and lack of accommodations.

"In the capital fight of 1890 the Pierre promoters carried on the most demoralizing campaign of debauchery ever known in the West. Their agents were everywhere and bought every man who would sell his influence or vote. It was the most disgusting and degrading slush campaign ever inaugurated, and the vast boodle fund collected by Pierre and disbursed with such brazen impudence did much to give the state a serious set-back in the eyes of honest people. Pierre afterward repudiated her debts and bond obligations and her organs now (1904) charge Mitchell with trying to buy somebody or something. Pierre secured the location of the capital through open and corrupt boodle methods, and boodle alone gave her victory over Huron and the latter went broke trying to match Pierre's corruption. Had the question been left to an honest expression of the people at the polls, Huron would have won out easily and no man will question the truth of the statement. Pierre bought the capital in 1890, just as she is trying to hold it now."—Mitchell Republican, June 4, 1904.

"The great effort Pierre is putting forth at the present time to divert the attention of the voters from the main issue of the campaign is simply amusing. The cry that Huron abuses portions of the state is becoming very musty. Huron says that the State of South Dakota is a most wonderful state, containing within its borders sufficient undeveloped wealth to rival in time the rich states of the Atlantic sea-board. Huron says without fear of contradiction that all portions of the state are not adapted to the same purposes. It has said that the Black Hills was purely a mining country. It has said and says again that the reservation is not adapted to agriculture."—Huronite, 1890.

In 1890 Watertown presented reasons why that city would and should become the state capital: (1) Extensive railroad system; (2) accessibility; (3) soon to be on trans-continental lines; (4) gateway to the state; (5) manufacturing center; (6) financial advantages; (7) large public halls; (8) unrivaled hotels; (9) excellent public schools; (10) many churches; (11) cultivated and intelligent

society; (12) pure drinking water; (13) two beautiful lakes near by; (14) slightly location and good drainage; (15) metropolitan conveniences and accommodations; (16) close relation with all the large trade centers; (17) her location would be suitable for the capital.

"Pierre claims that the glorious account hitherto given of the unfolding wealth of South Dakota is all true. Huron, and the Sioux Falls Press for it, claim that this account is half a lie. Pierre says that the multitudes may be joyous, because there are lands of plenty beyond the Missouri. Huron denies this and proclaims the land beyond the Missouri to be a desert and incapable of sustaining a large population. * * * If Pierre is right in claiming that the country west of the reservation is rich and fertile, Eastern South Dakota will realize and receive great benefit from proximity of so fair a land. Otherwise she may suffer the result of participation in the gloom of the desert. But Pierre is right and Huron and the Sioux Falls Press are wrong, as is proven by the great incoming tide of population already dashing beyond the Missouri in the direction of the setting sun to shores as fair and fruitful as any in the Land of the Dakotas. * * * West of the Missouri River the great Sioux Reservation has stretched as forbidden ground ever since before Pierre was founded. Now this reservation is open and there are 11,000,000 acres of land ready for settlement. The soil is rich and there is room and sustenance there for two million people and more. This does not include the Black Hills country. It is the recently ceded lands which lie west of the Missouri and east of the Black Hills."—*Pierre Daily Chronicle*, August 29, 1890.

In 1890 so hard was Huron pressed for campaign funds that it sold the city waterworks to a private corporation, but the newspapers there declared that this step had nothing to do with the capital question. In November, 1896, the Supreme Court decided that this conveyance was illegal and the waterworks reverted to the city.

"If the Huronite would devote one-half the space in presenting tangible arguments in favor of Huron for capital that it does in villifying and slandering Pierre and other portions of the state it would command more respect of its readers. During the last two years it has made a regular business of slandering different portions of the state under the delusion that it was helping to build up Huron. The result is that its scurrilous articles have been published over the entire East and have affected not only immigration but the values of realty throughout the state. If the editor of that paper can see nothing good in the state he should be pensioned by the Legislature and sent back to Iowa where he came from."—*Pierre Daily Chronicle*, August 29, 1890.

"The Observer has question before the foresight and judgment of the Huron Capital Committee in pursuing a course of willful and base misrepresentation of sections of the state—notably the reservation—for the purpose of gaining votes for the state capital. * * * Wonder what will be the next piece of infamy to try and gain a few votes by defaming one section of the state to build up the interests of a few realty holders in a selfish town."—*Redfield Observer*, August, 1890.

"The virtuous howl of indignation from Pierre over the fact that some of the people of South Dakota who believe that the capital will be located at Huron and in consequence of that faith have made investments in Huron property, comes

with poor grace from a town that encouraged and reaped its reward from the notorious and glowing 'Capital Investment Company,' which succeeded in hoodwinking thousands into the support of Pierre last year, but which, realizing that the jig is up so far as Pierre's chances for the permanent capital are concerned, has disbanded and gone out of business at the old stand, leaving their dupes throughout the state in the lurch and not in a very amiable frame of mind, either, as Pierre will learn later on if she does not realize it now. It is very likely that she does realize that the 'Capital Investment Company' was a poor investment for her and for that reason is now vigorously raising the cry of 'stop thief' to deter people from investing in the Huron property."—Bowdle Pioneer, August, 1890.

"Huron is waging a wide open war for the capital, giving reasons why each part of the state should come to her support; while Pierre contents herself with denying imaginary slanders and heaping abuse upon her opponent."—Big Stone City Wave, August, 1890.

"What could be a stronger argument for Huron as the capital than the fact that almost every spontaneous gathering of the people in convention is at Huron. No popular assemblies of the people were called at Pierre. This of itself ought to be conclusive that Huron is the more natural and convenient place for the capital. It would be an unnatural freak to compel people by law to go into an isolated place for public gathering. The almost weekly conventions at Huron is a constant argument for her claims."—Aberdeen News, August, 1890.

"Pierre is trying to patch up broken promises and with them lay a foundation for a campaign. Cute little circulars made of 'loud' paper are floating over the county, telling the dear people that the 'Capital Investment Company,' or the confounded imposition conspiracy, is still on earth and will be ready to do business some time in the 'glorious approximately.' Of course those who nursed this 'abnormal growth' from well filled purses and for their pains got lots on the gumbo hills seven miles from the Town Pierre, will regard said little circular as a treasure and pay a few more assessments on said gumbo hills that the progenitors of the now defunct movement may live a little longer on the people. Will they? Well, not in this neck o' the woods. One purgative of the above type is sufficient for the average citizen and is more than enough for many who took the bait and got hooked last year in Pierre tackle."—Egan Express, August, 1890.

"There hasn't been a public gathering at Pierre since the adjournment of the Legislature. Why? Simply because the average Dakotan can't raise wheat enough to pay his fare such a distance, and there is barely time between seeding and harvest to make the trip."—Leola Northwest, August, 1890.

"Irrigation or emigration—which?"—Mitchell Republican. "Irrigation and immigration."—Daily Huronite, August 19, 1890.

"The reason we support Huron's candidacy for the capital is through no hostility to Pierre. What we now say in relation to Pierre's manifestly fraudulent census is not said from any hostile spirit. Neither is it said with any relation to the capital contest. The City of Pierre has made a grossly false and fraudulent return of her population. In returning 3,200 she has nearly doubled the number of her actual inhabitants. Of this there is no doubt or question. In so doing she has intentionally defrauded every other community in the state. Watertown, Aberdeen, Mitchell, Redfield, Brookings, and every town that has

made honest returns are equal sufferers from Pierre's mendacity. Pierre has robbed these towns of their equal representation in the Legislature. * * * Instead of the tenth city, which she is, Pierre will rank third if this fraud goes unchallenged. * * * There is but one way to prevent this fraud: Let representatives of the defrauded towns meet immediately and by proper representation to the census bureau secure an investigation and recount of the mendacious municipality."—*Courier News*, Watertown, August, 1890.

"About the middle of September an earnest request in writing was forwarded to the Pierre Board of Trade by one of the most prominent officers of the Farmers' Alliance Company asking for a proposition for property to be donated to that company for manufacturing purposes. The proposition was made in writing and under it the citizens of Pierre guaranteed to the Dakota Farmers' Alliance Company land and dockage on the Missouri River for manufacturing purposes of the value of \$200,000, absolute deeds of the same to be placed in escrow and to be delivered to the said Farmers' Alliance Company as fast as required for the purpose of improvement. This offer was declined for the reason—as was plainly stated at the time—that it did not contain a bonus to some of the high officials of the company to work the deal through and we have good reason to suppose that the offer has been absolutely suppressed from the general members of the Farmers' Alliance for the reason that Huron gave the required bonus instead. It is well for any corporate company to know that the officials who are handling their money and doing their business and at the same time pretending to be laboring for the great good of the masses are allowing no opportunity to slip to gather in such inside money as they may be able to put in their own pockets for the sale of such influence as they may possess either to different political parties, or to different capital aspirants. It is fair to infer that that official who demanded 'boodle' from Pierre has in sending out his circulars in favor of Huron been influenced by a personal money consideration to himself. In other words, the Dakota Farmers' Alliance Company and the Dakota Farmers' Alliance generally—both excellent institutions—are being bought and sold on the market to the highest bidders by a few would-be leaders in whom they have confidence. The editor of the *Ruralist* has the proud satisfaction of knowing that while last year he worked for Pierre on his convictions, he has this year sold his convictions for money and received the pay therefor."—*Pierre Capital*, October 29, 1890. In this connection the editor of the *Ruralist* said, "Pierre men are lying to our people in every possible way. They have printed on the back of their map that Pierre has offered to the alliance land to the value of \$200,000, which is absolutely and unqualifiedly false."

"It will be remembered that at the opening of the present campaign for the permanent capital the people looked with dismay at the prospect of having three candidates for the honor, neither of which could probably secure a majority over the other two. It indicated a continuation of the contest for two years after the next election—a contest of which the people have had already enough. Afterward, when Watertown very wisely withdrew from the capital race, there went through the state a sigh of relief at the prospect of a speedy termination of the turmoil. With only two candidates in the field the capital question would be settled at the next election. In fact it was very soon after the beginning of the campaign practically settled in favor of Huron by the overwhelming public sentiment everywhere apparent.

"Suddenly the capital sky is murky again. There are signs of a sort of cyclone in the air. Mysterious telegrams in many concatenations appear in papers outside of the state (curiously one must go away from home to get the news) announcing that a powerful syndicate with millions of money is about to gobble up the capital. It is a kind of a Louisiana lottery 'combine,' with oceans of money to bribe right and left. From all accounts in outside papers (telegrams are easily sent) the North Dakota lottery whirlwind was a gentle zephyr compared with the coming capital boom. What city is to be the child of such good fortune at the hands of so rich and generous a syndicate? Yankton, Mitchell, Sioux Falls, Redfield, Madison or some other place having the necessary facilities for the capital? No, but Wolsey! Some gang of speculators parading in the papers as a rich syndicate is going, so report says, to put Wolsey in the capital race.

"This wild-cat scheme is attributed to Pierre influence. In her desperation to avoid the certain defeat which awaits her with only herself and Huron in the field, Pierre seeks, it is said, to put a third candidate in the field. It is known that she tried hard to persuade and hire Watertown to be her cat's paw, and the present scheme of putting Wolsey forward is alleged to be a dernier resort after the same plan, to bolster waning fortune. If Huron can be prevented by fair means or foul from getting a majority at the next election, Pierre can retain the seat of government for two years more and thus secure an opportunity to reimburse herself somewhat and gain time to scheme for another trial.

"The plan is too visionary and too desperate to succeed. There is too much trickery and corruption in sight at the outset to give it any standing before the people. They do not propose to have any speculative syndicate, however rich, step in and by corrupt means defeat the will of the people. The extra thousands of dollars it will cost the tax-payers to continue the capital at Pierre and to conduct the extra campaign two years hence can not be put out of sight. Besides, the business interests of the state demand that these capital wrangles shall cease, that the people may settle down to work. The new fake will not take."—Aberdeen News, August, 1890.

"Now that Pierre has shown her hand and put Wolsey into the fight in order that she may retain the 'temporary' (capital), all good citizens, having the interests of the state at heart, and wishing to end this whole capital business, should turn in and not only vote but work for Huron. Huron wishes this question settled now. She made great sacrifices to get Watertown out of the race—so that this campaign might end the fight. Pierre bitterly opposed that effort then and did everything in her power to get Watertown into the race. Failing in this she has now made the attempt to foist Wolsey into the race. As her efforts at Watertown failed, so now this one must. Those who wish to see the fight ended now, and they are thousands of the best men in the state, will turn to Huron as their guiding star and vote for the town that in good faith is making every effort possible to end the fight now."—Daily Huronite, August 19, 1890.

"Pierre, with but one line of railroad, is and for years to come will be a comparatively inaccessible place. Located remote from the center of population, away from the bulk of the people, it is an inconvenient location for the people, involving a great loss of time and a large expense of money to reach it. It is therefore a most inconvenient and inaccessible location and should never for an instant be thought of as a proper place for the location of the permanent capital

of the state. Huron being the most convenient and accessible place in the state is the right place for the permanent capital."—Daily Huronite, August 19, 1890.

"The last faint effort of the now doomed town on the Jim to meet her financial obligations is one of the worst frauds ever attempted to be perpetrated upon the people of the state. Having run short of funds with which to carry on her corrupt campaign, Huron has now had printed an immense lot of scrip, representing over two million dollars. This scrip has the same appearance as a bank note or any paper money, and purports to be redeemable at its face value if Huron gets the capital. This so-called money is being passed off onto farmers and the uninitiated in consideration for work and votes for Huron. This scrip is not and never will be worth any more than the paper it is printed on—whether or not Huron should be the capital. It is a fraud and a snare to catch unsuspecting victims. Having failed to float her \$60,000 bogus school bonds, Huron is compelled to use some pretext for money and to keep up appearances of meeting her obligations in some way. How can she pay up \$2,000,000 when her assessed valuation does not now reach that sum? She is now so deeply in debt that financial institutions refuse to buy her bonds whatever. Will any voter in South Dakota accept payment for his services in Huron scrip when he knows that Huron cannot now pay her debt. Huron cannot even pay the interest on her huge indebtedness and it is common talk among her citizens that Huron will make no attempt to pay up her immense debts after election."—Pierre Capital, October 29, 1890.

"The question before the people is, shall the capital of South Dakota be located in the exact center of the state, with faith that our state will be developed equal to Minnesota and Iowa, or shall we admit that it will not grow any more and locate it with reference to its present population?"—Pierre Board of Trade, October 28, 1890.

"It is rumored that Huron is about to formally withdraw from the capital race, and the reason given therefore is that the fair village has run short of funds caused by her inability to float her fraudulent school bonds."—Pierre Capital, October 29, 1890.

"Huron's brass band campaign has busted her. A number of her hired bands throughout the state have ceased playing for her because she has not 'put up' as per agreement. But her capital committee is writing the boys that she will get there pretty soon—just as soon as she sells these \$60,000 school bonds."—Pierre Capital, October 29, 1890.

"Pierre's campaign will vindicate the rights of South Dakota. Pierre workers have never lost sight of the fact that the whole state is all right and that Pierre, if chosen, will be the permanent capital of the whole state and not a portion only. Under the vigorous and patriotic blows of our workers the 'barren waste' stories were beaten to death so far as the people of our state are concerned. The lovers of justice and fair play from all parts of the United States have commended the manly position taken and heroically defended by Pierre. The herculean efforts of Pierre and her friends saved our state from the most stupendous calamity that ever befell any state, viz.: The loss of her good name. South Dakota has been saved, but the injury already done by Huron's 'barren waste' yarns will remain."—Pierre Capital, October 29, 1890.

"The latest railroad news from Huron is to the effect that a company has been formed and the right of way received for a new line of railway running from Huron to the moon. The people of Huron are almost beside themselves with joy over the prospects of their new road. This road has nothing whatever to do with the capital contest. It is purely a business speculation and will be of inestimable benefit to Huron as a suburban resort for the capital boomers after November 4."—Pierre Capital, October 29, 1890.

A critical examination of the above newspaper extracts necessitates the statement that they were intensely partisan and shaped in favor of the city they supported. They reveal that both cities in order to win resorted to any and all tactics short of such open and notorious violations of the law as would place them in the courts. However, it must be admitted, as before stated, that their methods and campaigns were no worse nor objectionable than those adopted and put in operation almost every year in the United States by business and political organizations. All will admit that it made no serious difference to the state as a whole whether the capital was located at Pierre or at Huron. This fact serves to remove the contest from the charge that a great, momentous and vital issue to the whole state was at stake or was involved, and reduces the contention to a struggle between the two cities and the individuals thereof for their own profit and benefit. Of course, both cities endeavored to make it appear that they were working for the sole salvation of the state, just as parties and politicians try to make the populace believe that their defeat means a dreadful calamity to the county, state or nation. The result of the vote on the capital site question in October, 1890, is shown below :

Counties	Pierre	Huron	Counties	Pierre	Huron
Aurora	638	304	Hyde	398	49
Beadle	75	2,460	Jerauld	371	295
Brown	2,584	1,263	Kingsbury	349	1,678
Brookings	947	1,305	Lake	742	1,001
Bon Homme	1,399	448	Lawrence	2,776	1,370
Brule	814	429	Lincoln	952	1,072
Buffalo	146	2	McCook	699	805
Butte	268	38	McPherson	781	291
Campbell	703	130	Marshall	748	282
Charles Mix	761	231	Miner	466	911
Clark	277	1,499	Minnehaha	2,738	1,945
Clay	921	757	Moody	533	930
Codington	886	801	Meade	1,290	44
Custer	651	80	Pennington	1,916	335
Davison	574	770	Potter	535	253
Day	1,038	1,130	Roberts	227	251
Deuel	561	584	Sanborn	301	723
Douglas	705	362	Stanley	202	0
Edmunds	861	291	Spink	537	1,948
Fall River	650	463	Sully	574	15
Faulk	772	279	Turner	910	1,150
Grant	646	808	Union	951	1,023
Hamlin	362	774	Walworth	480	107
Hand	1,029	400	Yankton	1,346	829
Hutchinson	931	725			
Hanson	341	735			
Hughes	1,668	5			
			Total.....	41,969	34,610

No sooner was the capital located at Pierre in 1890 than the citizens there redoubled their efforts to have the capitol building ready for the Legislature in January, 1891. They erected a substantial frame structure by the voluntary gifts of the people and had it ready on time. It was said to be the only frame capitol building in the United States and was used until the new statehouse was ready in 1910.

The permanent location of the capital at Pierre in 1890 did not satisfy Huron, nor thousands of citizens in the eastern part of the state, as shown by the above large vote for Huron. Thus, immediately after the election, that city and others began to kindle interest in the question of resubmitting the capital location again to the voters. Newspapers recommended submission and at every session of the Legislature attempts to secure the passage of such a resolution or bill were made. The old objections to Pierre, the ambition of other cities and the material interests of real estate and other business concerns, served to keep the fires of capital removal burning while the wounds of the former contest were healing. The expenses had been enormous and the burden was hard to bear for many years. The cities involved, including Watertown, were in the end compelled to go to court to secure relief on their bond issues.

However, as soon as the afflicted cities were convalescent, the tireless, ambitious and determined James River Valley again began skirmishing in the direction of the Pierre capital outposts. At the legislative session of 1895 a bill for the resubmission of the capital question to the voters was introduced at the instigation of Huron, but was defeated.

Again at the legislative session of 1897 a similar bill in the interests of Huron was introduced and was supported and pushed by a strong lobby from that city, among whom was R. O. Richards. On this occasion it was involved with the United States senatorial contest and perhaps with other political or business ventures and intrigues. Judge Plowman, a senatorial aspirant, was particularly active in favor of resubmission. It was confirmed that the friends of Judge Plowman who had supported Pierre in the capital contest of 1890 now worked for the bill in favor of Huron, and that in exchange Huron agreed to furnish enough republican votes to aid the populists in crowding their measures through the Legislature. The removal resolution was introduced early in the session and was at first regarded pretty much as a joke, but when the powerful lobby began action Pierre became anxious, if not frightened. Soon the whole Legislature was excited and alert on the question. On January 16th a majority of the Senate committee recommended the passage of the resolution, while the minority favored a postponement owing to the large amount of other important matters to be considered at that session. On the 20th the resolution came up in the Senate and was supported by Hinckly on behalf of Huron and by Horner and others on behalf of Pierre. There was a keen contest, but finally Senator Fairbanks, of Deadwood, settled the question in favor of Pierre by declaring that the Black Hills would oppose any change in the location of the capital site. In the Senate fifteen votes were cast for the removal and twenty-four against it. Many threats of what would be done two years hence were made.

Fully anticipating that the capital removal question would again come up at the legislative session of 1899 Pierre laid her plans with consummate skill and succeeded in electing A. Sommers, of Grant County, speaker of the House; he

had formerly lived at Pierre and, of course, was opposed to removal. His election meant that no action on the question would be taken that session unless some combination strong enough to override his dictum could be formed.

Again in 1901, when the removal question was certain to come before the Legislature, the friends of Pierre marshaled their forces and reelected Mr. Sommers speaker of the House. His opponent was Mr. Wilmarth, of Beadle County. Again it was at first believed that there would be no contest during that session.

"Congressman Burke has taken the capital question out of issue. Sommers was chosen speaker of the House two years ago because of his friendship for Pierre. That was one of the considerations which made him speaker this time. Burke never fails to take care of Pierre and in the division of the spoils which took place at Aberdeen, Burke played for Pierre, which the others conceded, as they usually do when it does not conflict with their plans. The alacrity with which Wilmarth was taken out of the speakership contest is another card in the capital game. Wilmarth lives at Huron."—Cor. Yankton Press and Dakotian, January 10, 1901.

"It is slyly hinted that a movement is on foot among the insurgent republicans at Pierre to remove the state capital to Mitchell. No question that Mitchell could offer many natural and acquired inducements for a state capital abiding place."—Press and Dakotian, January 15, 1901.

At this session the Legislature (1901) was so rent by other important interests and contentions that the capital removal contest figured more prominently than ever before since 1890. Suddenly, on March 2d (only a few days before the close of the session by limitation), the chairman of the Committee on Elections and Privileges of the House introduced a capital removal resolution in favor of Mitchell, which at once kindled violent opposition. Thirty-eight roll calls and other dilatory tactics were employed by the friends of Pierre to defeat the measure, but in spite of their utmost endeavors it passed the House by the vote of 57 to 26 and was promptly sent to the Senate. This contest was spectacular in the extreme. The Senate divided itself in three factions—one with 16 members for Pierre; one with 19 or 20 members for Mitchell; one with 7 or 8 members who demanded certain special appropriations and the remaining members independent. The appropriation members organized and agreed to support the capital removal members providing the latter would agree to their appropriation plans. It was then learned that Pierre was free to do this, but that Mitchell was not, because several of its supporters were opposed to the special appropriation interests. First Mitchell displayed its power in the Senate by defeating the bill for the special appropriations and at this time commanded about twenty-five votes. The nine members from the Black Hills voted solidly against Mitchell's interests. Soon the combination for the capital removal bill went to pieces, owing to the strong opinion among the members generally in favor of the usual appropriations. Watertown drew out of the affair and announced it would support Pierre, Englesby delivering a strong speech against the removal bill. He declared that the bill had been sprung for the sole purpose of defeating or killing the special appropriations. The anti-appropriation members caucused and determined to continue the fight with the hope of forcing the governor to call an extra session to renew the capital and other contests and they resumed their warfare on the appropriation measures. They were defeated at every angle and finally were compelled to give up, though raging at their antagonists.

Thus it will be seen that the capital resubmission question had been defeated at four sessions of the Legislature—1895, 1897, 1899 and 1901—by the foresight and adroitness of the Pierre tacticians. They had accomplished this result by studied and systematic maneuvers and by crushing attacks at the right time or by subtle evasions and flank-movements when the enemy was asleep or demoralized.

This contest served to stimulate Mitchell's capital aspirations to a marvelous degree. Huron could not make another fight alone, because it was nearly bankrupt and lacked the means. On the other hand, Mitchell was flush and hopeful, because its efforts in 1901 had apparently shattered the belief that the capital must necessarily remain permanently at Pierre. From all parts of the state there came to her pledges of support and cheering words of encouragement. But the contest of 1901 had shown Mitchell that it would be no easy matter to change the location of the capital, and accordingly it came to pass that Huron, Redfield and Mitchell determined to unite and support the one of the three that should be chosen in caucus to contest the location of the capital site with Pierre. The three cities, in November, 1902, appointed committees which met and decided on the plans of campaign. This action was more or less secret, and perhaps all the details have not yet been revealed or may never be.

At the beginning of the legislative session of 1903 the State Register, a Pierre newspaper, asked the question why it was not better to discuss measures of uniting the two extremes of the state with railroads instead of troubling over the removal of the capital and declared that the same effort that was then being put into the capital removal movement, if put into the construction of the railroads, would settle the whole problem. Instead of bringing the capital back east to the railroads, take the railroads on west to the capital. The Sioux Falls Press said that while the capital of the state was most inconveniently located there were other things of more importance than its removal to the population and transportation center, that one of these was the construction of a railroad across the cattle country to the Black Hills, and that there were matters of greater importance than making some town feel good by giving it the capital.

When the Legislature assembled in January, 1903, the capital removal subject was on every tongue and in every mind. Before any other action was taken all agreed that a caucus of the whole Legislature should determine which of the three cities—Huron, Redfield or Mitchell—should be chosen to contest with Pierre for the capital site. This caucus was held on January 7th and resulted as follows: Mitchell, 81; Huron, 19; Redfield, 7; the votes being cast by 107 out of a possible 132 members. The victory of Mitchell was so overwhelming that the other two cities at once disappeared from public view and were heard of no more except to grumble or criticize or fight Mitchell. The latter won largely by securing a powerful following in the Legislature and by obtaining the support of the Milwaukee Railroad Company. Hunter and McLeod were the Mitchell leaders, though Gold, Ringsrud and others assisted.

No sooner was Mitchell chosen than Pierre took up the gauntlet and began the battle to defeat the coming removal resolution. Its leading supporters were Cummins, Burke and Stewart. The campaign was really on before the resolution was introduced. Upon receipt of the news of their victory the citizens of Mitchell enjoyed a joyfeast which ended with a celebration at night, in which all participated. The fact is that as soon as it was certain that a removal resolu-



VIEW OF PIERRE STREET, LOOKING NORTH



HUGHES COUNTY COURTHOUSE, PIERRE

tion in favor of one of the cities would surely pass there was a stampede of nearly the whole Legislature to support the measure.

The utter inability of Pierre to select the speaker of the House, as it had done at two or three of the previous sessions, was alone regarded as sufficient proof that the measure would pass. Brown, of Aberdeen, was elected speaker, and N. P. Bromley, M. C. Betts, G. S. Hutchinson, A. J. Porter, J. M. Johnston, W. C. Graybill and F. W. Ryan were the House committee that had charge of the removal resolution. At this organization of the House the capital removal element ruled with mighty hand. They played for the support of the Black Hills by appointing the chief clerk—McLamore—from that section of the state. The removal resolution was at once introduced in the Senate by Mr. Abel, the proposed amendment to the constitution being as follows:

"The permanent seat of government of the State of South Dakota is hereby located at the City of Mitchell, in the County of Davison. This article shall be self executing and in full force and effect from and after 12 o'clock M., on the 15th day of December, A. D., 1904."

On January 10th this resolution passed the Senate by the decisive vote of thirty-nine to five, on which occasion Senator Bennett made a strong speech in favor of retaining the capital at Pierre. The resolution came up in the House on the 12th. Mr. Bromley, of Spink County, moved a suspension of rules and the adoption of the resolution, but his motion was defeated by a large majority and the resolution was placed on the regular call or order. The next day it passed by a large majority. It provided that the voters of the state should decide at the November election of 1904 where the permanent capital should be located. At once the battle was commenced. It was stated that Mitchell had at this session a lobby of about twenty-five of its best business men. Soon after the resolution was passed, Pierre, not to be outdone by Mitchell, succeeded in working up a powerful lobby for the purpose of having the resolution rescinded and by the last of February had secured the promise of many members to support the new movement. For a time considerable excitement and tumult again reigned, but quiet was finally restored when it was learned that Pierre would not get sufficient support to pass the rescinding measure.

"Pierre feels that if the Legislature felt like passing that resolution it was all right to have it passed, but Pierre does not feel that the capital is located at Mitchell as yet, by several rows of apple trees. Without attempting to go into details I can say that Mitchell will be practically alone in her fight for the capital. I mean by that she will not have the assistance of either Huron or Redfield when it comes to removing the capital from Pierre, although these two towns went into the caucus with the understanding that if neither one of them succeeded in being chosen the candidate against Pierre they would turn in and support Mitchell. And of course Mitchell had agreed to do the same thing if one of the other towns was named against Pierre. Both Redfield and Huron are very much displeased with the tactics pursued by Mitchell in the fight to secure the adoption of the removal resolution. Redfield and Huron men who were in Pierre when the resolution was adopted openly said that when the capital removal question gets before the people they will use some of their energy and influence against Mitchell."—(Ivan W. Goodner in Sioux Falls Press, January

14, 1903.)

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The capital contest between Pierre and Mitchell began before the Legislature of 1903 had adjourned. The fight was to continue until November, 1904, and therefore each city prepared for the most vital episode in its career. Complete organizations were effected, large sums of money were provided and every step to win even by extreme procedure was taken during the early part of 1903. During the summer of that year action was well advanced along all promising lines. The newspaper supporters of the two cities fired the early shots; indeed, continued their cannonade until after the election of November, 1904.

The Kimball Graphic and Howard Spirit were very ardent supporters of Mitchell; they accused all newspapers of the state which supported Pierre with being "Pierre contract sheets." The Pierre newspapers charged that the Graphic and the Spirit were the paid servants of Mitchell. Charges and counter-charges flew thick as snowflakes. In September, 1903, Mitchell refused Hughes County a place in the corn palace. The Mitchell News maintained that the reason for the refusal was because the Hughes County exhibit had really been collected in Stanley County. The Howard Spirit made much of the alleged "buffalo hunt from the steps of the capitol" in the fall of 1903 and left the impression that the country west of Pierre was still almost the exclusive domain of buffaloes, coyotes, grey wolves and savages. Both Pierre and Mitchell made an unwise mistake almost from the start, viz.: Pierre left the impression that all the land west of the Missouri River was good or excellent and called all persons or papers "knockers" that disputed this inference and Mitchell left the impression that all such land was fitted for cattle ranges only and would never be suitable for agriculture. Both were partly right and partly wrong.

"The Mitchell Republican now says that Lyman County is all right even if it is west of the river, but that it is a matter of latitude. Just the same Mitchell was too much of a coward to allow Hughes County exhibit at their corn palace. Didn't want any comparisons to be placed on its statements that most of the state is no good."—Pierre Capital Journal, September, 1903. This was denied by the Republican, which said that lack of space was the reason.

In October Mitchell charged Pierre with attempting to buy up or bribe as many newspapers of the state as possible and printed and circulated a copy of the alleged contract which every newspaper editor was required to sign, and which provided that each should receive his pay by installments.

"The Pierre fellows brought the reservation into the capital campaign and tried to scare the people into the belief that if the capital was taken away from Pierre, it would be a reflection on that part of the state. The only reflection will be through the instrumentality of Pierre in bringing into prominence the reservation as an agricultural country, which up to the present time has never been looked upon in that light. * * * The state has always been referred to as divided into three sections—mineral, grazing and agricultural—the former in the hills, the second on the reservation and the last east of the Missouri River. We do not mean to say that agriculture is not practiced at all west of the river, for it is; but at the same time the great stretch of country is and always has been regarded as the grazing section of the state."—Mitchell Republican, October 16, 1903.

"If there is any virtue in capital location—and there seems to be from all indications—the hills had better let go of its love of fifteen years and work for the interest of number one. In other words, let the rest of the state know that

the hills country is not tied down to a reminiscence of bull-train days, but wants another railroad if removal of the capital will help bring it."—Sturgis Record, October, 1903.

On October 12, 1903, the Aberdeen News declared that, judging from developments thus far, the newspaper end of the capital campaign was certain to be superheated a long while before the vote on the question would be taken, that already several were so warm that adjectives were done to a "frazzle;" that, as this was the first off-year in the history of the state, it should be permitted to pass without disturbance; that, on the other hand, an issue that was ready and had to be threshed over might as well be settled at once; there was no need to become over-zealous or passionate because after the contest was over all would have to continue to live together in the state; that the contest would be a real benefit because it would settle the capital location and lead to the erection of a suitable capitol building in which to preserve the records. The News said, "Capital removal has been used as a club before every Legislature and has figured in the disposal of many questions upon which it could have only a corrupting influence," and therefore it welcomed a permanent settlement of the question.

"The state will be obliged to erect a building of its own or to improve the present one in any event, and the sooner the work is begun the better. Mitchell knows this as well as any one; in fact no sooner had the capital removal resolution been passed last winter than one of Mitchell's spokesmen introduced a bill for the construction of a new statehouse. No doubt by utilizing the new city hall and the Carnegie library, Mitchell might be able to house the state government in some shape for a brief period, but this would only emphasize the necessity of the new capitol."—Aberdeen News, November 2, 1903.

"The Huronite says, 'Loyalty to Huron and its material interests compels this paper to fight for Pierre. The Huronite is willing to take its chances in a fight of this kind—defeat would be sweeter than victory at the measureless price of disloyalty to its own people.' There you are! It's that sentiment that prevails everywhere that has brought to Pierre the support she is receiving all over the state."—Pierre Free Press, November, 1903.

"Speaking of this loyalty, what have the Huron people to say of the mass meeting that was held in that city a month or so before the Legislature met, wherein it was agreed to sign the capital removal compact with Redfield and Mitchell and stand by the proposition until the capital was removed from Pierre? At that time Huron believed she had a cinch on the capital, but events that developed later showed the hollowness of her strength over the state and she now claims that it is to her interest to keep the capital at Pierre when for ten or twelve years Huron has moved heaven and earth to pry the capital loose from its location. We wonder if disloyalty enters Huron's mind with reference to the agreement with Huron and Redfield?"—Mitchell Republican, November 30, 1903.

Late in November, 1903, the Armour Herald stated that in the capital contest of 1890 Pierre won over Huron because the money of the former was more judiciously placed; that Huron spent cash freely and lost, because both could not win; that the capital should have gone to Huron, the logical location, but money sent it to Pierre; that location cut no figure; that while it may have cost Huron a large sum, that was the consideration that landed the capital at Pierre, "a hundred and fifty miles from civilization."

In December, 1903, the Lesterville Ledger stated that Pierre would never be the center of population any more than it was then; that it was very doubtful whether it could maintain the place it then held in that regard; that though much land between Pierre and the Black Hills was being taken up, such fact was no proof that the population there was increasing materially; that many of such filings were taken up by cattlemen and their cowboys; that it was extremely doubtful whether that section would ever have the population that east South Dakota then had; that already the settlement there was sufficient to interfere with the cattle industry, particularly with the large dealers; and that the smaller cattle raisers had thus far not been very successful. The paper further said: "So when the country will not produce much corn and wheat, what is there in it that will make the population grow to compare with that of the eastern part of the state? Could it support a dense population if it had one? If it is all like the country west of the river from 100 to 125 miles between Chamberlain and Pierre there is not much danger that yet for ages the population will become so great as to make Pierre the center of population. We do not believe that portion of the state is useless and a barren desert; far from it. We believe that the time is coming, and not in the far distance, when something will be found that is adapted to that country and will make it valuable. It is a rich stock country and will make a fine dairy district when developed along that line. The Milwaukee road will give to the people of the Black Hills as good or better facilities for reaching Mitchell as any other road will give them to reach Pierre. As a matter of fact, Mitchell will always be nearer to the center of population than Pierre."

In December, 1903, the Garretson News observed that when the capital was located at Pierre in 1890 it was argued that it would have a tendency to develop that part of the state; that no such result had followed; that the territory west of the Missouri was settling or not settling regardless of the capital location; and that the location should be established strictly on its merits of meeting the wants of the people.

In December, 1903, the Mitchell Republican remarked that filings did not make settlers; that many claim shanties were being carted off bodily, showing that they were not occupied; that the reservation (in addition to the central location), composed of the richest grazing land in the country, seemed to be the only capital stock that Pierre had and that she was using it simply to work up sympathy for herself when anybody referred to it other than as an agricultural country.

"Sneering allusions to a buffalo hunt to be held on the range west of Pierre and the characterization of that city as a wild west village, unfitted for that reason to be the capital of 'effete' South Dakota, will not make votes for Mitchell in the capital contest. The offense lies not so much in what is directly stated as in what is very plainly inferred. The same sneering allusions have been made time and again by the same parties to all that vast and important stretch of territory lying north of the limits of Davison county. A year ago, for the same reason, the News did not feel warranted in circulating a supplement prepared at Mitchell for the purpose of advertising the Corn Palace, and again this year circulated the corn palace supplement only in Aberdeen, being unwilling to give even a tacit sanction to the egotism and misinformation which

the supplement contained. In the minds of these people there is nothing north or west of Mitchell worth mentioning—nothing flourishes save wolves and coyotes, and the whole territory is crude, undeveloped and untrustworthy. This year's Corn Palace supplement referred to Aberdeen as the extreme northern point at which corn could be raised successfully, the acme of successful corn culture being at Mitchell, of course, while the fact that Grant county, north of Aberdeen, is a great corn producer, as are also Roberts, Day, Marshall, McPherson, Edmunds, Walworth and Campbell counties, besides a number of counties in North Dakota. Campbell county, considerably north of Aberdeen, has produced more corn acre for acre in any given term of years than Davison county has produced; so have Brown, Grant, Roberts, Day, Marshall and all the remaining counties on the north tier, while Sully and neighboring counties lying right on the border of what Mitchell calls the land of starvation, are not surpassed for agricultural products by any group of counties in the state. Mitchell is conducting its capital campaign on the basis that a vote for Mitchell will have to be construed as a vote against the good name of twenty good counties in the best state in the Union. Witness the cordon of knockers through which settlers and land buyers have to pass to reach Aberdeen, Huron or Redfield on their way to points either east or west of those cities."—Aberdeen News.

In December, 1903, C. B. Billingshurst, of Pierre, charged Mitchell with sending paid men out to the region west of the Missouri River to work up material to knock that portion of the state.

"Two years ago last Thursday the Clarion set the capital ball rolling, and that something has come of it is evident by the action of the last Legislature and the existence of well organized committees at Pierre and Mitchell to conduct a red hot campaign."—Mitchell Clarion, January, 1904.

"Nearly twelve months before the Clarion was born the capital committee was at work perfecting plans for the meeting of the Legislature where Mitchell was so successful, and all through that year a great deal of work was accomplished in unifying the forces all over the state. It was the request of the committee that the newspapers of Mitchell should keep absolutely quiet about capital matters, in order that the work could be made more effective and without arousing too much discussion over the state. The papers worked in harmony with the committee on this and all other matters and refrained from saying anything of Mitchell's aspirations."—Mitchell Republican, January 8, 1904.

"The Record has always been firm in its belief that the best interests of the Black Hills lie in the removal of the capital from Pierre and its location at Mitchell. The reasons for this indisputable fact lay along the same lines used by the Pierre boomers for the past fifteen years—railroad business. The only alleged reason ever advanced by Pierre for the retention of the state capital is that old, wornout and threadbare argument that if the state capital was kept at Pierre the Northwestern Railroad would build across from there to the Hills as sure as fate. For fifteen years we have heard that cry; and for fifteen years the Northwestern has had one profitable line running into the Black Hills through the Nebraska country, with no more intention of building a costly bridge across the Missouri at Pierre and running another line through the Bad Lands parallel to its own system than of building to the moon. Mitchell is located on the Milwaukee road, which has reached Evarts, on the Missouri,

and is going to build to the coast. It cannot and will not pass the Black Hills country without building in here, and thus we will have a direct route to the state capital if it is at Mitchell. The people of the Black Hills can't lose anything by the change. We have dug in the old rut like blind moles for fifteen years, swearing by Pierre—and for what? Nobody knows, except that we used to have bull trains across the reservation in early days.”—Sturgis Record, January, 1904.

“What ought to be Redfield's position in reference to the all-important capital question? It may as well be presented in the light of facts in the case, leaving to individual judgment conclusions as to what obligation really exists. From the first, representatives in the Legislature from Spink county for several sessions worked to secure removal. Our representatives were among the foremost in organizing for resubmission in the Legislature of 1901. In the fall of 1902 when the writer returned from a visit to Missouri, he found the city organized for the purpose of securing the removal of the capital from Pierre. In the discussion of the question it was assented to by all that the passage of the resubmission resolution could not be secured in the Legislature until the aspiring towns should combine on some mutual plan. Redfield took the initiative in bringing the three aspiring cities under the compact for us to create sufficient removal sentiment to secure passage of the resolution in the Legislature. To accomplish this the compact further specified that the name of the city to be inserted in the resubmission resolution be selected by vote in the caucus of such members as favored removal, and that the three cities would abide by the decision reached in said caucus. Mitchell won out in the caucus and was named in the resolution, and Mitchell is now the competitor with Pierre in the coming contest. Under all the circumstances what would Redfield have expected of Mitchell, providing Redfield had been successful in the caucus? To answer this last question ought to aid in deciding what position Redfield is in honor bound to take.”—Redfield Press, January, 1904. “In strong contrast to this is the position of the Huronite, whose editor was a party to the compact. When this editor saw that Huron was left out of the capital removal proposition, he folded his tent and slunk away to the support of Pierre.”—Mitchell Republican, January 19, 1904.

“In this talk that is being engendered by the Pierre press bureau or capital committee concerning what they claim has been said by the Mitchell supporters about the reservation country, the Mitchell capital committee feels that not one word derogatory has been said or has emanated from our press bureau which can be construed as doing an injustice to that part of the state. The Republican defies the News (Aberdeen) to reproduce one article that has emanated from the Mitchell campaign committee that has ever cast one reflection on the reservation country. The Pierre committee was the first to inject the reservation country into the campaign, and after they set their straw man they tried to hide behind it when it was justly attacked and then threw up their hands and cried over the state for sympathy. Among the first statements sent out by Mitchell in this capital campaign was one to the effect that this city was in the center of population—the place that was most accessible. Before this time Pierre had always referred to the reservation country as the greatest grazing region in the West and as a beef producer it could not be excelled. The outside papers have

always been generous and advertised that section as the great cattle range of the Dakotas, and it was never looked at in any other light. But Pierre could see that there was no possibility of its becoming the center of population in 100 years, so long as the reservation was used as a cattle range. It was at this juncture that Pierre commenced to talk about agricultural conditions out that way, which were as foreign to the reservation, and are now, as one can imagine. When Mitchell simply reiterated what Pierre has always mentioned with reference to the great range country we are then accused of knocking the state, or one part of it."—Mitchell Republican, January 26, 1904.

At the election for the temporary capital in 1889, as before stated, Pierre received 27,266 votes, Mitchell 7,793, out of a total of 77,175. Pierre carried twenty-six counties. In the contest of 1890 Pierre carried thirty-one counties. At both elections she distanced all her rivals. This showed that Pierre was the favorite and would be again in 1904, it was argued by the Pierre supporters.

"But for the Missouri river barrier no sane man believes that the two railroads with four terminals on the banks of that river would not have built across to the western border of our state long ago. The Milwaukee stops at the river at Springfield, Chamberlain and Evarts. The Northwestern stops at Pierre. Once across the river, those roads would open a vast area to profitable agriculture. The area has been producing millions annually in the form of live stock. For pasturage winter and summer it is without a parallel in the whole temperate zone. And yet our Mitchell boomers would give it no more consideration than some foreign country."—Groton Independent, February, 1904.

"Despite the handicap to immigration due to the lack of railroads, the section of the state mentioned is making rapid gains in population and wealth. A new town is being started across the river and about thirty miles below Pierre. It will start with a number of mercantile firms and a newspaper, and promises to be a flourishing village from the beginning. A large number of newspapers have also been established during the past year in towns across the river. The influx of settlers to the west part of the state has caused this activity, and the settlers continue to pour into the west and north parts of the state, regardless of the fact that Mitchell boomers persistently deride those portions of South Dakota."—Aberdeen News, February 19, 1904.

"The land west of the Missouri river in South Dakota will in time prove just as valuable for farming purposes as that east of the Big Muddy. In fact it is already proving so, as the experience of settlers west of the river who have ventured to devote their attention to farming rather than to stock raising exclusively has abundantly proven within the past year. The big ranges across the river are destined to become in a great measure a thing of the past. The big cattlemen are already seeking other sections. The soil in Western South Dakota is too rich to remain forever as the domain of the cattle kings. It will always be a great cattle country, but within a few years the cattle will be owned by the farmer who raises a few dozen head rather than by the stockman with his hundreds and thousands of head. This change is taking place so rapidly that it will be an injustice to the settlers in that section to remove the capital from its present location in the center of the commonwealth to Mitchell in the southern part of the state. The removal of the capital from Pierre would not only injure that town, but would prove a hard blow to the newly developed interest in the

country west of the river and to the northern part of the state east of the river. It would have a tendency to confirm, in the opinion of residents of other states, the misleading statements sent out from Mitchell regarding the lack of fertility of the soil and the lack of rainfall in those portions of the state would retard immigration to an extent unrealized even by the Mitchell boomers themselves."—Aberdeen News, February 20, 1904.

The unfairness of this article was in the inference it conveyed that all of the country west of the Missouri river was fertile and had an adequate supply of rainfall.

The Clear Lake Courier observed in February, 1904, that the people of the state had no intention of moving the capital to Mitchell or anywhere else. About the same time the Sioux Falls Forum stated that the changes in population since 1890 were far more favorable to Pierre than to Mitchell, for in the counties which were then favorable to Mitchell there had been the greatest increase in population, and that it predicted Pierre would again carry off the honors, as it should, by an overwhelming majority. The Brookings Press remarked that the Mitchell newspapers were engaged in a jangle over the question of which one was entitled to the credit for the discovery of the capital removal possibility; and that perhaps after election the papers would conclude that "it wasn't such a devil of a discovery after all."

"When Mitchell commenced to talk of being the center of population and of its accessibility then it was that Pierre introduced the great range country as being capable of producing agricultural products. Bringing that range country without any particular sign of population to the attention of the public, it was the intention and aim of the Pierre people to show that agriculture was the leading feature, and that in time the range would be settled with people. With that idea scattered over the state it was the supposition that the people could be impressed with the idea that the center of population would in the years to come move toward the present capital site. When this range country was legitimately brought into the capital campaign and it was referred to simply as a grazing country with Pierre for absolute authority, then Mitchell was accused of 'knocking' that part of the state. Would it be an injustice to the Black Hills section to say that agriculture was the paramount issue in its business life? Try it once and see how quick those Hills people would take it up. On the same basis the range country can legitimately and honestly be referred to as not being particularly adapted to agriculture when the experience has all been the other way."—Mitchell Republican, February 23, 1904.

"The people of this state have no intention of moving (the capital) to Mitchell, or anywhere else. Outside of a few real estate boomers the thought of removing the capital from Pierre has never entered the minds of the people of this state."—Clear Lake Courier, February, 1904.

"When the capital resolution was brought up in the Senate for a vote it passed that body in this way: Mitchell, 39, Pierre 5. Later it was taken up in the House and the vote on the removal bill stood this way: Mitchell 70, Pierre 16."—Mitchell Republican, February 26, 1904.

Pierre argued that in a short time the Northwestern Railway Company would build westward from that city to the Black Hills, and that the Milwaukee instead of building westward from Chamberlain to the Hills, would extend its

line northwestward from Evarts and not touch the Hills. This argument was advanced to induce the Hills to support Pierre for the capital site.

"True it is that a number of states have their capitals located some distance from the geographical centers. Those capitals were located when the states were first admitted, and have never been removed in spite of the fact that the locations are now far from the center of population. The people of those states are wise enough to refrain from packing up their statehouse effects and removing them to some new location every time some ambitious town springs into the ring with a yearning for capital honors."—Aberdeen News, February 29, 1904. At the same time the News declared that despite the protests of the Mitchell newspapers the literature sent out by that city in the early stages of the contest misrepresented the northern as well as the western parts of the state, and that such assertions would not aid Mitchell in this contest in the minds of all thinking people who believed in the ultimate development of the whole state.

In spite of the fact that Pierre and Mitchell were desperate rivals for the capital site and had their respective followers, who were equally strenuous and determined, the great majority of the people were in the main neutral and looked wholly from the viewpoint of the state's welfare. They saw readily that the capital should be near the geographical center, providing other considerations were equal and harmonious. All realized that much of the state west of the Missouri was semi-arid, but all believed that within a comparatively short time it would be made amply productive and habitable. They thus were of the opinion, despite the reasonableness and undisputableness of many of Mitchell's contentions, that the capital should remain at Pierre. This belief continued to swell in magnitude as the campaign advanced, and as the citizens realized that the western part would in time become populous and prosperous. People saw that it was more of a local fight than one for the benefit of all the population fifty or one hundred years hence. So in the end the good sense of the people settled the question at the polls. But the two cities and their ardent supporters continued the bitter war of misrepresentation and abuse.

"Without reference to the capital question, but solely with regard for the reputation and financial interests of the state at large, the News wants to protest once more against the slanders upon the western counties that are now being published in its sympathetic newspapers in syndicate style by the Mitchell capital committee. This week's installment of exchanges again contains syndicated articles relative to conditions in the western counties that are shamefully full of misrepresentations and perversions of fact. The counties are held up to scorn as being uninhabitable except by cowboys and coyotes, and in all respects unfruitful."—Aberdeen News, March 1, 1904.

"The News cannot substantiate a word of the above. Why doesn't it publish one of those syndicated articles it tells about, and let its readers judge whether Mitchell is slandering any part of the state."—Mitchell Republican, March 2, 1904.

"The opposition to Mitchell in the capital campaign seems to think that the state capital is sort of a real estate commodity—that it must be left at Pierre in order to act as a lodestone to attract settlers thither. Well, the capital has been there for fourteen years and the development has been almighty slow—in fact there has been none at all. If there was anything in a possible success of

agriculture on the reservation it would have been apparent long before this. If the country out there is worth anything at all the people will move there without the capital at Pierre, and to attract the people to the reservation simply because the capital is adjacent and then have a succession of crop failures would be the worst thing that could happen to the state, for instead of one portion being blamed for crop shortage the whole state would receive the black eye."—Mitchell Republican, March 3, 1904.

"Everyone familiar with the acts of the last Legislature knows that the bill to remove the state fair from Yankton to Huron was a part of the program framed up by the removal promoters of Mitchell, Huron and Redfield. To pacify Huron in her defeat, Mitchell gave her the state fair. Mitchell looked to her own interests when she entered the capital combination. She is now placing her ambition above the good repute of the state by advertising that two-thirds of the South Dakota land is fit for nothing but a cow pasture."—Interview Dakota Herald, March 11, 1904.

"South Dakota has the soil, the climate and the natural resources; all she needs is the people to develop these resources. And the people are coming, coming by the hundreds and by the thousands. It will not be many years until the prairies of South Dakota will be as thickly covered with towns and villages, with farmhouses, schoolhouses and churches and as thoroughly criss-crossed with lines of railroad as Iowa now is."—Aberdeen News, March 14, 1904.

"Like thousands of others, the writer was caught by the specious plea that the capital ought to be placed at Pierre, because it was the geographical center of the state, under the erroneous supposition that as the state developed it would become accessible to all sections, reckoning little of the topography of the country around Pierre and its inadaptability to anything but grazing, which makes it impossible of settlement and development like agricultural regions."—Dell Rapids Tribune, March, 1904.

In March, 1904, the Sioux City Journal advised both sides to boost, not knock, whereupon many papers of the state and all speakers recommended the same course; but others argued that boosting should not be carried to the extent of lying about the true conditions in order to secure more settlers. It was openly stated that thousands of settlers had been induced to come to the state through misrepresentations of the true conditions. The truth is there was a great difference of opinion concerning the possibilities of the land west of Pierre. Time has proved in a measure that both contestants made claims not countenanced by facts and pushed the campaign beyond prudence in an effort to win the capital. While Mitchell's contention that the lands west of Pierre were good for little except grazing, the claim of Pierre that in time nearly all would be valuable for general agriculture is reasonably certain to be fulfilled according to the recent statements of the Department of Agriculture.

"Why doesn't Mitchell go down to Washington and stop Congressman Burke from opening the Rosebud reservation to settlement? Mitchell grafters know there is no chance for a man to make a living on the cattle range. It is a moral wrong for the Government to spoil a good cattle range for poor agricultural settlement. Will she do it?"—Brookings Register, March, 1904.

"Don't be silly now. The opening of the reservation will show that there is about as much difference between Gregory county and millions of acres of

unoccupied Government lands west of Pierre as between Brookings county and the average run of gumbo plains between here and the Rockies. Not only does Gregory county lie east of Pierre, but it has for the most part a better soil for agricultural purposes than some of the counties east of the Missouri, and as much rainfall as its near neighbors. Yet it will be a great object-lesson—watching 75,000 people trying to get 2,500 quarter sections at \$500 each and having to live on the land five years with millions of acres in Pierre's agricultural district awaiting claimants at 50 cents an acre and no questions asked."—Kimball Graphic, March, 1904.

"To one who knows something of the perfidious methods employed by Pierre when it debauched the voters of the state in the last capital campaign, when by direct purchase it unlawfully secured possession of the seat of government, it occurs that Pierre should be the last spot on earth to cry 'conceived in iniquity and carried out by perfidy'—for of all the rotten deals in the history of the West—conceived in iniquity and carried out in perfidy—was that same capital campaign as carried out by Pierre. The scandalous manner in which Pierre money dispensed by Pierre boomers was handled in that campaign still smells to heaven. In that campaign Pierre brazenly handed every voter that could be inveigled into her unholy scheme from \$1 to \$20 for a vote, and not only handed out the money, but prepared and compelled the voter to cast the ballot so prepared. That was the time when Pierre fraudulently bonded the town and "blowed in" from \$600,000 to \$1,000,000, with which it bought the seat of government. That is the town that for years never paid a cent of interest on the bonds thus illegally issued and finally secured a compromise with its bondholders by which they were forced to throw off all accumulated interest and accept 30 cents on the dollar of the original amount involved. Had Huron spent a tithe of the money in such an unholy manner, Pierre could never have had a ghost of a show in securing the capital. Not only did Pierre use thousands upon thousands of dollars illegitimately, both on and after election day, but her emissaries further debauched the voters on election day with barrels of whisky and kegs of beer until in some instances the election was turned into a drunken orgie. Not only did all this occur, but to make the matter still worse, Pierre had prepared some 10,000 fraudulent votes which she purposely held back, hoping she might have a majority without them, but ready to have them counted if necessary to defeat her rival, Huron, should that number turn the scale in favor of Pierre. And after election some of the citizens proudly boasted of this fact. That is the town that now professes to be 'holier than thou.'"—Mitchell Republican, March 15, 1904.

Just before this time the Pierre State Register had said that all those who were instrumental in any way of submitting to a vote of the people the capital removal question were "plundering pirates and that the plot was conceived in iniquity and partially carried out by perfidy in the resolution, * * * the game being to hinder the development of the state and thereby plunder the people."

In order to answer the geographical center argument of Pierre, the Miller Gazette showed that nearly thirty states of the Union did not have their capitals very close to the geographical center, and that Maine, New York, Massachusetts, Rhode Island, Wyoming, Wisconsin, Minnesota, Washington, Nevada,

Utah, Montana and Colorado and others had capitals far from the center. That paper argued that the center of population and not the geographical center as such was the paramount issue. None of the above states had suffered, because their capitals were easily and quickly accessible. The Gazette then said: "Now, what about our state? The capital has been located at Pierre for about fourteen years. Has it grown? Have any institutions of learning been established there to assist the town? Have good people been there to make homes? We would answer, 'Yes,' but are they there now? The Presbyterian college has been removed to Huron, and many good people have removed from the capital city. * * * It is a matter of fact that there is a less number of people in and around Pierre today than there was years ago. We therefore say that the geographical question is one of minor importance. What will be best for the greatest number of people, is the question."

In March, 1904, the Yankton Press and Dakotan took the position that the Huron Huronite and the Aberdeen News were trying to defeat Mitchell's aspirations for the capital on the ground that if the capital contest could be reopened generally, Huron and Aberdeen would then have another chance to secure the prize.

"No one will deny that people have always been satisfied with Pierre for a permanent capital since the first meeting of the Legislature here in 1889. No one will deny the fact that it will cost the state hundreds of thousands of dollars to move the capital and thousands upon thousands more for suitable buildings if it should go to Mitchell."—Pierre Dakotan, March, 1904.

"The Dakotan will not deny that at every session of the Legislature during the past fourteen years an effort has been made to secure the removal of the capital from Pierre. These sessions have always caused Pierre citizens sleepless nights and days of torture until adjournment, for fear that in some way a removal resolution would be passed. The nightmare had an awakening in the last session. Think of the people who have attended the sessions at Pierre during the fourteen years, and the cussing that the state capital has got because of its inaccessibility. Despite what the Dakotan says with reference to the expense of moving the capital to Mitchell, it will not cost the state one dollar to move its headquarters. All that will have to be done will be to box the records and ship them to Mitchell, and the expense will readily be lifted from the state's shoulders by this city."—Mitchell Republican, April 2, 1904.

"This is a live stock country, and a good one, too. In time to come it may prove to be suited to other industries, but nothing has been brought forward yet that seems at all likely to supersede stock raising as the chief industry. Our advice to the producers of this great range is to raise live stock."—Fort Pierre Stock Journal, April, 1904.

"The above appearing in a paper published in the great range country, just across the river from Pierre, seems somewhat significant and can be no harder 'knock' on the country than has been falsely charged up to Mitchell. Can Mitchell be charged with casting any reflections on that part of the state where the official organ of the stock growers makes such a statement? The only issue that Pierre has in setting forth the agricultural possibilities of that section is to endeavor to make a showing of a population over there for capital purposes."—Mitchell Republican, April 7, 1904.

"In order to make her bluff stronger, Mitchell offers to give the use of half a dozen imaginary buildings located in various parts of the village for capital purposes. She would have the Senate in one end of the town, the House in the other, and the state offices and committee rooms scattered hither and yon in the numerous old shacks about the burg—a regular merry-go-round. Pierre will relieve her of this annoyance and humiliation."—*Pierre Dakotan*, April, 1904.

"The capitol building that Mitchell will present for the state's use is one that will accommodate every officer of the state, with fireproof vaults and sufficient rooms for the Senate, House and committee rooms. This building is under construction now."—*Mitchell Republican*, April 9, 1904.

"The Mitchell newspapers are now arguing that God in His infinite wisdom created the country west of the river as a stock country, and not as a farming country. The southerners used to contend during Civil war times that the Lord had created the negro especially for slavery. There is reason for the belief that the Mitchell boomers know no more about the Lord's designs than did the southerners in the '60s."—*Aberdeen News*, April 22, 1904.

"South Dakota will be the center of attraction for homeseekers from now on until after the drawing for the Rosebud lands takes place. The people from older states who contemplate trying their chances on the Rosebud will do themselves a favor if they take time enough to look over the state pretty well while they are here for the drawing. If they are among the lucky ones and secure a quarter section of Rosebud land, well and good. If they should not draw a lucky number they should remember that there are thousands of acres of cheap land in other sections of South Dakota which are as good as any farming land on earth and can be bought for but little more than what the rent on farm lands in the older states amounts to. South Dakota offers such abundant openings to the homeseekers that no one should become discouraged should he fail to win in the Rosebud drawing."—*Aberdeen News*, April 25, 1904.

The *Aberdeen News* on May 11, 1904, declared that the Mitchell newspapers continued to publish heated arguments to prove that the western half of the state was unfit for farming purposes, that the settlers continued to pour into that section as well as into the northern part of the state, and that those who had been there long enough to raise a crop had no reason to be dissatisfied with the results. There can be no doubt that the *News* misrepresented the western part of the state, certainly by implication and perhaps by direct statement.

"The center of population is traveling toward the Northwest at a rapid rate, as anyone who has kept posted upon the influx of new settlers into South Dakota can testify. When the census of 1910 is taken it will without doubt be found that the center of population is much nearer Pierre than Mitchell."—*Aberdeen News*, May 20, 1904.

Pierre maintained that Mitchell ignored that nearly all the state institutions were located in the section of the state occupied by Mitchell and that to ask for the state capital was an imposition upon the rest of South Dakota.

"The range country west of the Missouri River has been visited with copious rains this spring," said the *Aberdeen News* of May 23, 1904. "As a consequence the new settlers who persist in farming that country despite the protests of Mitchell are practically assured of good crops. The Lord seems to

have overlooked Mitchell's pointer that He made that part of the state west of the river for grazing purposes solely."

The Pierre Weekly Dakotan of May 26, 1904, said that the Cheyenne River round-up, which was slated to leave Fort Pierre on a certain day, had been detained on account of a recent rain and that it was impossible for the wagons to move in the gumbo, so that the date was postponed until the mud should dry up. This led the Mitchell Republican of June 11th to remark that the country west of Pierre must be fine for agricultural purposes, when a small rain would render the gumbo soil so muddy and thick that a wagon could not pass through it.

"Thirteen thousand homestead filings within the past two years in the Pierre, Chamberlain and Rapid City land offices and the western part of the Aberdeen land office is a splendid showing of the growth the state has made in the period named in the country along the Missouri River. Thirteen thousand filings mean a vast increase in the population of the state and they also mean that the center of population has moved to the northward and westward to quite an appreciable extent within that time. The filings show that the people of other states are taking advantage of the free homes and of the cheap lands offered in South Dakota at a rapid rate. When in addition to the number of filings are added the many thousands of people who have purchased lands outright and come to make their homes in South Dakota, the story the next census will tell is certain to be one that will attract general and favorable attention to the state."—Aberdeen News, May 26, 1904.

"The Pierre capital committee is studiously endeavoring to make it appear that the cattle industry on the great range of the reservation has been smashed to smithereens by the 'immense' number of settlers who are even wading the Missouri River to get to the rich agricultural lands across from the waning capital city."—Aberdeen American, May, 1904.

"The capital of the state is not located to boom or to hold up the price of real estate; neither is it with justification to be held at the wrong place simply because, under the stress of excitement or misunderstanding, the people at the beginning voted it to the wrong place. The capital ought never to have gone out of the Jim River valley, and the argument between Huron, Redfield and Mitchell, which brought about the passage of the resubmission bill, was to enable the people to correct the mistake. The mere fact that Pierre approaches the geographical center is of no force. The center of population would be of some importance, but accessibility is of more consequence. The time will not come in the next 100 years when Pierre will be as near the center of population as Redfield, Huron or Mitchell. The reason of this is that the vast stretch of country west of the Missouri River in our state cannot until present conditions are changed maintain but a comparatively small population. The reverse is true of the eastern part of the state."—Mitchell Republican, May 19, 1904.

"The Mitchell people have sent out a circular in which the claim is made that the cost to the people should removal occur would be nothing. But little investigation is needed to prove the falsity of this claim, as well as the companion claim made by Mitchell that the business offices of the state should be near the center of population. South Dakota has a half million people. It is safe to say that not one South Dakotan in a hundred ever has occasion to go to

the state capital. The expense in the land department would be vastly increased by the removal, as that department is growing more rapidly than the offices of governor, secretary, auditor and treasurer combined. When this increased cost is taken into consideration, with the difference in cost in fuel and light at Mitchell, compared with Pierre's natural gas facilities, it will be perceived that the question of cost is all in favor of the present capital. It should also be remembered that this cost will not be temporary, but will continue as the years roll by."—Aberdeen News, June 3, 1904.

In May, 1904, Pierre supporters announced that with an unfailing supply of natural gas at that city for lighting and heating purposes those two problems for the state were easily solved.

"The people of South Dakota are not going to soil their reputations to benefit a few real estate speculators who want to make a quarter million dollars out of the taxpayers by unloading a capital site on the state at so much per. The great majority of the people are honest, and with honest people the interests of the state and Pierre are perfectly safe."—Egan Express, June, 1904.

"In a temporary aberration of mind the editor of a Mitchell newspaper last week advocated the opening of the Cheyenne River reservation, describing the lands as being as fertile and productive as those of any other section of the state, and this in spite of the fact that the main argument of the Mitchell organs has been that the country west of the Missouri River is totally unfit for anything but grazing purposes. The Mitchell newspapers are naturally inclined to boost instead of knock, and even the exigencies of a capital removal campaign cannot prevent them from occasionally reverting to old-time habit and saying a good word for the state—even that portion of it lying outside of that magic circle drawn around Mitchell at a distance of a hundred miles."—Aberdeen News, June 7, 1904.

"Only the most pitiable selfishness, the most inexcusable greed and the disregard of the rights of the people in other portions of the state can prompt any one to vote to change the capital from where it was permanently located fourteen years ago. We hope every taxpayer will take a map of our state, look up locations of our various state institutions and verify our statements, and then ask themselves the questions: Is the proposed removal in the interest of the people who pay the taxes? Or is it in the interest of real estate speculators who want the people to throw away the best location in the state and pay them a quarter million of dollars for a location not nearly as good? The taxpayers who can figure out in favor of a removal will be few and far between if they give due consideration to all the facts."—Canton News, June, 1904.

"Pierre is getting mad and calling hard names, which in our opinion is no argument. Pierre sees the handwriting on the wall. The people of South Dakota are after the truth and Mitchell is dealing in that very article, to the discomfiture of Pierre."—Wakanda Mail, June, 1904.

"No thoughtful person will be misled by Pierre's wild cry of 'Expense, Expense!' in connection with capital removal. It will not cost the state one cent to remove the records to Mitchell, and it will save thousands of dollars every year in mileage and transportation charges by having the capital accessible to the people of the state. * * * In the matter of expense to the state and to the individuals who have business at the capital, everything is in Mitchell's favor."—Fulton Advocate, June, 1904.

"What interest has the state in Pierre more than in any other town? The location of the capital is a purely business proposition and it should be determined by the convenience to the general public. So far as development of country west of Pierre is concerned the removal would make no difference whatever. That development will depend entirely upon the productiveness of that country. The country west of Chamberlain has been developing more rapidly than that west of Pierre, and that is certainly not due to any capital location. So far as the property interests of the state are concerned, the state would be the gainer by the removal, as the grants offered by Mitchell are more valuable than those that have been given by Pierre."—Scotland Citizen, June, 1904.

"Just how the Pierre capital promoters are going to make the people think it will raise the taxes to remove the capital from Pierre to Mitchell is a purely vegetable pill that is hard to swallow. The City of Mitchell offers the use of a beautiful structure absolutely free of charge as long as the state wishes, while the Pierre people will endeavor to have the state build a \$1,000,000 building. Why not make a business proposition of it and place the capital nearer to the people? They are the ones who have to pay the bills."—White Rock Journal, June, 1904.

"Pierre is not and never will be the center of wealth nor the center of population in this state. During the rapid advancement of the last few years in this state none of it has been in the vicinity of Pierre."—Geddes Record, June, 1904.

"A few years ago the Presbyterians moved their college from Pierre to Huron. When a town gets so all-fired sleepy that it cannot hold a Presbyterian college it's a pretty solemn place for a state capital."—Vermillion Republican, June, 1904.

"It won't cost the state or the taxpayers a dollar to move the capital from Pierre to Mitchell. All such talk by Pierre and her workers is pure nonsense. Instead of costing nothing, the state will save thousands of dollars. Look at the extra mileage. There is but one question in this capital matter—the greatest good to the greatest number."—Sioux Falls Soo Critic, June, 1904.

"The Pierre champions are very persistent in their assertion that every Mitchell supporter is knocking against the country around Pierre. There is a highly amusing side to this assertion. In almost the same breath they tell about the knocking against the country around Pierre they tell of the wonderful immigration into that very section. If the Pierre 'special' writers tell the truth about the influx of settlers Pierre ought to be grateful rather than angry. It is always amusing to hear them object to knocking, then tell how the country around Pierre will be ruined if the capital is removed. Could Mitchell supporters say anything worse about that section? What a strange country that must be and what queer people live in it."—Garretson News, June, 1904.

"For the convenience of a large majority of people in all parts of the state Mitchell is the logical location for the capital for the next fifty years, and in all probability for all time."—Wagner New Era, June, 1904.

"Talk about capital removal being a land booming scheme! Capital removal is not asked for to benefit the land in the eastern part of the state, but to accommodate the people of the state and facilitate the public business. The

retention of the capital at Pierre is a land booming scheme—as its advocates openly proclaim. ‘Remove the capital,’ they cry, ‘and you knock the value of the country west of the river.’ What utter nonsense to claim that the capital can make or unmake the western part of the state.”—Fulton Advocate, June, 1904.

“You can purchase land in the suburbs of Pierre for \$10 per acre. Land in the suburbs of Sisseton sold three years ago at \$40 per acre. Yet Pierre has been the capital for about fourteen years, which goes to show that there is nothing in the cry of the Pierre boomers that if the capital is removed the state lands will depreciate in value. Even if it were not a stock country the fact that the land can be had for the filing and is then not taken is assurance enough that if the capital remained there for all time or was removed to Mitchell tomorrow the land on the range would be worth no more or less.”—Sisseton Courant, June, 1904.

“The Pierre Capital-Journal, in speaking of the arrival of a party of homesteaders, says: ‘Dozens of them are filing on at the land office without going out to see the land, as they were met by friends who had been out and made the selections for them.’ This indicates very clearly the character of the people who are filing on land west of Pierre. Actual homesteaders do not depend on having ‘friends’ select land for them.”—Kimball Graphic, June, 1904.

“Five different conventions met at Mitchell last week. Will somebody tell us how many conventions have ever met at the ‘Geographical Center’?”—Garretson News, June, 1904.

“The Mitchell city council has made a tender to the state for the use of the new city hall building for capital purposes just as long as it desires free of charge, and in fact will make a deed to the state to make its ground sure of retaining the building as long as it is wanted for state purposes. The city council has a right to do this and will do it. The state can use this building for a period of twenty years, if need be, and all this time the lands that have been set aside for the erection of a capitol building will increase in value, so that the real estate will not have to be sacrificed in order to erect a capitol building. The Pierre people can talk all they want to about the present state-house being adequate for years to come, but the people can rest assured that if Pierre wins in the fall election the Legislature will not be in session twenty-four hours until a bill is introduced for the purpose of making an appropriation for the erection of a capitol building, which will be done in order to set at rest the possibility of another removal resolution being brought forth.”—Mitchell Republican, June 11, 1904.

In June, 1904, a Chamberlain correspondent of the Kimball Graphic said, in reference to the reservoir filings that Pierre claimed were being taken out west of the Missouri, that if the filings made at the Pierre land office produced no greater results than those made at the Chamberlain land office it would be some time before a second Noah’s ark would be needed west of the state capital. It further declared that the reservoir filings were pure shams, like many other fakes in the land business; that the bill providing for water rights was originally intended to protect from interference the reservoirs constructed by the Milwaukee road for stockmen who drove their cattle through to Chamberlain for shipment; that a large number of these reservoir claims had never been seen

by the parties filing; that most of them were made by persons who thought they would be able 'to cover up' some of the public lands and hold up for a good sum any person making a homestead entry on them; that the Interior Department, seeing into the matter, issued an order permitting any person to file a homestead over these water filings, such entry to be subject to the right of the reservoir declarant; that under the law the one who filed the declaratory statement must build a dam within two years; that though the time had now elapsed on many of the filings only one such filing out of 924 had been completed; that there were only ten or twelve more that had submitted proof showing any attempt whatever to comply with the law; that therefore not over one in fifty of the filings had been made in good faith; and that many of such filings on water rights had been cancelled by the Interior Department in cases where the homesteads had been filed on the same tract and the time limit had elapsed and nothing had been done.

The Pierre capital committee, in June, 1904, sent for publication to its newspaper supporters through the state this announcement: "When the permanent capitol building is built it will cost at least \$15,000 a year tax for fuel and light and elevator power, if it should be at Mitchell where fuel will have to be purchased. With natural gas at Pierre the state can put down an artesian well, and, with its own natural gas, furnish fuel, lights and elevator power free, as well as furnish water for sewerage. The state appropriated as much as \$12,000 a year ten years ago for fuel and light at the Yankton hospital. Now the appropriation is included in the \$76,000 a year appropriation and amounts to \$15,000 a year. The permanent capital at Pierre means a saving of \$15,000 to \$25,000 for fuel and water alone. The state will spend \$1,000,000 tax between 1901 and 1960 for fuel, light and water for the statehouse and grounds if the capital goes to Mitchell. The state can get an artesian well on its own ground at Pierre for \$30,000 that will save this million-dollar fuel bill. If you favor the coal trust and \$20 coal, like one year ago, vote for Mitchell."

In reply to this the Mitchell Republican said that when Pierre was spending \$20 per ton for coal during the winter of 1903-04 there was an abundance at Mitchell for \$11 per ton, owing to the cheaper transportation; that the total appropriation for the maintenance of the capitol building at Pierre amounted to but \$3,600 a year, and "this in face of the fact that you can throw a cat through the shack and not hurt the cat—a building that has by its draughts of cold air caused the death of several members of the Legislature and laid a score or more on sick beds at every session;" that Pierre would have to demonstrate that the gas claimed to be there could be had; that at the present time there was no more than enough to supply the capital committee and that would all be utilized before the campaign was over; that the business concerns of Pierre used kerosene, benzine and acetylene gas in preference to the natural gas; that natural gas everywhere there was a rank failure or fraud for lighting purposes; that in about six years Pierre had drilled five wells at a cost of about \$150,000, and had no more gas than when the first well was completed; that recently when the last "great gusher" was completed the well bored just preceding it stopped flowing and the town was out of gas completely until connection was made with the new well; that if any other than Pierre (whether the State of South Dakota or not) should attempt to put down a well he or they would be enjoined,

as it had been fully demonstrated that another well would cut the city off from its supply; that therefore the talk of supplying the statehouse with gas was "pure rot;" that many days now the gas was shut off in order to let the receivers fill up; that in winter it was cut off from 1 to 6 P. M. every day; that owing to the high price a family using it constantly would have to pay four times the price of coal; that in Ohio and Pennsylvania were hundreds of dry holes, any one of which spouted more gas in a minute than Pierre ever saw or would see—whole districts that produced it in unlimited quantities that now "would not make a good smell;" that "Pierre doesn't know what good gas looks like, and yet sends out a cock-and-bull story and asks intelligent people to believe it."

In June, 1904, there were strong indications that the Milwaukee railroad would soon be put through from Chamberlain to the Black Hills, and later on to Tacoma and Seattle. The company had out its engineers and was buying land all along the proposed line for stations, etc.

"The Northwestern railroad controls the entire traffic of the Black Hills. Does anyone honestly think the road will build across to the Hills until the Milwaukee forces it to do so? Are the taxpayers willing to pay the mileage of officials nearly 200 miles past Mitchell indefinitely? We don't care a whit about the aspirations of Pierre or Mitchell in this matter, but we want the question settled right."—Wakonda Mail, June, 1904.

Late in June, 1904, the Pierre Capital-Journal observed that several of its people were contemplating trying chances in the drawing of Rosebud lands, and that others would go down there through the boom for a few days to assist in locating work. This remark induced the Mitchell Republican to say that it did not understand why the Pierre people should be willing to pay \$4 an acre for Rosebud lands when they could get land "just as good" west of Pierre for 50 cents an acre.

Early in July, 1904, the Redfield Press said that two years before every voter in Redfield was in favor of removing the capital; that a capital committee was selected by the citizens to help secure the passage of a removal bill; that the committee freely discussed and without a dissenting vote wisely decided that a bill could not be passed unless some scheme was agreed upon whereby the three aspiring towns, Redfield, Huron and Mitchell, could be unified in their efforts to pass the bill; that the plan of unification was originated by Redfield, which took the initiative in approaching the other cities, and that all agreed to "stand pat" on the result of a caucus where the choice of a town to be named in the bill should be made by the members of the Legislature. In the conference of the three cities all agreed that either of the towns was preferable to Pierre as the capital. The legislative caucus named Mitchell, the submission bill was passed with only 17 voters against it, and the other two towns were thus bound to support Mitchell.

Accessibility, center of population, lower taxes, free use of building, donation of capitol building site—were the strong points in Mitchell's favor, so it was declared by the supporters of that city. They continued to hold that Pierre's only claim was its geographical location in the center of the state. They further asserted that "there is absolutely no other reason for maintaining the capital at Pierre; that fourteen years had exploded the geographical location claim; that the

country west of Pierre could take care of itself just as other sections of the state had built themselves up without the aid of a capital, and that if the land was good no capital would be necessary to induce people to settle upon it. If it is not good for agriculture then all the capitals in kingdom come can not induce a settlement."

The Clark Republic asked the question, "Take the great ex-Sioux Reservation west of Pierre and place it in Illinois, New York or Ohio and how long would it remain vacant? Don't everyone speak at once, please. Does not that seem to utterly demolish the question as to ultimate occupancy?" The Mitchell supporters answered that no one denied that the great plains between Pierre and the Black Hills will contain many more people than at present, that the state now had but about fifteen thousand population west of the Missouri River outside of the Black Hills and only about fifty-seven thousand all told west of the river; that the great influx of population in Kansas, Nebraska, North Dakota and South Dakota was into the eastern sections of all four states; that there was a reason for it; that for a long time to come the same disparity would exist between the population of the western and the eastern sections of all of these states; and that the object of a state capital was to subserve the wants of the majority of the citizens.

In July the Mitchell papers stated that the Pierre papers advertised land for sale in Hughes County at from \$2 to \$4 per acre—three-quarter sections for \$666.66, one for \$325, and one for \$983.33—and this in spite of the fact that the country had been settled for twenty-three years and Pierre had had the capital for fourteen years.

"It will be in order for the Mitchell papers to explain after the vote in the capital question is canvassed in November, that the arguments they resort to in discussing the capital removal project, especially in reference to the northwestern portion of the state, are for campaign purposes solely and should not be believed. But in the meantime persons outside of South Dakota who are unacquainted with conditions here, may possibly believe the statements of the knockers, to the great disadvantage of the state, and it is also extremely probable that the real estate men of other states will find excellent use for the Mitchell arguments when they undertake to divert the tide of immigration from South Dakota to their own states. The statements of the Mitchell newspapers that the western part of the state is unfit for anything but cattle ranges, and that the population of the state from the Jim River westward is decreasing rather than increasing, as the Howard Spirit said in effect a few weeks ago, is calculated to harm the whole state for many years to come if the people of South Dakota stamp such arguments with their approval by voting in favor of capital removal."—Aberdeen News, July 2, 1904.

"Not one man in a hundred in this state ever has actual business at the state capital and the hundredth man usually goes on a pass. To judge from the statements of the Mitchell organs you would think that every man, woman and child in South Dakota made a religious pilgrimage to the state capital every year, that a dollar or two more or less in the expense of getting there would work great hardship upon the people of our commonwealth."—Rapid City Journal, July 6, 1904.

"In a discussion of the capital question, the Mitchell Gazette in speaking of Pierre says, 'The same old free range country, the same old prairie dog, wolf bounty, brand inspection, round-up, cowboy and gumbo knot of fourteen years ago.' Yet the Mitchell papers become indignant when accused of knocking."—Aberdeen News, July 6, 1904.

"If the South Dakotan is a fair man, he does not believe in deceit, hypocrisy and tall-timber lying. He doesn't want the state settled up, if to do it we must misrepresent and bamboozle poor settlers into squatting upon those alkali hills among those prairie dog towns."—Sioux Critic, July, 1904.

"Whenever you meet a man that favors Pierre for the capital you will know that he has either been seen by the Pierre Boodle Board of Trade or he is from Yankton. If he is from Yankton he is for Pierre because he is sore at Mitchell; and if he is not from Yankton and favors Pierre he has been told that he is a good fellow and has been given a little coin to treat his friends and make votes for Pierre."—Lesterville Ledger, July, 1904.

"Such arguments as the above may cause the people of South Dakota to rush to the polls to endorse them by voting for Mitchell, but they are far more likely to arouse a just resentment against the men who thus villify half of the state for purely selfish purposes."—Aberdeen News, July 16, 1904.

"Most of the lands now being so eagerly taken in the three states (Minnesota, North Dakota and South Dakota) were formerly considered unfit for agriculture. Those in the Dakotas were considered too dry, while those in Minnesota were objected to because they were in the timber country. But the large increase in the number of persons going into the cattle business on a small scale has led to the taking up of thousands of homesteads west of the Missouri River. Moreover it is by no means so certain as it was once thought to be that the western part of the Dakotas cannot be used for farming. The introduction of new crops and improved methods of cultivating the soil where the rainfall is limited make it possible now to accomplish what would have been impossible a few years ago. In South Dakota the lack of railway facilities has retarded settlement in the western part of the state. Lines now projected will make a great difference."—Aberdeen News, July 13, 1904.

In July the question of capital removal was debated at the Canton Chautauqua, C. E. Deland and E. W. Caldwell speaking for Pierre and O. L. Branson and N. P. Bromley, for Mitchell. Although the weather was bad, about three thousand persons heard this debate, the two cities sending special delegations to witness the result and estimate public opinion. Each was accompanied with boomers and bands and the streets were paraded by the delegations bearing banners, mottoes and driving special floats. The decision was left to the voters in November.

In July the Huronite declared that it was the influence of the Milwaukee Company that made Mitchell the candidate for capital removal, that the Legislature, uncontaminated by the railroad lobby, was not in favor of removal, that after the vote on the resolution had been taken there was a general desire for a reconsideration, but that the pressure brought to bear by the railroad prevented such action. The editor of the Huronite (John Longstaff) was a member of the Legislature at the time. He had worked for Huron in 1890 when that city was a capital aspirant, and in January, 1903, at the legislative session had worked for

Huron in the caucus when Mitchell was selected. Now, in July, 1904, he declared that the war was really waged by the Milwaukee and the Northwestern Railway companies; that the Milwaukee Company wanted the capital at Mitchell on its line to the Black Hills, that the Northwestern wanted it retained at Pierre, and that the two companies furnished much of the money that was used by both cities to advance their capital ambitions.

"Mitchell has never said a word derogatory to the western part of the state, and the northwestern part has never been brought into the controversy except by the Pierre supporters who wanted to work a continuation of the sympathy racket for the capital city. Mitchell has simply maintained that the western part of the state has been set apart by the very nature of things as a grazing country and all these years it has been the pride of the state as being the most wonderful grazing country in the United States. In the campaign of 1890 John Longstaff of Huron had this same thing to contend with and Pierre called Huron a knocker and that sort of thing, but nevertheless that part of the state continued as a grazing country up to the present time and the indications are that it will continue to be after the capital fight is over. Pierre never talked agricultural features for the grazing country until they saw it was necessary to have some people over there in order to combat Mitchell's idea of the center of population. * * * Doubtless people will move out to the reservation to live, but for every family that goes out there five will settle in the country that is contiguous to Mitchell. The reservation will serve the purpose for which it is intended and Pierre and her entire hosts can not change the trend of the times."—Mitchell Republican, July 19, 1904.

In July the Watertown Public Opinion said it was reported that Mitchell had voted \$100,000 in bonds with which to conduct the capital fight. "Is the capital worth it to the town? It won't be in the case of Mitchell, for she will have to do as Watertown is now doing—pay the obligation without getting any returns for the investment, excepting some dearly bought experience." In reply the Mitchell Republican said, "We can assure Brer Corey that the bonds were issued for the purpose of extending the water mains and sewers of the city. Has not Mitchell just as good a right and as much need for adding water mains and sewers for its growing population as has the City of Aberdeen, which this spring voted even a larger sum for the same purpose?"

In order to refute the statement that its offer of a site for the capital was not made in good faith, Mitchell circulated the following covenant in July, 1904:

"To the Sioux Falls National Bank, Sioux Falls, S. D.

"Gentlemen: I herewith hand you warranty deed executed by A. E. Hitchcock and Louise L. Hitchcock, husband and wife, containing full covenants of warranty running to the State of South Dakota for blocks 36, 37, 48, 49, 50 and 51, located in the addition adjoining Mitchell on the northwest and an abstract of title thereto showing a good and clear title in A. E. Hitchcock free from all incumbrances. There are about eighteen acres in this property and it lies in a very sightly place for state buildings and reasonably near the center of the city. You are to deliver this deed to the proper authorities of the State of South Dakota upon the following conditions, viz.: First, that the vote of the people at the November election in 1904 shall locate the state capital at said City of

Mitchell; second, that thereafter the State of South Dakota by the Legislature shall adopt a joint resolution locating the site of a permanent building upon said lands and accepting conveyance therefore.

“(Signed) A. E. HITCHCOCK.”

The receipt of this deed was acknowledged by the Sioux Falls National Bank through D. L. McKinney, president.

In July, 1904, the Fort Pierre Fairplay announced that Professor Carpenter had just written that the gumbo shale and clear near there were the finest material in the world for Portland cement and that samples of the finished product would be forwarded within a short time. In reply a Mitchell paper said: “What’s the use of those fellows out there making a pretense of having just as rich agricultural lands as those on the east side of the river when they will publish such items as the above? They must be a queer kind of agricultural products that will grow in soil which is calculated to make good cement blocks. All that Mitchell has ever said about the lands out there is that it is not capable of producing agricultural products in paying quantities and we don’t know of any better authority for support of the proposition than the above item. Now, if there is any knocking in this it can be charged up to that reservation paper.”

In July, 1904, the Brookings Register said: “Mitchell wants the capital removed from Pierre to that city because it believes it will enhance the value of the property of every resident of that city, and of every farmer for miles around and materially assist in further developing the country.” The Mitchell Republican replied that it was well understood that property in Pierre was not now worth any more than it was fourteen years before, and in fact not so much; that 107 members of the Legislature, when they considered the question of capital removal, selected Mitchell as the contestant with Pierre for the honor and did not figure in the least how much Mitchell might make or lose in the contest. That was the difference between the Brookings Register and 107 members of the Legislature.

“Taking the capital away from Pierre would leave without a single public institution an area extending from Aberdeen, Redfield and Plankinton on the east to Rapid City on the west—an area including two-thirds of the entire state. Is it to be presumed that such an area would be content to be thus deprived for any great number of years? Would it not be inevitable that crusades would be inaugurated before long seeking to capture a due share of these seventeen public institutions monopolized by one-third of the state? In case of such efforts at reprisal the matter would be determined by a majority of the Legislature. Who can insure Brookings or any other locality now having a public institution that a combination for capturing two or three of these institutions might be made? The strongest possible guaranty against such a combination would be to allow this two-thirds of the state to retain the capital.”—Brookings Press, July, 1904.

“The people of South Dakota believe in the whole state from Sisseton to Belle Fourche and from Elk Point to Deadwood. They believe the whole state will in time be settled with thrifty, prosperous people, and they are not going to let a mere matter of temporary convenience influence them to remove the capital off in one corner of the state to the permanent harm of the commonwealth as a whole.”—Aberdeen News, July 23, 1904. This was said in reply to the Dell Rapids Tribune which objected to keeping the capital far off from the center of

population for 50 to 100 years and thus inconveniencing the bulk of the population in the eastern part of the state.

In July, 1904, the fact was published that the Milwaukee Railroad Company intended to build at once an extension of its line from Chamberlain to the Black Hills and thence on to Puget Sound. The news was circulated at the same time that the Northwestern intended to extend its line on the west side of the Missouri from Bonesteel to Fort Pierre, but said nothing about the extension of the Northwestern from Pierre to the Black Hills. Friends of Pierre in the Black Hills denounced the publication of this item, and declared it was merely intended to keep Mitchell in the capital fight. Already the friends of the two railroads—Milwaukee and Northwestern—were divided on the capital question, those of the former favoring Mitchell and those of the latter, Pierre. Even the newspapers of the Black Hills were similarly divided. It was openly stated by the Mitchell supporters that the Black Hills had never been benefited one dollar by the location of the capital at Pierre. Just the reverse, because, in all journeys by rail from the Black Hills to Pierre and return members of the Legislature, lawyers and others were compelled to go "round Robinhood's barn" at great expense or take the two day trip by stage across the plains or reservation. During the capital fight of 1890 the Black Hills was promised a speedy construction of a line from Pierre to that part of the state, but by 1904 had done nothing except to commence on a line from Bonesteel to Fort Pierre. In 1904 the Black Hills were 914 miles by rail from Pierre and with no outlook by July for any relief except from the Milwaukee through Chamberlain.

At this time (July, 1904) the journey from Deadwood to Pierre by rail was as follows: Leave Deadwood at 6 o'clock P. M.; reach Sioux City, Iowa, at 3.55 P. M. the next day; remain in Sioux City until 10.19 A. M. the third day, then take train via Alton, Iowa and Hawarden, Iowa, and get to Huron, S. D., in time for supper; then catch train so as to arrive at Pierre at 2 A. M. the fourth day. To reach Mitchell from Deadwood the route was—leave Deadwood at 6 P. M. and reach Sioux City at 3.30 P. M. the next day; take Milwaukee train at 4.45 P. M., spend an hour and a half at Yankton and reach Mitchell at 10 P. M. In this connection the Black Hills Blade, at Lead, said: "But when the Milwaukee shall have completed its line to the Hills you can enter a sleeper at 10 o'clock P. M. in Deadwood and wake up in Mitchell the next morning for early breakfast. These are facts and they cannot be disputed. It is for the Hills people to say which they prefer. The Northwestern road has benefited the Black Hills, but its work has had in it no element of generosity. It has never laid a rail except for its own benefit. Its fare was 5 cents a mile for years, then it reduced to 4. Its freight rates have been increased instead of decreased. The people of the Hills, except the men who ride on passes, have paid for all the accommodations they have received. That they may keep on the pass list they will try to persuade the voters that Pierre is the place for the capital to remain and that the Black Hills may be hostile to the extension of the Milwaukee road. These are facts for the voter to ponder."

In August, 1904, the Chancellor News remarked that fourteen years before Pierre had "stood pat on a bobtail flush"—the D. P. & B. H. R. R. fake—and had "won the pot;" that she had "stood pat" for years and milked the national treasury for a \$40,000 appropriation for the "ice harbor" in which to moor the

wreck of a pontoon bridge where the ice waxed thick enough to drive cattle and horses across; that she "stood pat" and got \$100,000 for a "federal building" where the builders could cook their meals with "buffalo chips;" and that possibly with a handful of fraudulent land filings "stand pat" was the best and only way to play the game out.

In August, 1904, the Redfield Press said that it was worse than futile for the Pierre papers to try to smooth over the character of a capital campaign run by Pierre when she won the capital by a small majority; that Pierre as a city and Hughes County were both involved in a bonded indebtedness from which they could never free themselves; that although Pierre had readjusted some of her bonds on a basis of 50 cents on the dollar, yet no man who knew the situation but would make, if he held any of the bonds, another large discount for cash; that the Woonsocket Capital Company fake brought a large vote, but the suckers received nothing from it; that deeds of lots were used of which not 10 per cent ever had the taxes paid by those who received the lots; that money in Spink County was openly used at the polls and that it was not the unbiased judgment of the people that ever put the capital at Pierre.

In August, 1904, the Pierpont Signal, among other observations, remarked that somebody had imagined that somebody had said something at some time about the land west of Pierre; that the Pierre papers were now doing their best to air this imaginary saying far and wide and talking about the harm this imaginary statement had done the state; that nobody had said anything detrimental to the western half of the state and even if they had all the newspaper talk in South Dakota wouldn't change the lands, conditions, climate or soil west of the Missouri River.

Pierre claimed that the United States in early times looked at the whole western country as Mitchell now looked at the land in South Dakota west of the Missouri. At first the Northwest Territory was so regarded; then the prairie lands were thought to be unfit for farming; then the explorers announced the existence of a great American desert west of the Missouri; then Northwestern Iowa and Western Minnesota were condemned; then the same reflections were cast on Dakota Territory—on even the Big Sioux and the James River valleys; and now the region west of the Missouri was condemned by Mitchell and its supporters. Pierre declared that the soil and climatic conditions might be different, but all in the end would be conquered by the husbandman. It called attention to a similar blunder made by General Sibley in 1863, republished in the Aberdeen News of August 6, 1904, as follows:

"The region crossed by my column between the first crossing of the Cheyenne River and the Missouri Coteau is for the most part uninhabitable. If the devil were to be permitted to select a residence upon earth he would probably choose this particular district for an abode. Through this vast desert lakes fair in the eye abound, but generally their waters are strongly alkaline and intensely bitter and brackish. The valleys between them reek with sulphurous and other disagreeable vapors. The heat was so intolerable that the earth was like a heated furnace and the breezes that swept along its surface were as scorching and suffocating as the famed sirocco."—(From report of Gen. H. Sibley, 1863). "The particular region described is that from Cooperstown to Steel, now one of the richest portions of North Dakota, farming lands ranging in price from \$25

upward. The reference of the Mitchell knockers to the west of the Missouri as 'gumbo,' 'prairie dog,' 'rainless desert,' etc., are as absurd as time has proved the opinion of General Sibley, quoted above, to be. And the Mitchell knockers cannot plead ignorance as an excuse for their misrepresentations."—Aberdeen News, August 6, 1904.

"When John Longstaff was moving heaven and earth to get the capital removed from Pierre to Huron he never had any conscientious scruples of 'putting the state seal of approval upon the removal of public institutions.' This, John now claims, would be the result of moving the capital from Pierre to Mitchell. Charles McLeod, of the Aberdeen News, is also much afraid that if the capital is moved that there might be a possibility of Aberdeen's losing its normal school. It is strange how a man's ideas are dwarfed when they get on the opposite side of the fence. The two are putting up a Pierre capital campaign bluff." Mitchell Republican, August 10, 1904.

In August, 1904, the Webster World declared that Pierre owed the state \$20,000 in back taxes and was bonded for \$350,000 which the state some day would become responsible for should the capital remain at Pierre.

Said the Dell Rapids Tribune in August, 1904, "The Pierre people cannot present a single good argument for the retention of the capital at Pierre. They are putting in their time wailing that the supporters of Mitchell are injuring the state. The 106,500 applications for the 2,500 quarter sections of Rosebud lands show how little ground there is for their wailings. It will not injure the state to remove the capital to a more accessible point, nor does it injure the state to say it ought to be done."

The Scotland Citizen said in August, "The State of South Dakota doesn't need any presents. It is able to buy a capital site and to erect its own buildings if need be. The great purpose in removal is to locate the capital where it will be convenient for the public. At Mitchell it will always be convenient for the great majority of the people—at Pierre never."

The Vermillion Republican of August, 1904, declared that "for the space of about three weeks the partisan press supporters of Pierre's tottering prospects in the capital campaign have kept up a small-bore fusilade along their entire firing line, their range all concentrated on a straw dummy of their own setting up, to wit: That the removal of the capital from the frontier to a more populous and commercially central point will start the removal of all other state institutions from their present respective and satisfactory anchorages to some other though as yet undesignated place or places. The sound of this snap-shot style of argument is now dying away and its yellow smoke is clearing off. Not a single college, normal or other school, asylum or prison-pen has been loosened from its moorings, and nobody residing in the towns where these had been originally placed has been hurt. . . . All this blow by the Pierre blasé buzzers about capital removal's affecting the university, or the agricultural college, or the asylum for the blind, or the penitentiary, or the school of mines, is the merest buncomb, and our suggestion is to treat it as it deserves—just bluff it down, cough it down, sneeze it down, hoot it down, and then give Mitchell a still larger majority than was intended before played out Pierre resorted to such tricky tactics."

"No one outside of Mitchell questions the agricultural possibilities of Day and Brown counties, but if their railroad facilities ended at Big Stone and Huron



MISSOURI RIVER SCENE, PIERRE

would the residents of those counties be raising grain today, or would they be raising products which they could either hand to the market in concentrated form, such as wool, or else be driven to market as sheep and cattle? A little common sense applied to a question is worth tons of such rant as is being put out by the Mitchell crowd."—*Pierre Capital-Journal*, August, 1904.

"We are not knocking nor slandering the western part of the state, as Pierre claims whenever facts are stated or statistics referred to. Proving statements and being honest with the people is not knocking, and Pierre will find it difficult to create a sentiment in its favor, as it is trying to do, by continually harping about 'knocking the state' and 'Mitchell's campaign of slander.' Pierre knows that in this campaign it is necessary, in order to get the support of any conscientious voter, to prove that the country between Pierre and the Hills will be as thickly populated as the country east of the river. It has been attempted during the last six months to lead the people to believe that that country is not a cattle country, but better fitted for agricultural purposes. It has claimed that the country is rapidly settling up and that the ranches are being vacated and that the homesteaders have been rapidly moving in. Its purpose has been to deceive the people into believing that it will be the center of populations."—*Mitchell Republican*, August 16, 1904.

The Redfield members of the tri-city agreement were Z. A. Crain, W. C. Kiser, T. S. Everett, E. C. Isenhuth, H. P. Packard, S. E. Morris and W. F. Bruell. The three committees agreed that all who participated in the tri-city caucus and agreement should work for a resubmission resolution in the Legislature, that they owed their allegiance to the city winning out in legislative caucus and were in duty bound to stand by that city until the votes were counted. Afterward the members of the Redfield committee were interviewed with this result: Mr. Kiser said, "We entered into a compact with Mitchell and Huron that we would work jointly for resubmission and each city for itself would strive to win votes and that all three would be bound by the result of a caucus of all the legislators who favored resubmission. That caucus was to determine which city should be pitted against Pierre. It was well known that but one city would be named in the resolution. After the question of which city should be inserted should have been decided, then all were to favor the resolution, which they did, and to stand by the outcome. The reason that led to the formation of the tri-city compact was because there was found to be a strong sentiment throughout the state in favor of removal. But from all sides there was doubt of its practicability, because, it was said, if either of the three towns shall find they cannot get it they will work to prevent resubmission and Pierre will beat the movement by playing one against the other. That this opinion was well based appears from the position that Huron now takes." Mr. Isenhuth said, "I propose to keep the faith by doing to others just as I would have expected them to do to Redfield. There was no question as to the nature of our compact and further, there is no question that it was the only way to secure a vote." Mr. Packard stated that Huron was as firm in promising support to the winning city as the other two; that Huron was outspoken against Pierre as the capital, that the whole trend of the discussion in joint committee was that "any old place in the James River Valley" was preferable to Pierre; that it was part of the agreement that all three cities were to work for themselves and to work for removal. Mr. Morris said all were to work

for the removal bill; that each committee was to do its best for its city; that the choice of the legislative caucus was to determine the city to be pitted against Pierre; that there was a disposition with all the three committees to hedge when it came to making promises of support to the successful city; that it was not in his opinion implied in the contract that the other two should support the successful one at the polls. "It was argued," he said, "that the committees could not bind their constituents, and yet the logic of the combination was so forceful that the individual members of the committee seemed to acknowledge that their allegiance would be due to the city that might win out. I would certainly have expected their support had Redfield won. There was no question that all members agreed that any one of the three cities was preferable to Pierre." Mr. Everett testified that he had been a member of the Legislature three times, that at every session the discontent of the Pierre location was manifested and that this discontent had grown until resubmission was an easy matter. N. P. Bromley said, "I was a member of the Legislature, but not a member of the tri-city committee. I was asked to enter into an agreement with the members-elect from Beadle and Davison counties and did so at the request of the committee. In my opinion the three committees were removalists of the rankest kind and all seemed not only to agree that any one of the three towns was preferable to Pierre for the capital, but they were emphatic and outspoken. The very fact of entering into the compact is reason enough for me to feel that I am bound to support the town that won out and was named in the resolution by my vote and the vote of every member of the Legislature from the three counties."

In August, 1904, the Canton Times observed that the capital buttons issued by Mitchell conveyed the idea by the pictures of the capitol building thereon that the structure was to be given to the state permanently; and it furthermore observed that Mitchell promised that not a cent would it cost the state to remove the capital, all of which the Times refused to believe. The Mitchell papers defied the Times to show where they had ever said that the building was to be given permanently to the state and insisted that the City of Mitchell would pay every cent of the cost of removal. They further asserted that the Pierre supporters were forced to misrepresent matters in order to lay the foundation for an attack on Mitchell.

In August the Groton Independent insisted that before the capital was removed Pierre should be paid the \$80,000 which it had invested in property for the state and which was accepted by the action of the state and that it should also be reimbursed for its expenses in the present campaign—a defensive one resulting from its acquirement of the capital as a result of the act of Congress which legally established there the temporary capital.

Early in September the Scotland Citizen-Republican remarked that "nothing has transpired since the meeting of the last Legislature to make Pierre more desirable as a capital location than it was at that time. The opposition now manifesting itself against Mitchell from places that have always before been crying for capital removal can only be attributed to jealousy and in this feeling the people generally have no sympathy and should rebuke it. The strength of Pierre lies in the fact that no other town fears her supremacy, but a town that is so far removed from the people that it is beyond the reach of competition is hardly an appropriate place for the seat of government."

"Pierre is up in the air and all at sea for campaign material and she is putting the whole press bureau at work concocting imaginary reasons why the capital shouldn't be removed and in so doing ignoring all of the main issues on which she has been beaten to a standstill."—Kimball Graphic late in August, 1904.

"About the only argument put forth in favor of retaining the capital at Pierre is that its removal would ruin the City of Pierre and take away all the value from the lands adjacent to the city, particularly those lying between the river and the Black Hills. Talk about knocking! No worse criticism could be made of the country than to say that its value depends entirely upon the fact that it is located near the capital of the state. Such talk is all bosh. It simply places Pierre and its adjacent territory in the position of paupers. The people of the state are under no obligation to pay tribute to keep up any city."—Scotland Citizen-Republican early September, 1904.

"Pierre is slandering South Dakota. Pierre by its misrepresentations is knocking the whole state. In attempting to mislead the voters to believe that the land west of the Missouri is as good for farming purposes as the land in the eastern part, Pierre is giving a black eye, so to speak, to the entire state. Men who came West and failed in the Rosebud drawing went over the land west of Pierre and from the papers of that city learned that the land in the eastern part of the state was no better than the land west of the Missouri River. They did not care to look any farther. Pierre cannot deceive the voters of the state, but she can deceive the residents of other states and in so doing injure the entire state. Governor Lee says, 'The removal of the capital will not cause the lands lying west of the river to decrease in value any more than it has caused them to increase. Farmers settle upon land on which they can live and it is not to the advantage of the state to get settlers by misrepresentation. We have a grand state, but there is no state in the Union that is all good, and when each portion of our state is used for what it is best adapted, the best results will be secured.' Pierre should discontinue its campaign of misrepresentation, the results of which are beginning to injure the reputation of the entire state."—Mitchell Republican.

In 1903 many opposed the capital location on the ground that the railroad therefrom westward to the Black Hills had not been built, though promised continuously as far back as 1889-90, or longer. "We have hugged that bull train phantasmagoria until it is almost a sacrilege with some to think of any place but Pierre. It happened that Pierre was the last place from which the stage coach lumbered and the bull train crawled before the Elkhorn Railway struck this country. If the last terminus had been Bismarck, N. D., or Sidney, Neb., some of us would have maintained that one of these places should be the capital of the state; and our reasoning would be a mighty sight more logical than now, because either place is more accessible to the people of the Hills than Pierre. And Pierre hasn't overlooked anything. It has showered prodigious professions of love for the Hills, claiming our support as a matter of absolute and arrogant right. Her whole claim for support for twenty years has been based upon the assertion that some time the Northwestern Railroad would parallel its own line into the Hills. Many of us have taken that assertion seriously, grumbled a little about dying of old age—and supported Pierre. As a matter of fact the citizens of the Hills should and will take this capital relocation question just as it seems to be forced on us. We have voted and 'plugged' for the present loca-

tion thirteen or fourteen years, not because of accessibility or desirability, but because of a promise of a railroad across the country. If the building of a railroad is contingent let us give Mitchell and the Milwaukee road a chance. We can't be any worse than now and taking Pierre's only argument as gospel truth, we will be infinitely better off in the matter of railroad connection. Every voter of the Black Hills should study this matter seriously. Mitchell seems to be having her troubles against the location on the east side of the river. For various reasons there is a sentiment against the relocation in the eastern section, to overcome which will require a most continuous and adroit campaign on the part of the city's boosters. Despite Pierre's disadvantages from the standpoint of railroad accessibility the jealousies of contemporary cities and the fact that relocation will be expensive, handicaps Mitchell greatly. But whether beaten or not one cannot help but admire the whole-hearted manner in which the citizens of that city have taken up the fight."—Sturgis Record, September, 1903.

In September it was argued by Mitchell that, while most of the soil west of the Missouri River was good, the rainfall was not sufficient for the wants of agriculture, but was ample for range purposes; that a quarter section was not sufficient for the support of a family; and that therefore the bill pending in Congress, which provided that homesteads of 640 acres could be filed on, was just and was intended to meet the semi-arid conditions by making each claim large enough for a small range, the assumption being that each section would contain enough farming land in addition to support at least one family.

"There wasn't a word said about the country around Pierre until the boomers there began to tell fairy stories about the waving corn fields, the tall grains, the great productiveness and the general superiority of the country around them on both sides of the river in Hughes, Sully, Lyman, Stanley and other counties to any other part of the state. When we read that we had to say something or explode. * * * Where is their prosperity? In the money they made out of the suckers who were green enough to buy some seven hundred thousand dollars worth of bonds which the good people of Pierre afterwards repudiated? If this is their progress and prosperity we want none of it in ours."—Hudson Hudsonite, September, 1904.

During the summer and fall of 1904 both Pierre and Mitchell secured free transportation for all persons who desired to visit those cities—Pierre from the North-Western and Mitchell from the Milwaukee. Many thousands of people took advantage of these offers. The two railways were sharply engaged in the contest. It was said that the North-Western refused to connect with the Milwaukee, when asked to do so, in order to bring speedily the crowds that wanted to see the corn palace at Mitchell. Hughes County had an exhibit on that occasion, but in a separate building. The corn palace was never grander than it was this year. Sousa's Band was present at great cost and the display of grain, grass, vegetables, fruits and particularly corn, had probably never been surpassed in the state up to that time. There were free concerts each day and the palace was kept open until the election in November in order to help entertain the crowds that were brought there free by the railroad to see what might be the new state capital.

"When the Mitchell Capital Campaign Committee adopted the knocking method it committed a mistake that will cost it dear. All the experience of by-

gone years shows that from the time the Pilgrim Fathers arrived on Plymouth Rock until Mitchell decided it wanted to become the capital of South Dakota the East has always knocked the West and the West has always overcome prejudice and false report and misrepresentation of every description and triumphed over its enemies. History will repeat itself in the capital campaign in South Dakota."

—Aberdeen Daily News, September 5, 1904.

"Faulk County secured first place at the state fair at Yankton and Hughes County second place, with Bon Homme third. The fact that Hughes persists in getting so close to the front at every state fair is but another example of that provoking stubbornness of the people living in the neighborhood of the Missouri River who persist in turning a deaf ear to the assurances of the Mitchell people that their part of the state is a barren waste, making a fair cow pasture in favorable seasons, but utterly unfit for farming purposes."—Aberdeen News, September 20, 1904.

"Mitchell seldom overlooks an opportunity to make a fool break when the capital removal contest is involved. Its latest effort in that line was its refusal to allow Hughes County space in its corn palace exhibit. The action of the Pierre people in renting a room in the Widmann Hotel in which the products of the fine farms of Hughes County will be fittingly displayed will effectually counteract the efforts of the refusal of space in the corn palace and will place the Mitchell Capital Committee and the corn palace management in a very embarrassing position."—Aberdeen News, September 22, 1904.

"Hughes County exhibit at the Mitchell Corn Palace is now a standing joke throughout the state."—Alexandria Journal. "The Journal forgot to explain, however, that the joke is on the Mitchell fellows who have been referring to Hughes County as a barren waste. Notice the Pierre and Mitchell newspapers closely and you will see that the Pierre papers are doing all the chuckling over the incident, while the Mitchell papers are occupying columns of space with labored explanations of how it happened that Hughes County's exhibit at the Widmann Hotel, barred out of the corn palace, so greatly outclassed some of the exhibits from counties within the magic hundred-mile circle."—Aberdeen News, October 15, 1904.

"Railroad extensions do not depend upon so small considerations as the location of a state capital. If Mitchell has told the truth about the barrenness of the region west of the Missouri no railroad is going to expend millions of dollars traversing the desolate region. If the Mitchell people have been lying, as is generally understood among all South Dakotans who know anything about the region west of the river, the Milwaukee and the Northwestern will push across the country west of the Missouri from Pierre and Everts as soon as the prices of material and the wages of labor make the move practicable."—Aberdeen News, September 19, 1904.

In September, 1904, Mitchell announced positively that as soon as the capital should be located at that city the Milwaukee company would at once extend their line westward from Chamberlain to the Black Hills, and pointed to the surveys, etc., that were then in progress west of the Missouri to confirm its statements. Pierre answered that this was only another dodge to secure the favor and support of the Black Hills.

"If the Milwaukee intends building to the Hills it will build no sooner nor no later, on account of the location of the state capital. The Milwaukee will not build to the Hills, if it does build there, solely for the purpose of securing the patronage of the Hills people who may have occasion to visit the state capital. On the contrary, it will build because it wants its share of the freight and passenger traffic from the Black Hills to the twin cities and Chicago. And the Black Hills knows that as soon as one great railroad system starts to build across the country from the Missouri River to the Hills, the other will also commence operations and the Milwaukee is as likely to build from Everts as from Chamberlain, while the Northwestern will certainly build from Pierre alone. Thus the Black Hills' chances to obtain direct communication by rail with the state capital and the eastern part of the state are far better with the capital at Pierre than at Mitchell."—Aberdeen News, September 23, 1904.

"What South Dakota needs is more railroads and more people on her broad and fertile acres. Shall we vote to condemn one-half of the state and then expect capital to come to our assistance in the further development of a great state?"—Huron Huronite, October, 1904.

"This is not a railroad fight. The state capital does not belong to the railroads. It belongs to the people. The people pay the bills. It is the people's fight. The removal question must be settled by the people for themselves and not for the railroads. Naturally a railroad will favor the location at a place on its lines."—Aberdeen Daily News, October 29, 1904.

"The only 'barren waste' in the state is the waste of time and money in this capital removal deal by the Mitchell knockers."—Hitchcock Leader, October, 1904.

"There is one advantage that is coming in this capital fight and that is that most citizens will have a better idea of the whole state than they would have ever learned without this campaign. There is no doubt that the western part of the state is in a pioneer stage, but that is no proof that it will not develop in the future and provide homes for the enterprising settler. Local interests should not be considered in locating the capital of the state."—Gary Inter-State, 1904.

"Western South Dakota is giving the people in the eastern part of the state an object lesson in the agricultural possibilities of the 'barren waste.' A collection of grain, grasses, vegetables and fruits has been made at Belle Fourche, Rapid City and Hot Springs, and the exhibit has been placed in a car and brought east of the river for display in as many localities as possible before election. The object of the display is thus stated by the Belle Fourche Bee: 'The Mitchell crowd has been so persistent in knocking the western part of the state, in order to make votes for Mitchell for capital, that the citizens of this section have decided to show the people of the eastern section that this is not a 'barren waste' and that Mitchell has been guilty of willful and gross misrepresentation. The farmers and fruit growers gladly present their products for the exhibit, as they resent the insult thrown at the west end of the state and are only too glad to be given an opportunity to repair if possible the great injury to the entire state that is resulting from the slanderous misrepresentations made by Mitchell knockers in order to secure the removal of the state capital to their city.' "This probably is the first instance in history in which the people of one portion of a commonwealth have felt compelled to thus defend themselves against the slanders of another

portion. It is likely that after Mitchell's disastrous blunder in attempting to throttle a Hughes County display at the corn palace, the knockers down there will know better than to try to keep this Belle Fourche exhibition car outside the city limits. It is equally likely, however, that the consummate liars who declared the Hughes County exhibit to be a fraud will attempt to discredit this west of the Missouri display in one way or another. In the meantime they have not undertaken to secure that \$1,000 forfeit which Pierre has deposited as a guaranty that her exhibit at Mitchell was absolutely and wholly and entirely as represented."—Pierre Press Bureau, 1904.

"By the middle of December (1904) Mitchell will have a beautiful granite building all completed ready for the reception of the Legislature in January, a building especially designed for a temporary capitol building and ample in dimensions for all purposes for years to come. It will have separate halls for both branches of the Legislature, governor's rooms, committee rooms, Supreme Court chambers, offices for the state officials and roomy fire proof vaults for all the state records and the Supreme Court library. The use of this magnificent building is donated to the state free of charge until the people feel able to erect a state house of their own. If Pierre is successful in retaining the capital, it promises its citizens for their contributions a \$1,000,000 capitol building at once. There's where the expense comes in. * * * The total amount of state taxes expended by the state auditor for 1902 was \$656,315.71. Of this amount the counties east of the Missouri River pay all but \$70,000. The vast area of the state lying west of the Missouri outside of the Black Hills, pays less than \$15,000 of state taxes—and the state has been settled for thirty years. The territory within one hundred miles of Mitchell alone pays an annual tax of \$456,156.36, or over 70 per cent of the state total."—Mitchell Republican, October 23, 1904.

"This is not a railroad fight. Were it simply a contest between the Milwaukee and the Northwestern for commercial supremacy the News would certainly take off its coat for the Milwaukee. But the latter has been led into this thing against its own good judgment. Then again it is all the same to the Milwaukee whether it earns a dollar at Aberdeen, or at Mitchell, or at Chamberlain, or at Sioux Falls, or at Sioux City. Mitchell bases its capital campaign on the promise that the northern and western portions of the state are no good. No conscientious South Dakotan having knowledge of the facts and with due regard for the value of his own land and the 200,000 acres of indemnity and endowment land owned by the state, can afford to endorse this contention. Over and above everything are the interests of the whole state and of distinct localities. The Milwaukee will prosper with the development of the whole state of South Dakota."—Aberdeen News, October 31, 1904.

"Pierre is in the corn belt, potato belt, rain belt and fruit belt, and Mitchell is jealous about it. South Dakota is your state. All of your state is good. A vote for Pierre is a vote for your whole state."—Pierre circular, 1904.

"If the capital should be removed on the claim made by Mitchell that the west two-thirds of the state is unfit for agricultural purposes, removal would be an endorsement of Mitchell's claim and a warning to the homeseeker not to settle in that section of the state where most of the state lands are situated. The result would be that the locality where the state lands are would not be settled or developed and the state would realize nothing from these lands. Every citizen

has an interest in the result of the campaign. Mitchell's hope of success lies in her ability to undermine the confidence of the voters in the west two-thirds of the state."—Letter, Pierre Board of Trade, 1904.

"It is not true that Western South Dakota is not capable of development. No richer country can be found in the Northwest than that section lying west of the Missouri River in this state. Its soil unsurpassingly fertile, as fine samples of grain and grasses and vegetables can be shown from this section as from the James River Valley. Stock raising has been the chief industry up to date because of its profitableness and the inadequate railroad facilities. The time was when Eastern and Southeastern South Dakota was a stock range. All that Mitchell has said or can say derogatory to Western South Dakota has been said about the James River Valley; about the Sioux and Vermillion River valleys; about Northwestern Iowa; about the entire West. The entire West and Northwest has been built up in opposition to the 'knocker.'"—Pierre circular, 1904.

"People would think that an ambitious, hustling town like Mitchell would be too proud to aspire to become the capital of a state of which at least half is barren, desolate and fit only for the prairie dogs such as the Mitchell newspapers claim the western half of South Dakota is."—Aberdeen News, October 22, 1904.

"When this law was enacted and it became known to those seeking homes, such a tide of immigration set in as had not been seen in the State of South Dakota since the early '80s and the wave of immigration has been growing higher and higher every year since. So eager are the homesteaders for the land that they push fifty, sixty and even seventy miles beyond railroad points in order to get a quarter section of this land. The men who do this are farmers from Wisconsin, Nebraska, Iowa, Minnesota and Eastern South Dakota, men who know good land and what a good farming country is. This fact alone gives the lie to the calumnies uttered against the country. At the present rate of settlement the entire area of this vast reservation country will within a few years be appropriated by homeseekers."—Pierre circular, 1904.

"When in 1889 the Great Sioux Reservation stood like a Chinese wall barring the onward steps of progress—when the commission headed by General Crook came to a standstill in its work of securing the votes of the Indians and defeat stared it in the face, Pierre came to its rescue and furnished the means which made it possible to proceed with the work. Pierre and Rapid City some years ago joined hands to secure the building of a railroad from Aberdeen to Rapid City and today have a plant consisting of grade, right of way and terminals, which could not be duplicated for less than \$500,000. Aberdeen and other cities encouraged and helped on the work." Pierre circular, 1904.

Generally the Black Hills continued to favor Pierre for the capital site. The Black Hills Press said, "What has Pierre done—what are her sins of omission or commission that she must needs be deprived of the capital? Fourteen years ago the state occupied a building which ever since has served the purpose of a capitol. It has served the purpose thus far. That the state has not erected a grand and stately capitol building is not the fault of Pierre, nor does it weaken her in the estimation of fair minded men to decry and belittle the building which she years ago gave the state and which was thankfully accepted. To find fault now with the state house is like 'looking a gift horse in the mouth.' The argument advanced by Mitchell that Pierre is not the place for the capital because

of the unsettled conditions of the country west of the former city is the rankest kind of an insult to the hundreds and hundreds of hard working and prosperous ranchers who have settled up this country."—Whitewood Plaindealer.

"Even if Mitchell is more accessible, which it is not, the ordinary farmer, stockman, business man and mechanic cares not a whit about it. They have no call to go to the capital and hence are not concerned over its relocation."—Black Hills Press, Sturgis.

"The Hills people favor Pierre, there is no question about that. They know that the Northwestern road will roll cars into the Hills just as soon, if not sooner, than the Milwaukee, as Pierre is much nearer to the Hills than Mitchell. They see no reason why the capital should be removed; they see nothing to be gained by moving."—Black Hills Union, Rapid City. "The capital is where it should be and at the rate the country between Pierre and the Black Hills is settling it will ere long be near the center of population as it is now the geographical center."—Buffalo Gap Republican. "Butte County wants the capital to remain at Pierre. The population west of the Missouri in ten years will be greater than the east. This is one reason why the capital should remain at Pierre."—Belle Fourche Bee. "The people of the Black Hills have waited long for a railroad across the reservation and may wait longer, but it is certain that when the railroads are convinced that there is money in it they will build across and not before. When the country is settled the logical place for the capital is at Pierre."—Hot Springs Times-Herald. "The whole capital removal proposition is ridiculous."—Northwest Post, Belle Fourche. "We believe that the people of the Hills are heartily tired of these capital removal spasms and are satisfied that whenever the country between Pierre and the Black Hills becomes more thickly settled a road will be built from Pierre to Deadwood."—Central City Register. "The talk that the Milwaukee will build if the capital is moved to Mitchell, is ridiculous. If the Milwaukee builds Pierre will still be the most convenient point for the Black Hills people. If the Northwestern builds Pierre will still be the most convenient point for the Black Hills people. Should a railroad with headquarters in Florida decide to build a line from the Missouri River to the Hills, Pierre would still be the nearest to the Hills. No railroad is going to spend millions of dollars just because the capital of South Dakota may be located at Pierre or Mitchell. The railroads are not doing business on love. And if the Milwaukee builds it will be to acquire new territory; and if the Northwestern builds it will be to dispute honors with the Milwaukee. It is purely a matter of dollars and cents. It is but natural that the Black Hills people should desire that the capital should remain at Pierre, railroad or no railroad."—Lead Call. "An item has been going the rounds of the press headed 'Butte County for Pierre.' That isn't anything so very strange for all the Black Hills counties are evidently for Pierre. If some newspaper should have the temerity to run an item declaring any Hills County for Mitchell it would really be something of a sensation."—Hot Springs Star. "It is clear from the indications that the voters are going to consider the benefits of the capital location to the state as a whole rather than to any certain locality."—Custer Chronicle.

From the middle of October until election day in November eight regular passenger trains and two specials ran into Mitchell daily loaded with passengers. The number of trains which entered Pierre was not so numerous, but it was

stated that that city had secured 20,000 free passes for its visitors. Both cities ended their campaign in a blaze of mingled dejection and hopefulness, of lies and prayers, of abuse and laudation.

"Vote Tuesday to place the capital within range of the people. It has been in the center of the cattle range long enough. The people use the capital of the state; the cattle do not. A great range country as exists west of Pierre is not subject to the same large settlement that the agricultural portion is. East, north and south of Wolsey live the people who pay the taxes and who comprise 75 per cent of the population of the state."—Mitchell Republican, November 5, 1904.

Mitchell said in October that Pierre had spent \$100,000 for the railroad grade between Aberdeen and Pierre; that the project had fallen through because Aberdeen had not done its share of the work; that Pierre now owned the grade and right of way; that Pierre's object was to secure Aberdeen's support in the capital contest; that with this railroad and with the capital at Pierre not only Aberdeen but the whole northwestern part of the state both east and west of the Missouri would be far better situated than with the capital at Mitchell; and that therefore Aberdeen supported Pierre. Mitchell backers also contended that Huron had confidently expected to be the city selected by the legislative caucus to oppose Pierre; that when it was defeated by Mitchell it absolutely abrogated its tricity agreement; that this course was taken because Huron knew that if the capital were once located at Mitchell its chance to secure the prize would be gone forever while if it were retained at Pierre another opportunity to secure it might occur and that Huron felt piqued because of its defeat by Mitchell in the caucus and was thus partly instigated by revenge.

"At one time the City of Pierre owed bondholders, at the face value of the bonds, something like six hundred thousand dollars. Of this amount about one hundred thousand dollars was expended upon the railroad grade between Aberdeen and Pierre. The bonds were held by wealthy speculators, who purchased them at a discount. The panic of 1893 threw the financial world into confusion. In the year 1901 an agreement was made between the City of Pierre and the bondholders by which the entire issue of \$600,000 of bonds was surrendered and destroyed and new bonds to the amount of \$242,000 were issued in full of all obligations. Today Pierre's bonded indebtedness is less than two hundred thousand dollars. This indebtedness can in no manner be made alien upon the state's property at Pierre. Title to the twenty acres of land was never vested in the City of Pierre. It was the property of the Northwestern Company and was deeded to the state by the railroad company in 1890. The City of Pierre is today in the best financial condition of any city in the State of South Dakota thanks to her natural gas wells. The net income of the City of Pierre from the sale of natural gas and water to its citizens, after deducting all expenses, more than pays the interest on her bonds."—Aberdeen News, November 4, 1904.

<p>OFFICERS:</p> <p>JOHN SUTHERLAND President</p> <p>P. F. McCLURE Vice President</p> <p>GEORGE W. LUMLEY Secretary</p> <p>C. B. BILLINGHURST Treasurer</p>	<h2>Pierre Board of Trade</h2> <h3>Capital Committee</h3>	<p>A. W. EWERT J. L. LOCKHART I. W. GOODNER</p> <p>R. W. STEWART THOS. H. AYERS B. A. CUMMINS</p> <p>J. E. MALLERY WILSON L. SHUNK C. C. BENNETT</p>
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Mitakoda:—

Pierre otowwe itancan kte cin he hecetu. Mokoce icokaya wanka. Minisose iwiyohepata wicasa ota ayapi. Pierre dehan otowwe itancan wanka. He yujupica sni. Waunkanhejapi sni, nakas. Wicohande tanka—woskate heca sni.

Pierre etanhan mazacanku wiyohpeyata kagapi kta. Pierre en dehan tipi otancan qa unpica wan yuhapi.

Mitchell ekta iyawaja sni. Otowwe itancan dehan yujupapi qa ekta ehdepi iyecceca sni. Heconpi kinhan wahpaye kajupapi (taxes) wankan ayapi kte.

Heconpi kinhan woonspe mokoce tanka tehan wiyopeyapi kte sni—woonspe makoce kin ota wiyohpeyata wankanakas.

Mitchell otowwe ehan maka wiyopiyapi na wicasa tonana wijidiciyapi cinpi. Pierre otowwe itancan kte kansu iyohpeya po.

Yours truly,

John Sutherland.

This letter is in the Sioux tongue and was sent out by the Pierre Board of Trade to secure for Pierre the support of the Indians in the capital contest of 1904.

"We the undersigned voters, property holders and citizens of Beadle County interested in the future welfare of our great State of South Dakota as a whole, view with regret and emphatically resent the apparent attempt to discredit and disparage some portions of this great state in the hope of sectional and personal gain thereby. If, as has been and is asserted and sent broadcast over the whole country by the campaign committee of Mitchell, the central half of our state is practically a desert, it would be an absurdity to place the capital west of Watertown, Sioux Falls or Yankton. If it is necessary in order to move the capital from Pierre to Mitchell to declare that at least one-half of our great state is a barren waste, then if for no other reason, should we as citizens of a great state who are vitally interested in its general welfare emphatically denounce such methods, and we believe that the best interests of this country and of every man who owns a foot of land within its borders will be fully conserved by the retention of the state capital at Pierre, because it will help develop the country west of us and thereby help us and thereby promote the ultimate extension of our railways to the Black Hills, and we cannot afford to serve notice on the outside world that the country west of us is useless and worthless. Therefore let us work for the good of the whole state. All has its usefulness and it will not be long before it will be sought after and made to yield support to a great and prosperous people."

This was signed by many citizens of Beadle County and was the expression of a mass meeting held at Huron just before the November, 1904, election, when the capital contest was to be decided.

VOTE ON THE CAPITAL CONTEST, 1904

County	Mitchell	Pierre	Counties	Mitchell	Pierre
Aurora	925	174	Hyde	18	578
Beadle	351	2,151	Jerauld	476	389
Brown	1,200	2,861	Kingsbury	556	1,794
Brookings	630	2,249	Lake	1,147	1,078
Bon Homme	1,455	954	Lawrence	1,625	4,109
Brule	1,012	317	Lincoln	1,814	1,256
Buffalo	62	133	Lyman	295	1,021
Butte	194	940	McCook	1,430	638
Campbell	205	619	McPherson	380	520
Charles Mix	1,532	1,103	Marshall	465	992
Clark	596	1,292	Miner	698	741
Clay	1,076	1,159	Minnehaha	2,761	3,195
Codington	491	1,956	Moody	800	1,146
Custer	102	678	Meade	213	993
Davison	2,305	89	Pennington	309	1,257
Day	1,278	1,590	Potter	45	775
Deuel	431	1,217	Roberts	1,176	1,848
Douglas	1,113	232	Sanborn	1,006	355
Edmunds	460	702	Stanley	61	861
Fall River	114	929	Spink	958	1,877
Faulk	118	832	Sully	10	438
Grant	705	1,167	Turner	1,629	1,386
Gregory	318	655	Union	1,494	1,137
Hamlin	842	1,074	Walworth	235	609
Hand	150	1,271	Yankton	1,216	1,561
Hanson	1,167	162			
Hughes	13	1,324	Total	41,155	58,617
Hutchison	1,943	277			
Pierre's majority					17,462

The joy at Pierre over the news of victory was intense and almost ecstatic. The people of the proud little city could scarcely hold themselves within the bounds of prudent and moderate demonstration. The battle had been waged with the Pierre pluck, determination and ambition, but the cost cut no figure compared with the results. Soon all settled down to bind up the wounds and to resume the happy days of progress and prosperity which had preceded the campaign of intrigue, bitterness and recrimination.

MITCHELL, S. D., November 9, 1904.

Hon. John Sutherland,
Pierre, S. D.

I wish to congratulate you on your magnificent victory in the face of great obstacles. Pierre is entitled to the capital forever.

H. L. BRAS.

Hon. H. L. Bras,
Mitchell, S. D.

PIERRE, S. D., November 9, 1904.

I thank you for your generous congratulations. You made a good fight, but sentiment proved to be against you.

JOHN SUTHERLAND.

Pierre laid its success in a large measure to three things: (1) The army of voluntary workers in the field; (2) the voluntary help and friendship of the Chi-

ago & Northwestern Railway Company, and especially of Alexander Johnson; (3) the hard work and able speeches made almost daily at the statehouse by John L. Lockhart.

"Mitchell started into the campaign with an idea that it would be something like a pink tea or a Sunday school picnic. Pierre knew better from experience, and Mitchell does now."—*Capital Journal*, November 9, 1904.

"For weeks the people of South Dakota have been enjoying a holiday. Railroad passes have been as free as Dakota ozone itself. The capital will remain in the center of the state where it belongs and where the people of South Dakota have now thrice said it should be. As soon as the wounds received in the heat of conflict are healed Mitchell will acknowledge that all parts of the state are mighty good places in which to live—ininitely superior to any other region on earth. And in time even Mitchell will admit that Pierre after all is the proper location for the capital of a state possessing the richness of soil and the even distribution of population that South Dakota is sure to have ere many years roll by."—*Aberdeen News*, November 9, 1904.

"During several weeks before election the Milwaukee and Northwestern railroads in South Dakota were crowded with passenger traffic. Not only were the regular trains compelled to run a large number of extra coaches, but extra trains, crowded to the limit, were every day features during the capital campaign."—*Aberdeen News*, November 11, 1904.

"Mitchell has called a public meeting for the purpose of having the way to 'skin Pierre in progress and prosperity' and 'become the leading city of the Jim River Valley and the state regardless of the capital location. That is the proper South Dakota spirit.'"—*Aberdeen News*, November 14, 1904.

"The Pierre Free Press predicts that within two years the capital city will have at least two new railroads and one or two lines will extend west of the river."—*Aberdeen News*, November 15, 1904.

After the election had determined that Pierre should retain the capital Mitchell at once took the position that owing to the treachery of Huron and other cities of the James River Valley, which had pledged it their support, that city would thereafter oppose any further action for capital removal. This stand was taken to defeat Huron's future aspirations. But Huron denied such hopes or expectations. It was said at this time that Mitchell's debt was \$159,000 in addition to \$25,000 in school bonds. The *Aberdeen News* declared Mitchell's debt to be almost four hundred thousand dollars. The city took its defeat philosophically and at once proceeded to make the most of the advertising it had received. But the citizens could not readily forgive Sioux Falls for giving Pierre a large majority. The business men of Mitchell were so incensed that they determined to boycott that city and really did so for a while, depriving it of thousands of dollars worth of trade. They said, "If Sioux Falls likes Pierre so well let it go there for its business. We want nothing more to do with the village."

On the night of the election the citizens of Mitchell—men and women—gathered at the new city hall to hear the returns. Women were well represented, because their societies had worked unceasingly in relays during the strenuous fall campaign and all were nearly worn out. It was estimated that through their efforts the city had fed nearly or quite one hundred thousand persons during

the campaign. Chairman Bras of the campaign committee was present. Every movement was dramatic in the extreme. The whole city held its breath and anxiously listened for the expected and hoped-for cry of victory. But as the unwelcome returns were received showing Pierre ahead hearts sank at first, but later became buoyant with confidence and self reliance amid the wreck and confusion of defeat. A large mass meeting was called and it was determined that, as the city would be greatly benefited by the advertising in spite of defeat, a new, greater and grander city should be then and there founded. The city had spent, it was admitted, over one hundred thousand dollars in the contest, but more than that amount had been left there by visitors. Then they had the splendid city hall, better hotels, finer residences—in fact every heartbeat of the city was keyed to a higher standard of harmonious action and advancement. All of this, it was determined, should be retained, augmented, dignified and ennobled. "Greater Mitchell!" was the shout.

"Whether Pierre is convenient or inconvenient, it has a firm grip on the seat of government. The inability of the people to unite upon a choice of a successor is Pierre's safeguard."—Sioux Falls Press, November 16, 1904.

"Jealousy on the part of other cities in the state, a feeling in other quarters that Pierre had won the capital by two hard-fought contests, and a sympathy widespread for a town badly debt-ridden and with practically nothing to sustain it but the seat of government, defeated Mitchell's aspiration to be the capital of South Dakota last Tuesday by a large majority. However, the fact that Mitchell was able to muster over forty thousand votes out of less than one hundred thousand shows how widespread and extensive is the dissatisfaction of South Dakotans with the present location of their seat of government. Mitchell put up a fair and honest campaign, untainted by bribery, the illegitimate use of money or abuse and slander. We are willing to leave time to demonstrate whether the hundred or more newspapers wrote the truth of the possibilities of Pierre's ever becoming as near the center of population and as convenient of access as Mitchell is. Had Mitchell had \$100,000, or a sum approaching it, at the beginning of the campaign—a quarter of the sum expended by Pierre in 1890—there would have been a different story to write. Not one dollar has been spent in the campaign that came from the sale of bonds, all reports to the contrary notwithstanding. The disposition to let the capital stay where it is unless Mitchell was willing 'to put up' liberally was one of the hardest factors to contend with. Mitchell declined to do anything of that sort. Harry L. Bras managed the Mitchell campaign; he it was who defeated the Huron and Redfield committees two years before in the Legislature. No fault can be found with his management of the campaign. The Mitchell people put up a square and manly contest, because she had nothing to lose and much to gain. Pierre had everything to lose and nothing to gain. The prestige and advertising that Mitchell has received, to say nothing of the 40,000 votes cast for her, is worth all the fight cost and more."—Kimball Graphic after election, November, 1904.

When the campaign of 1904 was over there was a general demand, particularly from Pierre, that in order to settle the capital question forever a new, large and adequate statehouse should be built. Mitchell warmly seconded this movement. At once the financial steps necessary were duly considered. The state had 85,000 acres for this purpose and at once proceeded to use this asset as a basis for raising the necessary funds.

A state capitol commission was created and consisted of the governor, secretary of state, auditor and commissioner of school and public lands. They were given full authority to erect the building and to dispose of the capital lands to meet the expenditures. The building was patterned after the new Montana statehouse and thus all the cost of securing plans were avoided. C. E. Bell, of Minneapolis, was the architect of the Montana building and was employed to assist on the South Dakota building. The commission, accompanied by Mr. Bell, visited Helena, Mont., and thoroughly inspected the statehouse there. Next they investigated the subject of building material, both inside and outside of the state. On August 8th the contract for the foundation of the east wing was let to C. Lepper, of Minneapolis, and the work was completed before winter set in, the material being drift granite found near Pierre.

Then arose the question of material for the superstructure. Generally over the state there existed a strong feeling that only South Dakota material should be used in the construction of the building; but upon investigation it was found that the famous Sioux Falls granite or jasper would be much more expensive than the well known and popular building stone of Bedford, Ind. Complications arose, court action to gain time was taken, and finally the whole matter was postponed until the next meeting of the Legislature. It is a fact that the question of what building material should be chosen cut quite an important figure in the political campaign of 1906 and in the selection of the members of the Legislature. In this election three of the four capitol commissioners were changed, Crawford, Hirning and Dokken taking the places of Elrod, Halladay and Barch, the other member being Wipf.

The Legislature of 1907 made several important changes in the capitol building law, among which were (1) limiting the total expenditure for the building to \$600,000, and (2) providing that South Dakota stone should be used in the structure if the cost was not increased thereby over 5 per cent. By this time the foundation of the east wing had cost \$17,695.94, and building fund on hand amounted to \$84,405.83. On June 4, 1907, the contract for the construction of the building was let to O. H. Olson, of Stillwater, Minn., his bid being \$540,525, the lowest among several. He figured on the basis of Ortonville granite, Sioux Falls jasper and Bedford limestone, but in the end Marquette Raindrop stone was substituted for the Sioux Falls jasper. There were delays and a continuance of the work was postponed until 1908, and in the meantime it was decided to raise the whole structure two feet higher than originally intended. Great progress was made in 1908 and work was not suspended until December 19th. The remaining work was nearly all finished in 1909. The marble, mosaic and scagliola elements were added in the spring of 1910.

The cornerstone was laid June 25, 1908, under the ritual of the Grand Lodge of Masons, Grand Master J. J. Davenport, of Sturgis, officiating. In the stone was deposited a box containing many articles of state and local interest. The orator of the occasion was Gen. W. H. H. Beadle, who was introduced by Governor Crawford. His oration was one of singular beauty, sentiment and eloquence. He reviewed the history of the state with much power, picturing the memorable scenes which had transformed this prairie land into a populous domain of golden fields and blissful homes. His inspiration swept out over the dead years and recalled the historic epochs when humanity and civilization had made their

greatest leaps to higher ideals in education, religion, liberty and law. In strong terms he painted how this young territory of the Northwest had struggled for civic liberty even as the grandfathers had struggled in 1776 and the fathers in 1861. He spoke with tenderness of the colossal men and women who had built up this splendid civilization from the sod shanty to the castellated mansions of the present golden days. Every great step of advancement was noted with power and pathos. He closed with a glowing prediction of the prosperity and glories that were to come.

The decorative work in the big statehouse deserves special notice. While the building was being constructed—near its finish—it was suggested that it should be decorated with historic scenes, emblems and allegories from the experiences of the state. When the Federation of Women's clubs assembled at Pierre in August, 1908, the following resolution was passed after due discussion and deliberation:

"Resolved, That the Federation of Women's clubs of South Dakota earnestly favors provision by the Legislature and capitol commission of the new state capitol befitting the wealth, culture and dignity of a great commonwealth; that the provision for interior decoration should be not less than five per cent of the entire cost of the structure and the mural decorations should be made only by American artists of the highest skill and repute; that to this end, if it be deemed expedient, we should favor a small amount of decoration of the highest order rather than to accept anything less than the best; and that the clubs composing this federation be requested to petition the Legislature to make such provision as will begin a scheme of decoration that will result in providing ultimately in the state capitol mural paintings that will be an inspiration and an educational force to the people of the state."

In the end this decorative plan was carried out by the capitol commission under the guidance of W. G. Andrews of Clinton, Ia., who secured the services of Edward Simmons for five scenes, Charles Holloway, three scenes, and Edwin H. Blashfield, one scene, for the leading chambers. The richness, beauty and historic significance of the work justify the effort and the expenditure.

On June 30, 1910, the fine building, fully completed, furnished and decorated, was appropriately dedicated. Governor Vessey introduced Doctor Storms, of Iowa, the orator of the occasion, who delivered an address of unusual literary probity and merit. He dwelt with great force and effect on the life, achievements and death of Abraham Lincoln, who had helped to save this great nation from disruption, had made South Dakota an illuminated possibility and reality and had given the Government its second birth of freedom and its baptism of blood and anguish.

The dedication ceremonies were conducted by Pierre Lodge, Independent Order of Odd Fellows, under a special dispensation of the Grand Lodge. The ritual was special and was composed by Otto Linstad, C. E. Swanson, C. B. Billingshurst and Charles S. Whiting. An immense audience witnessed the beautiful and stately ceremonies. Company A, National Guard, preserved order. The Fourth Regiment Band furnished the music.

CHAPTER VI

IMPORTANT PROCEEDINGS AT LEGISLATIVE SESSIONS

The first State Legislature met at Pierre on October 15, 1889. The representatives assembled in the Hughes County Courthouse and the senators in the Presbyterian Church. John Rudd was promptly chosen temporary chairman of the house and S. E. Young, after a short contest, was elected speaker by the vote of 118 to 14, his opponent being R. B. Hughes. Everybody present seemed to be in delightful spirits. The senate was called to order by Lieutenant-Governor Fletcher, but S. J. Washabaugh of the Black Hills presided until the eligibility of Mr. Fletcher to that position should be determined. About 2 o'clock in the afternoon all of the state officials and several of the circuit judges, formally took the oath of office on the porch in front of the courthouse. One of the largest and most enthusiastic crowds ever assembled in Pierre up to that date gathered to witness these interesting proceedings. Chief Justice Bartlett Tripp administered the oath of office to all the state officials. Both of the legislative houses adjourned to participate in this historic event, and intense interest in the proceedings was shown by the officials and the citizens. Thus at last after many years of vexatious delay South Dakota as an official entity became a reality. Immediately after these proceedings both houses reassembled in their chambers, but without doing any business at once adjourned until 2 o'clock on the afternoon of the 16th.

The first proceeding of supreme importance before this Legislature was the election of two United States senators. The republicans and the democrats massed their forces, held their caucuses, and on the first informal ballot the vote stood as follows: Moody 85, Edgerton 67, Pettigrew 98, Wardall 44. A motion was thereupon made that this informal ballot be made formal. The motion promptly carried and the result was received with repeated cheers and other demonstrations of enthusiasm and delight. The four candidates above named were then proudly marshaled before the audience and one at a time were required as one newspaper said to "show their colors." All responded with excellent effect and met every expectation. Col. J. L. Jolley introduced Mr. Pettigrew as the "Pickerel Statesman" amid great applause. Mr. Pettigrew was fully equal to the emergency and delivered one of his terse and brilliant addresses. Judge Moody likewise delivered an eloquent speech that completely captivated the audience. Judge Edgerton, a great favorite in the young state, spoke with great feeling and signified his submission to the action of the caucus and said, "The voice of the people is the will of God." Mr. Wardall, in a short speech, told what was expected of the young state.

At the October election in 1889, really the first election for the state, the principal offices were filled as follows: For governor, Mellette (R.) 53,129, McClure (D.) 23,441; Supreme Court judges, First district, Corson (R.) 54,110, McLaughlin (D.) 21,809; Second district, Kellam (R.) 54,150, Windsor (D.) 22,697; Third district, Bennett (R.) 53,635, Van Buskirk (D.) 22,697; for constitution 76,411, against constitution 3,247; for prohibition 39,509, against prohibition 33,456; for minority representation 34,309, against it 45,497. Thus a complete republican state ticket was elected. Other state officers chosen were: Fletcher for lieutenant governor; Ringsrud, secretary of state; Taylor, auditor; Smith, treasurer; Pinkham, school superintendent; Parker, commissioner of school and public lands; and Dollard, attorney-general.

At the legislative session of January, 1890, Speaker Young continued to occupy his post, because this session was merely a continuance of the previous October session which had adjourned to this date. There were in the house seven lawyers, two editors and over one hundred farmers. At the commencement of the session both houses took considerable time in perfecting their organizations; appointing regular committees, fixing the compensation of officers, and adopting necessary rules. The hotels were full of guests, mainly of citizens of the state who desired to witness the interesting proceedings of the first session. Of the total legislative membership of 169 there were present 160. The newspapers stated that for every legislative office there were present about a dozen applicants.

Perhaps the most important questions before this session at first were the following: Prohibition, codification, railroad legislation and the control of the trusts. Both the prohibition and saloon elements were represented by powerful lobbies; the former had prepared an elaborate and stringent bill under the direction and guidance of the State Enforcement League. The saloons were represented by able lawyers with abundant means, and there was every indication from the start that a desperate battle would be waged to gain the ascendancy or any advantage.

The final report of the Constitutional Convention Committee fixed the legislative apportionment at forty-five members in the senate and 124 members in the house. At once the first Legislature prepared the constitutional amendments, which were to be voted on at the November election, 1890. They were as follows: (1) To increase the state debt to \$500,000 in certain emergencies; (2) to prevent Indians who maintained tribal relations from voting; (3) to strike the word "male" from the section of the constitution relating to elections and the right of suffrage.

This first session was one of great importance to the state, because in reality it did much fundamental work which affected every interest in South Dakota. The members from the start duly considered the vastly important problems of temperance, prohibition, suffrage, homestead exemption, omnibus appropriation measures, abolishment of the office of commissioner of immigration, an amendment to the constitution that Indians living in tribal relations should not be allowed the right of citizenship; preventing the remarriage of divorced persons within three years; providing an engineer of irrigation; appointing a commission on seed wheat, etc. It was stated by the press that under the new constitution, the following measures must be passed by the first Legislature: (1) Specifying in what courts and how and in what manner the state might be sued; (2) providing

for the punishment of bribery and corruption; (3) concerning the method of applying reprieves and the omission of fines; (4) indicating the duties of state officers; (5) establishing the jurisdiction of new courts; (6) making returns of election for governor and lieutenant governor; (7) publishing and distributing Supreme Court decisions; (8) publishing and distributing state laws; (9) appointing or electing the state's attorney; (10) fixing terms of court and providing for the transfer of cases to other districts when judges had been attorneys in the same suits; (11) providing for the submission of the question of female suffrage; (12) providing for the investment of school funds; (13) protecting school lands from trespass; (14) organizing counties and locating county seats; (15) organizing townships; (16) classifying municipal corporations and restricting their tax levying powers; (17) levying the annual tax; (18) taxing banks, corporations and loans; (19) exempting from taxation horticultural and similar societies and common schools and other educational institutions; (20) limiting the issue of state warrants; (21) buying territorial bonds and interests; (22) appropriating money for general expenses; (23) providing for a state board of charities and corrections; (24) enrolling and organizing the militia; (25) providing a board of regents of education; (26) providing for the removal of officers by the governor; (27) regulating the organization of corporations; (28) controlling railroad commissions; (29) providing an election for the location of the permanent state capital; (30) enforcing prohibition; (31) providing for a commission of immigration.

By the last of February both houses were busy rushing the bills from the committee rooms to the chambers. Each house had established a calendar committee to facilitate the dispatch of business. The duty of this committee was to see that all the most important bills were considered first, so that if any should be slighted they would be those of lesser importance. A bill to divide the state into congressional districts was duly considered, but was opposed on the ground that it was mainly in the interests of special candidates and that the prohibitionists desired its passage because they hoped thereby to secure representation in congress.

At this time there arose a protest from all parts of the state against the large size of the Legislature. Many newspapers declared that two-thirds of the membership would be amply sufficient and that the present body was unwieldy, sluggish, lacked motion, that bills were duplicated and that all work lagged through the confusing and cumbersome methods of both houses. A bill to reduce the size of the Legislature was introduced and considered amid much confusion and caustic personalities. Many members seemed willing for the reduction, but the paramount question of reapportionment was one that could not so readily be surmounted. The attorney-general expressed the opinion that the reapportionment must necessarily be based upon the state or federal enumeration. As there had not been an enumeration of any importance since 1880, and a new government census would be taken within a few months, it was finally concluded to let the question go over until the next session.

On February 27th a special press report said: "The lower house is fortunate in having among its members five clergymen. These gentlemen, in the absence of the chaplain, sometimes do the praying. An amusing scene took place in the house last week. It seems that Reverend Cummings is the editor of a paper, and in a recent issue of such he took occasion to score one of his brother lawmakers

of his profession. Reverend Powell's attention was called to the attack and he arose to a question of privilege and for about ten minutes the clerical fur flew in all directions. These sedate members called each other liars and used other language that is not usually heard in theological circles. The sinners present did all they could to encourage the sport and the crowded lobby enjoyed the fun."

By March 3, 1890, 391 bills had been introduced in the house and 224 in the senate. Many had been disposed of by this time, and the governor had signed already a total of seventy-six bills and resolutions. The temperance bill had been passed amid the hosannas of the temperance people and had been duly and promptly signed by the governor. The vigorous fight on the appropriations had ended; the slain had been buried. The Rhines' voting machine bill had suffered defeat. The railroad fare bill was likewise unceremoniously and coldly turned down. Many farmers of the Legislature valiantly supported the railway rate bill and the usury bill, but both were ingloriously defeated in the end. The temperance or prohibition bill having passed, it now became a certainty, so it was thought by many, that all saloons would be required to close on or before May 1st. A singular and almost unaccountable fact was that this Legislature cut down the appropriation for the state university to \$25,000. In this connection the Dakota Republican of March 13th said: "At about 2 o'clock A. M., Saturday, the Legislature saw fit to grant the very modest sum of \$25,000 in support of the state's highest educational institution, the University of Dakota. We are profoundly gratified that, in its wisdom, it made an allowance of even such moderate dimensions, for at times it has looked doubtful if any sum would be appropriated for its maintenance. From time to time there has cropped out a vast deal of jealousy, sectionalism and narrowness. To steer against this tide successfully has required vigilance and ability on the part of the friends of the university and the friends of progress. The appropriation, by dint of self sacrifice and rigid economy, will in some way sustain the institution the coming year. The present able and accomplished faculty will remain intact. The work will go on here; there may possibly be deficiencies in the fuel and contingent and other items, but they can be provided for in the future. Another year the people of the state may have come to their senses and their representatives may be more awake to the future rather than indulge in the sleepy habit of looking backward."

The Legislature of 1890 did much that was meritorious and very little that was discreditable. It had many serious difficulties to overcome, and succeeded better than had been expected by many faultfinders and critics. The faults as well as the merits of the constitution began this early to be perceived and measured. One hundred and eighty-three bills became laws at this session, and a few were vetoed by the governor. Among the measures which passed were the following: Limiting the state indebtedness to \$500,000; a memorial to Congress asking about the Crow Creek Reservation claims; providing for a committee to procure seed corn for the state; a memorial to Congress concerning the Fort Randall Military Reservation; another for the dyking of Big Stone Lake; relating to decreasing the size of the Legislature; concerning the Soldiers' Home at Hot Springs; making an appropriation for the maintenance of public institutions; giving aliens certain property rights; locating the boundary line between North Dakota and South Dakota; a memorial to Congress concerning Indian depredations; a memorial to Congress to set aside camping grounds for the state militia; providing for the

appointment of a board of regents and a board of charities and corrections; authorizing railways to build across school and public lands; creating a State board of equalization; authorizing county commissioners to buy artesian well outfits; providing for the transportation of insane persons at county expense; shortening penitentiary terms for good conduct and paroling meritorious prisoners; the inspection of illuminating oils; defining the jurisdiction of county courts; creating a commission to adjust the claims growing out of the Yankton asylum affairs; establishing a board of pardons and defining its duties; encouraging the production of sugar and the growth of sugar beets; providing for a constitutional amendment giving women the right of suffrage; accepting grants of land from the Government; authorizing circuit judges to hold court in each others' places; regulating the issuance of marriage licenses; regulating and prohibiting the manufacture and sale of intoxicating liquors; creating the office of state engineer of irrigation; encouraging timber culture; prohibiting the killing and trapping of quail; creating the office of mine inspector; compelling railway companies to post notices of the time of arrival and departure of trains; providing for the assessment and taxation of railway companies, telegraph companies, etc.; providing for the destruction of noxious weeds; memorializing Congress for the opening of the Yankton Reservation under the homestead law; the same asking for 5 per cent of the proceeds of the sale of public lands in South Dakota since June 30, 1880; the same asking for the opening of the Crow Creek Reservation; the same asking for that body to authorize the Commissioner of Lands to select lands for the State University; to submit the permanent capital question to the voters; authorizing the state to issue bonds to cover the outstanding current debt of \$100,000; regulating the construction of artesian wells and the ditches leading therefrom; regulating and controlling insurance companies, etc.; regulating the practice of pharmacy; creating the bureau of labor statistics and providing for the appointment of a commission; regulating grain, warehouse and other inspection; providing a military code for the state; making railroads responsible for fires set by their engines; reorganizing civil townships; providing an investigating committee for the insane asylum, the penitentiary and the deaf mute school; limiting the expenses of the penal, charitable and educational institutions; abolishing the territorial board of education and transferring its duties to the state superintendent of schools.

Thus the most important laws passed by this first session were the following: (1) For the submission of a constitutional amendment for woman's suffrage; (2) creating the office of state engineer of irrigation; (3) to encourage timber culture; (4) creating the bureau of labor; (5) for the destruction of noxious weeds; (6) regulating artesian well construction; (7) providing penalties for the unlawful transportation of liquors; (8) encouraging the production of sugar and the raising of sugar beets; (9) for the enforcement of the prohibition clause of the constitution; (10) reducing the size of the Legislature; (11) establishing boards for the state institutions; (12) submitting the permanent capital question to the voters.

Considerable unfavorable comment concerning the personnel of this first legislative body was made at the time and much even worse was said afterward; but the facts remained that the work done by it satisfied the people of the state. Then all had the good of the state first at heart and that feeling ruled at this

session. Personal considerations did not predominate then as they did at a later date, and the obscure members remained in the background and permitted the real leaders—the men of brains and wisdom—to dictate the measures that should become laws and to shape the policy of governmental affairs. Of course, there were present members who knew more about bull-whacking and cow-punching than they did about law-making, but that objection has been a continuous one down to the present day. There can be no doubt that fully half the members of the first Legislature were wholly unfitted to determine the best measures to be adopted by the young state. Many were without education, knew little concerning law, were wholly unfamiliar with governmental problems and had only a vague and evanescent conception of the duties of citizenship under civilized customs. One newspaper in 1890 declared that the first Legislature contained law-breakers, crooks, gamblers and other undesirable characters. For this reason, and as a matter of economy, it was demanded that the legislative body be cut down in size and session duration.

After a sharp contest C. X. Seward, of Watertown, was elected Speaker of the House in January, 1891. Robert Buchanan, of Sioux Falls, was his opponent. In the republican caucus Buchanan on final vote received forty-two votes and Winslow twelve. The independents, however, had control of the House and placed Mr. Seward in the speaker's chair. The contest was close; Seward received sixty-two votes and Buchanan sixty-one. Seward was named at the fusion caucus of the democrats and independents. However, the republicans succeeded in organizing the Senate, thus making the two houses antagonistic. Seward was really a republican, but had recently joined the independent movement. He was not elected by the Farmers' Alliance independent movement, but was chosen by the combined independents and democrats; and thus was an independent in the strictest sense of the word. In order to secure the election of Mr. Seward two republicans of Brown County who claimed seats in the House were displaced and two independents were seated in their chairs. This gave the independents a majority of three in the House. Of course, it was maintained by the republicans with much vigor and bitterness that the act was unjust, high-handed, and one outrageously carried into effect by the independents in order to secure control of the House.

Among the important measures before the Legislature of 1891 were the following: To elect a United States senator; to pass a resubmission bill; to make necessary appropriations for two years; to adopt the Australian ballot; to pass a new school law; to provide a state apportionment; to elect railway commissioners by vote of the people; to tax mortgages; to pass an iron-clad usury law. The mortgage and usury laws caused bitter and prolonged contests in both houses. The Farmers' Alliance and the independent party prepared for a relentless contest to secure what they wanted. Present at this session were the boards of trustees and other heads of nearly all the state institutions.

Late in January a bill which occasioned much controversy prohibited the holding of land by non-resident aliens. This bill was earnestly and strenuously opposed by the Black Hills members of the Legislature on the ground that it tended to keep out foreign capital which was greatly needed to open the immense mines and work them with profit. In response to the wishes and demands of the Black Hills people the law was amended to meet their requirements. Another

important bill which occasioned considerable debate was one authorizing townships to sink and control artesian wells. Other important measures were the following: Passage of an adequate appropriation bill; adoption of the Australian ballot; adoption of a new school law that united the independent district and the township systems; providing for irrigation in townships which sank artesian wells; a new fence law on the Sioux Reservation; cutting down the number of members of the Legislature; establishing uniformity of text-books in county schools.

By January 20, 1891, with one fourth of the session already gone, not a bill had been passed by both houses of the Legislature. In all ninety-one bills had been introduced in the Senate and sixty-six in the House, covering many questions of vast importance to the state. Nearly every effort of the Legislature thus far had been spent in the difficult and engrossing task of choosing a United States senator. However, this proceeding did not interfere materially with work on the bills and on legislation in general. No session began early to pass bills; usually even where there was no United States senator to be elected, few if any bills were passed until late in January. The object, of course, was to give the members abundant time to study and fully weigh all the measures. When the time came for them to be passed the work it was claimed was then comprehensive, expeditious and mature. During the first three or four weeks there were numerous contests for seats, but as a whole legislation progressed satisfactorily.

Among the bills considered early in the session in 1891 were those concerning the immigration bureau, railway commission, mine inspector, state engineer, irrigation, commissioner of labor and statistics and women's board of visitors. All political parties represented in the Legislature were surprisingly intent on making it appear that they were influenced solely and strongly by the demands of constituents that the affairs of the state be very economically administered. This ruling sentiment was always manifest. While the fight over the United States senator was in progress, many members took little interest because they considered that the proceedings were far too expensive if not wholly unnecessary. To carry out this view of the minority, Senator Washabaugh introduced a joint resolution that the Legislature adjourn on February 14. He argued that the time which had been unnecessarily spent in various dilatory political tactics and in the drawn-out selection of a United States senator, should have been spent in the consideration and passage of bills; that if such had been the case the session could have been adjourned by the middle of February after having maturely considered every bill that had been introduced. However, the majority of the members did not quite agree with him and the minority, and accordingly defeated his bill, although by a very small margin, the vote in the Senate being twenty-two to twenty-three against the Washabaugh resolution. As soon as the United States senator had been chosen, the entire Legislature turned all their attention and efforts to the consideration of the bills that had been introduced. Then they began to pass both houses with great rapidity, or were consigned to the capacious waste baskets. Many fundamental laws essential to the growth and prosperity of the new state, were duly considered and deliberately acted upon by this early legislative body. Among the important bills that became laws were the following: (1) That ten years' successive residence on land under claim and color of title made in good faith by any person who had paid all taxes assessed at that time,

should be held and adjudged sufficient to entitle the holder to the property; this did not apply to school and other public land; (2) that taxes should become delinquent on the first Monday of February of the year following the assessment of such taxes and to draw interest at the rate of 12 per cent per annum until paid; (3) authorizing the civil townships to sink artesian wells and to bond themselves therefor; (4) to purify the ballot and to punish violations thereof; (5) to prevent the sale of fire arms and ammunition to Indians and half breeds; (6) authorizing counties to build all bridges where the cost exceeded \$100; (7) authorizing counties to issue sufficient warrants to complete payments for court-houses, jails and other county buildings; (8) to confer jurisdiction of county courts in probate matters upon circuit courts; (9) to refund \$92,500 insane hospital bonds bearing $4\frac{1}{2}$ per cent interest at the new rate of 4 per cent interest; (10) to change the name of Dakota Agricultural College to South Dakota University; (11) to authorize the board of regents to hold farmers' institutes at the Agricultural College for instruction of farming and dairying; (12) limiting the tax levy in cities to ten mills and limiting the bonded debt of municipalities; (13) accepting grants of money from Congress to aid in the maintenance of the Agricultural College; (14) reducing the number of grand jurors to six, the jury panels to eight, and fixing the number to indict at five persons.

Many other important laws were passed, but these seem to have been the most useful. Among the joint resolutions and memorials which became laws were the following: (1) Accepting the capitol grounds at Pierre from the Northwestern Railway Company and the new frame capitol building at Pierre from the City of Pierre; (2) making special arrangements for opening the Sisseton and Wahpeton reservation; (3) a memorial to Congress to make the coinage of silver free and unlimited and a legal tender for all debts both public and private; (4) a memorial to Congress for an amendment to the Constitution to be submitted to a vote of the people providing for the election of United States senators by direct vote of the people; (5) asking national aid to disarm the Indians and to reimburse stock men for cattle lost through Indian raids and otherwise; (6) asking Congress to station four companies at Fort Randall for the protection of the white people against possible Indian raids; (7) asking for a fort at Oelrichs, Fall River County, for the protection of settlers from Indian depredations; (8) asking Congress to make the Soldier's Home at Hot Springs a national home for veteran soldiers. A resolution which was vetoed by Governor Mellette, authorized the governor to deed to the United States the title of the state to the Soldier's Home in case Congress should make an appropriation for the aid thereof. There were many other resolutions, memorials and bills which became laws.

As a whole the work of this Legislature was excellent. Perhaps the only serious complaint was over the time spent in the selection of the United States senator. As it came to be believed throughout the state that this prolonged action was unnecessary, expensive and burdensome, there arose a general feeling that the United States senator should be elected by a direct vote of the people. This demand became so urgent at this session that the above memorial to Congress to that effect was finally passed. Scores of other problems of vast importance to every department of the entire state were consigned to oblivion or to the tender mercies of a subsequent session. An attempt to abolish the normal and preparatory departments of the State University was defeated after a sharp contest in

both houses. It was really an attempt at economy, but was wrongly applied. The resubmission bill consumed much time of this Legislature, but was finally defeated. Among the other subjects that were considered were wild cat banking, the fence law, the cutting down of all appropriations, the abolishment of capital punishment, taxation of mortgages, and abolishment of the office of oil inspector.

By the time the session was half over the Senate had acted on fifty-one bills of which seven had become laws, while the House had acted on fourteen bills of which only two had become laws. As the Senate was republican and the House was independent, the republican newspapers throughout the state called attention to this fact. Any delay was noted particularly by the public press. It was the belief that the Legislature could have passed all its laws after due deliberation in about half the time actually spent. As the expenses of the assembly were about twelve hundred dollars per day, it was claimed and particularly by those who professed to be trying to economize, there was an opportunity to show what they could accomplish.

Under the new apportionment law passed in March, there were 43 state senators in place of 45 and 83 representatives in place of 124.

The Legislature of 1893 was the most violent and disorderly thus far held in the state. Considerable radical legislation was commenced. Nearly all measures were particularly striking. Perhaps railway legislation cut the least important figure though the most urgent. The Legislature commenced earlier than usual to report bills from the committees and to act upon them as a whole in the chambers proper. The resubmission problem was one important measure that was early considered. The prohibitionists and the liquor people both had present able and influential lobbies, each of which seemed well supplied with funds. Several ladies ably and openly represented branches of the prohibition movement this session. Another important movement was the step to make a thorough investigation of all the state institutions through special committees and otherwise. The Agricultural College which had been rent with dissensions and embroiled in trouble for some time was thus investigated. There were twenty-one charges in the indictment brought against this institution by the committee. Sixteen of the charges referred to political intrigues and the unlawful use of money. The condition of the institution, reported the committee, could not have been more serious and damaging. All of the disorderly and irregular proceedings were fully detailed and exposed by the legislative committee.

This legislative session at the start was uncertain as to its political cast and its probable action on all legislation required by the people. The uncertainty consisted in the fact that the republicans again controlled both houses, that there were many new and inexperienced members, that the resubmission question was paramount, that a new and improved divorce law was wanted, that the maximum freight charges on railways were to be fixed, that an appropriation for the Columbian Exposition was demanded, that military armories were needed throughout the state, and that the Australian ballot law required improvement and amendment. In addition numerous questions concerning agriculture and the management of the affairs of state institutions and departments were to be considered. From the start the question of resubmission became a living and vital issue. It had passed the House in 1891, but had been killed in the Senate. Now again in 1893 a similar bill was reintroduced. The old leaders of the session of 1891 were

absent. New members had taken the place of Buchanan, Melville, McCormick, Wickham and Sheafe. Mr. Dollard, the former attorney-general, was now a member of the Senate. Also, present as senators were Colonel Starr and W. A. Burleigh. These three men were thoroughly familiar with state affairs, but nearly all the other members of the Senate were untried and unknown and therefore what they could do or would do was a matter of doubt to all, including themselves, perhaps.

The legislative caucus enjoyed a lively battle when it came time for the election of speaker; there were placed in nomination James M. Lawson, Daniel Dwyer and J. S. Bean. Lawson had been named by the republicans, Dwyer by the democrats, and Bean by the independents. The final vote stood Lawson 59, Dwyer 5, Bean 14. In the early caucuses of all the parties the importance and prominence of the resubmission question was plainly manifest. Colonel Starr of the Black Hills was active as a strong advocate of a liberal appropriation for the Columbian Exposition because the whole Hills region desired above all things to be well represented at the great fair in Chicago. Another bill of importance provided for a constitutional amendment for the submission of a prohibition clause at a special election at which women should have the right to vote. Another bill provided for a joint resolution for a constitutional option amendment with municipal local option and state liquor inspection. An important feature of commanding and at one time vital interest at this session was the combine of the farmers to control, prevent, or block legislation unless their demands were complied with. This organization became known as the "Donahue Combine," and was at first under the leadership of Robert O. Donahue, who for a time had absolute control of the combine and the combine had absolute control of the House. This made Mr. Donahue the master and autocrat of the House. He was a shrewd, practical and able farmer; and arrayed his forces to carry into effect whatever measures the farmer members of the Legislature desired. A little later another combine was formed and became known as the "Gold Combine." It seems to have been in part at least a split in the ranks of the "Donahue Combine."

Much ill-will, anger and vindictiveness were shown by the members over the prohibition, re-submission, and license questions. Although re-submission was badly defeated the battle still continued, owing to the intense and strenuous efforts that were made to reopen the question. Members in order to get revenge for imaginary slights or wrongs began blocking legislation amid severe personal castigations. This antagonism continued with much bitterness for almost a week; in fact did not wholly cease until the adjournment.

The "Farmers Combine" adopted and laid out a regular and specific slate or program for every official proceeding. Those who had been elected to this Legislature by the farmer's movement were pledged to certain reforms and definite laws of economy and policy which required of them rigid action along specific lines. Accordingly, the majority began retrenchment by an attack upon every state department requiring an appropriation. Although the World's Fair was thought to need at least \$75,000 for an adequate state display, only \$50,000 was appropriated, though \$10,000 additional was given to the Women's State Commission. The Legislature also after a grilling contest abolished the office of commissioner of labor and statistics and the engineer of irrigation. It likewise

transferred the duties of the railway commissioner to the secretary of state, treasurer and attorney-general, and also made the commissioner of school and public lands the commissioner of immigration. These changes effected largely by the combine saved the state about fifteen thousand dollars, it was estimated. The Farmers' Combine became so rigid, domineering, one-sided and high headed, that the republicans held a special caucus for the purpose of devising almost any means to break the organization. However, on a test of the capital removal bill, the combine showed it still had control of the Legislature. The same result appeared when the resubmission bill came up for consideration.

Charles McCoy was given the credit of devising the scheme to secure control of the House, which was finally adopted and carried into effect against severe opposition by Speaker Lawson. This movement outwitted the farmers combine. Mr. McCoy was assisted by Bush Sullivan in planning and managing this combine. Lawson as speaker was high-handed, arbitrary; but necessarily so because he had a partisan and definite duty to perform. He ran the entire House without hesitation or scruple wholly in the interest of the combine. The real object of McCoy's designs was the overthrow of Governor Sheldon's plans, programs and administrative measures. Toward the latter part of February there was a reaction against this movement owing to its arbitrary measures, whereby a majority of the House revolted and turned against the combine and supported the measures recommended by Governor Sheldon.

It was noted by the newspapers that during this session of the Legislature there was present the largest, most powerful, and one of the most corrupt lobbies that had ever assembled either in the territory or in the state. In these days it was customary whenever any interest desired the passage of the law to send to the Legislature a strong lobby of able and influential men or women well supplied with money with which to pay expenses and to buy influence and votes. Such was the lobby of 1893. Nearly every important bill was sustained or opposed by a determined lobby. The farmers' combine had declared that the World's Fair bill should not pass the House until the bill providing that the railroad commission should be elected by the people had passed the Senate. Thus, this and other measures were not considered on their merits, but on the strength of money and influence which so vigorously supported them. Bills were pitted against bills; and a system of log rolling and corruption hardly ever seen before even in South Dakota at times ruled the Legislature. The question of removal of the capital was thus pitted against the question of re-submission. In every direction were intrigues and cabals; and over all scandal and corruption often ruled with autocratic power.

The Legislature of 1893 enacted 170 bills into law and created four new offices as follows: (1) Supreme Court reporter; (2) A state agent at Washington, D. C., to guard the school and public lands of South Dakota; (3) a state commissioner to adjust territorial and state delinquent taxes; (4) a state surveyor. It enacted five important railway laws as follows: (1) Compelling the construction of side tracks; (2) requiring closer connections of different systems at their crossings; (3) providing for the election of the railway commissioners by vote of the people; (4) compelling the use of fireguards and Y-switches; (5) obliging the construction of side tracks at points between stations when they were as much as twelve miles apart. This Legislature also made provision for two constitutional

amendments both concerning the superintendent of public instruction. It also passed a law condemning warehouse sites and prohibiting the dockage of grain; a new revenue measure; a new school code; for a state board of health and for a state pharmacy board; extending the period for the redemption of mortgages to two years before foreclosure; and prohibiting trusts. The code was given amendments, nearly all of which were for the benefit of poor debtors. One was against oppressive garnishment and another for the limitation of action in judgment and the extension of mechanic's liens. The first half of the session was not very promising. Little had been done up to the 15th of February except to consider the bills that had been introduced and the wants of the state departments and institutions. Accordingly, fearing that the session would thus continue to the end, the newspapers succeeded in kindling complaint. The Vermillion Republican said, "Nearly one month has been consumed by the Legislature at Pierre in passing a single bill—that of providing a chair for an ex-governor. We hope next month it will be able to digest and pass at least double that number of bills for the benefit of the commonwealth's future governors."

Early in February the re-submission bill, after passing through many vicissitudes of attack and repulse, was defeated, the speaker's vote being necessary to accomplish this result. Immediately thereafter another bill was introduced to amend the constitution by replacing the prohibition clause with a license clause. Almost from the start Speaker Lawson and Governor Sheldon worked at cross purposes over the World's Fair bill, and both ably and adroitly carried matters to the utmost limit to win. Lawson vigorously opposed any appropriation of consequence; Governor Sheldon insisted that it would be disgraceful and extremely injurious if South Dakota should not be properly represented at Chicago. Another bill which occasioned a sharp contest was one for the removal of the capital from Pierre to Huron. In order to make this bill seem ridiculous another was introduced to remove the Agricultural College to Miller.

At the legislative session of 1893 about one hundred and seventy bills became laws. This number was about one-third of the total bills introduced. As a whole the Legislature of 1893 did good and effective work and generally satisfied the people. The combines really worked by devious and questionable ways to secure the passage of good laws. Even bills that were pitted against bills were needed for commercial development or for local advancement and were not of themselves unworthy and undesirable. As a whole the Legislature was honest, but the methods of legislation could not have been more objectionable.

At the legislative session of 1895 the following important measures were before both Houses at the start: Contest for speaker; election of United States senator to succeed Mr. Pettigrew; regulation of railroad rates; re-submission of the prohibition question; state aid to irrigation; woman suffrage; adoption of Torren's land title system; general appropriation bill. At the republican caucus Mr. Pettigrew was named for United States senator and C. T. Howard for speaker of the House. At this session there was present a powerful lobby in favor of woman suffrage. In attendance were several of the most prominent women of the state to urge the measure in person. They were assisted by able lawyers and had apparently abundant supply of ready money. Also present was a strong lobby for prohibition; for re-submission; for state aid to irrigation; for a constitutional convention and for other measures. The most exciting event was

the defalcation of State Treasurer Taylor and the large reward which was offered and the efforts which were made for his apprehension. The services of the Pinkertons were enlisted to find him. His bondmen were looked after also. Another measure duly considered was a revenue commission bill with a membership of nine. It was declared at this session by prominent men that South Dakota was not yet ready for a railway rate law. This was the position taken by the republicans at the commencement of the session and had been their position during the previous campaign. Now, however, they reversed their opinion and favored the enactment of such a law, but could not agree upon its terms and measures. Members were too drastic in their views of railroad reform; others were unduly moderate, and a few insisted that any law which restricted or hampered the operation of the railways would react with telling and disastrous effect upon the commercial interest of the state. At this session the populists introduced a referendum bill which was reported adversely by the House committee. Railroad bills were introduced in both Houses early in January and the fight thereon was commenced at once. A prominent feature at this session was the ability, power and influence of the railroad lobby. Several of the prominent railroad officials were present to aid the cause. The railroad companies had gone so far in order to secure the favor of the people that they had offered to pay their tax in advance in order to help out the state government during the embarrassment over the Taylor defalcation. It was asserted on the floor of the House that the companies had taken this course in order to secure the favor of the Legislature and as a stroke of good policy to prevent the passage of a rigid railroad rate bill. The fight over this rate bill was one of the liveliest, most strenuous and severe of the session. The bill which was reported by the committee and considered in open session gave the commission the right to fix the rates and prevented the president of the road from doing so. This measure was copied from the law in force in Iowa. The bill did not necessarily mean lower rates, but meant fair rates for both the railways and the public, and prevented railways from becoming arbitrary and unjust. The bill finally failed of passage, owing, it was declared, to the attitude of the jobbers of Sioux Falls; but the fact was that the railroads were too influential and succeeded in preventing its passage. They had sufficient strength to induce many members to fight with them, and their reasons and methods were efficient because they could show on the face that their receipts were comparatively small and their expenses in this new country were unusually high. The railways had really what was called "a working majority in the Legislature" in 1895 and therefore the result was that no railway rate bill was passed.

At this session of the Legislature there was present a strong lobby to contest to the utmost any such changes in the divorce law as had been suggested and recommended by certain persons who favored the bill because it increased their fees. Among the leaders were Bishop Hare, of Sioux Falls; Rev. W. H. Thrall, of the Congregation Home Missionary Society; Doctor Shanefelt, of the Baptist Home Missionary Society, and Mrs. Emma Cranmer, president of the Woman's Christian Temperance Union. These prominent individuals were assisted by able lawyers and a desperate fight was made against the proposed changes. One of the provisions of the bill was to make three months instead of six months the residential period in order to secure a divorce. The clergymen throughout

the state vigorously opposed the new bill and appealed to the people to petition the Legislature to kill the measure. These proposed amendments to the divorce law caused one of the liveliest battles during this historic session. It was revealed that a strong element of moneymakers in the state desired to have the law so lax that persons in other states desiring divorces could come here and after a very short residence, the payment of round sums, and very little other hardships could secure a release from their matrimonial tangles and miseries. In a measure they succeeded in accomplishing their object.

During the entire period of this session it was noted by the newspapers that there was a continuous undertone or suppressed sentiment to remove the capital of the state from Pierre to Huron. However, in the end the measure was defeated in the Senate by the vote of 29 to 16.

Another important memorial was one in favor of the free coinage of silver. The measure asked that the secretary of the treasury be required to receive silver bullion and to coin it at the rate of $412\frac{1}{2}$ grains to the dollar, the seigniorage to belong to the United States. It required that the bullion should be paid for in silver dollars, and that silver dollars could be turned into the treasury, and certificates therefor could be obtained. The question of bi-metalism was not touched upon.

On January 18th the Senate passed a joint resolution calling for a constitutional convention. This seemed appropriate in view of the fact that twelve amendments to the old constitution had already been proposed. The constitutional convention measure died in the committee rooms. On January 22d the Senate passed a resubmission bill which had previously been passed by the House. The vote in the Senate was 24 for to 19 against.

One of the important bills of this session was introduced by Mr. Kingsbury, of Yankton, and provided for the appointment of a commission to investigate and report on how to use the Missouri River water for irrigation. They were asked to investigate the sources of supply and to explain fully the practical methods of carrying irrigation into effect. Another bill was to authorize townships to issue bonds to a limited amount with which to procure means to sink artesian wells.

One of the measures passed under suspension of rules was a resolution creating a commission of three to ask Congress to take immediate action in behalf of the depressed and deplorable financial, business and industrial interests of the whole country.

The bill to take a census of the state every five years in accordance with the constitution meant that there must necessarily be a new apportionment of the state every five years. This was rendered necessary by the fact that many counties were growing rapidly, others were decreasing in population, and still others were merely remaining stationary. The bill to take a census every five years was probably fought harder than any other of the session. The constitution concerning the measure was mandatory, consequently it was necessary for the Legislature to pass a bill, it was declared, in order to carry out that mandate.

By February 1, 1895, over three hundred bills had been introduced in both houses, but many had yet received no consideration outside of the committee chambers. One provided for the settlement of the boundary between Clay County and Nebraska, due to a change in the bed of the Missouri River; and another for

a new judicial district consisting of the counties of Codington, Deuel, Clark and Spink

About the middle of February the woman's suffrage bill passed the Senate almost unanimously, but was promptly defeated in the House preliminary vote by 40 to 39. When it came up for final consideration in the House on February 22d, it was lost by the vote of 40 against to 34 for.

By February 20, 1895, the Legislature had settled down to a close, rapid and critical examination of all bills and was busy all day and far into the nights. At this time both bodies were holding committee meetings in the mornings and regular sessions twice a day. Until about two weeks before this date, nearly all work had been done in the committee rooms. It was noted by the press that an unusually large number of bills was killed in the House, while only a comparatively few were annihilated in the Senate.

Upon the adjournment of the Legislature early in March both houses had passed other important measures among which were the improvement of legislative rules; improved railway regulations; great retrenchment owing to Taylor's defalcation; amendment of the general school law; advanced legislation on irrigation and artesian wells; special legislation concerning irrigation for the benefit of the Black Hills, etc.

At the election in 1895 four constitutional amendments were submitted to the vote of the people as follows: A joint resolution concerning the manner of submitting amendments to the constitution; a joint resolution for an amendment to the constitution concerning state institutions; a joint resolution proposing an amendment to the constitution relating to monopolies and trusts; a joint resolution relating to prohibition.

In January, 1897, the Legislature from the start considered two very important bills, namely: a railroad measure and the capitol removal problem. Mr. Colvin was chosen speaker of the House after a close contest on January 6th. During the previous campaign all parties had openly and avowedly favored the regulation of the railways of this state. The railways on the other hand opposed such legislation or restriction. They had an able lobby present at the legislative session and declared with much emphasis and many statistics that such a law would grievously injure the people as well as the railways.

Notwithstanding the excitement and confusion incident to the senatorial contest, both houses began active work on the bills almost from the start. Among the first events was the reading of Governor Lee's message. This document laid bare the policy of the populist administration. After the reading of the message many bills were introduced and considered from time to time among which were the following: Capital removal question; appropriations for the expenses of the state officers; railroad bills; appointment of a public examiner; regulating the charges of express companies; requiring lobbyists to register; fixing a maximum telegraph rate; fixing a maximum passenger rate at 3 cents; increasing the Supreme Court judges to five. During the first week many resolutions, but no bills, were passed by both houses.

The republican minority took every advantage possible in order to prevent the fusion majority from securing absolute control of the leading committees and of the Legislature. The first question of importance considered was the election of the United States senator. At the same time bills of all kinds were introduced,

committees were appointed, lobbyists appeared like vultures and the historic halls and corridors of Locke Hotel became headquarters for new intrigues, maneuvers and combines. Judge Palmer early and vigorously introduced a stringent railroad bill in accordance with the recommendation of Governor Lee. The Wheeler bill having also the same object in view was introduced in the Senate. In the House Mr. Dollard also introduced another comprehensive railroad bill. Thus there were three railroad measures pending in the Legislature almost from the start. This was the culmination of the sentiment which had ruled the populist movement during the vindictive and analytical campaign of 1896.

Prohibition was another fitful subject that came prominently before the Legislature at this time. S. H. Cramer represented the prohibitionists. Another early bill was one to codify the laws. This bill provided for an appropriation of \$30,000, and was favored emphatically by Judge Palmer, U. S. G. Cherry and other lawyers.

Perhaps the capital removal bill at the start created as much interest as any other. Huron sent to Pierre a strong, audacious and persistent lobby headed by John Longstaff and A. E. Chamberlain. Pierre was discreetly and capably represented by Coc. I. Crawford.

At the end of the eleventh day more than 100 bills had been introduced, but only two had been passed by both houses. One extended the time for the state treasurer to make his report, and another made an appropriation for legislative expenses. Among other early measures considered were the following: To prohibit making chattel mortgages except for seed grain; a cigaret law, the age limit being eighteen years; to amend the constitution with a referendum; fixing the salaries of states' attorneys; fixing the time to elect circuit and supreme judges; a resubmission bill; to prohibit railroad passes except to state officials, their employes and members of the Legislature; a constitutional amendment fixing the tax limit at 3 mills with a further increase in case of deficiency; requiring bicycle riders to dismount until teams could pass and to give signal upon passing from the rear; paying bounties as follows: \$1 on coyotes, \$3 on gray wolves and \$5 on mountain lions, the state to pay the bounties through counties and the owners to have the pelts; a joint resolution to Congress to secure an amendment to the constitution providing for the election of United States senators by direct vote of the people. After fourteen days the railroad bills were still unsatisfactory though they had each suffered many amendments. The opponents of the bills on all occasions employed dilatory tactics to prevent or delay action. Judge Palmer, the leader to sustain the movement, was asked at all times, scores of questions particularly from those who opposed the measure.

In order to facilitate action a sifting committee was proposed for each house, but after due consideration the measure was defeated. The bill to create the office of commissioner of insurance, with an appropriation of \$5,000, was delayed for some time. Bouck's license bill became a law in January. The general license was fixed at \$300, half of which was to go to the county and half to the state. Wholesale beer licenses were fixed at \$600; wholesale whisky and brandy license, \$1,000; license to manufacture spirituous liquors, \$1,000.

No bill during this session created more ill will and bitter contest than the one providing for the abolition of the Board of Charities and Corrections. During the contest open war with arms was threatened on more than one occasion. The

populists and republicans were vastly divided on the question. The resisting board which the populists under Governor Lee sought to remove was a republican organization. The populists desired to disband this board and to substitute one of their own in its place. On the last day of the session many members of the Senate went to the hall armed with a grim determination never to surrender except in proper and legal manner their rights and prerogatives.

Late in January and early in February, 1897, the snow was so deep in the vicinity of Pierre that the railroad was blockaded and but two mails were received in two weeks. Members who attempted to leave for home temporarily, became stuck in the drifts at Highmore. The Senate was deadlocked over several measures. The railroad bill had passed both houses and had become a law. It had been cut to pieces, gingerly patched up and had the appearance of a vague and disconnected piece of legislation. In the end many republicans voted in its favor, so that the populists could not claim all the credit for its passage. The bill was rigid, but not unjust.

The Equal Rights Association had present a strong lobby in support of the bill for woman suffrage. The liquor question was also duly considered at this session. Mrs. Simmons and other members of the W. C. T. U. were steadily at work with the Legislature. The dispensary system and the high license bill were being pushed vigorously by a strong lobby contingent. It was called the Stevens Bill. The Legislature served an order on State Auditor Mayhew to show cause why he should not pay the members 10 cents a mile instead of 5 cents a mile. This was a move to test the constitutionality of the amendment that had carried at the general election two years before. The amendment had reduced the mileage from 10 cents to 5 cents. The woman's suffrage amendment successfully passed both houses late in February, 1897, and became a law. The Bouck liquor license bill likewise passed both houses late in February. About this time the committee reported in favor of the proposed amendment for the removal of the state capital from Pierre to Huron. The oleomargarine bill passed and became a law. Perhaps the most important enactment of this session was that for a referendum and initiative amendment to the constitution. Early in March the osteopathy bill succeeded in passing both houses. Another bill that occasioned sharp debate was the one fixing the bounty on coyotes at \$1. gray wolves \$3, and mountain lions \$5. After the capital removal bill had been defeated the populists had no serious difficulty in managing the Legislature. The liquor bill provided for state control of the sale of intoxicants, and the bill required that the question should be submitted to the vote at the general election in 1898. At this session the state insurance department was established. The request by Governor Lee to permit the executive to have authority over the educational institutions was considered unfavorably; he was refused such power over the charitable and penal institutions because of the immense patronage which such a power would carry. The truth was the Board of Charities and Corrections were unwilling to surrender the political advantages which they exercised in controlling those institutions.

Other important measures at this session were: A uniform educational bill which affected district schools; general appropriation bill with the items reduced; an experiment station at Highmore; registration of live stock brands; dedication of certain school lands to the reform school; abolishing the Board of Charities and Corrections; sifting committees for the Legislature: boiler inspection; safe

keeping of public funds; change in the boundaries of the Third and Fifth judicial circuits; to enforce the clause in the constitution requiring control of monopolies and trusts; defeat of the capital removal measure; full investigation into the Taylor defalcation; bounties on coyotes, wolves and mountain lions; passage of a general appropriation bill; creation of the office of insurance commissioner; abolishing grace on notes, drafts, etc.; establishing a school of osteopathy and allowing it to issue certificates to practice the healing art; valued policy insurance measure defeated; asking Congress for an amendment to the Constitution providing for the election of United States senators by direct vote; the regency education bill; defeat of the bill to appropriate \$20,000 for exposition at Omaha; resolutions asking United States senators from South Dakota to vote for the free and unlimited coinage of silver without regard to the action of any other nation; giving Mrs. Governor Mellette the family homestead; a legislative apportionment bill providing for 44 senators and 88 representatives; a commission to revise the revenue laws; prohibiting the alien ownership of land; an appropriation to supply the deficiency at the soldier's home. At this session 341 bills were killed in the House alone. Early in March Governor Lee signed the liquor license bill. An important measure was the one extending the term of office of the present Circuit and Supreme Court judges to one year and providing for their election at general elections. The Legislature voted in favor of submitting the question of state control of the liquor traffic to a vote of the people at the next general election. About five hundred bills in all failed to pass the two houses; fifty-three were lost or stolen. The osteopathy bill was vetoed by Governor Lee on the ground that it had a tendency to encourage fraudulent practitioners. Nine new revenue laws went into effect July 1, 1897.

Other important measures considered by this Legislature, were the following: Mileage of members and their per diem; fixing a time when the state treasurer should file his bond; per diem and expenses of presidential electors; a joint resolution to count the state cash; asking members of Congress to support a free homestead act; asking Congress to make Ft. Meade a military post; asking the Government to investigate the alien ownership of land; providing that the governors of South Dakota and Nebraska should fix the boundary between the two states; the Palmer railroad law; no appeals from lower courts when the amount involved was less than \$75.

In June, 1897, the Aberdeen News said: "The more the legislation enacted by the populist aggregation of last winter is looked into the worse it appears. It got scarcely anything straight and what it did get straight was by accident, and much of that was afterwards spoiled by the incompetency of the clerks. As a matter of fact the aggregation was not interested in measures but in spoils and the wreaking of revenge upon the state officers and private individuals." But this was a partisan view though partly correct. Similar complaints were justly applicable to the proceedings of every legislative session. All things considered the work performed by this session, though somewhat revolutionary and confused, was in line of progress and reform that had been charted by the populists.

At the legislative session of January, 1899, A. G. Sommers was chosen speaker of the House, and Senator Gunderson of Clay County was elected president pro-tem of the Senate. It was generally admitted that this Legislature as a whole was one of the ablest assembled in the state for many years. Among the members

were men of probity, character and eminent ability. Thus the session at the start gave promise of great usefulness if ability, high character and experience were taken into consideration. One of its first acts was to comply with Governor Lee's request for an investigation of the charges against State Treasurer Phillips and into the official conduct of Oil Inspector Dowell.

The session was at first quite orderly, with few violent or extraneous episodes; but later both houses were thoroughly animated and aroused by the message of Governor Lee. When this had been maturely considered the majority turned their attention to the accumulating bills. At first the governor's message was not received by the republican majority after the usual custom, no doubt partly out of revenge against the populists who two years previously had in a similar irregular fashion refused at first to receive Governor Sheldon's message. Later it was formally received. Immediately after the session opened Mr. Phillips announced that he would contest the right of Governor Lee to occupy the executive chair. At first he was supported by many republicans who maintained that until the Phillips contest should be decided Lee was not certainly the governor. No doubt the refusal of the republican majority to receive Governor Lee's message was in part at least due to the Phillips-Lee contest.

Among the bills considered early at the session of 1899 were one to amend the constitution, one to permit the loaning of school funds in amounts as high as \$1,000 to a single person, and one to increase the amount that could be loaned on land to 75 per cent of its assessed valuation. Other important bills were for a state dispensary and for the initiative and referendum. Three bills for a dispensary were before the Legislature: One by Gunderson, supported by the extreme prohibition sentiment; one by Hanton, favored by the brewing companies, and one by Stiles, supported by practical business men, was a somewhat stringent but reasonable license measure.

By January 12th many bills had been introduced and all were under consideration. Three different bills for a state dispensary were introduced. Another measure provided the State Board of Assessment and Equalization should be placed under the control of the governor, secretary of state, auditor, land commissioner and the railway commissioners. Another early bill provided for the establishment of two additional normal schools. A memorial to Congress urged the members from this state to support any action taken at the treaty of Paris. Early in January resolutions supporting the administration's management of the war passed the Senate by a fair majority. A substitute resolution of a little different purport, that was introduced was defeated by the vote of 26 to 16. Among other early bills introduced in the two houses were the following: For the destruction of noxious weeds; for a deficiency at the soldiers' home; for a state dispensary; reducing the legislative session to thirty days; fixing the legal rate of interest at 8 per cent; exemption of homesteads valued at \$2,500 with eighty-five acres or a town lot; appointing a state veterinarian; the necessary work to enable a person to hold a mining claim; a tax on bequests and inheritances which were over \$5,000; several investigating committees were asked for; for a postal savings bank; to sink experimental artesian wells in Custer and Fall River counties; to exempt cemeteries and public property from taxation; to establish a state board of embalmers; to permit insurance against tornadoes and lightning; to make the killing of live stock by railways *prima facie* evidence of carelessness on the part

of the railway companies; a petition from the citizens of Brown County asking for an appropriation to pay unpaid premiums awarded at the state fairs of 1893 and 1894; recommending the substitution of a commission in the place of the state treasurer on the State Board of Assessment; a resolution of praise and pride for the South Dakota volunteers in the Philippines; providing for a state board of examiners; making the setting of prairie fires a felony; to protect wild game; for a normal school at Watertown; abolishing the fees of insurance commissioners.

The Senate passed its first bill January 12th. Other questions and problems considered by both houses were a petition from the Northern Black Hills for the establishment of an experiment farm in that section of the state; and to increase the salaries of supreme judges to \$3,000 and circuit judges to \$2,500. The legislative expense appropriation bill was the first to pass both houses and be signed by the governor. Others considered at a later date were the following: To classify cities according to their population; establishment of a twine-making plant at the penitentiary and appropriating \$35,000 for the necessary buildings and equipment; an amendment to the constitution requiring certain educational qualifications for superintendents of schools. By January 25th the Senate had not considered many of the important bills, but had spent much of its time in settling contests for seats and in discussing recent and prospective political measures. The referendum and the dispensary bills were yet in committee. The House was even behind the Senate in the consideration of the important bills. However by January 26th both houses had settled down to hard work. The measure to increase the salaries of judges was defeated in the Senate, but was reconsidered. Those who opposed the bill declared that judges received better pay than teachers and several state officials. The anti-pass bill received prolonged and careful attention. Another bill considered required railways to carry bicycles as baggage. This bill, it was said in the newspapers, was made the football of the Senate, the lobbies and the railway commission. Other measures considered were a bill to attach an island in the Missouri River to Clay County for taxation and judicial purposes; joint resolution for the return of the First South Dakota Regiment by the Suez Canal route; to pay Joseph McLeod for supplies furnished the volunteers during the Indian war of 1890-91; this bill was cut down and passed the Senate. Governor Mellett in 1891 did not believe it was a just claim. Senator Gunderson's bill to tax railways, telephone, telegraph and express companies, provided a new method of making valuations. The registration law was early considered in the House.

By January 31st other important bills which had been considered were as follows: Courts of conciliation; methods by which railway commissioners might compel express companies to adhere to certain fixed rates; for a permanent annual endowment for all the educational institutions upon a per cent basis as follows: State university, 34½ per cent; Madison normal school, 17 per cent; agricultural college, 12½ per cent; Spearfish normal, 15 per cent; Springfield normal, 9 per cent; school of mines, 12 per cent.

The resolution asking Congress to support the treaty with Spain brought out a full partisan discussion of imperialism and expansion. Both sides expressed themselves passionately and unreservedly on this political problem. Other questions were the election of United States senators by direct vote; to prohibit bonds-

men from transferring their property without notice; to permit taxes to be paid in two equal instalments; fixing maximum rates for express companies; to abolish professional juries; to appoint a commission to apportion the remaining acreage of the state endowment lands to institutions not yet in actual existence, but which the state had already provided for; referendum measure; fixing the jurisdiction of justices of the peace in organized counties; to encourage the organization of reading circles; authorizing the use of Grantham's Code as the official code of the state; fixing the compensation of county supervisors; to prevent the denudation of timber lands without the payment of taxes; to prevent the employment of relatives of the regents of education; to levy taxes for sinking artesian wells and to issue bonds therefor; authorizing counties to fund their outstanding current debts; requiring the Board of Charities and Corrections to establish classes in the penitentiary for the education of convicts, the classes to be conducted by other convicts; for a constitutional amendment extending the term of the governor to four years and the terms of the members of the Legislature to four years; to restore the circle at the head of party tickets; how to collect tax on transient herds of cattle; allowing mutual insurance companies to write three-year risks; to prevent shipment of cattle by unauthorized persons; to abolish the grand jury in certain cases; to empower school districts to issue overdue coupon bonds; for a constitutional amendment allowing greater latitude in the investment of permanent school funds; to prevent the adulteration of milk, cream and dairy products; for the protection of large game.

Not much progress was made in the passage of bills until after the middle of February. The Aberdeen and Watertown Normal School Bill passed both houses, but was vetoed by the governor. They were called industrial schools, but had all the features of normal schools. There was a strong and outspoken sentiment throughout the Legislature in February for the consolidation of several of the state educational institutions. All efforts for new buildings at the state institutions were checked until after the appropriation bill had been considered. Then the question of consolidation was taken up and duly studied and discussed, but was found to be in the main unwise and impracticable. It was believed about the middle of February that the permanent endowment bill would succeed in both houses, and nearly all members seemed pleased to have the appropriations for the state institutions taken from politics and settled thus in permanent fashion. The dispensary bill was duly analyzed and weighed by both houses. In the Senate were four different bills on this subject.

The House in February considered the following measures: To abolish the office of insurance commissioner; denouncing Pettigrew and thanking Kyle for their attitude on the Philippine insurrection; percentage appropriation bill for state institutions; this bill, which had a limitation rider, passed both Houses, but was vetoed by the governor who took the ground that a fixed and permanent tax for the state institutions would check their growth and limit their usefulness. The Senate promptly passed the bill over the veto, but in the end the House could not do so. The attitude of the republicans on the resolution denouncing Pettigrew and thanking Kyle encountered the severest opposition from the populists who declared that it was "partisan bunkum." The republicans vigorously attacked the views of the populists concerning Aguinaldo, the leader of the Philippine revolt on the Island of Luzon. The populists introduced counter reso-

lutions justifying Pettigrew in his course toward the administration, but they were promptly voted down in the House. During this session the members of the House seemed to delight in political controversy and intrigue, while the Senate seemed more sedate and less flamboyant. By the 20th of February about four hundred and seventy-five bills had been introduced in both houses but only ten had become laws. Among the measures which were considered by both houses at this time were the Cooper revenue; oil inspection; placing telegraph companies under the railway commission; pure caucus; state desopitary; registration of voters; prevention of swine disease; wolf bounty; convict labor; postal savings bank; requiring public officers to buy local supplies in this state; penalties for fraud by elevator companies. In the general appropriation bill, the article providing for the maintenance of the Springfield Normal School was stricken out. The bill to license the practice of osteopathy passed both houses. There were severe and sarcastic attacks upon the vetoes of the governor at the close of this session. The republican newspapers of the state commented with intense severity upon his attitude on many important measures.

By February 27th the House and Senate sifting committees were doing excellent work in presenting the more important measures first and calling attention to the actual needs of the state. A resolution in the House endorsing Governor Lee's veto of the Aberdeen and Watertown Normal School Bill was laid on the table. The Senate passed the House General Appropriation Bill. The Aberdeen Normal Bill passed the House by the vote of 52 to 32. The House likewise passed the new revenue bill and the judicial salary bill which had been amended by allowing the governor a salary of \$3,000. It had been defeated in the House by a vote of 44 to 38, but was reconsidered. In the House the Watertown Normal Bill failed to pass over Governor Lee's veto, the vote being 40 to 39. The measures considered or reconsidered late in the session were oil inspection, hospital at the soldiers' home; new buildings at several state institutions; making prairie fires a felony; for a Ninth Judicial Circuit; to resubmit the dispensary proposition; providing for a state board of agriculture; providing for a state fair board of five members and \$2,000 a year for premiums; requiring convicts at the penitentiary to furnish stone for public buildings; to prevent fraud by joint stock companies; pure food measure; water supply at the soldiers' home; to pay the people of Plankinton for the building which they erected for the reform school; allowing counties to redeem tax titles; providing for a deficiency in legislative expenses; to apply the initiative and referendum to towns and municipalities; a general game measure; depository for state funds; regulating the practice of osteopathy; to increase the tax levy in the state; prohibiting state officers to take railway passes; empowering cities to issue bonds for water supply, etc.

Among the bills which became laws were the following: Making Ft. Meade a military post; establishing a branch of the National Soldiers' Home at Hot Springs; establishing postal savings banks; supporting the treaty of the Government with Spain; asking Congress for pay for Indian allotment lands made by the Government; asking greater powers for the Interstate Commerce Commission; securing the records of the convention that framed the state constitution asking for a free homestead law; also for a constitutional amendment for greater latitude in the investment of state school and endowment funds; to resubmit the

dispensary amendment to the constitution; fixing terms of Circuit Courts; establishing an encampment of state militia at Huron; to prevent operators from divulging contents of telephone conversations and telegrams; preventing the spread of swine diseases; offering a bounty for coyotes, wolves and mountain lions; adopting Grantham's Code as the official code of the state; appropriating money for the deficiency in mustering in South Dakota troops during the spring of 1898; furnishing water supply at the soldiers' home; collecting a tax on transient herds of cattle; permitting citizens to pay their tax in two annual installments, March and October; providing for free attendance of soldiers and their children at the state educational institutions; placing a circle at the head of party ballots; specify the work necessary to be done to maintain mining claims; empowering foreign railways to connect separate lines; providing for cyclone insurance; providing for the inspection of cattle brought into this state; establishing county reading circles; passing a pure food law; providing for the registration for elections; specifying how the initiative and referendum should be carried into effect; establishing a feeble minded school at Redfield; paying J. B. McLeod for expenses in furnishing supplies during the Indian war of 1890-91; regulating the practice of osteopathy; a new large game law; abolishing days of grace on notes, drafts, etc.; making an appropriation for the hospital at the soldiers' home; a general appropriation bill; a revenue law aimed to secure the assessment of all taxable property; applying the provision of the initiative and referendum to towns and municipalities; creating a State Board of Embalmers and licensing embalmers; general education bill; to prevent timber lands from being stripped without payment of taxes thereon; establishing an Industrial and Normal School at Aberdeen and donating 401,000 acres of state land for its maintenance. This measure became a law without the governor's signature.

This was one of the most useful sessions ever held thus far. Almost from the start all irrelevant, useless and cumbersome measures were sifted out and consigned to oblivion. The time spent by the members, with a few striking exceptions, was devoted to measures of great moment to the state. Practically no time was spent in wrangles over unimportant and incongruous bills. The discussions were more dignified and becoming than usual. However, this session was not without fault. It was far too parsimonious in the appropriations for growing and ambitious state institutions. It took no step to improve the inefficient and disgraceful taxing system that ever since 1889 had been a crying shame to the state. Like nearly all the other sessions of the Legislature it had too many men who knew more about how to round up cattle than to make laws. However, unwittingly, a few of the wild counties and not a few of those that could have done better sent men who knew how to make friends at the polls even if they did not know how to make laws.

In 1901 Burke and Crawford were both candidates for the United States Senate. There was not much excitement at the opening of the legislative session of 1901, because the republicans had an overwhelming majority and could do about as they pleased. As a matter of fact, the Legislature was firmly under the control of Congressmen Burke and Gamble, United States Attorney Elliot, United States Marshal Kennedy, and Charles McLeod. These men prepared the slates, and controlled the republican majority of the Legislature. The Minnehaha County delegation split over the early issues raised in the House. That dele-

gation was finally turned down in the House because they endeavored to organize that body against the republican majority, but were effectually defeated and finally disregarded. Late in January both Houses of the Legislature met in separate caucuses and voted in favor of Gamble for United States senator. The vote in the Senate stood Gamble 38, Pettigrew 5; in the House, Gamble 75, Pettigrew 8. The most active candidates were Burke, Crawford, Pickler and Sterling, who were in pursuit of Mr. Kyle's chair in the Senate. In spite of their ambitious Mr. Gamble secured the nomination and was duly elected. This was a success for the republican machine. Probably the work of this Legislature in the early stages was more routine or slate work than ever before. The ordinary legislator had but little to say concerning the settlement of the important measures. A prominent feature of this session was the difference of personnel between the two Houses and the formation of combines to check or thwart the slate of the majority. They came to be called the "Bosses Crowd" and openly declared and conducted war against the republican political machine and boss rule. It was asserted by the press that their combine was oath-bound, and therefore, in principle, just as intolerant and unfair as was the republican machine.

A. Sommers was elected speaker of the House, and J. M. Lawson was chosen president pro tem of the Senate. Charles N. Herreid succeeded Andrew E. Lee as governor of the state. George W. Snow became lieutenant-governor, and thus the president of the Senate. Wilmarth, of Huron, was a candidate for speaker, but was defeated because his election would have meant the passage of a bill for the removal of the state capital to Huron.

The Legislature of 1901 was composed of men whose average ability ranked high for South Dakota. The political campaign of the previous year had been one of intense conviction and personality and the members were yet keyed up to a high pitch for the music of the session. As in former sessions bills were introduced from the very start, but were not elaborately considered until certain important or preliminary measures had been disposed of. Among the early bills were the following: Requiring railway companies to fence their right of way; empowering cities to regulate and suppress billiard rooms, card rooms and other places of public resort that might prove offensive; allowing juries to find verdicts in civil cases by three-fourths concurrence; the object of this bill was to annul the custom which permitted one or two men to defeat the will of the majority on the jury and thus prevent the attainment of justice; for the establishment of a law department at the state university; appropriating \$75,000 for a permanent farmers' institute; to improve illuminating oil; dividing the state into two congressional districts instead of electing two congressmen at large as has been done since the state was organized. Should this measure pass it was proposed that James River would be the dividing line between the two districts.

Another act providing for the payment of deficiencies in various state funds, made it criminal for state institutions to contract a debt on account of the state except in pursuance of law—left them no reasonable discretion. All state institutions suffered by this unnecessary, too rigid and contemptible piece of legislation. One authority said at this time, "The provisions of the constitution of South Dakota relating to the appropriation of money by the Legislature, the limitation of state debt and the fixing of taxes for state purposes, are salutary and guarantee the continuation of the policy of economy in public expenditure which

has from the first characterized the state government and kept the state's credit at so superbly high a standard." Others declared that while this might be true, it was also certain that the rigid constitution and laws concerning state debt had robbed the commonwealth of the large internal improvements necessary to make much of the land productive and habitable—that the superb credit of the state amounted to nothing, when immense tracts of state land remained unsettled for want of state improvement which the rigid constitution and laws prevented. The newspapers at this time declared that South Dakota appropriations were smaller comparatively than those of any other state. More than one newspaper called the Legislature parsimonious and niggardly. They declared that at a time when a splendid start instead of a mere makeshift should have been made the false cry of economy had robbed the state of a dozen years of development.

At the session of 1901 the Legislature prepared for a new apportionment. Under the constitution of 1889 the Legislature consisted of 45 senators and 124 representatives; in 1891 they were fixed at 45 senators and 86 representatives. Now in 1901, it was proposed to make the Senate consist of 33 members and the House of 65; thus saving the state \$112,000 annually.

By the latter part of January other bills considered were the following: Raising the age of consent to eighteen years; providing for local option by counties; providing for general prohibition; to turn the fees from the office of the clerk of the Supreme Court into the treasury and fix his salary at \$1,500; prohibiting the sale of tobacco to minors under twenty years of age; creating the office of state sheep inspector; providing a permanent levy for the various state institutions; increasing the levy of counties to more than eight mills to meet expenses and bonded indebtedness. The latter was a Black Hills measure and was introduced because many of the counties there were unable to meet the charges under the eight mill limitation. The Senate committee which had under consideration the House resolution of sympathy with the English people on the death of Queen Victoria, returned an adverse report on the ground that it was not a matter for official action and that the flag on the State House should be placed at half mast in honor of American citizens only. Other bills considered were providing for the creation of election precincts in states; legalizing the incorporation of one or more cities; fixing terms of court in the Eighth Judicial Circuit; governing orders of judgment; permitting cities to refund bonded indebtedness; preventing the manufacture and sale of cannon crackers and air guns. There was sharp controversy over this bill. Other measures were providing for a state board of agriculture of seven members; a food and dairy commission bill; providing for the expense of the insane patients where there arose a question as to what county to charge it against; making sheriffs collectors of personal property taxes; to create a state library board; to allow boards of equalization to adjourn from time to time instead of from day to day; providing for surveys of section lines in unorganized townships; to allow the establishment of two or more precincts in a township; providing for the discharge of mortgages owned by deceased parties; fixing grades of punishment for the crime of perjury; cutting down the amount of bounty paid for wolf scalps and limiting the amount to be paid in one year to \$5,000; prohibiting the killing of antelope for ten years; for settlement of indebtedness between villages and townships; giving heirs of deceased persons the right to bring suit within one year after their death; memorializing Congress

to remove the sand bar at the mouth of the James River; to elect county commissioners by vote of the whole county. This encountered much opposition from the fusionists. Memorializing Congress for election of senators by popular vote; changing the time of election of Supreme and Circuit Court judges to general elections; to make quit claim deeds absolute title; providing for the dissolution of cities with less than two hundred and fifty population; memorializing Congress for a treaty opening a portion of Rosebud reservation in Gregory County; appropriating 25,000 acres of land to the blind school at Gary; authorizing railroads to extend or alter their line of roads and to build branches and extensions and make alterations; requiring the establishment of waste gates at mill dams; regulating the notice to be given for road work; requiring a non-resident to appoint a resident agent in his district; fixing the weight of speltz at forty-five pounds to the bushel; providing for making loans of school funds at a minimum of 5 per cent.

There were sharp fights over many of these bills. The proposition to increase the number of regents of education encountered sharp opposition. The bill failed although Governor Herreid strongly recommended the change. The governor promptly signed the bill creating the Department of History. This act was made an important event of history. Many prominent men of the state assembled to see this bill signed. Among them were Bartlett Tripp, Major Pickler, Judge Dillon, E. C. Ericson, the judges of the Supreme Court, the state officials, many ladies and a considerable group of distinguished citizens. The pen used was afterwards presented to the Historical Society and was a beautiful one of gold and ivory exquisitely and appropriately engraved with the head of a Dakota Indian. President Droppers and Professor Young, of the university, appeared before the Legislature to explain the needs of that institution. Special interests cut a considerable figure at the middle of this session. Almost desperate efforts were made by representatives of such interests to secure favors or advancements. At this time it was a popular belief throughout South Dakota that the treasury was wholly at the mercy of the state institutions. As a matter of fact exactly the reverse was true. At no time was any state institution ever given an appropriation which it did not urgently need and which it did not use to the excellent advantage of the state. The cry of enocomy now as in years past was used as a club to subdue and keep down the institutions whose growth gave the state its best name and gave it the greatest advancement in the estimation of the other states of the Union. There was a cry at this session that the state institutions desired to control the appropriations, but it was shown that they were powerless to do so because two-thirds of the legislative members came from counties which had no state institutions and which had no worthy object in eliminating the necessary appropriations for the state institutions.

In 1901 the Legislature was asked to establish farmers' institutes in all parts of the state similar to those in Minnesota. Several bills concerning this question were introduced. Up to this time the agricultural college had maintained supervision of the farmers' institutes, but as the money available was too small in amount, satisfactory progress had not been made; and therefore a new bill provided for the organization of farmers' institutes in every county. At this session a bill for the establishment of school libraries, prepared by S. C. Hartranft, county superintendent of Brown County, was presented to the Legislature. An-

other bill introduced was for a state exhibit at the Pan-American Exposition, Buffalo.

One of the most important measures considered was that concerning education. Joint committees had agreed upon the measure which if passed, if was believed, would eliminate any objectionable features of the existing law. Also unsettled was the pending question of whether to give the governor power to remove appointive officers. The attorney-general expressed the opinion that the regents of education and the board of charities and corrections were subject to removal, but several senators, likewise lawyers, believed that those boards could be removed only by impeachment. When the question growing out of the attempt of Governor Sheldon to remove Regent Shannon was in the Supreme Court, Judge Fuller dissented from the opinion of the court. The majority held that the governor had no inherent power of removal. It was therefore realized that should the pending bill pass it would necessarily have to be sustained by the Supreme Court to be of any avail. Both Houses had passed the bill prohibiting the sale of cannon fire crackers or any dynamite crackers or any cracker more than three inches in length. The bill taxing transient merchants with bankrupt stocks and fire sale stocks to the amount of \$75 to \$100 a month license passed both Houses.

About the middle of February the Legislature were deeply immersed in the difficult task of discussing and analyzing the bills that had been introduced. The repeal of the wolf bounty law was reconsidered and the subject at once became very much alive. Other measures considered were the following: Allowing each senator and representative to name ten pupils in some state institution free of tuition; fixing the penalty for desecration of the American flag at a fine of \$100; to allow reassessment of taxes under certain conditions; requiring townships to make repairs on bridges where the cost did not exceed \$20; to repeal the act providing for the destruction of noxious weeds. The temperance committee of the Senate reported on four liquor bills and recommended the passage of two of them. One of the bills recommended was drawn, it was said, by the State Liquor Dealers' Association. It prohibited the sale of liquor by druggists. The other bill empowered city councils to regulate, restrain and suppress drinking places. Another provided for the increase of saloon licenses and another empowered city councils and mayors to close saloons for cause. The question of equal suffrage was settled by the adoption of an adverse committee report. Other bills were one appropriating \$1,000 for the expense of the investigating committee; exempting drummers from the provision of peddler licenses; fixing the power and scope of the Northern Normal School at Aberdeen; reconsideration of the anti-cigarette bill; discussion of the bill giving the governor power to remove constitutional officers; to provide a chaplain for the penitentiary at a salary of \$1,000; extending the jurisdiction of townships over villages; providing penalties for refusal to answer legal inquiries; allowing husband or wife to manage, control or mortgage property when one has been insane for one year; changing the manner of selecting jurors; providing the manner of settling accounts between townships and villages; providing for separating cities into wards; appropriating \$35,000 for expenses of criminal prosecution in unorganized counties; requiring applicants for admission to the bar to show three years' reading in school or office; attaching an island in the Missouri River to Clay County; authorizing cities of the second and third class to issue waterworks bonds; requiring all money collected

by state boards and heads of institutions and receipts from endowment lands to be turned into the state treasury to be paid out for the benefit of the respective institutions upon warrants of the state auditor; conferring greater powers on managers of the children's home; prohibiting salaried state officers from receiving fees; memorializing Congress to increase the annual allowance for pupils at the Indian schools; providing for the Ninth Judicial circuit. On the first motion the latter measure in the House came within one vote of passing. It was reconsidered.

The following is the joint resolution passed by the Legislature in response to the investigation of state institutions demanded by Ex-Governor Lee early in 1901. "Whereas Ex-Governor Andrew E. Lee in his message to the Legislature of the state made charges specific and general against the former management of the Hospital for the Insane at Yankton, the penitentiary at Sioux Falls and the reform school at Plankinton, alleging theft, embezzlement, robbery, etc., on the part of the various heads of these institutions and also the Soldiers' Home at Hot Springs, who were removed by the fusion board of charities and corrections. Now, therefore, be it resolved, that a joint committee from the Senate and House of Representatives consisting of three senators and four representatives be appointed and that such committee be and is hereby authorized to make an investigation into the management of said institutions up to the present time and report thereon and to compel the attendance of witnesses and the production of documents and to issue subpoenas therefor." Representative Benedict was chairman of this committee.

Late in February both houses were busy with the following bills: To change the boundary between Meade County on the one hand and Lawrence and Pennington counties on the other; to change the estray laws by allowing publication in local papers; appropriating \$15,000 for a girls' dormitory at the school for deaf and dumb; requiring guard railings on town and county bridges; providing regulations for the state board of examiners; placing children's homes under the control of the board of charities; amending the game laws by making the end of the season for killing ducks April 15th and limiting a day's bag to twelve birds; governing the taxation of range cattle; providing for recording laws probated in other states; providing for teaching physical culture in the public schools; a compromise on the wolf bounty measure; providing penalties for the destruction of telegraph or telephone lines by steam threshers; providing penalties for tampering with or tapping telegraph wires; empowering towns with 350 population to maintain waterworks; authorizing the governor to remove certain officers without giving any reason for his action; providing punishment for trespass upon state lands; appropriating \$1,000 to pay the judicial expenses of Gregory County prior to its organization; providing penalties for the transportation of diseased swine; memorializing Congress for the better preservation of the pine on the Black Hills Forest Reserve; permitting further consolidation of tax levies; enlarging the powers of cities to suppress the sale of intoxicating liquors; a license bill which prohibited druggists from handling liquor; providing for the collection of delinquent personal tax by the sheriff instead of by the treasurer; providing for the protection of large game; requiring a deposit before beginning action on a tax deed; fixing the manner of levies for town libraries; allowing county seats to be moved from the point off a railroad to a point on a railroad on a petition

of fifty-five per cent of the voters; memorializing Congress for an interstate drainage canal to join Big Stone Lake and Lake Traverse; requiring road supervisors to fill abandoned wells and other dangerous excavations; providing for the appointment of administrator pendente lite and for codification and revision of laws making the governor, secretary of state and attorney general, a board of supervisors and providing for the appointment of two attorneys to act with the attorney general for that purpose and appropriating \$13,000 to cover expenses; joint resolutions donating the chair refused by Ex-Governor Lee to the State Historical Society; allowing the use of abbreviations in the tax list; providing for counsel for indigent criminals and fixing an attorney's fee at \$25; preventing the sale of stocks of goods of defrauded creditors; fixing the salary of state veterinarians at \$1,200 per year; changing the name of the Aberdeen School of Technology to the Normal and Industrial School; requiring all incidental funds received by any state institution to be turned into the treasury and be drawn out by auditor's warrant; to remove the reform school from Plankinton to lands owned by the state near Watertown; to appropriate \$1,300 to Mrs. T. M. Evans for extra work performed at the Soldier's Home in 1899; compelling threshing machine operators to plank bridges before crossing; compiling the redemption laws prepared by the State Bar Association; fixing the rate of interest at 10 per cent; exempting compounders of medicine from the provisions of the dealers' license law.

Late in February and early in March, 1901, many important bills were considered by the Legislature. Both houses now worked day and evenings until the termination of the session. The general education bill and the wolf bounty bill were concurred in by both houses. The House appropriation committee reported in favor of appropriations as follows: State university, \$40,000; Aberdeen normal, \$30,000; agricultural college, \$50,000; school of mines, \$20,000; Springfield normal, \$18,000, and similar amounts for several of the other educational institutions. Other important measures considered were the following: The care and lease of the Ft. Sisseton Military Reservation; giving Faulk County an additional term of court; giving officers of the Children's Home additional power to recover misplaced children; advancing the salaries of county judges twenty-five per cent; proposing a constitutional amendment providing that sixty per cent of the voters should have power to move a county seat to a railroad; making the minimum salary of registers of deeds \$4,000. The committee on appropriation in the Senate introduced a general bill carrying \$958,800. This was about \$50,000 less than provided for in the House bill. Other bills were providing penalties for transportation of diseased swine; defining how ballots should be marked on mixed tickets; placing organization of children's homes under the control of the Board of Charities and Corrections; preventing the adulteration of linseed oil; to submit a constitutional amendment permitting an additional indebtedness for the purpose of securing water, sewers, street railways, telephone system and a lighting plant; memorial to Congress for legislation giving the United States courts absolute jurisdiction in Indian reservations; providing regulations for the election of officials of mutual insurance companies so that all would not go out at once; limiting the risks of county mutual companies to farms; placing mutual insurance companies under the control of the State Insurance Department; providing for the testing of scales; providing for a new board of commissioners of the Soldiers' Home; fixing a specified time for the expiration of terms of members of the

state boards; making intoxication a misdemeanor; state sheep inspection. This bill was fought vigorously but finally carried; a liquor license measure; one requiring county commissioners to be elected by the whole county; donating certain property to Dell Rapids for street purposes; abolishing the Railroad Commission; several deficiency bills; one for the reorganization of the Board of Charities and Corrections.

During the session of 1901 over 200 bills and joint resolutions were enacted into laws, being the largest number at any session since the organization of the state. The most important Senate bills adopted were as follows: Providing for continuance of cases in court where attorneys or litigants are members of the Legislature; providing for the selection of official papers by county commissioners regardless of the politics of the paper; providing for the collection of delinquent personal tax by the sheriff instead of the treasurer; appropriating money to reimburse counties and persons who assisted in returning troops from San Francisco; to prevent killing antelope in the state for ten years; to prevent the name of any person from appearing on the ballot more than once; appropriating \$20,000 for legislative printing; granting to counties the whole of the liquor license fee; setting aside 25,000 acres of state land for the benefit of the blind school at Gary; providing for the refunding of bonds by cities; the taking of depositions of non-residents in civil suits; legalizing the incorporation of Revillo; prohibiting the manufacture, sale and use of air guns and cannon crackers; providing for the division of cities into wards and the election of aldermen; making a judgment complete when it had been signed and entered on the record by the clerk of court; a general law governing the manner of incorporation of cities, towns and villages; appropriating \$2,500 for expenses incurred in criminal prosecutions in unorganized counties; providing that a director in a state bank must hold at least five shares of the stock; providing for a statement to the state auditor of apportionment of endowment funds; fixing the salary of the state veterinarian at \$1,500; fixing the terms of the members of the Soldiers' Home; providing methods of securing homes for neglected and ill treated children; general education bill; making terms of county commissioners four years and making them elective; relating to limitation of actions to recovery on tax sales; allowing towns of 300 population to bond for waterworks and fire apparatus; attaching an island in the Missouri River to Clay County for school purposes; fixing qualifications for admission to the bar; fixing the responsibilities of owners of steam threshers; providing a penalty of life imprisonment for kidnaping and holding for ransom with threats; fixing a penalty for tapping telephone and telegraph lines; allowing an executor to bring action or continue action after the death of the principal; appropriating money for the expense of setting aside school lands; appropriating \$11,470 for a building at the Madison Normal School; appropriating money to A. J. Mosier for expense in organizing the first South Dakota regiment; giving threshers first lien on grain for cost of threshing; requiring railroads to fence their tracks along enclosed fields; providing for the preservation and care of a permanent camp and parade ground at Ft. Sisseton; general liquor law; legalizing the incorporation of Elkton; classifying county courts and fixing salaries of judges on a basis of population; making the adulteration of liquor or sale of adulterated liquor a misdemeanor; fixing terms of court in the Sixth Judicial Circuit; giving officers of cemetery associations the right of eminent domain in extending cemetery

boundaries; providing for the establishment and maintenance of public ditches; making the teaching of humane treatment of animals compulsory in the public schools; empowering county commissioners to employ assistant counsel for state's attorneys; reducing the State Board of Equalization by dropping the superintendent of instruction and the attorney general; providing that all taxes should be spread on record under the head of consolidated tax; allowing levy by states for construction of library buildings and maintenance of libraries; giving to the governor authority to accept any grants or devises made to the state; making a certified copy of a public record admissible in evidence; requiring the heads of all state institutions to pay into the state treasury all fees and funds coming into their hands; providing for flood gates in mill dams; allowing live stock to be assessed at the home ranch.

The following Senate joint resolution also became law: Memorializing Congress for continuance of the Sisseton Indian Agency; the same to make Ft. Meade a permanent regimental post; the same for national aid to the State School of Mines; a resolution providing for an investigation committee to look into the charges made by Ex-Governor Lee against the heads of state institutions; authorizing the custodian of the state house to present to Ex-Governor Lee his official chair; a memorial to Congress for an appropriation to remove the sand bar from the mouth of the James River; same to increase the annual allowance for pupils at the Government Indian school; a resolution providing for submission of an amendment to the constitution to allow county seats to be removed to a railroad town by a vote of sixty per cent of the people; memorializing Congress for the drainage of Red River Valley; confirming the Hatch and Morrill grants to the State Agricultural College; memorializing Congress for the purpose of amending the Constitution in order to elect United States senators by a vote of the people.

The following were among the bills passed by the House in 1901: Fixing terms of court in the Third Judicial Circuit, also in the Seventh Judicial Circuit; fixing the salary of governor at \$3,000 per year and circuit judges at \$2,500 per year; creating the law department of the state university; appropriating \$2,500 deficiency for transportation of prisoners to the penitentiary; providing that justices of the peace and other officers of towns must file bond in all counties where the town lies in more than one county; fixing a tax in addition to all other taxes of 25 cents per head per month on cattle of non-residents which are grazed in the state; fixing the order in which demands against estate should be paid; creating a state historical society; creating a state board of agriculture of five members appointed by the governor and appropriating \$3,000 a year for two years when proof should be furnished that no liquors were sold nor gambling allowed on the fair grounds; providing for the investment of the permanent school funds in state, county and municipal bonds; ceding to the United States Government, jurisdiction over crimes committed on Indian reservations; providing for the payment of village and town assessors by the county; authorizing counties to issue refunding bonds to take up old indebtedness; transferring the fish fund to the state general fund; providing for the issuance of bonds by boards of education of cities of the first class; licensing transient merchants; providing for the expenses of insane patients; making the provision of the registration law apply to all elections; giving the governor power to remove constitutional officers not liable to impeachment;

allowing county boards of equalization to adjourn from time to time; making the office of city assessor elective instead of appointive; reorganizing the State Board of Charities; dividing the cost of construction of bridges between counties and townships; fixing penalties for the transportation of diseased swine; to prevent the desecration of the United States flag; authorizing eight justices of the peace in counties of over 20,000 population when organized into townships; providing for maintaining guard rails on bridges; amending the law relating to the drawing of juries; allowing husband or wife to mortgage property to pay debts or for maintenance when the other is insane; permitting reassessments for local improvements; fixing grades of perjury; how to mark ballots when a mixed ticket is to be voted; general provision for township organization and government; fixing the fee for defense of an indigent criminal at \$25; creating the office of food and dairy commissioner; authorizing a foreign administrator or executor to bring action in the courts of the state; providing for regulating the practice of dentistry; a general military law; fixing punishment for trespass on state lands; authorizing the Board of Charities and Corrections to investigate affairs at the Children's Home; providing penalties for the adulteration of linseed oil; to prevent fraud on hotel keepers; repealing the law prohibiting the sale of firearms to Indians; general law for the protection of large game; a general wolf bounty law; sidewalk construction in cities; mutual fire insurance companies to be under the insurance commissioner; changing the time of election of supreme and circuit judges to the general election; changing the boundaries of Mead County; allowing villages to become separate voting precincts under certain conditions; reorganization of the Board of Regents of Education; general appropriation bill carrying a little over \$1,000,000; compel suit on a note to be brought in the county in which the defendant resides; general printing bill; providing for a commission to revise and codify the laws.

The following joint resolutions which were passed originated in the House: Memorializing Congress to establish an Indian industrial school at or near Everett; the same for election of senators by popular vote of the people; a resolution providing for the submission of a constitutional amendment for the reduction of interest rates on state funds, school and public lands; memorializing Congress to restore the Sisseton Indian Agency; the same to take steps to check the ravages of the pine beetle in the Black Hills forest reserves; the same for the passage of the Grout bill; submission of an amendment to the constitution to allow an increase or limitation of indebtedness for the purpose of securing water and municipal improvements; memorializing Congress to protect the banks of the Missouri River in the southeast part of the state; the same for laws giving the General Government exclusive jurisdiction over crimes committed on an Indian reservation; the same for full title to the state of the old Ft. Sisseton Military Reservation; the same asking that Maj. A. S. Frost be advanced to brigadier general on the retired list.

The Legislature in 1901 during its sixty days session passed 188 laws and 21 joint resolutions. Many were merely amendments to the statutes. The most important measures which become laws were as follows: Creating a food and dairy commission; providing for a revision of the laws; establishing a law department at the State University with Thomas Sterling as dean; creating a department of history and placing its management in the hands of the State

Historical Society; providing for circulating libraries in the country school districts; a scavenger tax bill designed to dispose of real estate upon which owners had defaulted in payment of tax; appropriations for the biennial period ending June 30, 1903, of \$1,396,791.32 or half of that sum for each of two years. This amount included the sums intended for the educational and charitable institutions to the amount of \$237,320 and for the state government expenses and the support of the charitable and penal institutions.

The amendments to the constitution voted at the general election in 1902 were as follows: (1) In relation to the change in location of county seats; (2) to increase the limit of county, township and municipal district indebtedness to 5 per cent; (3) to reduce the rate of interest on school fund loans from 6 to 5 per cent.

At the legislative session of January, 1903, the state capital removal question was of great importance from the very start. Even before the members assembled the fight commenced. Mitchell, Huron and Redfield contested earnestly to see which could oppose Pierre. As soon as Mr. Brown of Aberdeen was elected speaker, it was admitted that the capital removal advocates had a majority in the House. At the same time the re-submission sentiment was strong in the House and promised to pass that body. Another important question was whether the state should be represented at the Louisiana Purchase Exposition, St. Louis. Another was whether a binding twine factory should be established at the penitentiary. Still other measures were—how to increase the revenue of the state; to change all incorporations with annual fees; to change the free range law west of the Missouri River; completion of the new state code by the commission appointed two years before; concerning the school funds. The Government was asked whether the school lands and funds should be sold or leased and what should be done with the funds in either case. By March 5th the school fund amounted to about five million dollars, of which about one-half million dollars was idle in the treasury. It could not be loaned under the existing constitutional restrictions, the rate of interest being too high. Under the system there were large tracts of school land which could not be leased. The question was how to manage both the cash balance and the idle land to the best advantage of the schools. The Senate proposed an amendment to the constitution to give greater power to the school authorities so that \$5,000 of school money could be loaned to a single individual; but that such loan should not exceed one-third of the cash valuation of the land on which the loan was made, and that the rates should not be less than five per cent on school funds thus loaned. The Senate favored that money should be loaned on state bonds, county bonds, school bonds, and similar evidences of indebtedness in South Dakota. The plan of the Senate was to withdraw one-half of the land from sale and to sell the remainder for cash.

At the legislative session of 1903 Senator Williamson was elected president pro tem of the Senate. Troop B of the state militia escorted Governor Herreid from the Locke Hotel to the State House where all the state officers were sworn in by Chief Justice Corson. The Senate members were sworn in by Judge Haney and the House members by Judge Fuller. A joint caucus of the republicans called to select a candidate for the United States Senate was presided over by Mr. Lawson, of Aberdeen. Senator Kittredge, as described elsewhere herein, received the nomination for both the short and the long term. John Bowler

received the democratic vote. This Legislature consisted of 120 republicans and twelve democrats. One of the interesting measures considered by this Legislature was that relating to fire insurance. The bills required companies doing business in the state to pay the full value of the policy, and the measure thus became called "The valued policy act." It provided further that no two or more companies should enter into a compact for fixing rates. Another measure that roused both Houses was the step of a combine in the Legislature to appropriate \$100,000 for the establishment and maintenance of four additional normal schools in the state. The Mitchell Republican declared this was a gigantic robbery, and that newspapers in towns where other state institutions were located were induced to keep silent for fear of having their own institutes removed or interfered with.

The House at this session was controlled by a combination formed for the declared and specific purpose of carrying into effect certain measures which included large appropriations from the treasury. The St. Louis fair appropriation bill was at first postponed in order that the combine could have further time for its manipulation. The Valued Policy Bill likewise was postponed until the combine could study its features and mature their methods of attack. The combine became certain that they could control insurance legislation and therefore favored that the measure should be postponed. This organization was in excellent working condition by February 11th, with Messrs. Bromley and Longstaff among the most active and prominent leaders. It became called the "Third House," owing to the large number of lobbies which at all times sought the favor and support of the combine members.

Among the early measures considered was that of changing the sessions of the Circuit Court of Charles Mix County from Wheeler to Geddes. The question of code revision was taken up and both Houses were addressed by Judge Tripp who explained much in detail what had thus far been done by the code commission of which he was a member. They had compiled the laws, made them read homogeneously, cut out much matter relating to the territory, rewritten several absurd provisions in accordance with the recent decisions of the courts, left out a few vicious laws, and made one change in the justice code, to-wit: Allowing parties who in good faith made an attempt to appeal from the justice courts and failed, to furnish a sufficient bond and be granted the right by the Circuit Court. Other early bills introduced were as follows: Valued policy of insurance to be contested; to amend the liquor laws so there could be county option as well as town, township and city option. It was explained that this bill meant that a county might prohibit the sale of liquor under a license throughout the county, but could not force a license system upon any town, township or city if such should vote to the contrary.

For the first time in the history of South Dakota Legislature, the old English parliamentary practice concerning engrossing and enrolling bills was dispensed with at this session in order to hasten action on the code bills. The custom of printed engrossment and enrollment bills had been in practice in South Dakota at all sessions of the Legislature since 1893. An early bill provided for an appropriation of \$50,000 so that the state could be properly represented at the Louisiana Purchase Exposition. Strange to say there was sharp opposition to this bill from the start. Another was for the inspection of illuminating gas. One, a resolution concerning the disposal of endowment lands, was designed to withdraw them from

sale; another fixed the salary that should be paid county school superintendents. One bill provided that all counties that were supporting insane patients should convert the money into a maintenance fund for the maintenance of the State Insane Hospitals. Other bills were—providing for fence viewers; providing that Circuit Courts could be held locally in a county besides at the county seat; providing that special prosecuting attorneys could be appointed if necessary; appropriating the balance of the public lands, consisting of about 20,000 acres, for the support of the insane asylum; providing that graduates of the law department of colleges should be admitted to practice without an examination; appropriating lands for the national sanitarium; providing for the adoption of the revised codes; providing for the investment of the permanent school fund; excluding certain tracts of land from the corporate limits of cities; inspection of horses snipped out of the state; how the capital stock of banks should be assessed; removing the permanent capital from Pierre to Mitchell; establishing and vacating lands for public highways; appropriating \$50,000 to pay premiums at the state fair; extending the lives of bank corporations; authorizing a survey of state lands by the Government of the United States; declaring the waters of the artesian basin public property; designating depositories for civil township funds.

Among the bills considered later were the following: Ceding lands in Fall River County for a national sanitarium; limitations of judgments; relating to instructions to juries; a barber license law; encouragement of county fairs; how to invest the permanent school fund; fixing terms of court in the Fourth Judicial District; \$2,500 to be used in mounting birds for the State Historical Society; fixing the wages of county assessors at \$5 per day each; a public morals bill; \$50,000 for an armory at the state university; elevated platforms at railway stations; prohibiting football playing; for a state sheep inspector; for the establishment of a bell signal system in the mines; to abolish days of grace; fixing maximum telegraph rates; \$30,000 for the improvement of the Springfield Normal School Building; licensing peddlers; locating the state fair grounds permanently at Huron; \$40,000 for buildings at the state fair to be expended under a commission of five; \$65,000 for buildings at the Agricultural College at Brookings; \$60,000 for the maintenance fund of the Agricultural College; for uniform assessment of live stock; fixing certain boundary lines between South Dakota and Nebraska; naming the anemone as the state flower and accepting as the state motto the words "I Lead;" attaching territory to independent school districts and detaching the same; assessment and taxation of the product and proceeds of the mines; creating a library commission; allowing cities of less than 2,000 to elect aldermen and school boards; allowing mutual insurance companies to extend their membership to adjoining counties; a memorial to Congress to ratify the Rosebud Treaty so that Gregory County could be opened to settlement; numerous deficiency measures; making larceny of live stock grand larceny; prohibiting the sale of tobacco to minors; granting certain ferry licenses; fixing the salary of commissions of the Soldiers' Home at \$3 per day; regulating the practice of veterinary medicine; \$135,000 for new buildings and repairs at the insane asylum; withdrawing school and public lands from sale and providing for their long lease; fixing the pay of the members of the board of agriculture at \$3 a day; a law regulating auctioneers; to establish an experiment station at the school of mines; providing that cities which employed city superintendents of schools should not

be taxed for county superintendents; the qualifications necessary to secure teachers' certificates; promoting agriculture and the holding of county fairs; how to appeal from justice courts; qualifications of town officers; protection of large game; city assessments of special improvements; a classified assessment of live stock; providing that the penitentiary should furnish stone for the state capitol; to fix the state treasurer's bond at \$1,000,000; asking for the repeal of tariff on lumber; how to collect delinquent personal property tax; to fix the pay of road commissioners at \$2 per day; placing all mutual insurance companies under the control of the insurance commission; for the inspection of sheep about to be driven into the state; for a board of medical examiners to be appointed by the governor; for the establishment and management of township teachers' institutes; fixing the duties of the state board of agriculture; making county treasurers custodians of the funds being raised for starving Finlanders; appropriating \$24,000 for the Spearfish Normal School Building; appropriating money for the construction of cottages at the Soldiers' Home; concerning the bonding of school district debts; appropriating \$50,000 for an armory at Huron; making Sabbath breaking a misdemeanor; authorizing the incorporation of electric street railway and power companies; limiting street car franchises to twenty years; empowering county commissioners to appropriate money for the expenses of county fairs; concerning the redemption of foreclosure of mining claims; penalties for giving away or selling liquor to minors or drunkards; providing for the admission to practice medicine; protection to quail; to place county insane funds directly in the hands of the asylum authorities; regulating the order of employment in mines; \$50,000 appropriation for a twine plant at the penitentiary; providing that school levies should be in specific amounts; to prevent public officers from securing profits on public supplies; to increase the limitation of the state bonded debt beyond \$500,000; to provide militia encampment grounds at Lake Kampeska; for the incorporation of telegraph companies; providing how to draw juries in counties that had not been organized into townships; how to raise a gauge and standard of fees for obtaining articles of incorporation. The existing law was \$10 for each set of articles, but this was found to be too expensive because the cost was often greater than \$10. The object was to shut out all fraudulent concerns. Giving the board of equalization greater power in making assessments of mining property; making several important improvements in the insane fund laws; providing for the establishment of township high schools by the vote of the townships; compulsory education of Indians who had received allotments and become citizens; how to invest school funds; providing for a board of fence viewers; providing for a state board of medical examiners consisting of seven members divided among the three leading schools of medicine as follows: four Allopaths; two Homeopaths, and one Eclectic and providing for examinations before being admitted to practice; giving county courts sole power was lodged in the Circuit Courts except in counties having 20,000 population or more; a bill legalizing defective acknowledgment of instruments affecting real property. This was mainly copied from the law of California. Fixing the salaries of the members of the board of regents; a uniform sewerage law of the state; several bills changing the liquor laws; the valued policy bill; the latter two were bitterly and savagely discussed in both Houses of the Legislature; many severe personalities were indulged in and personal encounters were often narrowly averted. A bill

for the examination of persons desiring to practice medicine; authorizing the department of public instruction to issue teachers' certificates of the second grade; \$70,000 appropriation for the National Guard; the general appropriation bill.

These were a few of the many bills before both Houses. The newspapers of the state early in March congratulated the Legislature on overcoming the powerful influences of the insurance lobby that had worked energetically at Pierre during the entire session. The valued policy bill passed the House, went quickly to the Senate and passed that body by a vote of 25 to 15, and was promptly signed by Governor Herreid. Immediately thereafter the insurance lobby through its many newspaper supporters throughout the state denounced in severe terms the course of both the governor and the Legislature. The valued policy proposition embraced the following points: That the insurance companies which had placed a valuation on a piece of property while it was in existence and had written a given amount of indemnity on it, should not be permitted after the property had been destroyed and the premiums had been collected on the policy valuation, to urge or assume that the valuation was placed too high. This bill assumed that the company should and must fix a fair valuation in advance and not collect excessive premium and then endeavor to cut down the indemnity. This bill occasioned the severest fight probably at any session of the Legislature, owing to the large insurance lobby and to the intense effort they made to defeat the bill. Toward the last of the session both houses worked through committees during the forenoons and evenings. No more bills could be introduced in the House, but up to this time there was no such prohibition in the Senate. Late in the session a banking act was introduced. Other measures considered late were providing that school districts sending their graduates to high schools should pay the tuition; providing that the state board of equalization could assess state property as high as \$100,000,000; considering all features of the wolf bounty measure. When the bill providing for a state flower was before the Legislature many amusing incidents occurred. One member insisted that the sunflower should be the state flower. Another wanted the wild rose. Several ludicrous suggestions were offered, but in the end the anemone, pasque flower, the anemone patens, was finally accepted.

About the middle of February Christian Science for the first time was formally recognized by the Legislature. At this time the Anti-free Range Bill was defeated. Early in March the question of taxing mining stock came up and received at every session violent opposition from the Black Hills members. The bill taxing mining stock was finally defeated. An appropriation of \$2,500 for the improvement of Wind Cave Park was passed.

At the legislative session of 1903, 297 bills were introduced in the House and 233 in the Senate. In 1901 282 bills were introduced in the House and 235 in the Senate. In 1903, 244 bills passed both houses and became laws while in 1901 only 209 bills passed and became laws. Among the more important measures in 1903 were the following: Two amendments to the constitution to be voted on, namely: Removal of the capital and important changes in the management of the school fund; the Carroll Bill which raised the aggregate assessment to \$100,000,000; this bill gave the state board authority to correct fraud and inadequate assessment; also, at its discretion, to levy an additional two mill deficiency tax provided by the constitution; an amendment to the Louisiana Purchase Fair Appropriation

Bill, instructing the state commission to act in conjunction with the Black Hills Mining Men's Association in making up the South Dakota display. The appropriation for this fair was \$35,000. The anti-football bill was killed in the Senate early in March, and the anti-rebate insurance bill was vetoed by Governor Herreid.

Among the important bills which were prominent near the close of the session was the following: Providing a 2 mill deficiency levy owing to the extra expenses for the state institutions and to the warmth of the battle over the state capital site. By the 1st of March over one hundred bills had been signed by the governor and were laws. There were fully as many more yet to consider. It was provided that the session laws of this term should be printed apart from the revised code. One of the most important measures which became a law was the one creating a board of medical examiners. This occasioned a revolution in the state medical rank, especially in the requirements necessary to practice. Huron secured the state fair and Watertown the National Guard encampment. The State Board of Equalization was authorized to raise the total assessment to \$100,000,000, but no higher. The salaries of county judges and circuit judges were raised. The Ninth Judicial Circuit was created.

Notwithstanding the hilarity and exuberance at the close of the session this Legislature was a business one throughout and one of the ablest that had thus far assembled in the state. Less than the average number of bills was introduced and greater than the average number became laws. The Legislature did great work despite the excitement at all times over the insurance and the capital contest problems. It was one of the most expensive sessions ever held in the state. For the first time it was called the \$2,000,000 appropriation session. The actual amount of the appropriations was about one million nine hundred thousand dollars. The session was liberal and fair, broad and progressive, met the expectations and hopes of the state institutions and the people who loved to see the state advance and passed into history as one of the most useful ever held in South Dakota.

At this time it was figured that the revenue for two years would be \$1,160,000. In spite of this the legislative appropriations amounted, as above stated, to nearly two million dollars. It was necessary therefore to meet the deficiency, which was done by the 2 mill emergency levy. Nearly all the requests for appropriations were approved by the citizens generally for the first time in the history of the state. Particularly the needs of the educational institutions, though large, were not objected to when the Legislature met the wishes of the people. Of course it was realized that the 2 mill deficiency levy was merely a temporary expedient, and that some permanent means to make the annual revenue meet the annual expenditures should be provided or overcome. However this Legislature shirked the responsibility of engrafting upon the statutes any law making a decided tax change or authorizing an election for a constitutional amendment that would effect the desired tax change. The Legislature, as all others had done, simply left the matter for a subsequent session to consider and settle. The Legislature passed several important bills restricting and controlling corporations. South Dakota was now added to the list of over twenty states that required insurance companies to pay the full value of policies. Of course the capital removal bill which passed at this session was an extremely important measure and stirred up the Legisla-



SCENE ON BAD RIVER NEAR FORT PIERRE



MAIN STREET WEST, FORT PIERRE

ture and the state even more than the insurance measure did. The session made sweeping changes in the qualification of teachers and the nature of teachers' certificates. Immediately after the passage of the laws, State Superintendent G. W. Nash sent out a special circular concerning the changes.

At the legislative session of January, 1905, there was no friction and very little ill will. The committees were soon selected and began action promptly. J. L. Browne was chosen speaker. One of the first bills introduced provided for the parole of prisoners at the penitentiary. At the commencement of the session there was a vigorous debate on the 640-acre memorial resolution to be sent to Congress. Many believed that the memorial was calculated to hurt the state. In fact, several members of the Legislature declared in open session that the adoption of the resolution would hurt South Dakota more than the Taylor defalcation, and would put the state back twenty-five years. At this time there was a bill in the United States Senate, introduced by Kittredge, providing for an appropriation of \$52,500 for the construction of dams at Lake Poinsett and Lake Kampeska. This bill was finally defeated in spite of the vigorous support given it by the South Dakota delegation. A bill to memorialize Congress to protect the farmers from the devastation of overflows on the Missouri River was another measure considered at this session.

On February 8th Mr. Carroll introduced the primary election bill in the House. At once this measure received the full consideration of the Legislature. The twine plant bill for the penitentiary was likewise well considered and finally became a law. It provided for an appropriation of \$70,000 to be met by a tax levy, all to be voted by the tax payers. Early in March the House voted for the abolishment of the normal school at Springfield. The Deadwood water condemnation bill was defeated in spite of the desperate fight made in its support by the Black Hills members. In spite of much opposition the Springfield Normal School secured its appropriation early in March. At this time the State Live Stock Commission was duly appointed by Governor Elrod. For the second time the traveling library project was killed at this session. The resolution to make the taking of a pass by a public official a felony was killed. The Legislature successfully cleared up the perplexing problem of the Sioux Falls waterworks system. The lobbies of this session were comparatively small and weak, although several important measures were before both houses for consideration.

Among other measures of importance considered by the Legislature in January, 1905, were the following: An inheritance tax revenue law which although interesting and thoroughly discussed did not kindle the enthusiasm occasioned by other bills; a bill to make all assessors responsible to the state instead of to the counties. This bill occasioned prolonged and critical debate. The object was to do away with the existing method of choosing county assessors. The separation of the assessment system from county affairs and other local influences was demanded. The plan of the bill was to abolish all local assessors and transfer the general power of that office to the State Board of Equalization under which all county assessors, it was provided, should thereafter work. Thus the plan was to make assessments under the direction of the State Board of Equalization. Under the old plan the assessors were responsible to the community and would do as they were told or were requested concerning the valuations of property in order to secure reelection. Under the old system the assessor was thus both the victim

and the beneficiary of the property holders of a community or county. He was at the mercy of the people and did as they requested and not as the law required and hence placed the valuation far too low under the constitution. He did it however because the great majority of the people wanted it. The secret was that the people desired existing assessments not to be disturbed. Mainly for this reason no advance in the method of assessment and taxation had been made since the admission of the state. It was now argued that were the assessors placed under the state board and were they made independent of local influences, they could much more easily be required to assess valuations somewhere near actuality. Attorney General Hall at this time expressed the belief that fully \$100,000,000 of taxable property in the state was steadily escaping assessment and taxation under the old loose and inefficient system. This question was thoroughly discussed by both houses.

The legislative session of 1905 began at first with no great prospect for the introduction of critical or debatable measures. Later one problem assumed an attitude of considerable importance and was a matter of sharp contention near the close of the session. It was the primary election amendment petition which was signed by about 8,864 voters and asked for the submission of the primary question to a vote of the people. It really was the constitutional provision for the initiative thus making its first pronounced appearance. Almost from the start there came hints and innuendos that the petition would be smothered in the committee rooms. However, the fact that it was mandatory on the Legislature unless fraudulently secured, was sufficient to convince the people that in the end it should pass.

A few of the first bills considered were the following: Providing for a hospital for the insane at Watertown; changes in the Soldiers' Home management; the dipping of live stock; the capital commission; several sharp and acrimonious contests for seats in both chambers; a joint resolution providing for the completion of the work of the commission to settle the boundary between Nebraska and South Dakota; prohibiting the practice of veterinary surgery except by graduates of reputable veterinary colleges; changing the terms of county courts to March 1st of each year instead of January 1st; for a stone library building on the state house grounds and appropriating \$20,000 to cover its cost; compelling long distance telephone companies to make connections with locals; a convict parole law; permitting sureties on bonds to limit their liabilities; memorializing Congress for the passage of the 640-acre homestead act, to which there was from the start to finish sharp opposition; repealing the old wolf bounty law, which step was bitterly opposed by the representatives of several counties; making homesteads subject to mechanics' liens; providing a state license for motor cars and limiting the speed of such vehicles to twenty miles an hour in the country and from four to ten miles in cities; an appropriation for a deficiency at the Soldiers' Home; authorizing county commissioners to erect county buildings without a vote to that effect from the people; to list for taxation range horses separately from draft horses; providing for the taking of the state census and vital statistics; reducing the contract rate of interest from 12 per cent to 10 per cent; this reduction was fought to a finish by the bankers; measures covering the management of the state land offices and affairs; to throw open the Cheyenne reservation to settlement; increasing wolf bounties; basing the salaries of county auditors on property val-

ues; to prevent the introduction of noxious insects into South Dakota; to authorize counties to fund outstanding indebtedness; to protect jack rabbits from slaughter from May 1st to September 15th; to send a joint committee to investigate the management of the Soldiers' Home; to regulate the playing of football; to encourage tree planting on school grounds; the introduction of the jack rabbit bill was due to the course taken by the Sioux Falls firm that had contracted to supply the French market with 10,000 jack rabbits, had secured expert marksmen and were busily engaged securing that number of animals; when the seriousness of the bill became manifest, sportsmen in both houses favored the bill in order to protect the rabbits; increasing school fund loans on farm lands; appropriating \$10,000 for the expenses of farmers' institutes; to allow county commissioners \$100 for the arrest of horse thieves; providing for the payment to owners for animals killed by the state veterinarian; memorializing Congress for an amendment providing for the election of United States senators by direct vote; this measure had been favorably considered by nearly every former Legislature; it kindled much interest at this time because the republicans had not asked for this measure in their platform; the bill was really regarded as a test of the proposed primary law measure; many deficiency bills; giving the Legislature greater power over drainage matters; memorializing Congress for an appropriation to build levees and wing dams on the low bank of the Missouri River near the James; to legalize acts of the town and city councils, county commissioners and township boards of trustees in the granting of liquor licenses where the same had not been authorized during the past year by vote of such cities, towns or townships; empowering cities to condemn property to obtain suitable waterworks plants or access to water outside of the city limits; to revise the irrigation code; for a twine plant at the penitentiary; providing that unmarried men should have no property exemptions; to prevent druggists in no license towns from selling liquor except upon physician's prescription; appropriating \$15,000 for the improvements of the state fair grounds at Huron; to amend the laws concerning the qualification for teachers' certificates; appropriating \$52,500 for a building at the normal school at Aberdeen; making the open season to cover September and October only; preventing the shipment of fraudulent dairy products out of the state; allowing a verdict of three-fourths of a jury in civil action; authorizing counties to incur indebtedness for drainage purposes; a ditch and drainage code; amending the fish laws that carp could be caught at any time; making father and mother equal guardians of minor children; inviting seed grain lecturers of the Northwestern Railway to address the Legislature; making notes for medical service non-negotiable and making it a misdemeanor to promise a cure and fail; fixing \$100 penalty for false statement as to physical condition for the purpose of receiving public aid; making it a misdemeanor for either parent to withhold the necessities of life from minor children; making the second conviction for petit larceny a penal offense; to limit the tuition for pupils to \$2 per month; requiring owners of land to keep the weeds mowed down along highways; declaring all unnavigable waters of the state to be public property for irrigation purposes; limiting the cause for divorce to acts committed in the state or by residents of the state committed outside of its borders; to repeal the law allowing pupils to be sent to high schools at the district expense; legalizing liquor licenses granted in the past two years where a new license election had been held; allowing county boards \$200 for the arrest

of each horse thief; providing day schools for the deaf; memorializing Congress against the commutation provisions of the 640-acre homestead act; requiring to be taught in the public schools the effects of alcohol on the human system; appropriating \$3,500 for a deficiency at Spearfish Normal; allowing magnetic healers to operate in the state; both houses of the Legislature listened to lectures on the subject of seed grain by Professors Wheeler and Chilcott of the Agricultural College; dividing the members of the Board of Regents between the different political parties; providing for the regulation and control of trust companies; prohibiting the sale of tobacco to children under twenty years of age; allowing guardians to transfer realty; providing for uniform text books throughout the state; allowing members of the Legislature \$10 per day for their services.

The debate on the question of electing United States senators by direct vote caused one of the liveliest debating tilts of the session. Other measures considered were: Making abandonment of a family a misdemeanor; appropriating \$500 for land office filing fees for endowment lands; fixing the liability of banks for responsibility of forged paper at six months after the return of a check to a customer; to make the season for chicken shooting two months of each year and the duck season five months; authorizing the employment of an assistant state's attorney; authorizing cities to issue bonds to pay judgments; appropriating \$2,500 to conduct seed grain experiments at the State Experiment Station; providing that no inmate of the reform school should be retained there after reaching maturity; fixing the tuition in all state educational institutions at the same figure. Another lively debate, one that became extremely acrimonious, was over the bill to control life insurance companies of the state; defining the liability of railways in damage suits.

When the session of 1905 was two-thirds over the first vigorous conflict on the primary election measure ensued in both houses. Intense opposition to the measure arose and as equally intense a fight was made in its support. First the opposition took the ground that the petition was insufficient, having been illegally prepared and having many names not rightfully entitled to a place thereon. In the end this point resulted in the defeat of the measure. Other measures were—providing that the Regents of Education should not be appointed from the counties where the institutions were located; a measure by the women of the state for a bill to establish another library and a state library commission of five members, the latter to be composed of the state superintendent and four others appointed by the governor; an exemption bill for dentists, the same as the law gave doctors; asking that blacksmiths be given a special lien law, because they gave over all property to their clients; permitting mutual insurance companies to write old line life insurance; amending the oil law and sending Professor Shepard of the Agricultural College to Kansas to secure a supply of oil from that state for analytical purposes. Much Kansas oil was used in South Dakota at this time and there was much complaint; however, the analysis showed that the Kansas oil was even better for illuminating purposes than the product dispensed generally by the Standard Oil Company.

There was much discussion over the problem of where mechanical engineering should be rightfully taught in South Dakota. There was great difference of opinion whether it should be taught at the Agricultural College or at the State University. The Legislature looked at the problem of hypothecating the endowment

lands even at a low rate of interest with much doubt and misgiving, because they realized that another series of dry years might make the sale of such lands quite impossible at \$10 per acre for a long time to come. Other measures were—making the lightning rod notes non-negotiable; requiring non-residents who desired to practice law in South Dakota to show five years experience and an endorsement from the Supreme Court; to exempt fraternity and beneficiary organizations from all taxation; a measure by the retail liquor dealers to make the vote upon the proposition of sale of intoxicants final unless another vote was petitioned for; to prevent county boards from issuing licenses for the sale of liquors in towns, townships or cities where the people had voted against such sale; reconsidering the wholesale liquor bill which had been defeated in 1903, the present movement being to negative the existing liquor law.

Among other important measures considered by the Legislature late in the session of 1905 were the following: To define swindlers and confidence men; requiring hail insurance companies to deposit guaranty funds before doing business in South Dakota; making it a misdemeanor to run a threshing machine on Sunday; regulating and changing the pure food law; for a state inspection of intoxicating liquors; making it a misdemeanor to sell adulterated intoxicating liquors; elaborate consideration of the primary election bill; memorializing Congress for pure food laws; providing for a state song; making it a misdemeanor to operate a bucket shop; providing that when a vote was taken on the license question the result should remain in force and operation until settled by another vote; to permit officers and guards at the penal institutions to use force of arms to prevent the escape of convicts or to prevent their injuring the keepers; prohibiting county commissioners from granting retail liquor licenses within five miles of any Government contract work; providing for the management and control of cemeteries; providing for the appointment of tax ferrets; to make the pure food commissioners the tester of liquors; permitting cities to procure land by condemnation for sewers; for a twine plant and shirt factory at the penitentiary; making it a misdemeanor to treat in a saloon; to establish an insane hospital at Milbank, providing the town should donate 160 acres of land; to compel the committee to make a report on the primary election bill by February 20th; requiring county treasurers to collect special assessment taxes of cities; to apply the probate code to Indian lands; providing for the appointment of assessors instead of their election; allowing circuit judge to call in another judge to hold a term of court in one county at the same time a term is in progress in another in the same circuit; to increase the limitation of county levies to 10 mills; creating the office of state inspector of liquors; consideration of the uniform school textbook bill. This measure was killed in the House by a vote of 56 to 30; to prevent hunting dogs from running at large from April to September; providing for a constitutional amendment increasing the salaries of members of the Legislature to \$500 for the session; requiring that township fire-guards should be broken not later than July and should be dragged and kept clear of weeds; payment of road tax in cash; providing that liquor licenses should be paid by full years and prohibiting ex-convicts from engaging in the liquor business; making the license fee of non-resident hunters \$10; requiring county auditors to keep plat books showing all landowners in the county; a life insurance measure; meat inspection in cities and towns; giving landlords a lien on the crops

of tenants; providing for the assessment of real estate at its full value; a vigorous fight on the \$10,000 wolf bounty bill. The old law was \$5,000. Several members endeavored to do away with any appropriation for wolf bounties; appropriating \$13,000 for the state fair buildings at Huron; requiring the Agricultural College to make annual exhibits at the state fair; hottest fight of the session over the report of the committee on rules for the indefinite postponement of the initiative petition for the primary election law; farmers' institute measures over which there was sharp contention. Mr. Freiberg maintained that the wolf bounty affected only four counties and that they should pay their own fees for wolf scalps; appropriations to pay premiums at state fairs and fixing the salaries of the State Board of Agriculture.

On February 22d the Senate committee announced that the primary petition was so defective and had been prepared so irregularly, if not illegally, that it should be rejected, and accordingly by the vote of 25 to 21 the bill was defeated. In the House a different conclusion was reached and the bill passed by the vote of 47 to 38. The problem before both Houses was whether the method of preparing the petition should be given a liberal or a strict construction. It was noted that many petitioners did not add their residences opposite their names nor their postoffice addresses except by ditto marks. Many had circulated the same petition on different sheets of paper and afterwards the headings were torn off and all the signatures were united. For these reasons the Senate refused to sanction the petition. Later the refusal was declared to be wholly a factional subterfuge in the republican party. It was declared by the friends of the petition that the republican bosses of the Senate desired the credit to themselves of introducing a primary bill that should become the law of the state. In 1905 Governor Elrod had the satisfaction of seeing every one of his recommendations, except one, passed by the Legislature.

In January, 1907, the first vote for speaker of the House was as follows: Chaney, 39; Carroll, 38; Price, 1. On the second ballot the vote stood: Chaney, 41; Carroll, 36. The House and Senate voted separately for United States senator with the following result: In the Senate Crawford received 23 and Lee 6; in the House Crawford received 94 and Lee 9. Frank M. Byrne was president pro tem of the Senate. At this session the Legislature passed the primary election measure, the county option bill, and amended the divorce bill so that persons would be compelled to live one year in the state before they could secure a divorce.

The Legislature of 1907, it was charged, did not fulfil the promises and pledges made in the party platform, but merely passed resolutions thanking and complimenting each other on what they had done, and then with self-satisfied and unctuous spirit adjourned. That was what the state press said of them. Early in March Mr. Glass, of Watertown, stated openly that "Since the Railroad Commission was created the roads have with one exception selected all the members of the board and nominated them." It was true that perhaps there were more than one exception, especially when populism was in flower. Of course, if the railways were permitted to select the rest of the ticket, they did not intentionally omit the railway commissioner. The railroads through the republican machine prepared the slates, it was declared. Among the laws passed at this session were the following: Anti-lobby law; making Washington's birth-

day a legal holiday; limiting the working hours of railways employes; anti-pass legislation; circuit judges to be allowed annually \$500 expenses; investigation of Senator Gamble's and other state offices; election of United State senator; providing for equalization and transportation charges; for the domestic manufacture of denatured alcohol; relief for home steam settlers; restriction and regulation of legislative lobbies; prohibiting corporations from contributing money for campaign purposes; requiring an account of campaign funds; reduction of railway passenger rates to $2\frac{1}{2}$ cents a mile; reciprocal demurrage; to compel track connections at junction points; the fellow servant act; to control commercial trusts; to protect weak railway enterprises from being crushed by strong ones; for the supervision of telegraph, telephone, and insurance companies, etc.

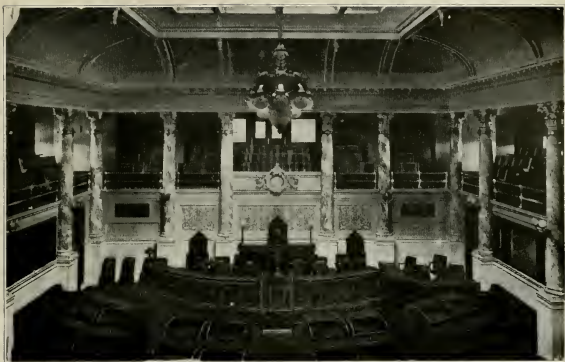
At the session of the Legislature in 1907 the following bills, joint resolutions, etc., were passed: Memorializing Congress to extend the time required to begin settlement on homesteads; providing for the printing of legislative manuals and handbooks; appropriating money for the per diem and mileage of members and employes of the Legislature; making orders of the railway commission presumptively legal and placing the burden of proof upon others; memorializing Congress to pass laws providing for the safety of railway employes and travelers; a general anti-pass law; to make Fort Meade a permanent brigade post; providing for expenses of circuit judges; general reciprocal demurrage bill; changing terms of court in the ninth district; extending the provisions of the parole law to the inmates of the reform school; granting to the state capital commission power to raise money and construct a capitol building on the state grounds at Pierre; for the repeal of the tariff on lumber and saw logs; applying the gross earnings system of taxation to railroads; to prevent the issuance of Government licenses in prohibitory territory; providing an annual tax of $2\frac{1}{2}$ per cent of premiums of foreign fire insurance companies and 1 per cent of premiums of state mutual fire companies as a special tax for firemen; attaching certain lands cut off by the Missouri River, to Union County; requiring the filing of copies of certificates of election of clerk of Circuit Courts in the office of secretary of state; requiring mutual life insurance companies to make annual accounting to their policyholders; a general drainage and levee code under the provision of the constitutional amendment attached in 1906; asking the national authorities for an order requiring the examination of claims of homesteaders by special agent before the patent issues; adopting sections of the civil code which were left out by the Legislature of 1905 when it adopted the work of the code commission; preventing a druggist from filling a prescription for liquor more than once; making a single election precinct of towns of less than five hundred population; placing the Supreme Court Library under the control of the court; declaring "blind pigs" and places where games are played for money, chips, or anything of value, to be common nuisances, to be suppressed as such; fixing fees for filing articles of incorporation and legal papers in the office of the secretary of state; requiring railroads to put in tracks at junction points; granting to towns greater powers to enforce local option laws and making the illegal selling of liquor a misdemeanor; providing for the publication of the debates of the constitutional convention of 1885 and 1889; providing the manner of funding the judgment debts of counties; giving the Dakota Central Railway the right

of way across the penitentiary farm at Sioux Falls; defining the crime of burglary by explosives; defining what should be due diligence in the collection of checks and drafts; authorizing committing officers to subpoena and examine witnesses before issuing warrants for arrest; to prevent the fraudulent uses of implements and names of secret societies; providing the manner of appointment of mayors in cities where vacancies in that office occur; providing penalties for unlawful use of water and gas; authorizing consolidation of funds in the office of the attorney general; fixing compensation of county assessors in counties of more than twenty thousand inhabitants when the county is not divided into civil townships; providing manner of justification of securities in cases of arrest and bail; creating a state board of osteopathic examiners; changing the laws in regard to admission to the bar; providing a means of dissolution of corporations; placing the legal department of the railroad commission under the control of the attorney general; placing the appointment of the weight and scale inspector in the hands of the governor; changing the name of the agricultural college to the state college of agriculture and mechanic arts; fixing fees of county surveyors at \$4 per day; legalizing irregularities in the incorporation of cities and towns; providing for the compulsory education of the deaf and blind in the state schools provided for that purpose; requiring the secretary of state to make a complete index of session laws; defining the term prison and placing city jails in that class; asking Congress to open Crow Creek Reservation to settlement; placing the fees from sales of state land in the income fund instead of state general fund; appropriating a sum for an electric plant for the state school for the blind at Gary; providing for the election of overseers of highways by the electors of their various districts; requiring boards of trustees of incorporated towns to redistrict the same when petitioned so to do by at least half the electors of such town; providing for the assessment and taxation of the property of railroad, telegraph, telephone and express companies, other than the mileage on which they operate; prohibiting the sale of intoxicating liquors within one-third of a mile of any college or academy; authorizing county commissioners to record books prepared by water users' associations as public records; providing method of appeal from the decision of boards of equalization; requiring judgment of justice courts to be docketed immediately after judgment is rendered; vacating certain streets and alleys at the state fair grounds; changing the name of the reform school to the state training school; providing for the protection of pheasants for fifteen years; assenting to a certain grant of money from the general Government to the state agricultural college; authorizing assessors in counties with fifty or more congressional townships to begin their assessment of real estate the first of April; providing the compensation of counties for keeping prisoners other than their own; providing manner of extending the life of a corporation; making compulsory the registration of a certificate of purchase of real property on execution; allowing telephone companies to file trust deeds instead of chattel mortgages as an evidence of indebtedness; increasing the fees of county and town treasurers; a general divorce law requiring residence of one year in the state and three months in the county before beginning suit and all hearings in open court; placing the duties of fire marshal in the office of the insurance commissioner; appropriating money for a girls' dormitory at the agricultural college; providing for the publication of the reports of the state horti-

cultural society; appropriating money for repairs at the Madison Normal School; appropriating surplus oil inspection funds to the agricultural college for purchasing apparatus for the laboratory; appropriating money for the use of the state court; providing for organization and control of state banks; proposing an amendment to the constitution to increase the salary of the attorney general; memorializing Congress to require more prompt delivery of telegraph messages; prohibiting the adulteration of cigarettes and prohibiting the sale of cigarettes or tobacco to minors; providing for appointments of road overseers by a board of trustees of towns; appropriating \$100 for the expenses of the investigating committee; creating a state board of agriculture with a secretary who shall be ex-officio immigration commissioner; appropriating money for premiums at the state fair; appropriating money for the erection of buildings at the state fair; authorizing cities to fund their bonded or floating indebtedness at a lower rate of interest at the vote of the council; appropriating money for a building at the insane hospital; legalizing irregularities in the incorporation of towns; requiring county surveyors to approve town plats before they are filed; requiring local insurance companies to include their by-laws in their policies; providing for a chaplain at the reform school; fixing terms of court for the ninth circuit; putting into effect the referendum petition of the county option law; increasing the salary of the mine inspector; authorizing and empowering the railroad commissioners to enter warehouses to examine the books of such concerns; appropriating money to pay insurance premiums on the live stock pavilion at Mitchell. All of the above were Senate bills or resolutions.

The following house bills or resolutions passed and became laws: Providing for an investigating committee for the investigation of state officers and congressional delegates; asking Congress to submit to the state a constitutional amendment for election of senators by popular vote; asking Congress to assist the President to secure equitable adjustment of transportation charges; increasing the fee of town clerks and supervisors to \$2.50 per day; general anti-lobby bill requiring registration in the office of the secretary of state of all legislative agents and attorneys; authorizing the granting of 30-year franchises to street railway companies if a vote of three-fifths of the electors is secured for the franchise; fixing the manner of issuing the patents to state lands where there has been a transfer of contract of sale; providing for supplying copies of Supreme Court reports to state officers; memorializing Congress to remove the restrictions from the manufacture of denatured alcohol; adding Lincoln's birthday to the legal holidays of the state; providing for supplying the law department of the state university with copies of the code and session laws; making wife desertion a misdemeanor and providing penalties for the offense; limiting the time of continuous employment of railway employes to sixteen hours; repealing the law creating the office of county beef and hide inspector; providing for the destruction of noxious weeds on highways and private property; establishing a department of legislative reference in the department of the state historical society; allowing sureties on official bonds to limit their liabilities on such bonds; authorizing the consolidation of certain funds in the office of the state treasurer; memorializing Congress to open Tripp County to settlement; the same to pass a law increasing the powers of the Interstate Commerce Commission; a general primary election bill for all state congressional, judicial and county officers; grant-

ing to city councils power to destroy weeds, to clear snow from the sidewalks at the expense of the property; requiring railway companies to pay double damages for stock killed on their roads where they took their cases into court and judgment for the amount asked for is secured; authorizing city councils to fix saloon limits and to summarily revoke liquor licenses for the violation of the laws; providing for supplying the state law library with Supreme Court reports; providing voting qualifications for electors living in school districts which lie in two counties; the employers' liability of fellow servant act; providing for appeals in criminal cases instead of carrying them on writs of error; prohibiting the paralleling of railroad lines within eight miles without the consent of the railroad commission; a general hotel inspection law; empowering county commissioners to appropriate not to exceed \$1,500 for the erection of soldiers' monuments; authorizing the state land department to sell beetle infested pine timber on state land; increase the per diem of judges and clerks of election to \$3 per day; empowering state railway commission to fix railway passenger rates not to exceed 2½ cents per mile; exempting members of volunteer fire departments from poll tax; authorizing circuit judges at their discretion to allow the jurors and bailiffs \$3 per day; granting and dedicating to the public certain lands at Springfield for a street; prohibiting Sunday games and Sunday amusements for which a fee is charged; giving a more liberal construction to the state referendum law; legalizing deeds and other instruments related to real estate transfers by foreign corporations; prohibiting law partners of county judges from practicing in their courts; repeal of the law authorizing cities to sell or dispose of municipal water plants; providing for double damages from loss of property by fire set by railroads if they take the case to court and judgment for the amount asked is secured; increasing annual levies for labor purposes from 1 mill to 1½ mills; providing for loaning sinking funds for incorporated towns; prohibiting the sale of liquor within 300 feet of a church or 200 feet of a school; providing for the transfer of feeble minded and epileptic persons from the reform school to the Redfield Asylum for the Feeble Minded; providing for the protection of all birds in the state, and their nests, with the exception of the hawks and blackbirds; this was called the Audubon Bill; giving electricians power to operate electrical baths for healing purposes; authorizing officers of a corporation to execute any instrument of transfer or assignment; legalizing the transfer of real property by a guardian in certain cases relating only to Indian lands; appropriating money for the publication of a proposed constitutional amendment in 1906; providing by general law, for the division of organized counties under the provisions of the constitution; dispensing with certain acts of administration in Indian land cases; fixing terms of court in the fourth judicial circuit; making it unlawful for a railway company to abandon an established station unless by consent of the railway commission; asking Congress to establish a department of mines and mining engineering; providing for the inspection of fruit trees offered for sale in the state and requiring dealers in trees to give a bond; extending the boundaries of Tripp County north to White River; authorizing a levy of 1¼ mills general state tax to create a fund for a twine plant at the penitentiary; providing for the distribution of money received from the Government for sale of timber on forest reserves, 90 per cent to roads and 10 per cent for schools; authorizing the railway commission to employ expert assistants and find



SENATE CHAMBER, STATE CAPITOL, PIERRE



HOUSE OF REPRESENTATIVES' CHAMBER, STATE CAPITOL, PIERRE

the true cash value of railway property in the state for the purpose of fixing rates; asking Congress for an appropriation of \$3,000 to turn the waters of West Vermillion River into Silver Lake; fixing terms of court in the sixth judicial circuit; limiting the number of saloons in a town to 1 to each 300 inhabitants; fixing terms of court in the first judicial circuit; making clerks of court ex-officio superintendents of vital statistics; requiring a two-thirds favorable vote of the electors of an incorporated town for the expenditure of money for road improvements outside the limits of the state; limiting quasi-criminal cases to three years; providing for protection of parties furnishing supplies or materials for public improvements; authorizing county commissioners to appropriate money to aid county agricultural associations; prohibiting unfair discrimination in prices between different points by dealers in commodities; placing county judges in the list of committee magistrates; granting greater powers to trust companies and protecting them in the use of the name trust; allowing personal service of summons on non-residents without publication; requiring paint to be marked with the formula of the ingredients providing for pure paint and white lead; providing for classification and sale of state lands, a certain per cent to be sold each year until one-fourth has been disposed of; requiring stock foods sold in the state to be labeled with a formula of the contents; making city assessors appointive instead of elective; authorizing cities to install and operate municipal telephone plants; providing for a secretary of the state board of charities and corrections; providing for manner of loaning independent school district sinking funds and the class of securities in which they may be invested; amending the irrigation clause providing for the use of water for power and mining purposes as well as irrigation; requiring the counties to pay expenses of the election of officers; limiting the collection of fees with service of summons without officers; directing the board of regents of education to make selections of lands for the use of the experiment stations west of the Missouri River; appropriating 25,000 acres of endowment lands to the support of the state experiment stations; appropriating money for clerk hire in the department of history; providing limit of time for beginning suit for personal damage; authorizing city councils, school boards and county commissioners to appropriate money for the construction of a sewer at the reform school; appropriating money for the soldiers' home board; providing for grading cream and prohibiting the manufacture of impure cream into butter; dispensing with the probating with non-residents of cities in certain cases; asking Congress to amend the enabling act of the state to allow the lease of more than one section of land to any individual or company for longer periods than five years; providing that certified copies of papers in the department of history may be used as evidence in court; regulating the practice of medicine; allowing certificates to be granted without examination in certain cases; raising the age of consent to eighteen years; repealing the honest caucus law of 1905; providing for protection of quail for five years; fixing punishment for gambling; providing inducements for the sinking of artesian wells upon leased state lands; amending the law allowing the recovery of five times the amount lost in gambling for the benefit of the school fund and placing the beginning of the suit in the hands of the county superintendent of schools; fixing the salary of the clerk of the Supreme Court; providing for compulsory education of Indian children; asking Congress to require that all lumber placed on the market shall be the

same as it is represented to be; asking Congress to appropriate money for the extermination of wolves; amending the laws of 1905 in regard to parties transported to the school for feeble minded; requiring operators of steam threshers to give bonds or take out insurance for fire losses; appropriating money for an addition to the live stock pavilion at Mitchell; appropriating money for the publication of the Supreme Court reports; appropriating money for the expenses of the committee to investigate the fair grounds at Huron; requiring surety companies to deposit with the state treasurer larger amounts. There were a number of other bills which were acted upon during the last few days in the session and which are not included in the above list.

In January, 1909, both Houses of the Legislature took the oath of office, Presiding Justice Haney, of the Supreme Court, swearing in the senators, and Justice Whiting, the members of the House. Both Houses then met in joint session, while the new state officers were sworn in by Justice Haney. Governor Crawford, who was retiring, read his message, which was immediately followed by the reading of the message of the incoming governor, Vessey. At the reception given by the governor, the gathering was the largest of the kind in the history of the state. It was said it required over an hour for the party to pass the reception committee. After the inaugural ceremonies were out of the way, the lawmakers began the active work of introducing bills.

Early in the session Coc I. Crawford was nominated for the United States Senate and the nomination was seconded by practically every other republican member on the floor. At the democratic caucus, Andrew E. Lee was nominated and his nomination was likewise seconded by nearly all democrats present. The vote was strictly on party lines, Crawford receiving the republican support and Lee the democratic. In the senate the vote stood 45 for Crawford and 6 for Lee. The two legislative bodies met in the hall of the House on Wednesday of the first week and Mr. Crawford was declared to be duly elected United States senator for the term expiring in 1915. Senator Crawford was called out and delivered a short, pointed address in which he expressed his appreciation of the honor conferred and pledged his best efforts in the performance of his duties. He declared he had no malice on account of the bitter fight of the campaign and that no one need hesitate to come to him for any favor which they desired at his hand. He pledged his fidelity to the issues of the party which elected him and was heartily applauded.

The first sharp contest was over the question of printing the House Journals, several cutting speeches being made. One of the questions first considered concerned the sale of patent medicines and inquired to what extent they were adulterated and impure. Even on the first day, bills began to be introduced. Another provided for depositories for the state county funds; for pure drugs; for the establishment of a state inebriate hospital at Highmore; for increasing the number of members of the Supreme Court to seven; for a 2-cent railway rate bill; for a bill prohibiting diseased sheep from being brought into the state. It was stated that should the state hospital for the inebriates be established, it should be supported by the saloon license fund. The people of Highmore formed an organization and were prepared to fight for this measure and were willing to pay a considerable sum to secure it.

Other early bills introduced were the following: Providing for five members of the Supreme Court, in which bill an attempt to eliminate the Missouri River as a political dividing line was undertaken; good roads bill carefully prepared in order to avoid the objections which had wrecked the bill of a similar nature two years before; to prevent drinking on railway trains, the bill giving railway train operators police power to prevent such action, and making liquor drinking under certain circumstances a misdemeanor; making gambling on trains a misdemeanor; a proposed amendment to the constitution to allow an increase in state taxes to four mills annually in case that much should be needed; prohibiting the manufacture, sale or offering for sale of cigarettes anywhere in the state; requiring railways to put in track scales and to build and maintain joint stations at railway crossing points; prohibiting owners and stockholders of breweries from taking any part in the retail trade in South Dakota; requiring precinct officers and county auditors to make immediate election returns outside of the official returns.

The Legislature at this time required all lobbies to register and by the middle of January the list was long and ominous. Among those present were representatives of the state dental association; the state veterinarian and the Audubon societies. Bills covering their wishes were being prepared. It appeared that several towns as well as Highmore were after the inebriate asylum. Dell Rapids wanted it. Miller also desired it. There was present during the early part of the session a railroad lobby in anticipation of the important changes in the proposed rate bills. One bill introduced early proposed to create six new counties on the Cheyenne and Standing Rock reservations. At an early date the Senate railway committee reported favorably on the 2-cent rate measure, electric headlight and express bills. Perhaps at this time these subjects were the most important before the Legislature. Another measure a little later was the establishment of a state tuberculosis hospital at Custer. About this time the equal suffrage representatives present expressed dissatisfaction with the resolutions that had been introduced for their benefit, owing to the restrictions and limitations placed upon the voting rights of women. It was not satisfactory to the equal suffrage leaders and had been presented without their sanction and without consulting them. Another early movement was to change the school law in many important particulars, especially in regard to third grade certificates which had been eliminated by the previous Legislature. The new measure proposed to restore third grade certificates.

The resolutions to submit to the people the question of increasing the salary of the attorney general was changed so as to allow the Legislature to fix the salary. This passed the House by a vote of 67 to 33 after considerable opposition.

By the middle of February both houses had settled down to hard work on the numerous bills that had been introduced. The 2 cent rate bill was one of the most important considered at this time. Attempts to postpone action on this bill were made in order to give members time to confer with their constituents during the coming recess. Other members took the position that the people of the state at the polls had decided in favor of the 2 cent rate bill, and that the word of a few constituents during recess should have no effect upon action of members concerning the bill. Other members opposed any action whatever. Other meas-

ures now considered were the following: Memorial to Congress in favor of the 640-acre homestead; a bill making important changes in the clerk forces of the Legislature; a good roads proposition; and the Herd law.

Another measure fought over was a bill to allow attorneys and physicians to use railway passes under certain restrictions. The Senate passed a bill requiring railway companies to report promptly all fatal wrecks to the Railway Commission; authorizing the Railway Commission to appear in cases in which the state was interested; requiring railroads to report to the commission the number of elevators along their lines. R. O. Richards appeared before the election committee with his new primary election bill, which provided for the distribution of state patronage through legal procedure and made other important changes.

Late in February and early in March, 1909, the Legislature considered many important measures, among which were the following: Important changes in the school laws particularly concerning teachers' certificates; a movement for a state tax commission, the members to be three with regular salaries and full powers to examine witnesses and fix values; appropriation bills both general and special; cottages at the Soldiers' Home; an appropriation for the completion of the new capitol building; the adoption of a military code for the state militia; Alexandria became a candidate for the Inebriate Hospital; to prevent the location of elevators to near railway tracks; several initiative petitions were received to submit county option to the people at the next general election. One petition to this effect carried about eight thousand names. By the first of February, about thirty bills affecting railroads had been introduced into both houses. A few were duplicates and the majority were trivial. The only railway bill which had made any progress so far was the 2 cent rate bill and the electric headlight bill. The railways were not making any serious fight against any of these measures thus far. Both houses agreed on fixing February 15th as the last day for the introduction of new bills. An attempt was made to abolish the office of road overseer and to abolish all work to be done under contract. The Herd-law bill came up for consideration again. Early in the session the Senate passed a resolution memorializing Congress for free lumber and timber. A bill in the House to carry out the state request to select lands for forest reserve purposes and another to appropriate money for the manufacture and distribution of hog cholera serum at the agricultural college were discussed. The druggists' association of the state was responsible for the pure drug bill, but it had its enemies and resulted in a sharp fight in both House and Senate. An attempt to place the whole matter under the food commissioner was voted down. Finally the bill with some amendments passed the House by a vote of eighty-eight for and nine against. The House passed the bill to allow terms of court to be held in other places than the county seat. The house committee reported favorably on the Tuberculosis Hospital at Custer and also on the equal suffrage amendment to the constitution. Other bills debated were amending the manner of redemption of property sold on mortgage foreclosure; prohibiting the use of profane and abusive language; calling upon Congress for a constitutional convention for amending the national Constitution to elect United States senators by direct vote; memorializing Congress to make Fort Meade a brigade post; authorizing cities to create park commissions; providing for a state department

of immigration; putting telephone inspection under the railway commissioners. Several important insurance bills were likewise introduced at this time and were being considered. By the 10th of February the railroad rate bill had become a law in this state, having been passed by the Legislature and signed by the governor. It provided for a 2 cent fare on railway ticket books. It was enacted against the better judgment and conscience of a large majority of both House and Senate. Many believed that the rate was too low for the railways of South Dakota at this time. No one wished to oppress the railroads and all decried any popular stampede and looked with regret on any action that was sustained merely by political motives. Others intimated that this action was caused by the protracted fight of the railways against the 2½ cent rate law—a measure of revenge.

The closing hours and days of the Legislature of 1909 were fraught with numerous incidents of interest. The general appropriation bill received due consideration, and before being presented had been agreed to practically by both houses. There were numerous lobbies present, and many special matters were urged by their representatives. The warmest fight of the session in the House was over the Senate bill to give the state an equal number of peremptory challenges with the defense in criminal cases. This was vigorously fought by the lawyers of the House and was opposed by members outside of that profession. However, lawyers were defeated and the measure passed. Special appropriations at this session were looked at with much suspicion. The first one up asked for \$50,000 for buildings at Redfield Hospital. It was defeated, but came up for reconsideration. The next special bill was for an appropriation for extra buildings at the state university. This was likewise checked for a time. Both houses held afternoon and evening session near the close and devoted the morning hours to committee work. In the Senate there was a lively fight over the drug bill. Another in the Senate was over the bill to divide the state into congressional districts. The Senate finally passed a bill to exempt certain railroads in the Black Hills from the provisions of the 2 cent fare law. It also passed a bill to punish the larceny of cyanide products, which bill had been badly defeated at a previous session. The House passed the amended primary law which cut out the double primaries every four years, eliminating county conventions and fixed the primary date in June; allowed nominations in plurality vote; cut out the 30 per cent provision of the old law and prohibited the county committee from filling vacancies on the ticket except in case of sickness or death. Another bill considered authorized cities of 5,000 population or more to create park boards and to grant the power of eminent domain for setting of poles and stringing lines for electric power lines. Another fixed the salary of the secretary of the State Board of Agriculture. Another required a vote of the people before any new state institution could be created. Another regulated the management of farmers' elevators. Others were preventing sales of stocks of goods in fraud of creditors; to commit dope fiends to the insane hospital at Yankton; the anti-treat measure. The cigarette bill was finally passed by the Senate. A resolution in the House provided for the acceptance of the buildings at the Chamberlain Indian School as a gift from the general Government, with a proviso that a state school should be kept in existence there at which Indian children should have free tuition. This measure was abolished by the Legislature. An anti-

trust bill received the favorable consideration of the Senate. A bee inspection bill was considered by the House having previously been passed by the Senate. The telephone companies were placed under the control of the Railway Commission by action of the House.

About the middle of February, 1909, the following were among the important measures considered by the Legislature: The 2 cent rate law with the emergency clause attached. This was signed by the presiding officers of both houses and was promptly signed ten minutes later by the governor. The indeterminate sentence and parole officer bill was duly considered. So was the Carey Irrigation Act, which allowed private individuals to put in irrigation plants and secure land for the purpose. The bill for the tuberculosis hospital at Custer passed the House with but four dissenting votes. The State Board of Charities and Corrections asked the Legislature for \$837,000 for the two years beginning July 1, 1909. This was required for the maintenance and repair of the buildings of the state institutions. Of this total, \$211,000 was for the maintenance of the insane hospital and would come back to the state through the counties. Another question considered was the leasing of state school lands for agricultural purposes. Thus far nearly all the leases were for grazing or meadow purposes. Several members opposed this bill as unwise because they believed it would open too wide a field for the loaning of the school funds. Another bill was to restrict bank loans to three times the capital stock. The bill to reduce the interest on state warrants from 7 per cent to 6 per cent was amended at 5 per cent and thus passed the Senate. At this time the members of the different state boards were assembling at Pierre in order to present their grounds and reasons for the appropriations and other assistance asked for. A maximum freight rate bill was considered. Also one reducing the specific gravity of gasoline; a memorial to Congress setting aside a township in the South Dakota Bad Lands as a national reserve. The Herd law was finally killed in the Senate. A bill in that body provided for a state flag to be a blazing sun on a blue field with the words "Sunshine State" in the arc, the flag to be one and one-third times as long as it was wide. The state tax commission problem received much attention at this time. It was proposed to hold an election of legislative members for four years with one half holding over to be considered as a constitutional amendment. The Senate finally passed the bill locating the Inebriate Hospital at Highmore by a vote of 29 to 16. Another bill gave the state the same number of challenges in criminal cases as were granted to the defense. This bill had been riddled by the judicial committee, but its supporter, Mr. Norbeck, succeeded in carrying the measure through. Several Senate members opposed the good roads bill, among them being Mr. Thorson. In the House an attempt to reverse an adverse judiciary committee report on the bill to allow three-fourths jury verdicts cases, was defeated by the lawyers present who opposed this measure. A bill to protect fur bearing animals caused confusion in the House because it included muskrats. This part was opposed by many members present. The Senate finally passed the House resolution for submitting to the people an amendment to the constitution allowing state lands to be leased for agricultural purposes. Another measure considered was one re-enacting the primary election law to cut out two primaries in presidential years and a few other changes. The House passed the bill making it a misdemeanor to drink intoxicating liquors or

be drunk on a passenger train and giving justices general jurisdiction to deal with such cases. The proposed new Supreme Court districts were agreed upon by the middle of February by the sub-committee. The lines of the proposed districts were changed slightly from those in the original bill. The North Carolina bond bill cut considerable figure at this session. It was finally defeated in the Senate.

The total number of bills passed by the legislative session of 1909 was 261. A few of these were vetoed by the governor. In addition there were several joint resolutions and memorials to Congress, the total number passed indicating that the session had been a busy one. It had been unusually void of exciting events, or any radical factional tactics. Bills which passed were as follows: Legislative appropriation for per diem and mileage of members; to amend the justice's code; to amend the probate code; to create a board of dental examiners and regulate the practice of dentistry; to provide for immediate unofficial reports of primary elections and general elections; the 2 cent a mile passenger rate bill; to hold terms of court in other places than the county seat when the county seat was more than three miles from the railroad; to limit the time of commencing proceedings; to make tax deeds; to prohibit the use of abusive and obscene language; to require the teaching of vocal music in public schools; to require county treasurers to account for interest on public funds; to prevent the adulteration of linseed and flaxseed oil; a veterinarian practice law; to require assignment of tax certificates; describing the manner of redeeming tax properties from sale; to require the employment of teachers on three-fourths petition; to change the name of the Deaf Mute School to the School for the Deaf; to appropriate funds for furnishing the Spearfish Normal; to appropriate money for the land office filing fees; to appropriate funds for per diem and expenses of electors; to authorize county commissioners and town supervisors to establish highways; to regulate the general powers of cities and incorporated towns; to regulate the powers of trustees of incorporated towns; to provide for county aid to county fairs; to regulate the incorporation of independent school districts; to require real estate transfers to be reported to county auditors; to regulate elections in independent school districts; to fix the time for holding court in the Fifth Judicial Circuit; to prescribe form of initiative and referendum ballot; to amend the civil code; to regulate the foreclosure of liens on mining property; relating to the sale of indemnity common school lands; protection of birds and their nests; making the possession of burglar's tools a felony; attaching Meyers County to Lyman County for judicial purposes; appropriation for the National Guard; to regulate the service of summons in justices' courts; to fix the jurisdiction in county courts; to regulate boundaries of school districts including incorporated towns; appropriation to repair Science Hall at the State University; to ratify special assessment against state property in Minnehaha County; to legalize the incorporation of Wessington independent school district; to hold all city and town elections on the same date; to limit jurisdiction of newspaper libel to the county where the paper is published; to establish a tuberculosis sanitarium at Custer; relating to inspection of horses; to define the qualifications of county supervisors; relating to the fees of charitable and benevolent societies; relating to taxation in school districts containing towns; printing appropriation bill; for easement of right of way to isolated tracts of land; to increase the Supreme

Court to five members; to provide for the reincorporation of charitable and benevolent societies whose charters have lapsed; relating to county records; to prevent gambling on passenger trains; to prevent drinking intoxicants on passenger trains; to prevent the use of schoolhouses for public meetings; legalizing courthouse bonds by the City of Woonsocket; to fix the time of court terms in the Eighth Circuit; providing for drainage of state lands; relating to oil inspection; to refund purchase money on illegal tax sale; relating to accounts against incorporated towns; creating a commission to plat grounds at Redfield Hospital; to regulate the issue of school bonds; creating the County of Corson; relating to the conveyance of homesteads; prohibiting the creation of deficiencies; anti-cigarette bill; relating to penalties for refusal to perform official duties; fixing compensation of county commissioners; relating to land marks; authorizing the levy of a 2 mill deficiency tax; amending the primary election law; authorizing electric light and power companies to acquire property under eminent domain; anti-treating law; relating to intoxicating liquors; amendment of hotel inspection law; relating to quit claim deeds; fixing terms of court in the Sixth Circuit; fixing jurors' fees; changing the name of the school for the blind; pure food law; relating to county courts; changing time of tax sales; relating to the collection of city taxes and special assessments; relating to lien lands granted by the United States Government; relating to the Board of Medical Examiners; creating a committee to examine accounts of state departments; relating to the issue of state warrants; relating to dependent, neglected and delinquent children; a new primary election law; appropriating funds for defending railway injunction cases; to establish a live stock sanitary commission; authorizing an involuntary bank deposit insurance association; the appropriation for experiment farms at Eureka, Cottonwood and Harding; to regulate and supervise telephone companies; authorizing the state fair board to acquire property by condemnation proceedings; providing for the disposition of unclaimed dead bodies; to fix salaries of county auditors on basis of valuation; to prohibit abduction, etc.; appropriation to pay assessments for grading streets adjoining capitol grounds; to regulate the salaries of resident officers for the State Hospital for the Insane; appropriation for the manufacture and distribution of hog cholera serum; to require railway stock yards to be equipped with watering troughs and feed racks; to provide for county tree planting and cultivation; to regulate the compensation of registers of deeds in counties having unorganized counties attached to them; appropriation for salaries of two additional supreme judges; amending the session laws of 1907, relating to the place of trial in civil actions; relating to articles of incorporation and the election of directors; authorizing counties of 20,000 population to establish county hospitals; relating to weights and measures; limiting the time for commencing foreclosure of real estate mortgages; to define a punishment for contributory delinquency; to create the office of public building inspector; authorizing cities of 5,000 population to create park boards; creating the new counties of Todd, Mellette and Bennett; to provide for a state dairy expert to prevent adulteration of cream products, creating state health laboratory; providing for a central light and power plant at the State University; providing for an appropriation for the State Board of Agriculture and State Fair; relating to fencing of railroad tracks; uniform rules of court practice act; authorizing railway commissioners in proceedings before the Interstate Commerce Commis-

sion; making defective instruments partial notice in certain cases; legalizing a certain bond issue for the City of Fort Pierre; requiring railroad companies to number warehouses; fixing time within which officers should qualify; electric headlight measure; relating to the government of charitable and penal institutions; county option submission law; relating to the election of county commissioners; limiting the contingent liabilities of policy holders in mutual companies; limiting fire insurance companies, requiring viaducts at street crossings on order of railway commissioners; authorizing acceptance of lands granted to the state by act of Congress; relating to the duties of railroad companies; relating to issue of deeds in foreclosure of mortgages; requiring certificates of inspection and weighing of grain to be forwarded to shipper; prohibiting any person from taking any intoxicating liquors or narcotics on the premises of any state institution; providing for construction of sewers in cities and towns; amending the political code of 1903; relating to salaries of county judges; relating to corporations; defining who should constitute the officers and employes of the Legislature; requiring engrossing and enrolling bills to be done in typewriting; providing for equal number of challenges by the state in the prosecution of criminal cases; relating to the satisfaction of chattel mortgages; prescribing the manner of signing and satisfying mortgages given in part payment of state lands; relating to garnishments; exempting volunteer firemen from poll tax and jury duty; authorizing the sale to the City of Sioux Falls of certain state lands; fixing maximum express rates; a pure food and dairy product law; a standard form of fire insurance policies; relating to municipal courts; providing for the recovery of damage for injury from wrongful deaths; requiring railroads to report wrecks and accidents involving loss of life or injuries; creating the Tenth Judicial Circuit; regulating the incorporation of towns and reducing the number of inhabitants required to incorporate; relating to the admission of evidence of civil procedure; exempting undertakers and embalmers from jury duty; relating to highways on township lines; providing for transcript of records of newly organized counties; relating to the division of organized counties; relating to mortgages and liens on personal property; prescribing the powers and duties of water users' associations; giving boards of control supervision of the printing of their own reports; relating to the organization of Perkins and Harding counties; requiring records of precious metals to be kept by jewelers and dealers; legalizing the issuance of certain bonds in Stanley County; regulating the issue of funding bonds by towns; to prevent trespass on state lands; providing for the transportation of girls to the State Training School escorted by a matron; defining and punishing the crime of receiving stolen products; to provide for establishing highways to avoid bridging; making the permanent printed journals of the Legislature the official record; fixing attorneys' fees for foreclosure by publication; regulating fees of county treasurer; relating to taxation in unorganized counties; consolidating unexpended balances in railroad commissioners' funds; relating to construction of bridges between two or more counties; relating to assessment and taxation; to prevent the introduction of diseased sheep into the state; to prohibit townships from granting license to sell liquors within $2\frac{1}{2}$ miles of any towns which prohibit it; authorizing consolidation of funds of food and dairy commissioner's office; excepting certain railroads from the provisions of the 2 cent rate law on account of heavy grades; to regulate

the loaning of sinking funds of incorporated towns and cities of third class; to enable county treasurers to maintain actions against residents for collection of taxes; to require railroad companies to provide switch lights at night; to regulate the transportation of dead bodies; a general banking law; general insurance law; a uniform educational system law; relating to the State Board of Agriculture; providing an enlargement of the chemical laboratory of the agricultural college; relating to the apportionment and investment of the permanent school fund; to provide for the inspection of bees and prevent disease among them; prohibiting architects on public buildings from accepting commissions from manufacturers or dealers in materials or supplies; requiring railroad companies to install safety appliances on order of railroad commissioners; requiring barrels or packages of oil or gasoline to have test label on them; general game law; to prevent introduction and spread of dangerous insects and plant diseases; defining the South Dakota state flag; relating to valuing policies and regulating life insurance; an anti-trust law; fixing terms of court in three judicial circuits; creating the State Board of Finance; creating two congressional districts; regulating acceptance of gifts to the state; regulating the collection of grants or bequests to the state; relating to the summons of jurors by mail; relating to oil inspection; relating to the management of the state twine plant; requiring bond from public building contractor for payment of labor and material; repealing the nursery act of 1907; to prevent persons not dealers from selling or giving liquor to persons on a black list; attaching Perkins and Harding counties to Butte County; fixing salaries of state's attorneys.

At the legislative session of 1911 the new State House was occupied for the first time. There were present 45 members of the Senate and 104 members of the House. C. J. Morris of Minnehaha County, was unanimously chosen speaker. Mr. Issenhuth, of Redfield, had been candidate, but retired when he saw that he could not be elected. Judge Whiting, of the Supreme Court, administered the oath of office to the newly elected state officials in the Hall of the House of Representatives. A. J. Lockhard, of Deuel County, was made president of the Senate. Immediately the committees were appointed and the Legislature prepared for business. A notable feature was the absence of any considerable body of lobbyists. However, one was present representing the anti-saloon league. It was noted at this session also that the glory and glamour of the old days when the railways controlled the legislatures had departed forever. It was declared that the Legislature of 1911, for the first time in the history of the state, was wholly free from corporate influence. There were present no railway lobby as of old. It was noted that the speaker was not even given the usual advice as to whom he should appoint on the various committees.

Among the important measures first considered were the following: A tax and assessment system; improved educational code; change in primary law; enlargement of the powers of the railroad commission; additional insurance law; a movement in the direction of better roads; to amend the constitution in regard to the initiative and referendum; consideration of telephone matters; an improvement to the game laws and the appropriation bill.

Late in January, 1911, the Legislature considered the following measures: Regulating the sale of concentrated commercial feeding stuffs and stock foods; defining the duties of the food and drug commission; providing for pure seed

offered for sale within the state; requiring express companies to pay double the amount of damage from injury or loss of property committed to them for transportation by express in certain cases; for a new well at the university; recreating the office of the commissioner of immigration; this office had been abolished by the Legislature of 1909; creating an immigration bureau with a chief to be appointed by the governor; a new primary bill which placed the county boards in charge of primary elections.

Early in February, 1911, the following measures were being considered: To make all poor farms of the state ex-officio experiment stations; a bank guaranty proposition; Richards primary law; the saloon issues which included the anti-treat bill and increased the license fee; an electric headlight measure; the Bigelow election bill. The railways made a strong fight against the electric headlight bill. They contended that as the bill had lost at the election of last fall, the measure really was not wanted by the people. The railway men assumed that the state had already expressed themselves against such a law. The Cone publicity bill provided for the printing of a large number of legislative bills; regulating the speed of autos in passing teams; requiring the amount of the debt to be shown in mortgages; a Sunday observation law; to prohibit the shipment of liquor from a wet town to a dry town; building of a governor's mansion at Pierre.

About the middle of February the following measures were being discussed: A public utilities bill, the object being to put all public utilities of the state under the control of the State Railway Commission; to create a commissioner of noxious weeds; also one to provide for poorhouse and jail inspectors for the state; the Soldiers' Home investigating measure. By the middle of February very few bills had been passed, but a large number had been introduced and the bulk of the work therein was yet to be done. As usual, both houses at this time began to devote their sole attention to the consideration of the measures. Most of the work in committee had been done and the severe work now of battling for and against the bills on the floor was about all that was left to be considered. The governor immediately signed the daylight closing saloon act about this time, the measure having gone through quickly when it was once taken up. The forced closing of the saloons at 9 o'clock was one of the hardest blows that had been struck in the state against the liquor interests up to this time.

Other measures considered late in February were those to make every Saturday afternoon in the year a legal holiday; to change the salaries of county judges; to appropriate funds for the office of state food and drug commissioner; to provide damages for trespass of animals; to improve the service of the state dairy department by the employment of a state dairy expert; to prevent the adulteration of milk, cream and dairy products; to regulate the manufacture and sale of dairy products; to require the publication of all constitutional amendments and print laws in pamphlet form and to send them out to the voters of the state; the vote on this bill was 76 for and 2 against in the House; to appropriate \$2,500 for continuing farmers' institute work, the balance of the fiscal year; this was defeated in the Senate; to provide for 1,500 candle power headlights to railway locomotives; to repeal the law locating a contingent insane asylum at Watertown; to repeal the state wolf bounty law; to repeal the free range law; to provide that the circuit judge might commit to the insane

asylum any defendant acquitted on a criminal charge where the defense was insanity; up to this time, upon the trial of such cases in circuit courts, the judge was obliged to turn the defendant over to the insanity board for a decision in the matter and they could, if they so found, turn the defendant loose, or the judge could take such action himself.

Late in February, 1911, both houses were working all day and part of the night on the large number of bills which were yet to be disposed of. It was noted that both houses turned down many measures which their friends had supposed would surely pass. The slaughtering process began the last week in February and many pet measures were deliberately sacrificed. It was stated that the members who had waited until the latter half of the session to introduce their measures in order that they might slip them through under cover and thus have a record on which to go back to their constituency, were doomed to see such measures defeated without mercy. The early bills were the ones that received greatest consideration. The members looked with suspicion on all bills (except their own) that had been introduced at the last minute.

The bill for the protection of fish evoked considerable debate in the House, and when it finally passed it was riddled, and transformed to a considerable extent. The bill which required the publication of the proceedings of the school boards of cities was defeated in the House. There were present at this session four persons who were present at the first session of the State Legislature. They were Lieutenant-Governor Byrne, Senator Cone, Representative Wolseuth and Representative Frank Trumbo.

During the few closing days of the session the House fought for fifteen consecutive hours over a few items in the general appropriation bill. The only relief from this strain was the closing hilarity invariably present during the last few hours. It was stated by the newspapers that this legislative session was without a parallel since the beginning of statehood in several important respects. It was the first session at which there had been no organized following. The Senate had been more dignified than ever before. The House had been at times convulsed with spasms of reform or personality, but as a whole both houses had been unusually orderly and regular. However, one unusual circumstance militated against the rapid consideration of bills. Groups would form for the support of a bill, but perhaps when the next measure came up an entirely different group would be prominent. There was considerable log rolling at this session. No great measure had been considered unless the Richards primary bill could be so considered. Individual bills or bills for the benefit of certain localities were numerous and pronounced.

During the closing days politics cut much more of a figure than it had during the opening weeks. Particularly were all features of the Richards primary bill represented by factions who believed that improvements could be made to the proposed measure. Certain features were strenuously opposed and some changes were made in the original document. The House apportionment bill caused a sharp fight from several counties, the representatives of which did not believe they were receiving due consideration. Many amendments were moved, particularly by Mr. Berg, of Minnehaha County. However, the bill as reported by the commission prevailed in the end because it had the backing of the majority of the members. For the time the rain of amendments fell heavily be-

cause Messrs. Browne, Whiting and others proposed many changes after Mr. Berg had been defeated in his demands. The House refused to pass the primary bill, which was a copy of the law proposed by Mr. Richards, but the initiative petition was approved and thus the measure was placed before the state under that provision of the constitution. The new game code was finally killed in the Senate. The new board of control bill was passed with an emergency provision. There was also passed the new congressional apportionment bill which divided the state into three districts, but it carried the provision that until the state should be granted three congressmen they should be elected at large as at the present time.

A surprising fact at one time was the strength that was mustered in the House against the special appropriation for buildings at different state institutions, additional structures for various uses. It was claimed that in the House there was forty members in a combine and that if they had held together they would have stopped the passage of any special appropriation. In the Senate there was a wordy contest over the same particulars. Mr. Wyman took the position that while the state might have many institutions, more than it really needed, it would be like a man with a large family of children. He might have more than he wanted, but he had to support them just the same; so should the state support its offspring.

The Legislature killed the bill for the recall of state officers including judges; repealed the anti-treating law; defeated the hatpin measure which was regarded much as a joke; passed the good roads bill, but submitted the measure on the initiative to be voted on by the people at the next general election; ratified the income tax amendment; amended the commission laws pertaining to cities so that the majority of selections must follow a distinct advancement along the line of good government; spent a lot of time and money over measures that did not amount to much; did not amend the state primary law to put an end to minority selections, a false step which meant the selection of United States senator in 1912 with 20 or 25 per cent vote of one party; made no progress in the matter of raising the percentage required to invoke the initiative and referendum and this was a plain neglect of the best interests of the state; failed to act on the matter of publicity of referred laws whereby the newspapers thereafter would not publish the text of the laws; did not keep the platform pledge to do away with the publication of insurance statements; killed the resolution on the matter of Canadian reciprocity in which everybody was much interested; killed the bill of reducing the board of women inspectors of the state institutions to one member; did not reduce the number of members of the board of charities to three, and failed to reduce materially the number of paying offices in the state.

The Legislature enacted many measures among which were the following: Protection of antelopes; the daylight saloon law; to expedite the apprehension of horse thieves; storm insurance by county mutual companies; changing food and dairy to food and drug department; amending the law relating to the sale of adulterated foods; to refund tax to the Plankinton Telephone Company; regulating pool halls; repairing state fair buildings; fixing terms of court in the Sixth District; relating to the adulteration of linseed oil, per diem salary for legislators; annexing Todd County to Tripp County for judicial purposes; amending the irrigation law; relating to the transportation of school children; consolidation of state taxes to the credit of the general fund; uniformity of edu-

cation; preventing interference with electric apparatus; reimbursing owners of glandered horses; rotation of names on primary ballots; employes liability act; concerning terms of court in the Ninth Circuit; providing for electric locomotive headlights; taxes delinquent July 1st, when the records are destroyed; relating to bills of exceptions; making it unlawful to wear national guard uniform unless under orders; creating State Board of Finances; a good roads bill; relating to vacancies on district school boards; surety bonds for county treasurers; interpreters to receive \$5 per day; tuition for eighth grade graduates; publication for poor farm statements; Indian agents to acknowledge deeds; compulsory education of deaf and blind; relating to admission of pupils to deaf school; concerning transfer of land at Lake Kampeska; relating to parole of prisoners; preventing hypnotism of children; collection and payment of drainage assessments; publication of expenses of drainage proceedings; clerk to sign papers in advance of insurance commissioner; notes as security on insurance policies; telephone companies assessed by state board; same of telegraph companies; regulating veterinary practice; placing telephone companies under railroad commission; creating the Eleventh and Twelfth Judicial circuits; recognizing the insurance department; relating to testimony of husband and wife; regulating lease of school lands; judges to send insane defendant to asylum; minors barred from pool halls; indeterminate sentences of convicts; loaning of county sinking funds; serving summons in civil actions; relating to reports of county superintendents; expenses of the Soldiers' Home investigation; Federal Court evidence made admissible in state courts; providing terms of court in the Tenth Circuit; expense fund for the railroad commission; circuit courts to settle affairs of defunct companies; survey of townships for taxation purposes; fees of savings and loan associations; sale and conveyance of public properties of counties; money for the conveyance of convicts to prison; issuance of certificates to school teachers; concerning salaries and expenses of judges of the Eleventh and Twelfth circuits; money for the drainage of school lands; payment of expenses of Supreme Court judges; payment of sewer tax in cities; enlarging the powers of bank examiners; relating to the organization of trust companies; a 2 mill tax levy for deficiencies; Fall River Experiments Farm; relating to railroad crossings; county administration farms; relating to shipments of cream and milk; publication of notice in probate court; money for the deficiency in state house maintenance fund; protection of big game; relating to election of directors of corporations; service of process on foreign corporations; election precincts; births to be reported within thirty days; regulation of insurance companies; apportionment bill; taxation of fire insurance companies; transferring money into special militia fund; prohibiting the construction of paralleling railroad lines; relating to abstracts of title; school electors in cities; defining the word "closed" as used in connection with saloons; 1 mill tax levy for publicity by cities; relating to stock insurance companies; permitting boards of supervisors to open drainage ditches; relating to church insurance; defining duties of food and drug commission; soldiers home civilian managing board; drainage of school lands; terms of court in the Eighth District; location of county seats; issuance of bonds in organized counties; money for improvements at Eureka Experiment Farm; a science hall and heating plant at Springfield Normal; city councils empowered to construct levees, etc.; relating to county hospital; sale of glandered horses or

animals, prohibited; providing three congressional districts; railroad commission to fix express rates; standard dictionary and globe for each school; relating to trespass on state lands; organization and control of banks; hospital of Redfield Institute; counties to furnish seed grain to needy farmers; girls' cottage at Plankinton Reformatory; dormitory and heating plant for Spearfish Normal; experiment farm at Vivian; money for the State Board of Health; distribution of forest reserve fund; uniform system of accounts and vouchers; county treasurer to select city and school tax; relating to the creation of corporations; probate judge not to try cases in which he is interested; money for the attorney general's office; creating County of Ziebach; sinking funds of school districts to be invested in warrants; establishing courthouse building fund; money for the well at the state university; providing for fireproof prisons; suitable cabooses for freight trains; 10 per cent permissible under certain conditions; publication of lists of adulterated food; county auditors to make official election returns; water rights bill; relating to the care of insane; to prevent obstruction of streets; appropriating small sums for numerous deficiencies; terms of court at other places than county seats; disbarment proceedings; summoning jurors by mail; relating to issuance of tax deeds to counties; relating to judgments by Supreme Court; publicity of legislative acts; registration by names for farms and ranches; incidental funds for Insane Hospital; manner of listing personal property; appropriation for improvement of School for Deaf; organization of co-operative corporations; court expenses in disbarment proceedings; relating to independent school districts; fixing terms of court in the Seventh Circuit; same in the First Circuit; creating immigration department and code for commission governed cities; repealing the herd law; appropriating \$20,000 a year for the capitol commission; relating to the adulteration of cream and milk; the Richards primary initiative petition; money for the Cottonwood Experiment Farm; money for the administration building at Agricultural College; insurance companies to settle losses within sixty days or pay 10 per cent bonus; general appropriation bill; county aid to agricultural fairs; providing a San Francisco exposition commission; relating to the payment of deposits in two names; renting value of warehouses on railroad property; regulation of hotels; registration of voters; relating to construction of bridges.

The following joint resolutions were passed: Concerning gross earnings and net income tax; copies of the revised laws of the state to be in state schools; Soldiers' Home investigation; legislative hand books; legislative blanks; ratifying proposed Sixteenth Amendment to the Federal Constitution; placing North Carolina bonds in the general fund; requesting Congress to enlarge Fort Meade; concerning Gettysburg veterans to be sent to the Fiftieth anniversary celebration; providing a railroad code; prohibiting unfair competition; appropriating \$45,000 for Aberdeen Normal; providing an artesian well at the State Fair; appropriating \$18,000 for printing reports; appropriation for maintenance of State Fair; providing a heating plant for the Gary Blind School, also a dormitory for the same; appropriating \$1,200 for organizing new counties; money for the capitol building deficiency; heating plant for Madison Normal; appropriation for improvements at the Insane Hospital; creating the office of executive accountant; relating to tax deeds; amending laws relating to municipal courts; forest fire fighting fund; money for maintenance of tuberculosis sanitarium;

the island bill; manner of determining the population for basis of county officers' salaries; publication of statements of boards of education; members of county mutual insurance companies may amend articles of incorporation; printing of the session laws; registration of voters at party primaries; buildings at Insane Hospital to be fireproof; cost of treatment at tuberculosis hospital.

In the spring of 1911 the attorney-general held that the new game law was not a law at all, regardless of the fact that it received the signatures of the officers of both legislative houses and was approved by the governor. As a matter of fact, the bill had been hurried through and had not been duly considered near the end of the session. No doubt many of the members had slight knowledge of its provisions. This was one of the faults of the method of rushing bills near the close of the session. Officers of both houses signed bills automatically and clerks very often did work required of the members themselves. It was during the rush hours that unsuitable measures were invariably crowded forward and passed. Another so-called law was to increase the salary of Superintendent Meade of the Insane Asylum from \$2,500 to \$3,500. The House passed the bill at \$3,000 and the Senate increased the amount to \$3,500. A conference committee fixed the figure selected by the Senate, but the law filed in the office of secretary of state placed the salary at \$3,000 instead of \$3,500. Also the bill provided for a deficiency in transporting prisoners to the penitentiary and the amount necessary was fixed for the vouchers. At the same time \$3,000 was asked to meet such bills in the future. The one actually introduced however asked for only \$2,000 additional and was \$1,000 short of the deficiency. Also in providing for the salaries and expenses of the judges of the newly created Eleventh and Twelfth circuits up to the first of July, the total appropriation did not equal the itemized statements and thus the judges were left short of what they expected and had a right to receive. In another case there was a difference in the emergency clause on the bill between the two houses. The conference committee reported it should be placed on the bill. Both houses accepted the report and both laws were filed in the office of the secretary, but did not show any such appendage. These were a few of the troubles attending the rush always incident to the close of each legislative session. In one instance, a bill was sent to the governor for his signature and yet it had not passed the Senate. In 1911 it was shown that the state had two laws identical upon the same subject in regard to the plea of insanity for defense in criminal actions, providing that in case a defendant should be acquitted on the plea of insanity, his condition should authorize the court to commit him to the hospital for the insane until he became sane.

There were no striking events when the Legislature assembled in January, 1913. P. J. Tscharnier of Perkins County, was elected speaker, and Senator Hoese of McCook County, president pro tem of the Senate. Present were all the candidates for the United States Senate. The message of Governor Byrne was read and appreciated. It was observed at this time by the newspapers that Governor Vessey had spent most of the past year away from the capital attending to his own private business.

In January, 1913, the Legislature determined to investigate the printing department of the state. The legislative investigating committee was instructed to visit the penitentiary at Sioux Falls. C. A. Christopherson acted as counsel for

the committee. About this time one of the senators was openly accused of soliciting a bribe, and a committee was appointed to investigate this and other cases. This committee reported a number of irregularities in the management of the state offices, and recommended generally that the investigation be continued by a special commission. This session appropriated \$60,000 for the State Fair at Huron. A liquor or saloon bill was introduced and considered at this session. It provided that there should be one saloon to every 600 population, and that the maximum saloon license should be \$1,100. The printing investigation aroused great interest as the work advanced and the faults were disclosed. It was at this session that the Legislature made a forty-day limitation for the introduction of resolutions, measures and bills. On February 11th Governor Byrne signed the law creating the tax commission. It had the emergency clause attached and therefore became a law immediately upon being signed by the governor. The work of this commission was looked forward to by the whole state with the greatest interest. The railways had made a determined fight against the tax commission bill and measure, but had failed to prevent its passage. The reactionaries generally assisted in the fight against the bill. Governor Byrne said, "No man in this state who wants to pay his taxes is opposing this bill." In February, R. O. Richards appeared before the Ways and Means Committee to oppose the tax commission measure. Many of the wealthy corporations of the state attacked the bill. Generally all concerns that had escaped their just taxation fought the measure. Late in February Governor Byrne said, "The influences which are opposing this bill have today sent emissaries to Pierre to lobby as they did six years ago in an effort to avoid being taxed, and to discredit my administration, because I was nominated directly on the issue of tax commission to remedy the present inequalities in the tax system."

At this session there was a fierce fight of the saloon element over the bill to allow only one saloon to every thousand city or town population. On February 17th a petition with 800 signatures was filed with the Legislature asking for the initiation of a law providing that if saloons were once voted in a community they should remain there until they were voted out. This meant the reversal of the existing law which required that saloons should be given the consent of the voters once a year in order that they might remain in business. In the end the saloon bill failed to pass. This Legislature ratified the proposed amendment to the Federal Constitution for direct election of United States senators. The Panama-Pacific Exposition bill was killed. The printing investigating committee showed great waste of money, carelessness of officials and rapacity of state printers. The bank guaranty law was defeated. Among the subjects investigated was that of double salaries. The committee reported that the adjutant general had been slack in his duties and that the secretary of state had been careless. This Legislature protested to Congress against the abuses co-incident with the system of employing special agents in homestead cases, whereupon Congress, in April, ordered a special investigation and appointed an agent for the work.

For progressive and constructive legislation it was admitted at the close of the session that the General Assembly of 1913 broke all records. Nearly all of the recommendations of Governor Byrne were enacted into law. Two of his recommendations were evaded, namely, the bank guaranty law and the public

utilities law. In March, W. M. Johnson was appointed by the governor at a salary of \$2,000 per year to be deputy printing commissioner, with the governor as an ex-officio member of the commission. Before this date the state had no official whose duty it was to take charge of the printing department and be responsible for the expenditures. The tax commission bill was fought desperately by all large moneyed interests of the state, particularly by the big mining companies from the Black Hills. The powers of the railroad commissioners were enlarged so that they could fix the physical valuation of telephone companies. A corrupt practice act which was very drastic was discussed. Many constitutional amendments were prepared for submission to the voters, among which were suffrage for women, a state board of control, constitutional convention, consolidation of the boards of the state institutions, consolidation of the board of health and the board of medical examiners, consolidation of the four live stock boards, the new one to be known as the Live Stock Sanitary Board, the warehouse receipt bill, and the bulk sales bill. Thus the proceedings of the assembly of 1913 were very important, were revolutionary in fact. The penitentiary was investigated and found not irregular; printing was investigated and found very irregular; the double salary charges were investigated and found to exist; the commissioner of school and public lands was found seriously at fault; all of this investigation resulted in the passage of a bill to appropriate \$12,000 for a state commission to further investigate all departments of the state government. The bribery charge against a senator was bared at this time. In the insurance investigation nothing seriously wrong was disclosed.

At the legislative session of 1913 a committee consisting of Allen Bagne, Walter M. Cheever and R. F. Lyons was appointed to investigate the condition of the various state institutions and offices and make report to the next Legislature. This report showed that the following state offices were investigated. Secretary of state, commissioner of school and public lands, attorney general, superintendent of public instruction, state treasurer, board of railway commissioners, board of health, board of charities and corrections, school of mines, soldiers' home, tuberculosis sanitarium and Spearfish Normal School. Owing to lack of time only those institutions against which complaint had been made were investigated by the committee. Of the office of the attorney general the report had this to say, "The pay of \$1,000 per year for the attorney general is a disgrace to the state and the salary should be increased to \$5,000 per year." Fault was found with the automobile incident in the office of the superintendent of public instruction. They reported that the railway commission was cramped for lack of funds. In regard to the Spearfish Normal the report showed that the state treasurer held unjustly several hundred dollars belonging to the athletic fund of the school and would not return it. The complaint at the soldiers' home was found to be due to the parsimonious treatment accorded many of the old and decrepit inmates who suffered seriously thereby. It was also shown that old soldiers of other states came to Southwest South Dakota and there remained one year to gain a legal residence, after which they promptly applied for admission into the home. They found that the complaint of excessive cost per pupil at the school of mines was well founded, but that the charge was necessary owing to the limited number of students who attended that institution. In regard to the interest on state funds deposited in banks and held by former state

treasurers, they found John Schamber held \$41,613; C. B. Collins, \$51,469; Kirk G. Phillips, first term, \$25,396; second term, \$26,496; and T. E. Cassill, \$50,000. In the department of school and public lands the committee reported that certain sums over and above their salaries had been paid to the clerks in the department for extra work. One commissioner declared that this was "a practice which had become customary not only in the office of the commissioner of lands, but of several other offices of the state." The committee reported that this looked "too much like cutting a melon." They called attention to the shortcomings of the Brinker administration, which resulted in his resignation and trial.

By early in February the Legislature had settled down to the consideration of many bills. There were numerous caustic tilts over amendments to old bill wordings and to new bill measures, but as a whole there were offered no serious objections to the submission of any bill to the vote of the members. The negotiable instrument law attracted considerable discussion in the House. The Senate struggled over the bill to prohibit false and fraudulent advertising, and both Houses debated seriously the resolution memorializing the interstate commission to investigate coal rates from Wyoming coal fields to South Dakota railway stations. One bill called for an appropriation of \$25,000 annually for farmers' institutes. Another authorized counties to make tax levies for demonstration farms, and another provided for a cattle feeding experiment station in Butte County. One established a state board of control instead of the three boards then existing, to have general charge of all state institutions. Another authorized the calling of an outside judge to sit on the supreme bench in case one of the judges of the court was an interested party. One asked for the expenditure of half of the state school money collected by lease in the district in which it was collected. Aberdeen representatives were present working with both Houses for a measure to require the state board of regents of education to establish certain courses of the collegiate grade in the normal schools of the state. This was a policy which the regents thus far had steadily refused to concede, demanding that the normal schools be devoted to normal school work exclusively and that courses of study which would put them into the university class should be kept out of such institutions. Several of the investigating committees just appointed were busy at this time, taking the testimony and preparing for revolutionary proceedings if necessary.

Early in February there was a sharp contest for a few hours over the bill which gave the court power to enter judgment in certain cases regardless of the verdict of the jury. Several members claimed that this was an attempt to transgress the right of trial by jury. Another stir occurred over the bill concerning cement contracts. The judiciary committee had reported adversely on the ground that in their belief it was unconstitutional. It was declared, however, by good lawyers that the bill would stand any test in the courts, and accordingly it was placed on the calendar. The negotiable instrument law was considered in committee of the whole House.

In the Senate there was a close contest over the bill to prohibit false and fraudulent advertising. This resulted in the appointment of a committee of three to recast the bill. There was likewise in the Senate considerable discussion over the resolution memorializing the Interstate Commerce Commission to investigate

coal rates from the Wyoming coal fields to South Dakota. In the Senate three new agricultural bills were introduced at this time, one appropriating \$25,000 annually for farmers' institutes, another authorizing counties to make tax levies for demonstration farms and another providing a cattle feeding experiment station in Butte County. Three new constitutional amendments were presented in one day, as follows: One providing for a state board of control to have general charge of all state institutions in place of the three boards now operating; one calling on an outside judge to sit on the supreme bench in case judges were interested parties, and another asking for the expenditure of half of the state school money collected by lease in the district in which it was collected.

In an investigation made early in 1913 by Prof. R. F. Kerr, of Brookings, it was learned that since statehood twenty-eight amendments to the constitution had been submitted to the voters, of which several were repetitions, especially in regard to prohibition, suffrage, and raising the salary of the attorney general, thus leaving the total number of different subjects seventeen. Of these, two were defeated, one was resubmitted and eleven were rejected on the first vote. Eleven laws had been referred and of these five were voted down. Three laws were started on their way through the initiative, only one of which was accepted by the people, being that of the new primary law of 1912. Out of the eleven laws referred six were sustained by the vote of the people and five were rejected. The headlight laws was first rejected, but at the next election was adopted. The same fate befell the state dispensary constitutional amendment. Later, with reverse action the people adopted it at the first vote, but with no attempt on the part of the Legislature to pass an act putting it into effect. When submitted the second time it was voted down by a large majority. Before 1900, when the amendments were submitted on a general ballot, the average vote on such amendments was 53 per cent of the total. The highest vote ever received on any one amendment was on the capital removal resolution on which over 90 per cent of the voters expressed themselves. On moral questions after 1900 the average per cent was from 86 to 87. On railway questions the vote was from 83 to 89 per cent. For increasing the salary of the attorney general the vote ranged from 76 per cent on the first vote to 80 per cent on the later votes.

At the legislative session of 1913 among other measures considered were the following: To strike the circle from the head of the ticket and thus compel voters to express their individual preference down the entire line of the ticket; providing a penalty for giving or receiving anything of value for signing a referendum petition for the purpose of enacting a law or stopping the effect of legislation; an appropriation to send a number of old soldier participants to Gettysburg battlefield reunion in 1914; the names of 115 of such soldiers were mentioned at this time; requiring the appropriation committees of both Houses to report the general appropriation bills not later than the forty-fifth day of the session through the general bill. For the first time in the history of the state, an equal suffrage resolution passed the Senate without a fight, there being only two votes recorded against it. The Legislature considered a bill for the repeal of the compiled laws of 1903 and the session laws of 1903-11 inclusive in order to begin all over again at this session with legislation for the state, on the theory that by such action many enactments which were of little or no value would be eliminated and the state could work under a complete code of laws newly

framed with all the non-essentials stricken out and all the valuable measures retained. Another bill repealed the state wolf bounty provisions and placed all bounty rewards in the hands of the county alone. Several maintained that this would place too heavy a burden on the western counties and should be shared by other counties, because all parts of the states suffered more or less from the attacks of wolves on live stock. Another bill provided for a four-year term for legislative members, the question to be submitted to the voters at the next general election.

In 1913 the state railroad commissioners and the Black Hills Horticultural Society assembled at Spearfish to devise means whereby the apple growers in the western part of the state could ship their fruit to market in the eastern part of the state without loss and at a profit. It came out at this meeting that 31,000 boxes of apples were grown in and around Spearfish in 1912, many boxes of which rotted because the freight rate was prohibitive. Mr. Peters of that region paid \$210 on each of three cars of apples shipped from Spearfish to Pierre. This was higher rates than carloads of apples could be laid down in Pierre from New York or the Pacific Coast. These rates were prohibitive to the growing of fruit in the Spearfish region. The railroad commissioners and the fruit growers of the Black Hills region asked the Legislature for suitable laws to remedy this condition of affairs.

At this session Sunday base ball and Sunday moving picture shows received due consideration. Base ball enthusiasts for a number of years had demanded a change in the law so that ball could be played on Sunday, and now moving picture people demanded similar changes. A resolution to investigate state printing costs and the charges of excessive bills therefor early passed. The law as it stood required the governor to report to the state auditor within ten days after the 1st of October of each year the names of any state officer or board which had not filed an official copy of his or their report in the hands of the governor, and it then became the duty of the state auditor to refuse to issue any warrant for the payment of salaries or expenses of such office or department until such reports should be filed. The state government thus far had not attempted to carry out the law. At this session the commissioners of the larger counties of the state asked for a change in the law in regard to compensation of boards of commissioners in counties of certain geological size or of certain population which would require a large share of the time of the officials to conduct properly. Other bills introduced were the following: Counties to construct and townships to maintain highways; granting volunteer fire companies 1-cent rate to tournaments; giving laborers lien on threshing rigs for wages; fixing compensation for transportation of school children; a general uniform negotiable instrument act; providing methods of laying out railways; fixing compensation of officers in cities under commission form; fixing jurisdiction of county courts in relation to dependent children; fixing terms of attendance at the state school for the blind; adding restrictions to the state anti-gambling act; preventing anyone from drawing two salaries from the state at the same time; providing for private farm crossings over railway tracks; providing penalty for selling glandered horses; establishing a state humane bureau and defining its power; fixing fees of witnesses in circuit court the same as jurors; providing for the abandon-

ment of drainage districts; submitting a constitutional amendment for four-year legislative terms; an equal suffrage amendment.

For some time at this session the state printing proposition engrossed the attention of the Senate. The resolution provided for a committee of sixty-three from each house to investigate the charges made against the department. Amendments and substitutes were offered, but finally the resolution was changed so as to allow the presiding officer to appoint the committee. Thus amended, the resolution carried. Other bills and resolutions introduced early in the Senate were as follows: Fixing the duties of the state food and drug commissioner; amending the age of consent law; allowing proof in court of previous character; limiting appeals to cases in which the amount involved was not more than \$50; requiring all fees from any source paid to state officers and boards to be paid into the state treasury; repealing the codes and starting with a new set of laws; appropriating \$3,000 for farmers' institute work; requiring warehouse men to file bonds; providing regulations for county mutual insurance companies; providing manner of submission of the liquor license question; memorial to the Interior Department asking for modification of leasing plan for Indian lands; providing for the creation of irrigated districts by constitutional amendments and allowing them to use their credit for construction work; memorial to Congress asking for presidential primary elections.

At the legislative session of 1913, nearly 1,000 bills were introduced, of which not quite four hundred were passed and became laws. The Iroquois Chief of March, 1913, said in this connection: "The people were not demanding a single new law and not over a dozen new measures were needed, yet the Legislature put 400 new laws on the books and some of the members thought there was a crying demand for 1,000. Legislation of this character is worse than useless and it is silly. Very little thought or study is given to the proposed laws and in many cases a measure that passes by a big majority one day will be reconsidered and defeated the next day by as large a majority as it was carried. What kind of laws can be expected from a body of 150 men who have 1,000 bills to consider in sixty days. The system is wrong. One plan that would help matters would be to cut down the membership of the Legislature to one-half, raise the salary to \$600 for a term and take off the time limit, allowing the members to stay in session until their work was thoroughly performed. The results of this plan, if adopted, would be much more satisfactory than the present risk of undigested laws."

There was a more or less extensive feeling over the state in 1915 that the present method of passing laws by the election of a Legislature under existing conditions was a farce and a travesty upon good government. The body was too large to begin with, was too unwieldy, was immersed in politics and contained too many incompetents. They passed laws that nobody wanted and failed to pass laws that the state imperatively demanded. To secure the passage of needed laws required a body of men who could confer together and reason unselfishly and logically upon the subject before them and then act solely for the public good. Under the existing system, it was declared, there were too many speeches, too many gangs for this and that, too much filibustering, too many empty words, and too much valuable time wasted. It was believed by many that some way should be devised to secure a more effective body of lawmakers.

It was contended that the Legislature did not believe that people were competent to decide what they wanted. Numerous papers throughout the state at this time pointed out the defects of the existing legislative system. Attention was called to the filibustering, delay and corruption in the Legislatures of Iowa, Kansas and other states. The same condition was declared to exist in South Dakota. The Deadwood Times declared that twenty-five men could do the state's law making much better and in shorter time than did the present membership. That paper said: "No one seriously disputes this, yet nobody with power to act has taken the lead in this important reform. It is simply applying the commission form of government to states, and that would do for the state what it has done for the cities. When we get it through our heads that democracy can prove its claims to superiority as a system of government as it has its superiority as a principle of government, only by being efficient and accurately registering the public will, then we can talk of political schemes of multiplied offices as exemplifying popular government over the transom." Commenting upon this article the Daily Capital Journal of Pierre said: "The Times is right in stating that we need only one body, but that body ought to be a commission which would be in session all the time with authority to revise and enact legislation. There would not be near the trouble in law making, neither would there be near the number of mistakes made in creating laws under such conditions. Create a commission and give the people the power to recall, and the legislation will be more effective and likewise more reasonable."

The Legislature of 1915 was well satisfied with what they had accomplished, but much fault was found throughout the state over many useless bills and much wasted time upon extraneous and unnecessary matters. Bills were not passed purely upon their merits, but for various other reasons, among which were favoritism, log rolling, political pull, corruption, etc. Much fault was found with the fact that the emergency clause of the constitution was called in operation, not because there was an emergency, but because, by using it, as was alleged, laws which might be objectionable could be put into immediate operations. The Legislature had power to determine whether an emergency existed. This was provided by the constitution. In a case before the Supreme Court, counsel argued that what might be deemed an emergency was purely a legislative question and it was for the Legislature to determine what circumstances, conditions or facts constituted an emergency. This position was sustained by Justice Corson who said: "It seems to have been universally held under constitutions containing an emergency clause and providing that laws containing such a clause shall take effect as therein directed, that the action of the Legislature in inserting such a clause is conclusive upon the courts." This emergency clause was put in operation on the new primary law in 1915. As a matter of fact hundreds of laws passed by former Legislatures, after the Supreme Court decision of 1901 above referred to, with the emergency clause attached, did not need such a clause and did not embrace such an emergency. There was much difference of opinion over the state concerning the judgment of the Legislature in deciding whether a real emergency existed or whether the clause should be attached for ulterior purposes. At the 1911 session there were enacted 265 laws, of which 129, or 35 per cent, were classed as emergency measures. At the 1913 session there were enacted 371 laws, of which 105, or 35 per

cent, carried the emergency clause. At the session of 1915 there was a strong sentiment against the attachment of the emergency clause unless a real emergency and not a theoretical one could be shown to exist.

The Legislature of 1915 considered 745 bills and joint resolutions, and among many others enacted the following into laws: Legalizing a cottonwood experiment farm in Haakin County; levied a sewer tax for the state university; appropriated \$55,000 for a new building at Madison Normal; made an appropriation for maintaining the free library commission; appropriated \$65,000 for an addition to the main building of the Aberdeen Normal; appropriated \$74,606 for legislative expenses; appropriated \$20,000 for the improvement of the capitol ground at Pierre; made liberal appropriations for various repairs and improvements at all of the state institutions; appropriated \$50 to cover the expenses of burying each old soldier; appropriating \$2,000 for the artesian well at the Springfield Normal; appropriated varying amounts for glandered horses killed by the state veterinarian; appropriating \$1,000 for a reference library for the attorney general; appropriating \$22,000 for the extension of the wall of the penitentiary farm; appropriating \$2,000 for the live stock cottonwood substitution; prescribed the steps in taking tax deeds; required protested taxes to be paid before action; providing that the general assessment act should be prepared by the tax commission; concerning the cancellation of tax sale certificates after the statute has run against them; extending the powers of tax commission; requiring the amount of the state tax to be specified on each tax receipt; giving the attorney general \$100 a month expenses, concerning the care and prudence in driving an automobile; an initiative bank guaranty bill; administration bank guaranty bill; relating to the records of stock banks; transferring the custody of the capital from secretary of state to the governor; concerning taxes of capital building lands; leasing of school lands for agricultural purposes; for state wide prohibition; permitting the Legislature to fix the compensation of public officers; for equal suffrage; permitting religious corporations to hold meetings anywhere in the state; a uniform blue sky law; procedure for organizing building and loan associations; fixing grounds for habeas corpus proceedings; fixing terms of court in the Eleventh Circuit; placing of trial of civil action; terms of court in the Sixth Circuit; supplying justices with books on justice practice; expenses of circuit judgments; terms of court in the Seventh Judicial Circuit; same in the Fifth and Ninth circuits; procedure on appeal; transcribing records in counties divided by popular vote; qualifications of county officers; methods of fixing salaries of county officers; procedure for organization of counties; letting contracts by counties; creating commissioner districts in new counties; attaching Washabaugh to Jackson for judicial purposes; attaching Haakon and Jackson counties to the Twenty-fifth Senatorial District; requiring commissioner districts to be created on equal population basis; limiting traveling expenses of county superintendents to \$300; defining general powers of county commissioners; providing compulsory deposit of county funds; authorizing the establishment of courthouse building funds; providing deputy county supervisors; fixing \$600 as the minimum salary for state's attorneys; for the transportation of school children; relating to the education of Indian children; how to divide school districts; compulsory education sixteen weeks' attendance each year; condemnation of school sites; concerning school taxes of territory

not organized for school purposes; consolidation of school districts; procedure to purchase school lands for schoolhouse sites; making first certificates good for high school teachers; concerning renewals, validation and revocation of teachers' certificates; relating to the return of election poll books; procedure of direct election of United States senators; restoring circle of official ballot; elections in commission governed cities; school bond elections; return of publicity pamphlet money unexpended to candidates; establishment of election precincts; methods of submitting laws; measures and constitutional amendments; appointment of clerks of election; amendment to Richards primary law; nonpartisan judicial election; reviving Crawford primary election with registration feature; providing that food and drug commissioner should inspect restorations; loitering on fair grounds a misdemeanor; providing five assistant game wardens; fish screens in irrigation districts; general protection for game fish; permitting game warden to offer rewards for violations; prohibiting hunting on state game preserve; protecting non-navigable streams; prohibiting the practice of hypnotism; regulating the sale of wood alcohol, naphtha, etc.; authorizing the board of health to return fees in certain cases; regulating mausoleums; prohibiting the sale of narcotic drugs; regulating the sale of commercial feeding; laying out county highways along state lands; repealing the right to plant timber along highways; repealing the Richards information bureau law; permitting county mutual insurance companies to insure urban property; extension of corporate existence of county mutuals; investment of the funds of mutual life insurance companies; farmers elevator and creamery companies to form mutual companies; uniform marriage licenses; the 1909 miner's lien law reinstated; fixing salaries of city officers in different classes; divorced mothers eligible to mother's pension; town treasurer to receive 2 per cent of moneys for handling same; five-eighths of residence free holders necessary to increase incorporated town assessments; third class cities may abolish municipal court; defining municipal street improvements; city to provide courthouse site; municipalities to levy tax for musical concerts; municipalities to keep sinking funds invested to operate electric light plants and to buy and sell electric current; capital punishment abolished; horse traders and gypsies made vagrants; newspaper libel only for actual damage in libel action; penalty for grand larceny reduced to five years in the penitentiary or one year in the county jail; shirt factory labor abolished; wife desertion made a felony; third degree forgery defined; anti-cigarette laws for minors; procedure for removal from office for malfeasance; general stores permitted to handle common poisons; estates of indigents liable for their support; five year limit for payment of land purchased in probate; estates to be settled by depositing in escrow claims of absent creditors; executor must elect between compensation provided by law and by will; grain and cattle scales supervised by railway commission; railroad commissioners to investigate on their own initiative; townships to drag roads; automobile license fee of \$3 to be used for county roads; holder of legal title to school land to receive school land patent; second lessee must pay 95 per cent of value of improvements on school lands; counties to receive 5 per cent of school fund for handling same; fire marshal, food and drug commissioner and state veterinarian must attend the state fair; three years' residence in the state condition precedent for admission to the Soldiers' Home; inheritance tax code; county auditors' salaries; general assessment law; speedy

hearing to be had for admission to the Custer Tuberculosis Sanitarium; county subject to 3 per cent per month penalty for delinquency in delivering fees for tuberculosis patients; salary superintendent of the department of history \$2,000; private persons may require railroads to put on track scales by paying for same; warehouse receipts to be redeemed at terminal elevator; structures along track must be sufficient distance apart to prevent fire hazard; warehouses must give minimum \$2,000 penal bond; Congress memorialized to develop navigable streams; mortgage not good on non-existent property.

An important measure considered at the legislative session of 1915 was whether to hold a constitutional convention or not. A joint resolution introduced by Senator Whittemore called for the holding of such convention. It was duly considered by the Legislature, but was defeated in the end. Many people throughout the state believed that South Dakota was entitled to a new constitution, but many hesitated to go to the expense because they believed the state could get along pretty well until finances were in still better condition. Furthermore, the mass of the people were afraid that the new constitution might be much worse than the old one. All admitted that a constitutional convention would correct many wrongs and annihilate many laws which were of no practical use.

The Fourteenth Session of the Legislature was unusual in several particulars. The work was notably characterized by the absence of partisan or factional encounters or disputes. Very few freak bills found their way out of the committee rooms. The introduction of unnecessary bills was constantly and consistently discouraged. As a result the bills introduced numbered 200 short of the total number introduced at the preceding session. There was not a fight, as was usually the case, over the organization of the House and the session closed without a serious political contest over any question. From a political standpoint, the most important work of this Legislature was the adoption of a substitute for the Richards primary law. The measure adopted finally was the same as the statute which was displaced by the Richards law with the addition of a party registration measure. This bill was passed as an emergency measure. Immediately after the session a movement to have the law declared invalid was inaugurated by Mr. Richards and his adherents. It was questioned whether the Legislature had the right to repeal a law secured by the people through the initiative. The Supreme Court decided that the Legislature had power in this case. At this session also a new partisan judiciary law was adopted. The ballot law was likewise amended to restore the party circle at the head of the ticket. The bankers guaranty law was one of the most important measures passed. It was not radical, was aimed to secure the co-operation of the bankers and was not seriously opposed by the banking fraternity. Resolutions to submit amendments calling for state wide prohibition and for state wide suffrage were discussed with considerable emphasis and some feeling, but both were finally adopted. The opposition did not desire to have these issues go before the people, owing to the strong adverse majority registered against a similar movement a short time before. The decision to do away with capital punishment was regarded as an advanced step in the management, control and treatment of convicts. Another radical step in court procedure was the provision that five-sixths of a jury in civil cases could determine the verdict. There was passed also a constitutional amendment concerning the tax commission's plea for a classification of property

for taxation to be submitted to the people for ratification. Other notable measures fully discussed at the session of both houses were a law to prohibit the sale of habit forming drugs, blue sky law, liberalization of the libel law and an anti-cigarette law.

CHAPTER VII

RAILWAYS, TELEGRAPHS, TELEPHONES, GOOD ROADS, EXPRESSES, ETC.

Late in the '80s the Farmers' Alliance was a powerful influence in South Dakota. Its object may have been right, but many of its methods were impractical and occasioned considerable hardship. It assumed an attitude of hostility to all capitalized organizations in the state, particularly against railways, declaring that they were not sufficiently taxed and that they escaped the assessor. In 1888 their attitude was so severe that the railways at times talked of stopping the service unless their attitude was altered or their attacks were withdrawn. They insisted that the railways should be not only more severely taxed but that their rates for freight and passenger traffic should be reduced. This occasioned a strong remonstrance from the railways, owing to the continued restriction. Col. J. H. King was railway commissioner in 1889.

At this time the trade of the Black Hills went almost wholly to Omaha and Chicago. Owing to lack of railroad connections with eastern South Dakota, that portion of the state received no trade from the Black Hills. This occasioned millions of dollars' worth of lost trade to the eastern half of the state as well as to the Black Hills. It would have paid Dakota Territory to have built as early as 1880 at least one railroad line from east to west across the state. Had it done so the road would have paid for itself in a short time, and the vast trade of the Hills which went east would have come to the towns and cities in eastern South Dakota. In all probability had this been done the present cities east of the Missouri would have become much larger than they are at present and the state itself would have been advanced from 15 to 20 years in settlement and progress. Of course, a railway across the state east and west would have had to cross the great Sioux Reservation, but this right could easily have been secured by treaty. The railways themselves did not care to make this venture. The Northwestern succeeded in reaching the Hills through Nebraska, and the Milwaukee system was not ready to proceed further west. Thus the two sections of the state remained isolated from each other, unable to assist in growth and development, though each made strenuous efforts to people their sections and to induce railway companies to extend lines across the great reservation.

When the great Sioux reservation was opened to settlement in 1890, it was believed by everybody that at least two railway lines would be extended westward to the Black Hills, one from Chamberlain and the other from Pierre. It was further believed that a little later another would be extended westward from the Missouri River across the northern part of the state, but as time passes these projects remained unacted upon and the country west of the Missouri

without railroads continued unsettled and was given over to ranges for the cattle men.

The old railroad law of Dakota Territory computed railroad taxes on a basis of gross earnings. The settlers, though really opposed to this plan, did not make an open fight against it, but remained silent in order not to antagonize too severely the railway companies which were aiming for this part of the country. The value of railroads was recognized as indispensable, and accordingly the people were willing to favor the roads in any reasonable way in order to secure the services.

"The Northwestern now has a road into the Hills. The Burlington system also had a road into the Hills; a line from Sioux City via Niobrara is now being surveyed to the Hills; the Union Pacific has long been figuring on a road into the Hills from the south; while the Milwaukee system is surveying and must complete a line to that country within the next year or two. With the business of the Hills divided up among these different roads there is no inducement for the Northwestern to spend \$2,000,000 in bridging the river and building a duplicate trunk line to the Hills.—Huronite, August 19, 1890.

As early as 1890 the small road built by the Homestake Company was in operation in the Hills. The Hills community formed a wonderful microcosm of their own. For a number of years they had no railways whatever, but reached the outer world by stage coaches and wagon trains. They first began railroad building from one point to another in the Hills. This gave them great facilities for carrying on mining operations, and accordingly built up the Hill section with population at so rapid a rate that the large mining companies found it imperatively necessary to construct short lines that would unite the principal cities and communities of the Hills section.

Immediately after the state was admitted, all authorities agreed upon the importance of advertising extensively at once the resources of the state, the desirability of living here, and the ease with which a comfortable living could be made. The railways were induced to advertise in their circular those advantageous features which would apparently attract settlers. The artesian wells and their splendid water were thus described and the circulars of the companies carrying the news found their way to all parts of the world.

In 1892 the Yankton & Norfolk Railway was projected. This movement was greatly aided by John T. M. Pierce. For five years previous to 1893 a road had been contemplated from Sioux Falls to Yankton. In 1892 largely through the influence of Senator Pettigrew, this project was revived and strengthened. Another railway project at this same time was one connecting Yankton, Kearny and Sisseton. H. J. Rice was at this time chairman of the State Board of Railway Commissioners. From his report it is learned that on June 30, 1891, there were 2,679 miles of railway in South Dakota, of which 182 miles were built during the year ending June 30, 1891. The capital stock of these railroads amounted to \$340,000,000. At this time the Deadwood Central or Narrow Gauge was in operation and the Forest City & Sioux City was projected. In the fiscal year 1890-91, four new railways for South Dakota were incorporated. At this time an electric railway was planned from Deadwood to Lead, Terra-ville and other cities. With this electric system F. A. Burkick was prominently connected. The Sioux Falls Western Railway Company was organized in

August, 1892, at Sioux Falls with the following directors: Melvin Grigsby; C. A. Jewett; J. T. Corson; C. E. Baker; C. E. Johnson; J. H. Chapman; G. H. Brace; E. B. Meredith; and D. L. McKinney. Mr. Grigsby was elected president of the directorate, and at once commenced the work of grading between Sioux Falls and Yankton and Sioux Falls and Madison.

In 1893 the state was divided into three railway districts and a commissioner for each was appointed. In October, 1893, the Great Northern completed its line to Yankton, and upon the arrival of the first train there a great celebration took place. On September 10, 1893, track laying on the Sioux Falls and Yankton branch was completed within sixteen miles of Yankton. This line was then known as the Yankton & Southwestern Railway. The first trains over this line ran to Yankton in September. The Great Northern was competing for the trade of Southeastern Dakota at this time. It finally reached Yankton with its first train on October 14.

In January, 1893, Governor Sheldon in his inaugural message expressed the opinion that should the Legislature make the railway commissioners elective, the act would undoubtedly transfer the whole subject to the province of politics and to other undesirable fields of interference and distraction. The republican state convention had recently and officially declared in favor of this movement. It now remained for the Legislature to take pronounced and specific action against such proceedings, said the governor.

The following table shows the railroad companies that were doing business in South Dakota in 1893, together with their mileage and their assessments as equalized by the state board:

Companies	Mileage	Assessment
Chicago, Milwaukee & St. Paul.....	1,091.69	\$3,768,436
Chicago & Northwestern.....	929.16	3,182,115
Grand Island & Wyoming Central.....	133.20	406,053
Cedar Rapids, Iowa Falls & North Western.....	82.76	276,435
Black Hills & Ft. Pierre.....	42.10	142,320
Chicago, St. Paul, Minneapolis & Omaha.....	88.20	317,520
Dubuque & Sioux City.....	14.95	62,720
Wilmar & Sioux Falls.....	24.31	80,223
Duluth, Watertown & Pacific	69.84	209,520
Great Northern	99.25	337,450
Wisconsin, Minnesota & Pacific.....	38.84	97,100
Sioux Falls & Terminal	7.01	17,525
Sioux City & Northern	7.25	23,367
South Dakota Rapid Transit	7.25	5,075
Madison Water Line	3.5	2,625
Forest City & Sioux City.....	16.5	13,200
Watertown & Lake Kampeska	5.6¼	2,812

All the roads except one showed during the previous fiscal year gross earnings considerably in excess of the operating expenses. The Grand Island & Wyoming Central showed gross earnings of \$195,953 and operating expenses of \$252,877.

In 1894 the Burlington & Missouri River line was being extended from the Black Hills and Spearfish terminals to a junction with the North Pacific in Montana. Late in 1894 the Hot Springs and Wind Cave Railroad, twelve miles

in length, was incorporated with a capital of \$150,000. In 1894 the railways resisted the levy of a sinking fund tax made by the counties through which they extended. They brought suit against Faulk County to prevent the accomplishment of this object. At the legislative session of 1895 the House voted against the railway bill by 18 to 38. The movement of the grangers and of the farmers' alliance and other retrenchment organizations against the railways and for economy put all the railways on the defensive and they therefore immediately organized strong lobbies, employed able lawyers and fought for their rights.

The report of the state auditor in June, 1895, showed that the Pullman Palace Car Company and the Wagner Palace Car Company had small interests in the state and hence they were taxed on only a small valuation. The former ran cars through Fall River, Custer, Pennington, Lawrence, Lincoln and Minnehaha counties and the latter ran cars through Beadle, Hand, Hyde, Hughes, Meade, Custer, Fall River, Pennington and Lawrence counties. The express companies doing business in the state were the Great Northern, Adams, American and United States. The largest amount assessed against either was \$17,506 against the American.

In 1898 the railroads of the state possessed property of great value, and the roads themselves exerted a powerful influence in manipulating state affairs and in shaping legislation. They steadily evaded and successfully resisted laws that were passed for their regulation and control. It was admitted at this time that the railroad question was one of the most important and difficult yet remaining for the people to settle and adjust. It was believed that they did not bear their full share of the burden of taxation. However, it became known that the total value of the railroad property of South Dakota companies in 1898 was over thirty million dollars, and that it was assessed at a little over nine million dollars. Thus it was strangely claimed by the state authorities that the railroad assessment was not high enough. On the other hand railroads consistently maintained and justly so, that their assessment was as high as the average throughout the state. Many realized that the railroads in coming through the new state had worked at a disadvantage and been subjected to enormous outlays, and the people justly believed that they should be favored not only with low taxation, but with the privilege of charging more for their services than was paid by companies farther east. One provision of the law which applied to railroads but did not apply to any other class of property, was the course or custom of taking into consideration the earnings of the roads as well as their values. This was believed to be unjust by many in the state. The state auditor asked that this provision of the law be repealed, because the state board had no means of learning the earnings of the road except from their annual statements, and these statements were regarded as practically worthless for the purposes of ascertaining the correct valuation. Most of the companies refused to place any valuation on their main lines, but usually placed a fair valuation on their side tracks, buildings and equipment. One company in 1898 reported that its depots were worth four times as much as its rolling stock, more than five times as much as they were in 1897, and yet did not add a single mile of track to its main system. The companies in computing their earnings did so upon the mileage basis, which was unfair to the state, and their con-

clusions in this particular were useless to the state board in determining the earnings. Other defects in the railroad law were pointed out by the state auditor.

The Chicago, Milwaukee & St. Paul Railroad in this state was taxed \$106,779.06 in 1898. This was 5.79 per cent on their total earnings of \$1,844,118.67. They claimed that the tax was 18.36 per cent on their net earnings, that since statehood their average assessment in this state was 5.88 per cent, and that on the net earnings it had averaged 22.84 per cent per annum. They claimed that their operating expenses in this state in 1898 was \$1,178 per mile and in 1899 was \$1,254 per mile. The operating expenses per mile of the North Western Road in 1898 were \$1,249 and in 1899 were \$1,238 outside of bond interest. The latter road claimed earnings of \$1,147 in 1898 and \$1,215 in 1899. The Milwaukee showed earnings of \$1,675 in 1898 and \$1,855 in 1899. The Elkhorn showed earnings per mile of \$2,095 in 1898 and \$2,108 in 1899, while their operating expenses per mile were \$2,023 in 1898 and \$2,064 in 1899. The Winona & St. Peter division of the North Western, with a length of 34.48 miles, showed earnings of \$12,756.17 in 1898 and \$13,808.65 in 1899, with operating expenses of \$1,220 in 1898 and of \$1,229 in 1899. Proper railroad valuation and assessment at this time was an important question both in politics and in commerce.

In 1899 William Plankinton, a wealthy citizen of Milwaukee, was president of the Western Portland Cement Company of Yankton. He owned at this time large interests in railroads, banks, lands and packing projects in South Dakota. In 1899 the Forest City and Sioux City line between Forest City and Gettysburg was graded and put in order for operation.

In 1899 the following railways were in operation in this state: Black Hills & Fort Pierre; Burlington, Cedar Rapids & Northern; Chicago, Milwaukee & St. Paul; Chicago & Northwestern; Chicago, St. Paul, Minneapolis & Omaha; Illinois Central; Forest City & Sioux City; Fremont, Elkhorn & Missouri Valley; Grand Island & Wyoming Central; Great Northern; Wilmar & Sioux Falls; Madison Water Line; Sioux City & Northern; Sioux Falls Transportation; Sioux Falls Terminal; Watertown & Lake Kampeska; Minneapolis & St. Louis; Wyoming & Missouri River. The assessments on these roads per mile varied from \$2,625 to \$5,850. The branches of the Chicago, Milwaukee & St. Paul line were as follows: Iowa & Dakota Division; Running Water-Eden Branch; South Minnesota; Madison Branch; Hastings & Dakota; Whetstone Branch; Fargo Branch; James River Branch; Edgerly Branch; Bowdle Branch; Orient Branch; Sioux City & Dakota Branch; Armour Branch; Sioux Falls Branch. The branches of the Fremont Elkhorn & Missouri Valley were as follows: Narrow Gauge; Black Hills Division; Hot Springs Branch; Minnellsota Branch. The branches of the Chicago & Northwestern Railway were as follows: Winona & St. Peter; Dakota Division; Watertown; Oaks; Groton; Watertown & Gettysburg; Southeastern; and Yankton. The branches of the Grand Island & Wyoming Central in South Dakota were as follows: Narrow Gauge; Nebraska to the Wyoming boundary; Edgemont to Deadwood; Spearfish; Hot Springs; Great Northern extension from Aberdeen to Breckenridge and another out from Huron.

In September, 1899, the Milwaukee Company began the work of extending its line from Yankton to Charles Mix County. About the same time the Minnesota & South Dakota Company, of which Marvin Hughitt was president, filed articles of incorporation and prepared to build twenty-six miles of line of which seven were to be in South Dakota. In September, 1899, the Milwaukee "broke dirt" on the Charles Mix County extension.

It became manifest late in the '90s that South Dakota would have before many years a material reduction in its railroad rates. The populists had early started this crusade for lower railroad rates, and the movement continued after they had been retired from state control. Credit for the movement was also due to the men who advanced money to sustain the state when the appropriations had been exhausted. Likewise newspapers and public speakers who had fought for a reduction for several years were given credit. In the settlement was the act of Judge Carland who really suggested how the railroad problem should be and could be handled. Further help was given the movement also by Governor Herreid and Senator Kittredge who finally completed the movement and set it in operation, but this board of railway commissioners missed fame, popularity and power by not effecting anything beyond repeated procrastination.

The first line of railway to give the Black Hills relief and provide it with an opening to the commercial world was the old line from Valentine and Chadron and from Ainsworth and O'Neill to the Black Hills directly from Norfolk and Omaha.

In December, 1901, there was a conference of governors at Helena, Montana, in regard to railroad matters generally. Governor Herreid and Attorney-General Pyle were there to consider the interest of South Dakota. It was planned to consolidate the Northern Pacific, Great Northern and the Burlington Railway properties. South Dakota was not as much interested as Minnesota was, because the effects of the consolidation would be mainly in Minnesota and farther west than Montana.

During 1901 short extensions of the Northwestern were made in the Black Hills. This system also acquired a few of the old railway organizations in that portion of the state. A loop thirty miles long into Campbell County for an extension of the St. Paul, Minneapolis & Sault Ste. Marie to the Missouri River near the northern line of the state was planned. There was also projected a line from Evarts on the Missouri River to Butler, Montana, with a branch extending to the Black Hills. There was also planned a branch of the St. Paul Minneapolis & St. Louis line from Aberdeen to Bismarck.

In 1900 and also in 1901 Sioux Falls and a considerable portion of the eastern part of the state were interested in the railway project which contemplated the construction of a line from Sioux Falls to Madison. The Sioux Falls council appropriated \$10,000 for the purchase of the right of way.

In 1901 a branch of the Fremont Elkhorn & Missouri River line was projected into Gregory County with terminus at Bonesteel. This extension was demanded by the proposed early opening of Rosebud Reservation. About the same time the Milwaukee line extended a branch from Eureka northward across the state to connect with the Northern Pacific at Linton in North Dakota. This line also projected an extension to the Black Hills.

In the spring of 1901 the Franklin electric road was projected in the Black Hills. A franchise was given by the Deadwood city council and the electric company prepared to start the line from near the smelter in the first ward thence passing through Main street. It divided, one branch passing up Poor Man's Gulch to Lead via Central City and the other branch going up White-wood Gulch via Pluma. It was planned to secure right of way from Lead; and the other principal Hill cities were expected to grant franchises as soon as the lines could be extended.

In several of the counties west of the Missouri River the legislative campaign in 1902 was conducted largely upon the issue that a railroad would be built by the state from the eastern to the western boundary, if certain important results ensued in the political field. While the demand for this road was impracticable, the agitation demonstrated that the first desire of the range country was for a railroad.

In November, 1902, the Railroad Commission reported that the railroads of the state had enjoyed during the past year a season of unprecedented prosperity, and that South Dakota had contributed generously to the earnings of the railroad companies operating within its borders. The total mileage of all state railroad companies reported within the state was 3,056.04 miles. This was an increase over the former year of 48.18 miles. The gross earnings of these roads in South Dakota during the year as reported to the commission were \$5,354,334.26, and for the year 1901 were \$4,614,879.10. This did not include the earnings of the Burlington & Missouri River Railroad Company within the state. The total taxes paid in South Dakota during the year ending June 30, 1902, by all railroads operating in the state, amounted to \$284,641.79. The one paying the highest tax was the Chicago, Milwaukee & St. Paul, the amount being \$110,871.30. The next highest was the Northwestern, which paid \$71,799.44. The roads paying these taxes were as follows: Chicago, Cedar Rapids & Northern; Chicago, Burlington & Quincy; Chicago & Northwestern; Chicago, St. Paul, Minneapolis & Omaha; Chicago, Milwaukee & St. Paul; Dubuque & Sioux City; Fremont, Elkhorn & Missouri Valley; Great Northern, (Duluth, Watertown & Pacific and Wilmar & Sioux Falls); Minneapolis & St. Louis; Minneapolis, St. Paul & Sault Ste. Marie; and Wyoming & Missouri River. During the year 43.38 miles of new road were constructed, a part being on the Fremont, Elkhorn & Missouri Valley on the extension of the Minneapolis, St. Paul & Sault Ste. Marie and on the Burlington & Missouri River.

In 1902 the railroads of the state were better equipped than ever before. Generally the roadways were well graded, bridges were in good condition, highway crossings were satisfactory, lines were better fenced than before, station houses were neater and cleaner, drinking water was provided, station platforms were kept in repair, stock yards were in better condition, freight cars were kept in good repair, passenger coaches were improved, and, as a whole, South Dakota railroads were in excellent condition.

The rapid development of electric railways in the country generally was finding its way into South Dakota. Recently the B. & M. V. line between Deadwood and Lead was transformed from the steam railway to an electric line. Other electric lines, particularly in the vicinity of Sioux Falls and else-

where in the Black Hills, were projected at this time. An important feature connected with the railroads was the merging of the various lines for mutual benefit and profit. This often resulted in much better profit, service and equipment.

At the close of 1902 the following railway companies were operating lines in South Dakota: Burlington, Cedar Rapids & Northern; Burlington & Missouri River; Black Hills & Fort Pierre; Chicago & Northwestern; Chicago, Milwaukee & St. Paul; Chicago, St. Paul, Minneapolis & Omaha; Dubuque & Sioux City; Fremont, Elkhorn & Missouri Valley; Great Northern; Duluth, Watertown & Pacific; Wilmar & Sioux Falls; Sioux City & Northern; Sioux Falls Terminal; Wisconsin, Minnesota & Pacific; Watertown & Lake Kampeska; Deadwood Central; Forest City & Sioux City. The latter two had thus far paid no taxes. During 1902 the Forest City & Sioux City road was idle. The Duluth, Pierre & Black Hills road had been graded about sixty miles near Aberdeen and about fifteen miles near Pierre. The Dakota, Wyoming & Missouri River line had been graded twenty miles out from Rapid City. During the year the Burlington & Missouri River line was extended into Deadwood and was being pushed rapidly to other parts of the Hills. By June 30 the branch from the main line to Hot Springs was completed and in operation. The Fremont, Elkhorn & Missouri Valley Company was extending from Buffalo Gap to Hot Springs and from Whitewood to Deadwood and the same line was constructing grades in every available place in the Black Hills. Heavy grades were also constructed during the year by the Fremont, Elkhorn & Missouri Valley Company and by the Burlington & Missouri River Company. They bridged almost impassable gulches and climbed apparently inaccessible summits. The Black Hills & Fort Pierre Company completed a line to Piedmont, a point on the Fremont, Elkhorn & Missouri Valley line within fourteen miles of Rapid City. The Deadwood Central extended a line a short distance up Ruby Basin. The Twin City & Northern line was constructed from Sioux City, Iowa, to Garretson in Minnehaha County.

The following new roads were incorporated after November, 1900, and before the close of the fiscal year 1901: The Watertown, Sioux City & Duluth line, extending from Watertown in South Dakota to Wahpeton in North Dakota, length 125 miles; the Rapid City, Missouri River & St. Paul line, to be constructed from Rapid City to St. Paul, Minnesota, length 500 miles; the Sioux City, Madison & Northern line, to be constructed from Garretson in South Dakota to Minot in North Dakota, length 440 miles; the Dakota, Wyoming & Missouri River line, to be constructed from Rapid City to Mystic and from Rapid City to Pierre, length to be 100 miles. As a whole the railroads of the state in 1902 were in good condition, paying large dividends, and were contributing goodly sums for the support of the state. The condition of the warehouses along the roads was reported fair by the railroad commissioners. The rules, storage bonds, storage rates and receipts were fairly satisfactory. The commissioners during the year settled a number of important disputes, among which were that the companies had closed certain depots and would not receive freight and passengers at specified time; that one company had refused to allow a street to be opened across its right of way; that shipments had been carried beyond their point of destination and returned in bad condition; that

certain stations had been closed wholly against the wishes of the adjacent citizens; that excessive rates were charged on the shipment of household goods; that warehouse companies had charged excessive sums for storage of grains and other products; that necessary highway crossings petitioned for to the railway companies had been neglected or refused; that warehouse sites on certain roads had been refused; that certain towns had been avoided intentionally upon the construction of certain lines; that the railway companies generally practiced discrimination to the injury of many producers; that depots were inconvenient and ill fitted for the accommodation of the public; that stock yards at numerous stations were insufficient to meet the requirements; that seventy-three complaints were filed owing to a shortage of cars for grain shipments; that other car shortages were of frequent occurrence during critical periods of shipment; that shipments of fuel and other supplies into Dakota were held up by car shortage. The railway commissioners reported that many of these complaints, although just, could not well be remedied by the railway companies. For instance at certain periods the shipment of grain was so great that it was practically impossible to supply the cars necessary to market the crop within a short time. They gave facts and figures showing that in one day near Huron there was marketed 29,000 bushels of wheat and that for several weeks there was not a day when the receipts fell short of 12,000 bushels. The same was true at the time of cattle shipments. The commissioners held that the railroad could not be expected to make phenomenal shipments even to please the producers.

In 1903 an extension from Woonsocket to Wessington Springs, a distance of sixteen miles, was projected. In March, 1903, articles of incorporation were filed for the construction of an electric road from the Black Hills up the Spearfish Valley to connect Spearfish, Lead, Deadwood and Belle Fourche. This company was capitalized for \$2,500,000. In March, 1903, articles of incorporation were filed by the Wyoming & Black Hills Railroad Company. It was capitalized for \$2,000,000. Louis C. Twombly was president and manager. The line was about one hundred miles in length, partly in South Dakota and partly in Wyoming. This year there was a call all over the state for a railway at the earliest possible moment from the Missouri River to the Black Hills, extending out either from Chamberlain, Pierre, or Forest City.

Early in 1904 the farmers of Day and Codington counties organized for the purpose of constructing a railway about fifty miles long from Watertown to Webster, which they called the Webster & Veblen Railroad. It connected those two towns. It was capitalized for \$500,000 and was estimated to cost \$150,000.

It was maintained at the time and was no doubt true, that one reason why the railways were not anxious to construct extensions in the state west of the Missouri River was due in a large measure to the agitation of the capital removal question. It might mean a great difference to the interests of the railroads, should the capital be removed from Pierre to Huron, Mitchell or Redfield. It made little difference to the Black Hills region, but the railways themselves were much interested because they desired to have the state capital on their own lines. Early in this century the entire Black Hills region made special effort to kindle an interest in all parts of the state over an extension of some line westward from the Missouri River to the Black Hills.

In 1904 Senator Dolliver of Iowa suggested a plan for the State of South Dakota to build a railway from the Missouri River to the Black Hills and then lease it to an operator. This plan of operation had been previously suggested by the newspapers of Sioux Falls and other cities of the state. There were many advocates of this plan.

By 1904 North Dakota was still under the influence of railroad politics, but in that year appeared signs of revolt. Thus far there had never been an election in North Dakota that was not under the influence of railway corporations. The Sioux Falls Daily Press of November 30, 1904, said: "North Dakota had been bound to the corporation wheels since long before it achieved statehood. The chief argument on the part of the South against the admission of the whole of Dakota as one state was the subserviency of the northern portion to the Northern Pacific Railroad and it was upon that issue that the territory was cleft in twain. * * * If North Dakota arises against railroad domination the movement will amount to an insurrection. People who have suffered long and vainly know what is the matter with them and when the crisis arrives, Alexander McKenzie's bugle blast will hardly be worth one thousand men."

During 1904 twenty odd miles of railroad were built in South Dakota on the line from Sioux Falls to Colton. This was an independent line. In the palmy days of the railway ring which ran the politics of South Dakota and directed all improvement affairs of the state, it was customary for the public men to quietly submit to the powerful demands of the companies. It was declared that Senator Kittredge was the tool of the railroad corporations. Whether he was the tool or the firm friend might make a difference in the light of history. He certainly fought for the railroads upon the avowed ground that they alone would build up the state and that South Dakota would retrograde if the roads were not assisted to the extent that they were warranted in extending their lines and continuing business. His friends and the railways denounced the attack and declared that the attitude of Mr. Kittredge toward the railways was abundantly justified by the imperative needs of South Dakota.

In March, 1905, it was announced that the Milwaukee road intended to commence at once to construct an extension across the great Sioux Reservation from Chamberlain to the Black Hills. This announcement had been made so often in the past and the announcement had just as often been proved false that at first the people accepted it with all due grains of allowance. In fact no one believed it at first, although in every heart arose the hope that it might be true. However, the railway company continued preliminary work such as surveys, bringing forward supplies and constructing an approach to the Missouri River at Chamberlain. On March 22 work on the proposed line west of the Missouri near Chamberlain was ready. Actual work was commenced at Chamberlain on April 18. Large pile drivers were put at work to prepare a pontoon bridge across the river. On August 1, 1905, the pontoon bridge at Chamberlain was sufficiently completed so that the first regular passenger train ran from the Missouri River out to Oacoma, where the event was duly and elaborately celebrated by whites, Indians, cowboys, etc. At first it was called the White River Valley Railroad, but it was an extension of the Milwaukee system. In this new company were several of the directors of the Milwaukee railway and several capitalists of the Black Hills.

No sooner had these facts become known than the Northwestern Company began action at Pierre for the extension of its line from that point to the Black Hills. From this time forward the roads apparently vied with each other to see which should reach the Hills first. By the last of March about fifty miles of the line west of Pierre had been finished. In September, 1905, the Pierre, Rapid City & Northwestern Railway filed incorporation papers at Pierre. This was the name of the Northwestern branch extension from Pierre to Rapid City. The incorporators were the officials of the Northwestern Railway. The articles called for a line through Stanley County into Lyman County and then again into Stanley County and through Pennington County into Rapid City. By the last of September the Milwaukee and the Northwestern systems were hard at work in the race to see which should be running regular trains first to the Black Hills. It was stated at the time that both lines were projected for the Pacific Coast, probably Puget Sound.

In September, 1905, the Sioux Falls & Western Company was incorporated with capital of \$2,000,000. It planned lines from Sioux Falls to Greenwood in Charles Mix County on the Missouri River, and one into Bon Homme County called the Bon Homme Railroad. It was planned to close the gap between Sioux Falls and Marion Junction.

Also in September, 1905, the Pierre & Fort Pierre Bridge Railway Company was organized for the purpose of building a huge steel structure over the Missouri River at a probable cost of \$1,250,000, and to run thereafter regular trains between those two points.

The building of the Chicago and Milwaukee line from Chamberlain to the Black Hills served to set at work a small army of Sioux warriors. Hundreds were employed in grading and at numberless other tasks necessary in the construction of the new lines. A crew of twenty-six Sioux Indians with teams and scrapers were soon at work on the heavy grades near the Missouri River opposite Chamberlain. They were from Crow Creek Agency and had gone to work at the request of Maj. H. D. Chamberlain, Indian agent located there. The Indians gave satisfaction as laborers. This group had several sections to grade and were under the immediate supervision of John Van Patter, an agency employe.

During 1904-05 the state railway commissioners duly considered the application of the people of Springfield for better railroad facilities. It was shown that in early days the people of that city had a dispute with the Milwaukee Railroad Company authorities which resulted in the location of the depot 1½ miles from the city, where it had ever since remained, much to the inconvenience of the traveling public. Three citizens of Springfield were appointed to communicate with the railway commissioners to secure the relief demanded.

When the Milwaukee line was constructed to Chamberlain in the early '80s the plan was to extend it shortly as far as the Black Hills at least. At that time the territory between the Missouri River and the Black Hills was embraced in the great Sioux Reservation, but it was believed that this tract would soon be opened to settlement. It was at this time that the agents of the railroad company, as a sequel of a grand council of the Sioux Indians, secured free consent to construct the proposed railroad across the reservation, and a treaty between the Indians and the railroad company to that effect was ratified by Congress. The death of President Merrill of the Milwaukee Company apparently changed



CHICAGO & NORTHWESTERN BRIDGE OVER THE MISSOURI RIVER AT PIERRE
Showing the draw open and boat passing

the plans, because no further attempt to extend the road westward of Chamberlain was made at that time. However, successive congresses were asked to confirm the railroad's privilege to right of way across the reservation. In 1888 and 1889 the opening of the reservation was consummated and in February, 1890, under the terms of the treaty, about 11,000,000 acres west of the Missouri was open to white settlement. There was then a renewal of the hope and belief that the Milwaukee Company would at once extend its line from Chamberlain to the Black Hills; but year after year passed without any attempt to carry this improvement into effect. Chamberlain, however, did not abandon hope. It was aware that it was only a question of time until the line would be extended. Thus the years passed until 1904 when, during the state capital campaign, it was rumored on the best of authority, that the extension would be begun in the spring of 1905. It is not improbable that this plan of the railway company was due in a large measure to the influence which Mitchell exercised during the capital contest. Those who were interested, however, had been disappointed so often that they preferred to see work actually begun before they would accept as true a statement of that character. However, in the spring of 1905 carload after carload of bridge and other building material was unloaded in the Chamberlain railroad yards and at points along the Missouri River in that vicinity, and when it was officially announced that work on the extension would soon be commenced and when grading actually began, the people of Chamberlain and Oacoma, after years of disappointment and weary waiting, rejoiced exceedingly in the evidence that the extension was about to be made.

It was the original intention of the Northwestern Railway management to continue its Pierre division through to the Black Hills without halting at the Missouri River. More than half of the intermediate territory was at that time the Big Sioux Reservation and was therefore unprofitable ground for railroad business. The railroad officials and the representative men of Dakota endeavored to secure the relinquishment of the reservation by the Indians and had that been accomplished the road would have been built into the Hills in the early '80s. The Indian Rights Association interfered with the project, and it was many years before the reservation was reduced in size and an opening made to the Black Hills for railroads and for settlement. Meanwhile the Northwestern built around the Indian country and entered the Black Hills through the State of Nebraska. This gave the Northwestern the South Dakota business which it would have secured over a direct line from Pierre westward, and it was satisfied with its arrangements until the Milwaukee Company began building from Chamberlain in the direction of the Hills region whereby the Northwestern was then compelled in 1905-06 to carry out its original design. It is thus a fact that the settlement of the vast region between the Missouri River and the forks of the Cheyenne and the commercial linking of the two widely separated sections of the state was delayed for a quarter of a century by the interference of the Indian Rights Association. This was an organization of down East well meaning humanitarians who were trying sincerely to ameliorate the condition of a once savage tribe of the West. It interfered with every project of western enterprise that had any relation to the Indian. It made other equally as flagrant mistakes in addition to the stoppage of development of the trans-Missouri region of South Dakota, one being the stoppage of the development of Indian civiliza-

tion. Had it not been for this unwise act the Indian would have been transformed into a useful citizen twenty-five years earlier. His eastern friends did not seem to understand that civilization civilizes much more rapidly than the breech clout and blanket and visionary and aimless theories of presumed philanthropists.

In 1905 there was a strong feeling in South Dakota in opposition to the regulation of passenger and freight traffic by the Government board. At first the opposition arose among the land and immigration agents, because they thought that perhaps Government control would lack flexibility and that the state might suffer in consequence. They presented numerous objections, the weight of which was disputed by those who favored the movement. Many thought the movement was calculated to injure the railroads, which finally the people generally did not want because the railroads were all important to the state. They were the advance guard of settlement and what was needed by the state at this time more than any other was the opening of new lines, particularly through the western half. At the time of the great railroad construction era in the '80s Dakota had only small settlements here and there outside of the Town of Yankton. There were a few frontier settlements along the river and elsewhere in the eastern part of the territory, but they were mere straggling settlements without any notable size or prominence and did not become conspicuous until after the railroads had extended a network of lines through the territory. Then the little villages already in existence took on new life, scores of others were started at convenient points along the railroad where only a few months before there had been solitude. With the construction of the railroad came long trains of immigrants with their effects and at every station almost daily throughout the year could be seen the unloading of their goods preparatory to going by prairie schooners to their new homes on the plains. Within a few years they spread over much of the state like a swarm of locusts. All of this was due to the presence of the railroad. The citizens of this state insisted that no injury should be done the roads, but that they should be given every encouragement possible to extend new lines that would pierce the unsettled regions. It was acknowledged that while freight and passenger rates were high they were no higher than necessary in the new country. None disputed that the railroads had given immigrants every inducement and assistance in their power to come to the new state for permanent settlement. Thereafter as the country was settled up, branch lines were projected, first between the more important towns and later through thickly settled farming communities. This liberal policy of the railroads, it was admitted, was the principal factor in securing the great rush of settlement during the '80s. It was realized that the railroads in the first place assumed great risk when at a cost of millions of dollars they extended their lines over long distances through the unoccupied regions, where the possibilities of productiveness were wholly unknown, or at best were merely a matter of opinion. For these and other reasons many of the people of the state in 1905 did not favor the railroad rate regulation and supervision by the Federal Government, as it was thought that perhaps such control might prevent the farther development and growth of the state, particularly the western part. Residents of South Dakota realized that under Government regulation reduced rates satisfactory to all parties could not be given new settlers as an inducement

for them to occupy the vacant Government lands and that the result would be no influx of new settlers which was so necessary for the development of the state. This was one of the reasons why the people of South Dakota did not wish to see a change made in the existing order of things so far as the control of freight and passenger rates was concerned. Generally, therefore, they sustained the South Dakota delegation in Congress in opposing any change. On the other hand it was realized that notwithstanding the good work that had been done by the railroads during the past twenty years in advancing the prosperity of South Dakota, there yet remained a vast amount of work to be done along the same line. The state had at this time still vacant about ten million acres of Government land and this quantity would be added to from time to time as surplus lands of the Indians became Government property. Thus the railroad companies were still vastly important to South Dakota, because upon their efforts and right treatment the unoccupied lands of the state would be settled upon and brought under cultivation. Therefore all realized that the railroad companies must be free to continue their present and past liberal policy in granting reduced rates to home seekers. Unless this could be done the further development of the state would largely cease and millions of acres of productive land would continue to be unoccupied and uncultivated.

The newspapers in 1905 charged Mr. Kittredge with inducing the Northwestern Railway to build the extension west of Pierre so that the range cattle could be hauled to the so-called trust packing houses at Sioux City. The first train to run across the big bridge at Pierre was on December 16, 1905. About this time the Milwaukee road extended a branch to Armour, a distance of thirty miles, and commenced grading a line from Madison to Sioux Falls. Also about the same time the South Dakota Central Company constructed a line from Colton to Wentworth.

"The last republican state convention, which it was declared was notoriously packed by railroad influence, rejected such resolutions favoring the proposed taxation of railroads as would place upon them their share of the public burden. It was in this convention that the machine gave the state to understand it would protect the railroads against the people, and it was in the last Legislature that the machine gave the state to understand that it would protect the railroads against President Roosevelt. The course of the members of the machine and the utterances of the newspapers of the machine furnished evidence that it will endeavor so to pack the next state convention as to continue to protect railroads against the taxation plans of the insurgents and to secure the passage of a resolution in opposition to the rate legislation proposed by the president. Mr. Roosevelt, therefore, became an issue in the campaign that is to culminate in the republican convention of next June."—Pierre Dakotan, September, 1905.

The pontoon bridge at Chamberlain cost about forty thousand dollars and served its purpose well. By September, 1906, the Milwaukee extension westward from Chamberlain had reached the Town of Interior, which was then booming. It was at this time that the rival companies, Milwaukee, Northwestern and St. Louis were engaged in making large extensions to their lines with a design of encompassing much of the trade of the country further to the westward. The Milwaukee line was grading from Presho to Rapid City. The Northwestern had its grade nearly finished from Pierre to Rapid City. The

Milwaukee was grading further westward on its Pacific extension from Glenham across Standing Rock Indian Reservation into North Dakota about eighty miles of line being in South Dakota. Already by September the rails were laid to the Missouri River and a steel bridge was being built near the mouth of Grand River. The Milwaukee Company was also completing a line from Sioux Falls via Renner to Madison. The Northwestern had under contract the big steel bridge at Pierre, also an extension of thirty miles on the Bonesteel line. The Minneapolis & St. Louis line was being graded from Watertown to Leola and a branch from this line was projected from Cone to the Missouri River at LeBeau. The Crouch line from Rapid City to Mystic was built and put in operation in 1906. The railway work throughout the state at this time was so extensive that there was much delay on every extension owing to the lack of laborers. In fact, during 1906 the railway construction in the state was unquestionably the most important event. Next to it in all probability was the Belle Fourche irrigation project under the direction of the reclamation service of the general Government.

In 1907 and earlier, the railway passenger rate west of Chicago as far as the South Dakota line was two cents per mile. In this state the rate was three cents. At the legislative session of 1907 a bill to reduce the railway passenger rate in South Dakota from three cents to two cents per mile was introduced by the insurgents, but was vigorously opposed by the railways and the regulars. The bill provided for a two cent fare on mileage books and a two and one-half cent fare on tickets. It finally failed to pass. Enough insurgents voted with the regulars to defeat the measure, because it was said the railways could not stand the cut in fare.

The last rail of the Milwaukee extension from Chamberlain to Rapid City was laid July 18, 1907. During the week before the last line on the Northwestern system between Pierre and Rapid City was completed, thus two great systems of railways connected the eastern and western portions of the state at almost exactly the same time. The Milwaukee system immediately began ballasting this line preparatory for the running of regular trains. In August such trains began speeding westward from Chamberlain to the Hills. The two systems thus constructed across the great Sioux Reservation may be counted as one of the most important events in the history of the state. The delay had retarded the growth of the western half almost a quarter of a century, but now it remained for the state itself to complete the great movement through which and by which settlers could be induced to obtain permanent homes on the great cattle ranges west of the Missouri River. Already at this time the Northwestern was operating its line from Rapid City to Belle Fourche.

On October 14th the big steel bridge over the Missouri at Pierre was completed. While these extensions were going on, the Milwaukee Company was at work in the northern part of the state and had its large steel bridge at Mobridge well advanced toward completion. The Minneapolis & St. Louis reached the Missouri River at LeBeau about this time on its way northwestward to Leola. The South Dakota Central was busily engaged on its extension from Rutland to Watertown.

By June 30, 1907, the railways of the state were more prosperous than ever before, which fact was due mainly to the almost unprecedented prosperity of

the farming community. The marketing of the bountiful crops, the carrying of live stock and the increased passenger travel, greatly augmented the revenues of the railways. Grain buying was greatly stimulated by the immense crops harvested, and elevator and warehouse sites were demanded at various points along the lines. There were a number of complaints on the ground of overcharges, but as a whole the business of the railways and of the farmers was satisfactory to both. The railways returned the complaint of the farmers over shortage of cars by declaring that shippers did not fulfill their duty in handling the cars with dispatch. Often they were left standing on the side-tracks a week or two weeks at a time before being loaded and sent to market. In 1907 the total mileage owned by the railway companies in South Dakota aggregated 3,636.67. This was an increase over the previous year of 431.79 miles. The total freight earnings for South Dakota railroads within the state were \$5,659,813.11 and the total earnings from all other sources were \$68,703.26. This did not include the Chicago, Burlington & Quincy line.

At a meeting of the railroad commissioners November 22, 1906, a resolution to rearrange the distance tariff schedule then in effect in the state was passed. It was believed at the time that a reduction in the maximum charges of freight rates in the state was desirable and could then be reasonably required. Accordingly a meeting between the railway company authorities and the commission was held at Sioux Falls in December. A number of shippers and jobbers were present who addressed the commission on the subject of rates from their standpoint. They pointed out the inequalities and unreasonableness of the rates in several respects, and the railway companies presented their side of the controversy. All wanted additional time to prepare statistics to be submitted to the commission. An adjournment was taken until late in December, when the discussion was resumed. Another adjournment was necessary, whereupon all assembled again at Aberdeen in January, 1907. The Aberdeen shippers offered somewhat serious complaints and were heard at great length by the commission. Still another adjournment was made for further investigation, and on January 25th all assembled at Sioux Falls and another adjournment was made to February 15th. By this time it was learned that much investigation was still to be done. Accordingly further adjournments were had and special meetings were held at Lead and Deadwood and other places throughout the state. Shippers particularly along the lines of the railways desired time in which to collect data showing the inequalities and injustice of freight rates. Meetings were held also at Belle Fourche and other cities and towns of the Black Hills. The commission finally, at the meeting held in Sioux Falls on February 15th, passed a resolution that the railroads doing business in the state be arranged for purposes of freight transportation into classes A and B. In class A were the Chicago, Milwaukee & St. Paul east of the Missouri River; Chicago, Rock Island & Pacific; Chicago & Northwestern east of the Missouri River; Dubuque & Sioux City; Illinois Central; Chicago, St. Paul, Minneapolis & Omaha; Great Northern; Duluth, Watertown & Pacific; Wilmar & Sioux Falls; class B embraced the following roads: Minneapolis, St. Paul & Sault Ste. Marie; Minneapolis & St. Louis; Minnesota, Dakota & Pacific and the South Dakota Central. It was ordered that the classification of freight adopted and specified in the documents should apply to all the above railroads regardless of classification, and that the

schedule of maximum freight rates then adopted and specified in the documents for the transportation of freight within this state should apply to all of class A railroads. It was further ordered that the maximum rates for the transportation of freights to all class B railroads be fixed at the rate of 10 per cent higher than the rates fixed for class A railroads; that the maximum rates for the transportation of freight within the state should be as set forth in the schedule; that the western classification with amendments as then in use be adopted as South Dakota classification; that the schedule of reasonable maximum rates of charges for transportation of freight and cars be adopted by the railroad commissioners of South Dakota; and that all the railroads herein classified be directed to adjust all existing rates to the schedule of maximum rates and state classification of freights for the transportation of freight within the state. At this time the commissioners published a complete schedule of rates in accordance with the above orders.

In 1907, the Milwaukee Company completed its line through the White River Valley from Chamberlain to Rapid City, a distance of 219 miles, and established more than sixteen stations. The same company pushed its extension westward and established train service from Mobridge to Bowman in North Dakota, a distance of 162 miles. About fifteen new stations were established on this new line. About ninety-eight miles of this line was in South Dakota. The same company put in operation during the year the line known as the Madison Cut Off, extending from Madison to Renner, a distance of forty-two miles. Six new extensions were built on this line. Hundreds of thousands of dollars' worth of improvements in the way of stations, side tracks, depots, platforms, stock yards and sheds, stock scales, section houses, etc., were constructed by this road. Nearly all the lines made important improvements. Warehouse licenses to the number of 1,049 were issued during the year ending June 30, 1907. This was an increase of twenty-one over the previous year and an increase of 178 over the year 1905. D. C. Ricker was warehouse and scale inspector. He was succeeded by Olaf Paulson.

The Legislature of 1907 enacted the following railway legislation: (1) making orders of the railway commission presumptively legal and placing the burden of proof upon the opposite party; (2) general anti-pass law prohibiting the giving of free transportation or service on railroads, telegraph, telephone, express or sleeping cars; (3) general reciprocal demurrage law, relating to the charge for demurrage on cars both by shippers and railroad companies; (4) joint resolution proposing and agreeing to an amendment to the state constitution to change the system of taxation of corporate property to allow the application of the gross earnings system to the taxation of railroads; (5) requiring railway companies to put in connecting tracks at junction points and authorizing the railroad commission to make joint through rates for such connecting roads; (6) placing the local department of the railroad commission under the control of the attorney-general and the appointment of the warehouse and scale inspector in the hands of the governor; (7) authorizing and empowering the railroad commission to enter warehouses and examine the books of such concerns; (8) authorizing the railroad commission at its option to increase the salary of the secretary to \$1,500 per annum; (9) limiting the time of continuous employment of railway employes to sixteen hours; (10) requiring railway companies to



University Buildings
Law Building, University of South Dakota
Old log schoolhouse

Monument commemorating the first permanent schoolhouse erected in South Dakota

SCENES AT VERMILLION

pay double damages for live stock killed on their roads where cases were taken into court and judgment for the amount asked was secured; (11) empowering railroad commission to fix railway passenger rates not to exceed $2\frac{1}{2}$ cents per mile; (12) providing for double damages from loss of property by fire set by railway companies if they took their case into court and judgment for the amount asked was secured; (13) making it unlawful for a railway company to abandon an established station unless by consent of the railroad commission; (14) authorizing the railroad commission to employ expert assistants and ascertain the true cash value of railroad property in the state for the purpose of fixing rates and as a basis for taxation; (15) prohibiting the paralleling of railway lines within eight miles without the consent of the railroad commission. Apparently the railroad commission was so well pleased with these numerous amendments to the railroad law that it deemed it advisable to make no recommendations or suggestions respecting any further legislation or changes in existing statutes concerning railroads, but deferred any such action until the next meeting of the Legislature.

For the fiscal year 1907-8 South Dakota enjoyed its greatest railroad construction era. Besides the extensions above named other small ones were commenced or projected. An electric line was proposed and connected Brookings with Sioux Falls. The extension of the line west of Pierre made a great difference in the accessibility of the capital to the people in the western part of the state. It reduced the distance between Pierre and the Black Hills from about one thousand miles to two hundred miles. In 1908 the Minneapolis & St. Louis began running passenger trains from Conde, running out every morning and back every evening.

The gross earnings railroad law was enacted in 1883 and was opposed in the older sections of the territory as being a uniform method of taxing such property. It was finally repealed in January, 1889, by unanimous vote of Territorial House and Council. Afterwards from time to time efforts to re-enact the old gross earnings law were made. In 1908 such a measure was favored by Crawford, then in Congress. In 1907 the Legislature passed the $2\frac{1}{2}$ -cent railroad rate law and in 1909 passed the 2-cent railway rate law. Notwithstanding the various acts of the Legislature the railroads managed to evade an adequate assessment during all previous years. In 1909 the state and the railways, both of which had previously prepared for the emergency, engaged in a mad contest to see which should bring the first action in the courts. The state authorities at once began action in the Supreme Court at Pierre. The railways began action from their standpoint in the Federal Court at Sioux Falls. It was said that within fifteen minutes after the bill had become a law, the railway lawyers at Sioux Falls had filed their papers in the Federal Court there. The object of the railways was to postpone the enforcement of the $2\frac{1}{2}$ -cent rate law as long as possible and in the end they succeeded in their object. Other proceedings were temporary injunctions to prevent an enforcement of the law on numerous points, and the leading railways of the state, except the Great Northern, united with this movement. The railways tried to enjoin the enforcement of the law in the Federal Court at Sioux Falls, and Attorney-General Clark tried to circumvent this step by getting earlier action against the railways for the enforcement of the law in the Supreme Court at Pierre.

In 1909 the Milwaukee was busy on two lines within the state, one from Mobridge to Pontis and on west of the river through the Cheyenne Reservation, and another southward across Moreau River along the valley to Virgin Creek and thence westward to the ceded lands in the northwestern part of the state. At this time the Northwestern was surveying and preparing to build the line from Blunt to Gettysburg.

In 1907 the famous passenger rate case was instituted and involved the $2\frac{1}{2}$ -cent passenger rate, but this had not been settled by the time the Legislature of 1909 convened. At this session a law was passed reducing the rate to 2 cents per mile in South Dakota. This action of the Legislature caused the mandamus proceedings against the 2-cent rate. Judge Carland appointed John H. Gales, of Sioux Falls, as master in chancery and authorized him to take testimony. The $2\frac{1}{2}$ and the 2-cent cases were consolidated to save expense and because both covered the same ground. After this the case grew in magnitude until the testimony covered 3,000 typewritten pages and embraced sixty-eight exhibits. In the meantime Judge Carland was succeeded on the federal bench by Judge Elliot. The master found that the 3-cent passenger rate in South Dakota would bring an income of 88/10 per cent on the valuation of the Northwestern company's line, and that a $2\frac{1}{2}$ -cent rate would bring an income of 65/10 per cent. In the judgment of the master the latter was a reasonable income. The case was still pending in June, 1912.

In regard to the physical valuation of railroads the administrations of Governor Crawford and Governor Vessey were both criticised, because it was charged that from \$100,000 to \$117,000 was spent by the state to secure such valuation. This criticism was shown to be incorrect by the state board. There were but two appropriations made by the Legislature to aid this physical valuation. One of \$10,000 was made in 1907, and the Legislature of 1909 appropriated \$25,000 to complete the work. Of this total sum of \$35,000 nearly \$10,000 was returned by the board to the state treasury, leaving the actual expenses at a little over \$25,000.

In 1897 the first comprehensive statute in South Dakota granting jurisdiction to the railroad commissioners to make schedules of freight and passenger rates was passed. This law, with some amendments, was still in effect in 1912. It went into effect July 1, 1897. Prior to that date the commissioners prepared schedules of rates to take effect when the law should go into operation. This schedule was held void by the railroads and the order of the commissioner announcing the same was enjoined upon the ground that the statute did not go into effect until July 1st, and the commissioners had assumed jurisdiction under the law and prepared a schedule before July 1st when they had no power under the law then in force to prepare such a document. After this statute had been enjoined the commissioners published notices in the papers as required by statute and met in regular session at Sioux Falls in August to take testimony in reference to the fixing of a schedule of freight and passenger rates within this state. During this time all the railroads appeared before this commission and offered testimony to show that the purely intrastate or local business done by the railroads was not sufficient to afford the railroads enough earnings to pay dividends upon the stock and to meet the interest upon the funded debt over and above the operating expenses. On August 26th the commissioners reaffirmed the old

schedule which had been prepared to take effect July 1st and made an order classifying railways and fixing the fare at 3 cents per passenger per mile. When this law went into effect the passenger rate was 4 cents east of the Missouri River for one-way tickets and 3 cents for return tickets; while west of the Missouri River the rate was a straight 5 cents per mile.

On August 27th the railroads filed in the Circuit Court of the United States bills of complaint to enjoin the enforcement of these rates, and a restraining order was issued and the time of hearing fixed upon application of the railroad company for a temporary injunction. In this case the state commission in the hearing on the application for the temporary injunction was represented by the attorney-general and by T. H. Null, C. S. Palmer and F. M. Brown. Upon the hearing temporary injunctions were issued suspending the rates which had been announced. To hear this case L. W. Crowfoot, of Aberdeen, was appointed special master in chancery. The only case tried was that of the Milwaukee Company, the other companies agreeing to abide the litigation of the case. The testimony, including the pleadings, filled one volume of 959 pages. Upon the first report made by the master in chancery, Judge Carland, found in favor of the state and against the railway company; whereupon the latter were enjoined from violating the provisions of the order and were required to put the rates into effect. Appeal was taken from this judgment to the Supreme Court of the United States, where the decision was reversed and remanded to be again heard in the lower court, with instructions to be referred to a master in chancery to make computations in accordance with the rules laid down in that opinion.

In 1900 the case again went to Judge Crowfoot and in May was again argued before the special master who in June reported to the court with computations fixing the value of the railroad company's property at \$15,000,000 and showing that the rates promulgated by the railway commission if enforced would amount to a confiscation of the property of the railroad company. This report was heard by Judge John E. Carland of the United States Circuit Court, who in August, 1901, entered a similar decree perpetually restraining the attorney-general and the railroad commissioners from enforcing either the freight or passenger schedules and holding them unconstitutional and void. However, the decree provided that whenever the circumstances so changed that the rates adopted should be yielding to the companies a reasonable compensation for their services, the commissioners might apply to the court for a supplemental bill, and the question would then be reheard. The litigation in this case cost the state over twenty-five thousand dollars.

In October, 1901, the commission met with the various railway companies and agreed upon a schedule of maximum freight rates, which was issued by the railways as the first intrastate distance tariff applicable to freight traffic between stations in South Dakota. At the same conference the rates of passenger fares were reduced from 4 cents to 3 cents per mile east of the Missouri River, and from 5 cents to 4 cents per mile west of the Missouri River, in South Dakota. In September, 1906, the rate was made a plain 3 cents per mile over the entire state. In the meantime the railroad companies were making sworn statements that on purely intrastate or local business in South Dakota they were suffering a loss. From their reports it was shown that they were making money on interstate business over which the commissioners had no jurisdiction, but were losing

money on intrastate or local business where the commissioners did have jurisdiction. For this reason the commissioners were not in position to go to court for the purpose of sustaining a reduction in rates. Owing to these facts the commission made no order to reduce freight rates from 1895 to 1907, except the orders which were made in 1897, the enforcement of which was enjoined as above narrated, by the United States Circuit Court. In December, 1906, new hearings were commenced and an investigation made into freight rates, and in February, 1907, the commission issued a new tariff schedule to be effective March 18, 1907, reducing the rate on freight of all kinds east of the Missouri River.

The next freight tariff was issued April 10, 1908, to take effect west of the Missouri River May 9, 1908. Rates on many things were made under this schedule. Emigrant movables westward bound were reduced 50 per cent. On carload lots the reduction was from 5 to 4 per cent, according to the distance and the different classes. No reduction had been made west of the river previous to the issuance of this tariff, because the railroads had promised that as soon as the line west of the river was graded they would put on a fair schedule; but when in October, 1907, they had failed to do so the commission waited until the following spring, fixed new rates west of the river, but left the rates there higher than east of the river. This was done because there was not the same volume of traffic in the west as there was in the east, and because the traffic nearly all was west bound. In other words freight trains carried loads west but returned empty east. The next tariff adopted was on January 20, 1910, to go into effect February 15, 1910, and to apply on coal in carload lots. The rate reduced the rate on coal in carload lots from Rapid City to Pierre \$1.60. The next tariff was issued to apply on wood for fuel in carload lots and went into effect March 1, 1910. It reduced the rate on wood and was used for the purpose of giving the people west of the river a chance to make use of the timber in the Black Hills for fuel purposes. The next tariff became effective May 1, 1910, and applied to lumber in carload lots on all lines of railway except the Burlington.

In the fall of 1910 action was commenced before the railroad commissioners to secure the reduction in all rates west of the Missouri River on the same basis as the rates east of the river. In order to make the same basis of rates applicable to the whole state a separate tariff was also made at this time. It reduced rates on wheat, flour, corn, rye, oats, barley and mill stuffs in carload lots; also lignite and bituminous coal so that the people in all parts of the state could obtain fuel at a less cost. Hearings by the board were held at Lemmon, Aberdeen, Huron, Rapid City, Deadwood and Pierre. As a result three tariffs were issued applicable to these products. This was termed unfair by the railroad companies which went into court in Minneapolis, and before Judge Charles A. Willard obtained a temporary restraining order, and at the hearing secured temporary injunctions against the rates pending the trial of the cases. Many important questions came up during the trial. Other states were involved in similar movements and all were awaiting the decision of the United States Supreme Court, to which several cases had been appealed. At this time the gross earnings or revenue basis cut a considerable figure in the decision of these cases. During the trial a thorough comparison of freight rates on all

products shipped into the state or out of the state was made, with the same condition of affairs in other states. The rates of 1911 represented the effort of the board to prepare all the freight rates on the same basis, and to eliminate the Missouri River as the dividing line on freight or any other kind of traffic. In the summer of 1912 this was the condition of railway traffic in South Dakota.

The $2\frac{1}{2}$ -cent railway rate law was put into force March 21, 1914. From the start the railways had continued a concerted and systematic movement to delay the operation of the law. Becoming tired of the delay the Legislature of 1909 passed the 2-cent railway law which was approved by the governor the next day. The case continued to be drawn out, but in September, 1911, the court held that a $2\frac{1}{2}$ -cent fare was equitable, but that the 2-cent fare amounted to confiscation under existing conditions and therefore was unconstitutional. Thus the case had gone the rounds of the courts for fourteen years, but at last the $2\frac{1}{2}$ -cent rate law was declared constitutional. P. W. Dougherty was the attorney who carried this last case through the courts.

In 1910 about two hundred miles of new railway were built in the state, the Moreau and Cheyenne extensions of the Milwaukee system, the Gettysburg extension of the Northwestern and the Belle Fourche Valley extension of the Northwestern. The Northwestern completed its line from Belle Fourche to Newell, the Milwaukee completed its division along Moreau River from Bridge to Isabelle and the Cheyenne River line from Mobridge to Dupree.

At the close of 1910, the total valuation of the railroad property in the state as compiled by Clark C. Witt, engineer, was \$91,695,132, or an average of \$23,183 per mile. The total number of miles of main track in the state was 4,458.96. The railroads assessed at this time were the Chicago & Northwestern; Pierre & Fort Pierre Bridge; Pierre, Rapid City & Northwestern; Chicago, Milwaukee & St. Paul; Chicago, Milwaukee & Puget Sound; Chicago, St. Paul, Minneapolis & Omaha; Rock Island; Illinois Central; Dakota Central; Great Northern; Minneapolis & St. Louis; Minneapolis, St. Paul & Sault Ste. Marie; Rapid City, Black Hills & Western; Wyoming & Missouri River; Chicago, Burlington & Quincy.

In the spring of 1913 the long talked of interurban railway running from Sioux City to the Black Hills via Vermillion, Centerville, Menno, Armour, Chamberlain and other points was again brought before the people. It was now proposed to call for bonds in the sum of \$1,000,000 with which to begin the initial construction to be paid for by installments as the road should progress westwardly. This project had been agitated for more than a dozen years. Four years earlier the road was incorporated under the name of the South Dakota Interurban Railroad Company. F. E. Miller was the principal promoter. There had been taken up by this time subscriptions to the amount of \$450,000 toward the capital stock of the company.

In the spring of 1913 the Sioux Valley & Northern Railroad Company was chartered with a capital stock of \$1,000. This sum was merely nominal. The line was projected from Watertown through Codington, Grant and Roberts counties to the northern edge of the state, a distance of about one hundred miles. Connected with this movement were F. F. Heathcote, John Maxwell, F. J. Klix, H. C. Hagen, T. N. Bergan and others.

In 1914 several important transfers of short lines were made to the Northwestern and the Milwaukee systems, particularly in the vicinity of Belle Fourche, Gettysburg and the James River. The Greenville & Southeastern Railway Company was incorporated this year to connect Greenville with Rosholt. In 1914 the following roads and lines were operating in this state: Chicago, Milwaukee & St. Paul; Chicago & Northwestern; Great Northern; Chicago, Burlington & Quincy; Minneapolis & St. Louis; Pierre, Rapid City & Northwestern; Chicago, St. Paul, Minneapolis & Omaha; Chicago, Rock Island & Pacific; South Dakota Central; Pierre & Fort Pierre Branch; James River Valley & Northwestern; Dubuque & Sioux City, and extension of the Illinois Central; Soo Line; Belle Fourche & Northwestern; Rapid City, Black Hills & Western; Wyoming & Missouri River; Fairmont & Veblen. All the railways of the state were assessed a total of about \$129,474,118, or at the rate of \$30,534 per mile.

The legislative session of 1915, as had been the practice for many past sessions, attempted to enact a large amount of railway legislation. However, only a few bills were introduced and they received no enthusiasm and hence little support. The principal bills gave the state commission greater powers and discretion in controlling the affairs of railways which came before them for hearing. Another regulated the weighing of cars and freight offered for shipment in carload lots; also weighing live stock on stock yard scales and ascertaining the weight of hay, wood, coal and grain when weighed in ton lots on private scales; also giving the commission jurisdiction over railways and the right to inspect railway, state, town and private scales. Among other complaints that came in early in 1915 was one from the Town of White Butte for a side-track and depot. This town a short time before had tried hard to secure a station, but their application was fought by other interests and they were prevented from securing their object.

Early in 1915 the project of extending the line of the Milwaukee Railroad from Platte to Chamberlain, a distance of forty miles, was duly considered by the railway authorities. For several years the Charles Mix County line of that road had had its terminus at Platte. Conferences with the farmers were held in order to secure the right of way and all were asked to subscribe \$1.50 per acre of the amount of land owned by them toward a general fund of \$250,000 out of which the forty miles of railroad were to be built. As this road thus constructed would be owned by individuals, it was planned in the end to lease the line to the Milwaukee Company and thus secure service over the road. The contract which the farmers were asked to sign required that no payments need be made by them until the road extension had reached the town nearest their land. This provision indicated that the promoters of the road were acting in good faith. It was planned that the line should pass through Bijou Hills, which little city since pioneer days had been an inland town of the Missouri Valley. Farmers in the Bijou territory were at first enthusiastic in the support of the project to build this road.

In the spring of 1915 Rapid City won in the Circuit Court of Appeals on the suit for payment of the Crouch Line Railroad bonds which had been brought against the city by a bondholder who held a bunch of these securities formerly issued by the city. The principal and interest amounted to about two hundred and fifty thousand dollars. The case was appealed to the higher courts.

In June, 1915, the prospect for the construction of the proposed Huron & Northwestern Railroad seemed promising. Frank W. Henderson did much to advance the project. The plan was to build the road from Huron to Fergus Falls, Minnesota. There was some question at first whether to build between Wallace and Sisseton or by way of Webster or Waubay. Should the Webster route be selected the road would strike the Fairmount and Veblem route at Roslyn. If it passed by way of Waubay it would cross the same road at Grenville. The contract for grading was let to a Chicago contractor. The road was planned to reach the following towns: Garden City, Wallace, Webster or Waubay, Roslyn or Grenville, Sisseton, Effington, Wahpeton and Fergus Falls. By July 1, 1915, the survey of the branch of the Huron & Northwestern Railroad from Wallace through Waubay to Pickerel Lake was nearly completed and the work of grading was already commenced. Little grading was needed owing to the level country through which the line ran. New towns were started north of Pickerel Lake and a short distance south of Waubay. Bonds to cover the cost of construction had already been sold, so that everything thus far indicated that the line would soon be completed.

In July, 1915, plans were completed for the further extension of the Luce Railway line which was started two years before with the object of connecting Minneapolis and Watertown, S. D., by an air line route. The line really aimed generally at Eastern South Dakota, and Brookings coveted the favor and consideration. The extension of about forty-five miles, it was figured, would cost about four hundred and forty thousand dollars. One plan was to run the road to Hutchinson, twenty-two miles from Winstead, and the other was to run the line from Winstead to New Auburn.

In August, 1915, the project of extending the Platte Railway line to Chamberlain was again agitated. It was believed that it was a Milwaukee Railway enterprise and that it might finally extend through Western South Dakota.

Telephones have had a marvelous growth in the state during the past fifteen years, but before that date passed through a pioneer period during which time there was much to discourage and very little to attract. In October, 1886, the Emmner Telephone Company was organized at Redfield with A. C. Mellette, afterward governor, as president. The company started with about thirty subscribers and a few miles of line, and for a number of years did not grow very fast. On January 4, 1887, the Dakota Central Telephone Company was organized at Sioux Falls, the leading member being J. L. W. Zietlow. At first this company had sixty subscribers and ten miles of line. Both of these companies suffered all the trials of pioneers, but slowly grew and extended their lines under very discouraging circumstances. In January, 1912, Sioux Falls celebrated with much enthusiasm the twenty-fifth anniversary of the birth of its telephone, at which time its history was made public. Mr. Zietlow is justly entitled to be called the "father of the South Dakota telephone." From 1887 to 1896 it had a sorry and discouraging existence and grew slowly and some years scarcely at all. In the latter year Mr. Zietlow, who had faithfully sustained the venture, won and the following year added several new lines to his system. In 1898 the Dakota Central lines were all incorporated under one name and head with a capital of \$50,000. On January 7, 1902, the Aberdeen exchange was purchased. In 1904 the Dakota Central Telephone Company was incorporated

with a capital of \$5,000,000 and with J. L. W. Zietlow as president. By January, 1912, the company had 80 exchanges, 5,000 miles of pole lines, 12,000 miles of toll line circuits and 2,500 miles of farm lines. Other telephone centers in the state had a similar experience of alternate discouragement and growth; notably the one in the Black Hills.

The Interstate Telephone Company was organized at Fort Randall in the spring of 1890 with a capital stock of \$5,000, which was placed upon the market and sold. M. W. Wood was the first president; J. B. Brown, treasurer; H. B. Vinton, secretary. This company constructed the telephone lines from the fort to Armour and thence to Grandview.

The telephone companies in existence about 1895 were as follows: Aberdeen Company, with twenty miles of line, total value of property \$500, gross receipts for the year \$1,170; Watertown Company, with twenty-five miles of line, one office, fifty instruments, total value of property \$2,000; Northwestern Exchange, doing business in Minnehaha and Yankton counties, had sixteen miles of line, 191 instruments, total value of property \$3,150, gross earnings for the year \$7,991; Black Hills Telephone and Telegraph Company, 208 miles of line, number of offices thirteen, total value of property \$9,910, gross receipts for the year ending April 30, 1895, \$17,760. But the growth was yet slow, though from 1896 to 1899 fifteen or twenty companies commenced operations.

In July, 1896, the following telephone companies were doing business in this state: Northern Telephone Exchange, with 31 miles of line; Black Hills Telephone and Telegraph Company, 208 miles; Watertown Telephone Company, 25 miles; Hutchinson County Telephone Company, 5 miles; Harrison Telephone Company, 23 miles; Iowa & Dakota Telephone Company, 83 miles; Capital State Telephone Company, 20 miles; Bowdle & Bangor Telephone Company, 19½ miles; Peoples' Telegraph and Telephone Company, 7 miles. There were several other telephone properties which did not make report, but were assessed by the state board, among which were the following: Aberdeen Company; J. L. W. Zietlow, a private line; Iowa Union Company; Parker Telephone Exchange, and Springfield & Santee Agency Telephone Company.

In 1899 the following telephone companies were assessed in this state: Hutchinson County, Springfield and Santee Agency, Miller, Clark, Redfield, Dell Rapids, Parker, Watertown, Aberdeen, Pierre, Iowa & Dakota, Dakota Central, Central Dakota, Harrison, Black Hills, Interstate, Eureka & Mound City, Chamberlain, Webster & Pallman, Canton, Carthage, Johnston, L. & G. Co., Howard, Armour, Edgerton & E. D. Southern Minnesota, Southern Dakota, N. W. Telephone Exchange, Eureka, Peoples', Madison, Western Electric and Flandreau. The highest assessments were \$37,716 against the Northwestern Telephone Exchange; \$19,900 against Dakota Central; \$11,596 against the Black Hills; \$8,020 against the Central Dakota; \$7,456 against the Harrison, and smaller amounts for the others; one—Springfield and Santee Agency—as low as \$60.

The construction of telephone lines in South Dakota from 1898 to 1903 was one of the marvels of this era of great development. The greater part of the increase was in rural lines, showing that the farmers had found them of the greatest value. The lines placed them in communication with their neighbors, the markets and saved great loss of time, which is one of the principal assets of rural communities. During 1902 forty-seven different companies reported

to the state auditor, showing a total of 3,170 miles of line and 6,744 miles of wire. In 1905 seventy-three companies reported, showing 4,670 miles of line and 9,245 miles of wire. The total valuation of telephone property from 1902 to 1903 inclusive increased from \$244,830 to \$337,345. Many new companies were projected at the same time, and the outlook was that every portion of the state, if not every farmer, would very soon be in communication with themselves and with the outside world.

In September, 1904, the old Dakota Central Telephone Company held its annual meeting in Aberdeen. The company was reorganized under the old name. There were in all about two hundred stockholders. J. L. W. Zietlow was president; C. N. Herreid, vice president; W. G. Beckelhaupt, secretary and treasurer. The capital was \$5,000,000. The new company embraced and operated the Central Dakota, the Western Dakota, the Southern Dakota, the Southern Minnesota and the Iowa, Minnesota and Dakota lines. There were about ten thousand miles of the circuit which now extended over the entire state east of the Missouri River, except over a small portion in the vicinity of Sioux Falls, where the Bell Company owned a short line. The newly organized company also secured management of the telephones in Southern North Dakota and parts of Western Minnesota. The reorganized company began operations October 1st.

By January, 1905, the telephone systems of the state had increased amazingly, so that nearly every neighborhood both in the city and country were accommodated. In 1900 there were 35 companies operating in the state with 2,908 miles of line. Late in 1904 there were 188 companies with 9,782 miles of line. The increase for the years were as follows: 1900, 35; 1901, 37; 1902, 47; 1903, 73; 1904, 106; late in 1904, 188.

In the spring of 1905 two telephone companies, one in McCook County and the other in Clark, took out articles of incorporation and began business. One was the Farmers' Mutual Telephone Company, with headquarters at Canistota and a capital of \$1,000, and the other was the Clark County Mutual Telephone Company at Clark with a capital of \$15,000. At this time President Zietlow of the Dakota Central Telephone Company announced that a number of extensions of his line in the southern part of the state would be at once constructed. He further stated that a copper metallic circuit from Chamberlain to Mitchell would be put into operation. There was a sharp telephone war for a time between the local exchange at Pierre and the Dakota Central Telephone Company. The war was finally ended by the purchase of the Pierre exchange by the long distance company. This purchase enabled the Dakota Central to secure better local service and give it a base for western extension, the two systems being reconnected.

In the summer of 1905 the State Independent Telephone Company was incorporated at Pierre, among the incorporators being George W. Burnside, Coe I. Crawford, G. S. Hutchinson and Andrew E. Lee. This movement was really a consolidation of several small independent systems which had been for some time operating in the central part of the state. The new organization at once extended its lines.

In October, 1905, the same company was incorporated at Sioux Falls by the following men: R. F. Pettigrew, Geo. W. Burnside, Coe I. Crawford, G. S. Hutchinson and Andrew E. Lee. This company was backed by great wealth;

one of its objects, at least, was to consolidate many of the smaller systems of the state into a single large company.

By July 1, 1906, telephone companies had multiplied so rapidly within a few years that in the whole state they numbered 202, with 10,372 miles of line and 20,723 miles of wire. At this time they were assessed at \$780,293. Among the larger companies were the Dakota Central, assessed at \$260,410; The Citizens' Telephone Company, at Sioux Falls, assessed at \$21,462; Northwestern Telephone Exchange Company, \$114,289; Nebraska Telephone Company, \$27,812; Grant County Telephone Company, \$13,241; Brookings Telephone Exchange Company, \$10,000; Redfield Telephone Company, \$9,674; *all the others were for less amounts. The lowest assessment was against the Civil Bend Telephone Company, \$210.

In 1906 the Western Union Telegraph Company was assessed at \$240,000 and the Postal Telegraph and Cable Company at \$2,800. The express companies were assessed as follows: Great Northern, \$12,090; Adams, \$10,396; American, \$51,700; United States, \$64,312; Western, \$800.

By the summer of 1906 the Pullman Palace Car Company ran cars over sixty-three miles of railroads in this state and the Wagner Palace Car Company over 263 miles of railroad in this state. The American Express Company had in the state 108 offices; the United States Express Company, 106 offices; the Great Northern Express Company, 22 offices; and the Adams Express Company, 14 offices. The telegraph companies were the Western Union, with 2,483 miles of line, and the Missouri Mercantile Company, with three miles of line.

The railway commissioners in 1912 duly considered the problem of requiring a uniform system of bookkeeping for all telephone companies in the state, but postponed action to await the completion of a similar system about to be established by the Interstate Commerce Commission, in order that the system adopted by the state should not conflict with that of the national commission. Already a list of the telephone companies of the state, with all statistics concerning them, had been prepared by the railroad commissioners. Other important questions affecting telephones were considered at this time by the board.

In December, 1913, the State Tax Commission completed its work of assessing the telephone companies and found that there had been an enormous increase in the number of such organizations. There were scores of small companies and three very large companies, the latter being Dakota Central, Nebraska Bell and Northwestern, which were increased from \$500,000 valuation in 1912 to over two million dollars in 1913. The assessment of the three were as follows:

Company	1913	1912
Dakota Central	\$1,352,668	\$359,045
Nebraska Bell	389,432	88,094
Northwestern	331,438	104,553

The great comparative increase in the Nebraska Bell system was due to its wonderful expansion over the vast field west of the Missouri River and south of the Cheyenne River.

During the legislative session of 1915 a bill concerning telephones was introduced. The proposed law provided that the investor and promoter before engaging in the telephone business in any part of the state, should make a showing



DEADWOOD AUDITORIUM, WHITE ROCKS IN THE DISTANCE



GOVERNMENT BUILDING TO THE RIGHT, COUNTY COURTHOUSE TO THE LEFT,
DEADWOOD

before the Board of Railroad Commissioners that there was an actual public demand and that an actual public necessity existed for the erection and establishment of such telephone system. This was necessary, it was provided, before a party or a company could erect, build or construct a telephone line from farms to business houses in the city or to connect neighborhoods by telephone. This bill met no consideration at the hands of the Legislature.

In 1915 the railway commission was required to restrict the rights of a telephone exchange to supply service to residents outside of the border of the town in which they were located. A complaint came against the Beresford Telephone Company from a farmer who lived outside of that town in 1914. He agreed with the Beresford Company to connect a line from his house to the nearest line of the company, where he was to be given connection with the city exchange. This continued until 1915, when the company cut out the country phone and connected it with the rural line. The farmer referred the matter to the state commission.

Little attention was paid to good roads in the early history of the state. Various measures concerning their improvement passed the Legislature from time to time, but the real good roads movement proper did not appear until automobiles were brought into use, both by city residents and ruralists. In the end the automobile is certain to bring good roads to all parts of the country. By about 1900 the necessity of good roads began to be realized when bicycles were all the rage and when bicycle parties or excursions made long trips to the country districts.

In May, 1908, the City of Mitchell passed an ordinance granting to F. B. Elce the right to use the streets, alleys, etc., for a telegraph line upon condition that he should pay the city each year 10 per cent of the annual gross receipts in excess of \$2,400 derived from the system. Mr. Elce built the line, operated it until June 3, 1904, when he sold out to the Dakota Central Telephone Lines, and on October 2, 1904, the latter sold out to the Dakota Central Telephone Company. After 1902 the gross receipts exceeded \$2,400 and Mr. Elce paid the 10 per cent as agreed; so did the Dakota Central Lines in 1905 and 1906, but the Dakota Central Telephone Company refused to do so in 1907 and 1908, whereupon suit was brought by the city to recover the amounts due.

In June, 1904, the city gave the Lines Company for twenty years the right to erect poles and wires for a long distance system, and in April, 1907, gave the telephone company the right to go under the streets with its lines, but this was not done. In the suit Lauritz Miller and A. E. Hitchcock appeared for the city and Null & Royhl and Spangler & Haney for the company. The issue was whether the city had power to require the grantee to pay the city a percentage of the annual gross receipts derived from the local telephone system as a condition upon the city's consent to the use of the streets, alleys and public grounds for such a telephone system. The telephone company denied this right, denied that it had paid the sums voluntarily in 1905 and 1906, and insisted that the right to erect the long distance system superseded the ordinance under which the city had filed its complaint.

In March, 1897, and again in March, 1907, the Legislature passed laws taxing telephone companies. The company now maintained that this tax was to be in lieu of all other taxes and that therefore the tax levied by the city—the 10

per cent on the gross receipts over \$2,400—was unlawful. It said "that the City of Mitchell is without power or authority to levy, demand or receive from this defendant any tax whatever, whether the same be by levy and assessment on its property situated in said city, or by way of a percentum on its gross earnings arising from its operations in said city." The company said that in spite of this fact the city had demanded in 1905 the 10 per cent franchise tax in addition to the tax levied by the state and that the same was paid under threats. The same occurred in 1906. In 1905, 1906, 1907 and 1908 the company had furnished the city at its request telephone service worth \$159 each year for which it now asked payment.

The city in its answer denied that the company had objected to the payments of 1905 and 1906, denied that such payments had been obtained by threat or duress and declared that the payment of \$159 for four years was not required, because under the ordinance No. 135, section 4, such service was to be free. The court (Judge F. B. Smith): (1) That the city had no power to impose a franchise tax as a condition for the erection of the telephone system; (2) that that part of the ordinance No. 135 was void; (3) that the city was thus not entitled to recover in this action; (4) that payment of the tax in 1905 and 1906 was voluntary through a mistake in the law by the company, and was not made under threats; (5) that the company was not entitled to recover the franchise tax paid in 1905 and 1906; (6) that costs should be paid by the city.

The city promptly appealed the case to the Supreme Court in January, 1910. It came up for trial in the spring of that year. The Supreme Court held, (1) that the city had full power to levy the franchise tax; (2) that the ordinance imposing such tax was valid; (3) that this ordinance was not repealed by the city resolution of April 7, 1904; (4) that the ordinance of 1898 was not repealed by the resolution of April 10, 1907; (5) that the franchise tax was in the nature of a rental for the use of the streets and was not a tax within the meaning of the law; (6) that the city was entitled to recover in this action; (7) that the ordinance of 1898 was a binding contract between the city and the company; (8) that the company had not paid under duress in 1905 and 1906. Thus the Supreme Court reversed the lower court and ordered judgment and costs for the city.

In 1912 T. J. Spangler brought suit against the City of Mitchell to enjoin it from issuing bonds with the design of constructing a telephone system of its own. The city on June 10, 1913, by the vote of 766 for to 266 against, out of a total of 1,645 voters, decided to erect a telephone system of its own at a cost of \$60,000, and to issue municipal bonds to that amount. Mr. Spangler, who represented the existing telephone company, fought every step of this movement. Many interesting legal problems arose and were settled. In September, 1913, the city called for bids for the purchase of the \$60,000 municipal bonds and for the construction of a telephone plant or exchange. Mr. Spangler maintained (1) that the issuance of the \$60,000 in bonds would increase the city debt beyond the constitutional limit; (2) that the telephone company would be unjustly taxed. He therefore asked for a temporary injunction. The city denied the two objections and asked that the temporary injunction be not granted. The injunction was granted and the case came before Judge R. B. Tripp and was settled without a jury. The court dissolved the injunction and dismissed the case. This left the city free to build its own telephone line.

Again in April, 1915, the city brought suit against the telephone company to recover the franchise tax of 1911, which amounted to \$1,334.78, and the payment of which was denied by the company on the ground that the law of 1911 released it from the gross earnings charge. Upon trial the court held that the city was entitled to recover the franchise tax of 1911 amounting to \$1,334.78, or with costs to \$1,632.40.

In 1915 the telephone company asked relief from the United States District Court, Wilbur F. Booth, judge, presiding. The company asked in equity for a permanent injunction to restrain the city from interfering with the company's lines within the city. The company claimed that the United States Court had jurisdiction, because the city had violated article 1, section 10, of the Constitution of the United States, and thus because the controversy arose under that instrument. The company claimed, also, that the city violated the due process clause of the fourteenth amendment to the national Constitution. Judge Booth held and so decided that the company was entitled to a permanent injunction to prevent the City of Mitchell from interfering with its property.

On September 5, 1895, the City of Vermillion passed an ordinance, No. 19, granting to the Clark Automatic Switch Company, an association, and to J. S. Tomlinson and W. A. Cotteral, a franchise or right to erect and maintain "through the streets, public grounds, ways and bridges of the city all the poles, posts and other supports, and all the wires and fixtures proper and necessary for supplying to the citizens of said city and the public communication by telephone and other improved appliances, subject, however, to all the conditions and stipulations herein set forth." This privilege was limited to ten years; the wires and poles were to be under the police supervision of the city; and the company, in consideration for the franchise, agreed that the city should have the right to use its poles on which to place a fire alarm system. The company built the line and operated it until July 6, 1900, when it sold out to the Northwestern Telephone Exchange Company, which assumed and continued control and management of the line.

In 1910 the city brought suit in the Circuit Court against the telephone company which had continued to operate its line beyond the ten year limit, both beyond a ten year limit from September 5, 1895, and beyond a ten year limit from the city resolution of August 16, 1897. The city asked the court for an order to have the poles and wires removed. It had served the telephone company with notice on September 12, 1907, to vacate the streets, alleys and public grounds within sixty days. The company failed or refused to do so, and claimed permanent right to use the public ways of the city under the resolution of August 16, 1897, which placed no limit on the time. The city claimed that this resolution was to enable the company to extend its lines and did not grant the right to operate an exchange, nor to continue beyond the ten year limit. The city, therefore, asked the Circuit Court for an injunction to restrain the company from continuing business, and asked for an order for the removal of its poles, wires and other appliances.

The company on July 6, 1908, removed the case to the Circuit Court of the United States, District of South Dakota, Southern Division, and there filed its answer and cross bill to the complaint, to which the city demurred. Upon trial the court overruled the city's demurrer, whereupon the city filed an amended

complaint and a cross bill. The city maintained that the company had never been granted the right to operate in the city a telephone exchange system; that its only right had been to extend its main line through the city streets; that such right terminated at the end of the ten year limit fixed by the ordinance of September 5, 1895, and that it now was unlawfully operating its line and its exchange system in the city.

The company maintained that the resolution of August 16, 1897, gave it the right to occupy the streets independent of the ordinance of September 5, 1895, which fixed the ten year limit. The resolution of August 16, 1897, read: "Resolved, that the right, privilege and authority is hereby given, granted (to the company) to occupy the streets, alleys and public grounds within said city for the purpose of placing therein its poles, wires and fixtures constituting its telephone lines within and through said city," etc. The company further denied "that by the resolution of August 16, 1897, the city intended only to confer upon the company the right or license to extend its main lines of poles and wires through the city; and denied that the city did not intend by this resolution to confer upon the company the right to maintain or operate a telephone exchange system within the city; but on the other hand the company alleged that it was the express purpose and intent both of the city and the company under the resolution of August 16, 1897, to give and grant to the company, under restrictions, the right to maintain a telephone exchange system and long distance toll lines in the city." The company further maintained that its above rights had never terminated and that under the resolution of August 16, 1897, and under the general telephone law of South Dakota it had the right to continue business in the city.

After a full hearing Judge Carland of the United States Circuit Court was of the opinion that the city (the complainant) was not entitled to the relief asked; that the company was still entitled to operate its line and its exchange in the city subject only to the police powers. The court therefore dismissed the city's complaint and authorized the company to continue to do business in the city as before.

From this decision the city appealed to the United States Court of Appeals, the appeal being filed July 2, 1910. The grounds for the appeal and for a reversal of the court's decision were as follows: (1) That the final judgment and decree of the court was contrary to the law of the case; (2) that the court erred in holding that the city had ever given any other consent to the operation of a local telephone exchange in the city than the ordinance of September 5, 1895, and in holding that the city resolution of August 16, 1897, gave the company the right to operate a local exchange in the city; (3) that the judgment and decree of the court was contrary to the evidence, because the evidence showed that the resolution of August 16, 1897, was for the purpose only of permitting the company to extend its long distance line through the city and not for the purpose of granting the right to maintain a telephone exchange; (4) that the judgment and decree was contrary to the evidence which showed that since September 5, 1895, the company had operated its exchange in the city without the consent of the city authorities; (5) that the court erred in holding that the relief prayed for by the city should be denied; and in holding that the company was entitled to maintain and operate its telephone system within the limits of the city. The argument before the Court of Appeals was very able, elaborate and exhaustive. The Court

of Appeals' held that a resolution of a city council granting to a company engaged in constructing and operating through telephone lines and local exchanges the right to occupy the streets, alleys and public grounds within said city for the purpose of placing therein its poles, wires and fixtures, constituting its telephone line within and through said city, reserving to the city the free use of its poles for fire alarm and police wires, embraced the right to construct and operate a local exchange; and there being no limitation of the term of the grant, the company which afterward purchased the existing exchange was not bound by a limitation in the franchise under which such exchange was constructed. "In our judgment, therefore, the resolution of August 16, 1897, expresses the consent of the city to the construction and maintenance of a local exchange. Under its terms the appellee could have erected such an exchange. Instead of doing so, it purchased the one which was already in existence." This construction did not vest a perpetual franchise in the company. Its rights were at all times subject to legislative action. Thomas Sterling and Jason E. Payne were attorneys for the city, and Bates & Parlman were attorneys for the company.

The railroad commission late in 1902 asked the Legislature for authority to issue a schedule of rates on all shipments of stone, gravel, cinders or other road material when consigned to public officials charged with the improvement of public highways and designed for the betterment of public roads, to be carried in carload lots at one-half the rate of soft coal. It was believed that with such a law the railroad commission could do much for the improvement of public highways in portions of the state where gravel and stone were absent. They admitted that the roads needed improvement and that such material for that purpose could be secured. Not only was the improvement of public roads of great value to the farming community, argued the commission, but it likewise aided the railroads because it made access thereto much easier.

In January, 1905, the good roads commission, recently organized, urged insurance against fireproof buildings; the repeal of the timber culture act which, it said, was a calamity to the state; recommended that college experts in agriculture should visit the farmers, because the farmers were unable to visit them; asked for additional legislation for good roads; congratulated the state on the improvement in oil brought here for disposal; asked for a state game warden; recommended that the inmates of the penitentiary be employed in a twine factory to be established in that institution, and asked for other important legislation.

Finally the good roads law of 1909 required specifications of operations and applications therefor to be signed by 10 per cent of the free-holders of every county. It did not limit this privilege to resident free-holders, but in most of the counties, if practically every resident farmer should sign the petitions, they might yet be short the 10 per cent of the free-holders. This made it hard to show up the required number on any of the petitions circulated, as all town-lot owners and non-resident owners of farm lands would have to be considered. The report of the good roads commission showed at this time the counties which had suspended the working of the good roads law.

In 1911 a committee appointed by the Good Roads Conference of South Dakota met at Redfield, where many changes in the laws relating to the highways were duly considered. Generally the measures passed by the last Legislature met the approval of the good roads advocates, because they no doubt would enable

the counties and townships to build and repair county roads by contract and under competent supervision. The new bill proposed to abolish the road overseer and make the township supervisor directly responsible for the roads in each township. Another feature of the new law was the payment of the fall taxes in cash instead of in labor. It also provided that the building and repair of roads in each township should be made by contract.

The proposed Meridian Road was planned to enter the state at Yankton. There were three option routes thence across the state. The first and most direct passed directly north of Yankton and thence to Fargo and Winnipeg. The second extended from Yankton to Watertown almost in a bee line, but varying somewhat to the east in order to take in Sioux Falls, thence on to Watertown, crossing the North Dakota line west of Lake Big Stone and Lake Traverse. The third route passed up the James River Valley through Mitchell, Huron, Redfield and Aberdeen and thence on to Fargo. At the same time, the fall of 1911, highways in Minnesota were projected from the twin cities to Fargo, Watertown and Sioux Falls. Topographical surveys were made of these routes in October.

Late in 1912 the good roads advocates of the state met and rejoiced over the outcome of the election held in the eighteen different counties of the state which had carried the law of two years before to a successful finality under the local option provision of the law. Every county in which a test vote was taken approved the law by a substantial majority, and this expression of the public will was therefore used before the Legislature of 1913 for a greater advance and improvement in the road laws of the state. The counties in which the votes favored the local option provision of the law were the following: Brookings, Brown, Buffalo, Clark, Codington, Clay, Grant, Hamlin, Hutchinson, Minnehaha, Moody, McPherson, Myer, Lincoln, Spink, Stanley, Union and one other.

In the spring of 1913 a large convention of good road enthusiasts assembled at Deadwood for the consideration of important road problems. The meeting adopted strong resolutions demanding federal aid for the construction of from two to five transcontinental highways and changing the name of the organization to the Chicago, Black Hills & Yellowstone Park Highway. It was determined to ask each county through which the road was projected to appropriate \$100 with which to complete and maintain the road. It was further determined to continue on through Idaho and down the Columbia River through Portland and up to Seattle and to adopt a black and yellow marking on poles along the route. This marking was planned to be twelve inches of yellow between two twelve-inch layers of black. It was provided that path-finding car should run from Chicago through to Yellowstone Park in July, 1913, and at this time money to cover this expense was being raised. Ben M. Wood, secretary of the South Dakota Good Roads Association, and Gus Holm, of Wyoming, were appointed a committee to engineer and accompany the car. This meeting demanded the opening of the southern part of the Yellowstone National Park for automobiles. Present at this convention were delegates from Wyoming and South Dakota. All were enthusiastic, and representatives present from many counties declared that their commissioners would no doubt aid the movement with appropriations as requested. The convention was addressed by Gov. F. M. Byrne, Immigration Commissioner Deets and other speakers from both South Dakota and Wyoming. The following permanent officers were chosen: N. E. Franklin, Deadwood, president; James

D. Gallup, Buffalo, Wyo., and Coler Campbell, of Huron, vice presidents; H. W. Troth, Deadwood, secretary; Bert Cummings, Pierre, treasurer.

The good roads movement was advanced in 1913 more than ever before. This was mainly due to the support which the movement received from farmers who were buying automobiles. As long as the farmer did not own the automobile, and as long as he thought those vehicles were the pets and pleasure crafts of the idle rich, he saw no necessity of building good roads; but when he owned an automobile it was an altogether different matter. It made all the difference in the world whose ox was gored. Governor Byrne fixed June 17 for Good Roads Day and advised all to meet and consider that important problem; all were advised to foster and encourage the construction and maintenance of good roads. He suggested that all citizens should form co-operative groups and work all day on the roads.

In July, 1913, Governor Byrne appointed as members of the state road commission, Ben M. Wood, C. E. Isenhuth and one other. Mr. Wood had begun road work in March, 1912, when he was sent as a delegate to the good roads convention in Mitchell. On that occasion he was elected secretary of the convention. It was at this convention that the first permanent good roads movement in the state was formed and was called the Scenic Highway Association. Mr. Wood, as secretary, began work at once to make the movement a success. A little later this organization was merged into the South Dakota Good Roads Association, of which Mr. Wood was continued as secretary. Mainly through his efforts the good roads law of 1913 was compiled. At this time he was chairman of the black and yellow trail committee which was planning to mark in August the contemplated highway from Chicago to Yellowstone Park via the Black Hills.

The best way for the state to give aid in the construction of highways without abolishing the constitutional prohibition of state aid to internal improvements, brought out suggestions at the legislative session of 1913 for the submission of a constitutional amendment which allowed the state to give such aid. It was proposed that this could be done when putting in irrigation systems, developing coal mines, building water power plants, etc. From these sources came the greatest demands for state aid at this time and it was therefore hoped that some such amendment would pass both houses and thus the matter would be presented to the voters.

In 1915 the dirt roads of South Dakota, the continued wet weather considered, were generally in fair condition. However, Huron newspapers declared that the roads approaching that city were so bad that any person traveling over them would arrive at an altogether different conclusion; but it was a fact that the good roads movement had already secured a firm hold upon the older counties where organizations had often been effected even in townships. Generally the roads were first treated by the road grader, after which the road drag was employed to maintain a sloping and smooth surface. It was used as soon as convenient after each rain, but never upon dry roads. Where the moisture was considerable the drag was hauled upon the surface at least twice. This left the surface crowned and covered with a smooth layer of puddled and densely packed soil.

The need for good roads was never so badly felt in South Dakota as in 1915. Even the dry districts of the state received so much rain that the roads were in

bad condition during much of the spring and the summer. The eastern and particularly the southeastern parts never had much worse roads. The heavy and continuous rains kept them in bad condition in spite of the work of township and county officials. The new law which required 40 per cent of the township road fund to be used in dragging roads was not of much use because it was difficult to use the drag and it was useless in mud.

The contention of the Wells Fargo Express Company and the American Express Company that the assessment and levy of taxes made against them by the state in 1910 was unconstitutional came up in the United States District Court in 1913. The court ruled against the express companies and declared the law constitutional, and the injunctions which the company had secured were dissolved. Both companies were required to pay the taxes which had been assessed against them.

An important river terminal conference was held at St. Louis for two days in February, 1915. The call for this conference was signed by the governors of Minnesota, Illinois and Missouri and by the chairman of several business clubs. The object was to prepare a comprehensive plan for river terminals to be ready for the navigation of the various water courses of the West. Four years before this date Congress adopted the policy of spending \$200,000,000 for the improvement of the navigable streams in the Mississippi Valley, and of this sum \$20,000,000 was to be spent on the Missouri River during a period of ten years. The Panama Canal having been completed the country was free to undertake this system which had been under consideration for many years. Commercial clubs and business organizations throughout the West had encouraged this movement.

The first wireless telegraph apparatus of size sufficient for successful operation and use was installed in Aberdeen early in the spring of 1915 by the Aberdeen Wireless Club, which had a machine with a receiving radius of 3,000 miles. For some time he had been picking up messages from all over the United States. At this time they secured a commercial set which had a receiving radius of 5,000 miles. About the same time three young men at Eureka put up a station with a powerful receiving apparatus and received regularly the daily time from the Government observatory at Arlington, Va. Several young men at Selby about the same time established two stations of sufficient power to reach over the coast line of both oceans and receive the time of day regularly from Arlington. Mr. W. D. Nelson, a jeweler and watchmaker of Aberdeen, took considerable interest in securing the right time from the Government observatories.

CHAPTER VIII

ASSESSMENT AND TAXATION

The state constitution adopted as a basis of taxation "all real and personal property according to its value in money," and provided that all taxes to be raised should be uniform on all such property. The Legislature was empowered by the constitution to exempt property used exclusively for agricultural and horticultural societies, schools, religious, cemetery and charitable purposes, and personal property to any amount not exceeding in value two hundred dollars for each individual liable to taxation. The constitution also provided that all laws exempting property from taxation other than that enumerated in sections 5 and 6 of the same article should be void. Section 18 of the new revenue law of 1891 allowed no deduction for indebtedness from the value of real estate, but attempted to authorize such deductions from credits and possibly from other kinds of personal property. The Supreme Court made no distinction as a basis of taxation between different forms of real estate. It at least impliedly forbade such distinction. This gave a discrimination against real estate and in favor of credits and perhaps other personal property, and was contrary to the constitution. This was the decision of the Supreme Court in May, 1891.

In his message to the Legislature January 8, 1890, Governor Mellette estimated the deficiency of the state during its first year at \$172,905. The net liabilities of all the counties of the state in the previous November were estimated at \$2,441,334. This was estimated to be about \$37.10 per family. As the state debt proper at this time exceeded \$1,000,000, the total indebtedness of the people of South Dakota at this time was about \$3,500,000. This was not a crushing debt, but was sufficient to arouse the people and cause them to demand a stringent course of economy in the management of the state affairs. It was again proposed at this time to amend the constitution soon so that an increase in the state debt to the amount of \$500,000 instead of \$100,000 could be incurred. The matter had been submitted to the voters at the election in October, 1890, and was overwhelmingly defeated. The people were not willing to extend the debt limitation and were content with the constitution as it stood. Economy was the slogan at this time. In the fall of 1890 Congress allowed South Dakota the sum of \$14,855.80 to cover the expenses of the Constitutional Convention of 1885.

The constitution required that property be estimated at its selling value. If this provision had been observed there would never have been any serious difficulty in raising the money needed by the state government for general purposes. It has only been within the last two or three years that any serious attempt has

been made to comply with the mandates of the constitution and to the present (1915) this has only partially succeeded.

It was figured that the 2-mill tax allowed by the constitution upon the assessed valuation would yield about two hundred and two thousand dollars, not counting railroads, express companies, etc. This was less than half of what the actual expenses of the state would probably be. The Legislature took the position that the difficulty could be obviated by increasing the assessment, and an increase of about twenty-five per cent was gradually and actually made by the board of equalization. If this course had been persisted in the taxing troubles would have been ended then and there. The total assessed valuation of the state including railroads, telegraphs and all special properties yet to be brought under was \$136,827,018. This would yield a revenue of about two hundred and seventy-four thousand dollars. The first Legislature was almost unanimously in favor of great economy, and was opposed to every form of extravagance and many even opposed liberality. The truth was that the state authorities thought they were hampered by the legacy of debt, confusion and corruption that had been handed down from territorial days. It was realized and noted that many offices were far more ornamental than useful, were the creatures of grafters and soulless politicians, and accordingly the Legislature began at this session and gained momentum as time advanced to pare down all expenses, and eliminate every useless official, cut out every item of extravagance and manage the young state along what seemed to be the most approved lines of strict economy.

Under the constitution no more than a 2-mill levy could be made for state purposes, and no state money could be paid out unless appropriated by the Legislature. The State Board of Equalization was empowered to equalize values and to raise or to lower the assessments. As returned by the county boards of assessment in 1890, the aggregate valuation was \$101,925,093, exclusive of railways, telegraphs, etc. The State Board of Equalization estimated the receipts from this assessment at a little less than \$204,000. During the territorial period and near its close, the region that afterward became South Dakota annually raised a little over \$550,000, but part of this sum was contributed by the Government. The railways and telegraphs were assessed \$7,194,986. This was the general assessment in the summer of 1890, the total available assessment of the state being thus \$109,120,079. Minnehaha County was assessed \$11,952,616; Brown County, \$7,364,974; Beadle, \$6,356,593; Lawrence, \$425,182; they were the highest.

Under the tax law the mortgagor was made to bear an unequal and unfair burden of the expense of sustaining the state government. The mortgagee was also taxed dollar for dollar on these mortgage credits. Thus was introduced in the state a system of double taxation. As a matter of fact, in actual practice, the mortgagor and mortgagee both escaped taxation because the mortgages were not reported or were concealed. The mortgages of the state were not held by residents, but were owned mainly by wealthy outsiders in the East. However, the farmers or other realty holders, it was claimed, were taxed on the full value of the property covered by the mortgage. Thus the farmer whose place was worth \$1,500 and on which there was a mortgage of \$1,000, was really assessed, it was maintained, at the full value of the farm. In other words, he was taxed as well for what he owed as for what he owned. This was complained

of grievously, but without truthfulness by the farmers throughout the state. The real facts were that while he was assessed the full value of his farm, he really had the use of the \$1,000 secured under the mortgage, the profit on which was more than equal to the interest on the mortgage. He thus was not taxed on his full farm, but only on \$500 of it. The aim of the men who framed the constitution was really to tax credit or the mortgage of the mortgagee and not the debt-mortgaged property of the farmer or other mortgagor. It was planned to subtract these mortgages from the assessed valuations of the farms and merely tax the credits held by the mortgagee.

By January 1, 1891, the state had been in existence fourteen months and the total expense during that period was less than four hundred and fifty thousand dollars. This sum included a considerable amount paid for permanent improvements and public necessities. Thus it cost the state considerably less to be conducted as such than it did the state as part of Dakota Territory.

The administration realized that good management by the state government would soon pay off the indebtedness, and that with a fair degree of prosperity South Dakota would become prosperous and soon have a large surplus on the right side of the ledger. However, it was imperatively necessary for the Legislature to make seemingly large appropriations in order to place the state institutions on a firm foundation at the commencement of their career under statehood. This fact was voiced from all parts of the state by mass meetings of citizens who assembled and passed resolutions to that effect. Among the organizations which took positive action of this character were the Stock Breeders' Association, State Dairy Association, State Board of Agriculture, State Horticultural Society, Poultry and Pet Stock Association, State Farmers' Alliance, State Bankers' Association, State Educational Association, and many others interested naturally and seriously in the affairs and progress of the young state. Several of these organizations, however, opposed the appropriation of any considerable sum of money for the World's Fair at Chicago. They did not realize what an important and potent advertising medium representation at the fair would furnish at the outset. Thus many concerns within the state and no doubt a majority of citizens opposed the appropriation of any considerable sum in order that South Dakota might be represented at that exposition. As time passed and the date for the fair came nearer this sentiment did not change greatly, owing to the fact that, although the importance of the fair was now more keenly realized, the direful hard times, the evil panic of 1893, the large debt of the state, the many mortgages on the real estate of South Dakota and the partial failure of crops for several successive years, were sufficient to induce the associations and citizens to oppose still any large appropriation for this purpose. The Legislature was really afraid to advance, and so permitted the state institutions to languish. The disadvantages suffered by the state where in a measure handed down from the Church administration, one of the most corrupt, baneful and deleterious the territory had ever been forced to sustain. It was said that the \$1,000,000 debt bequeathed by the Church administration instigated and originated the constitutional clause which limited the state debt and the rate of state taxation. The question of finance was of such superior moment that the governor's message in January, 1891, was largely devoted to showing how the expenses could be kept down and the state debt could be paid without becoming burdensome. He even suggested

a reduction in the membership of the Legislature, abolishment of the office of immigration commissioner, the closing or consolidation of several of the state institutions and asked that counties should be required to pay part of the expense of the penal and charitable institutions. No wonder the Legislature hesitated to advance.

The total appropriations for the fiscal year 1891-2 were \$723,914.60. The state officials cost \$72,000; Legislature, \$73,418; State University, \$41,100; Madison Normal, \$18,600; Spearfish Normal, \$21,400; Reform School, \$32,000; Agricultural College, \$12,000; School of Mines, \$16,000; Deaf Mute School, \$24,700; Penitentiary, \$57,900; Insane Hospital, \$120,500; Soldiers' Home, \$32,900; and bonded debt, \$108,000. The Legislature of January, 1891, passed the delinquent tax law which fixed the penalty at 12 per cent per annum on each assessment after the succeeding February. The intention, it was later claimed, was to make this penalty 1 per cent per month instead of 12 per cent per annum.

In 1890-91 the appropriation bill carried in round numbers about five hundred thousand dollars for two years' expenses. The estimate for 1892-93 exceeded this sum by fully one hundred thousand dollars. Newspapers asserted in 1890 that the state institutions were unnecessarily put on starvation rations, and that numerous state officials were not allowed much more than half of what had been paid them previously under the territorial government. However, despite the hard times the total appropriation bill for the biennial period of 1893-94 was raised to \$815,026.20, and the total assessment of 1893-94, including railways, telegraphs, etc., was placed at \$137,035.974.

The early assessments, it is alleged, were nearly all formulated on the basis of 40 per cent of the valuation, and as the regular tax could not exceed 2 mills the revenue could be forecast immediately after the final assessment had been established. The practice of assessing at 40 per cent was not in accordance with the constitution, but was simply the forced custom of the assessors of the state through the insistence and dictum of the tax payers and the county authorities. The early deficiencies were largely due to the custom of keeping down the valuations to 40 per cent or under. If full valuation as provided by the constitution had been made by the assessors and had been approved by the State Board of Equalization, the 2-mill tax would have been much more than sufficient to meet the legitimate expenses of the state. It seems a strange circumstance, but it is a fact, that the Legislature, session after session, refused or failed to take any effective action to secure a general assessment at correct valuation, although they knew that by doing so the 2-mill levy would be insufficient to meet the expenses and that a deficiency tax would have to be levied, or the state authorities, in order to secure funds for the current expenses, would be compelled to anticipate the next year's tax. This seems a singular circumstance. A full valuation as the constitution provided would have yielded more than twice as much tax. Undoubtedly the framers of the constitution had figured wisely and correctly on the future state valuations, and had determined that a 2-mill tax at full valuation would be amply sufficient to meet the ordinary expense. In spite of these facts and the knowledge of the constitutional provisions, the legislators, session after session, failed to meet the requirements of the constitutional provisions.

In 1892 every insurance company doing business in the state, except companies organized under state laws, paid taxes on the gross amount of premiums

received in the state. Fire and life companies were required to pay $2\frac{1}{2}$ per cent. Every town collected in taxes and fees the following amounts: 1890, taxes \$12,885, fees \$8,267; 1891, taxes \$14,260, fees \$8,428; 1892, taxes \$15,834, fees to November 1, \$8,100. The total from all sources from insurance companies amounted to \$67,776.98. Every organized town or city in which a regular fire department was maintained was entitled under the law to 2 per cent of the fire insurance premiums paid in such town or city. These amounts were paid in for the benefit of the fire department. The tax for any year was paid in July the following year. There were in the state the following insurance companies: Foreign Fire, South Dakota Fire, Foreign Life and Accident; South Dakota Hail, Foreign Steam Boiler and Foreign Plate Glass. The laws concerning life insurance and assessment passed by the first Legislature gave excellent satisfaction from the start. Rigid compliance with the law was exacted to the benefit of all concerned. Every contract was carried out by the companies and by the last of 1902 no man had lost a dollar by means of default on the part of the companies. All wild-cat companies had been driven from the state and the business of legitimate companies had been vastly increased. Hail insurance, however, was not satisfactory and gave no protection to the policy holders. It was an absolute necessity and the state auditor in 1902 urged the Legislature to enact the necessary laws to carry hail insurance into effect. The losses annually were enormous and fell upon people who could not afford to bear the loss. The existing law he said was open to fraud, deceit, extravagance and mismanagement and a new law on a safe and conservative basis fully protected by restrictions should be at once enacted. He suggested that persons giving notes for insurance should be obliged to pay them and the company which insured against loss should be obliged to account for every dollar received. He further said that the laws governing fire insurance in this state were poor and inadequate and that new laws similar to those in older states should be enacted. He said: "The valued policy law should never be enacted in this state. It increases the moral hazard and is against public policy." At this time the insurance department of South Dakota was rapidly gaining in importance and already the creation of the office of commissioner of insurance was talked of. Up to this time no provisions for the publication of a state insurance report had been made although such a document was needed. The books of the state auditor showed that during two years ending with the close of 1892 the people of the state paid in premiums and losses a total of \$1,573,313.18.

Under the law of 1891 the state auditor was charged with the superintendence and direction of assessment, but had no power to enforce his rulings or instructions. County auditors and assessors under the law could operate independently of the state auditor. Thus he was given superintendence over work and held for its execution when he had no power to enforce rules necessary for carrying into effect his duties. Under the law the fiscal year began from and after June 30, 1893, but before this it had been made by calendar years. At this time there was no special law fully defining the duties and powers of the state auditor, and when such duties were specified there was provided no way to carry the same into effect. The auditor was a member of the state board of school and public lands and accordingly he made suggestions as to how the funds should be invested. He recommended that a commission consisting of the county treasurer,

school superintendent and state's attorney be created for the purpose of managing the school fund and lands in each county. On June 30, 1892, the total bonded indebtedness of the state was \$1,040,200, made up of coupon bonds to the amount of \$880,200 and registered bonds of \$160,000.

The grand total assessment of South Dakota in 1892, including railways, was \$127,377,991; without counting railways the total assessment was \$118,223,307; in 1891 the assessments, exclusive of the railways, was \$119,113,006; that of 1890 was \$129,379,049. Thus it will be seen that there was a considerable drop in assessments from 1890 to 1892. The falling off was not due to a decrease in population or to a decrease in the actual value of property. Farm lands had almost doubled in value. The high assessment of 1890 was due to the fact that the 2 mill tax would not furnish enough revenue on former assessments to pay the interest on the debt and meet the expenses of the state. Accordingly the assessment was raised in 1890 in order to increase the revenue under the constitution. At first it was thought that such a levy would be necessary to start the new state, but when it was learned later than an increase in the assessment was unnecessary, the levy of 1891-92 was considerably cut down. This accounts for the reduction in the assessments. There was much complaint over the assessment of 1890 when it was learned that such a step had been unnecessary. In fact, the complaints were so severe over the state that the state board of equalization thereafter refused to interfere to any material extent with the assessments as returned by the counties, but devoted their entire attention to making those assessments uniform. The Legislature of 1891 passed six new revenue laws, one of which was severe on all assessors who failed to make prompt returns.

An important decision of the Supreme Court at Yankton in 1893 held that the Legislature had the constitutional power to provide by law for a tax in excess of two mills. This question had been uppermost ever since the constitution had been adopted and it was thus thought that the Legislature had no power except in extreme and actual emergencies. The court held that the constitution provided as follows: (1) Annual taxes for estimated ordinary expenses of the state; (2) taxes to pay deficiencies existing from preceding years; (3) taxes with which to pay the public debt. The court said: "The constitution makers evidently foresaw that an emergency might arise in providing for a revenue for ordinary expenses of the state under a two mill levy and in their wisdom provided that wherever a deficiency existed in making a provision for the ordinary expenses such deficiency should be met by the levy and assessments of an amount sufficient to pay it without regard to the two mill limitation. Finding nothing in the constitution forbidding it, we are much of the opinion that it is within the constitutional power of the Legislature to direct by law a levy of a tax for the purpose of meeting any valid, proper and reasonable extraordinary expense which commends itself to their good judgment. The law providing for such tax must clearly state its object and the tax so raised cannot be diverted to any other use." Thus under the constitution it was made the duty of the Legislature to provide for taxation to meet the state deficiencies and emergencies.

The annual report of the state auditor for the fiscal year ending June 30, 1895, showed that the total receipts less the cash on hand at the commencement of the year were \$622,723.86. There had been received from the sale of funding



MINNEHAHA COUNTY COURTHOUSE, SIOUX FALLS

and revenue warrants the sum of \$304,600. The disbursements less the cash on hand amounted to \$627,593.48. At this time the auditor charged a large deficit to the Taylor defalcation. There was likewise a deficiency of about \$100,000 due to the expenses of the Legislature. This deficit had occurred every year, and was due to the slipshod method of assessment and taxation. Of course, the two mill tax did not bring sufficient revenue, because the assessment was not placed where the makers of the constitution designed it should be. It was said at the time that the state was trying to fill an inch hole with a half inch plug.

The governor and the auditor showed, in 1896, the necessity of an improved constitutional revenue law. This requirement had been presented to every Legislature since the state was organized, but had received only passing attention. It was questionable whether the existing law was constitutional and its enforcement was poorly provided for. The auditor declared that the next Legislature would certainly be nothing short of criminally guilty if they did not give the subject more attention than past bodies had done. The recommendations of the officers in charge, he declared, should certainly be at least noticed by the Legislature. For two years past he had referred especially to this subject and now again asked for relief. He pointed out that the assessment in general was not conducted with the care and regularity it should be. Numerous mistakes and errors were constantly creeping in to confuse the collection and proper disposal of the funds. He believed that if the board of equalization was not properly empowered it would be well to create the office of state tax statistician and adjuster. He pointed out that the expenses of such an officer could easily be saved by taking the assessment of real estate once in two years instead of every year, and that the necessary books and records in each county and additional clerk hire that could be saved would be many times the amount necessary to maintain such an officer. In addition he could be empowered to adjust discrepancies so numerous after every equalization, but which could not be remedied under existing laws. He said: "For instance, in the present year the assessors of Hutchinson County returned less land than in former years, but the state board had no power to place the land on the lists, and on the face of the returns raised farm lands which were in reality assessed as high as before, 10 per cent, or some \$1,400 tax in round numbers. Since the action of the board the county auditor has discovered 8,695 acres of land with a valuation of \$195,000 that has not been returned." In Douglas County, in 1896, the lands returned were 183,408 acres, while in 1895 they were 247,935 acres, and yet these lands had been proved up in Douglas County the past year. Either 64,527 acres of land in Douglas County had "literally walked away" or else the returns were grossly wrong, and the latter conclusion, declared the state auditor, was more plausible.

This illustrates the numerous errors which crept into the system of assessment then in vogue. There were similar discrepancies in the assessment of the state banks. In 1895 fifteen county auditors returned abstracts showing no moneys in banks and nineteen organized counties returned abstracts showing no bank credits. As the state board was totally powerless to remedy these evils, the state auditor asked the Legislature to intervene. Many similar discrepancies were shown in the assessment of goods and merchandise. One discrepancy was the admitted fact that the Legislature had failed to provide for equal taxation in unorganized counties. It was shown that in one county with a valuation of

\$63,590 the state extended \$52.82 less tax than it took to pay the assessor. In four counties the tax extended was \$826.90, while the cost of assessment was \$604. Thus in these counties assessment was merely a job for the assessors. Nearly \$2,000,000 of the state assessment consisted of this class of cases.

At this time there were no special class for mining lands, for machinery, for grain on hand; no adequate provision for listing goods and merchandise; no well defined provision for listing society property. The assessment was evidently falling off for reasons other than shrinkage in value. Since statehood the corporations assessment for the various years was as follows: 1892, \$9,120,000; 1893, \$9,164,000; 1894, \$9,417,000; 1895, \$9,418,000; 1896, \$9,365,000. Thus there was practically no increase in five consecutive years in the assessment of corporations. On the other hand the property of private individuals listed by local assessors had varied greatly, as shown by the following table:

1879.....	\$ 8,916,100	1888.....	\$ 91,988,981
1880.....	11,474,960	1889.....	97,456,773
1881.....	16,153,052	1890.....	136,827,018
1882.....	23,533,366	1891.....	128,328,775
1883.....	32,134,068	1892.....	127,389,992
1884.....	46,297,369	1893.....	136,032,840
1885.....	53,560,208	1894.....	128,046,765
1886.....	75,725,289	1895.....	121,751,151
1887.....	86,066,923	1896.....	119,391,156

This includes only counties in now South Dakota.

As a matter of fact the assessment of the state in 1896 was almost exactly the same as it was in 1890. This was true regardless of the fact that the acreage assessed was increased by 3,500,000 and that the value of the land in 1896 was the same as in 1890, about \$5.14 an acre. The total assessment on acreage and town lots in 1890 was a little over \$100,000,000. In 1896 it was not quite \$90,000,000. The total assessment of personal property in 1896 was only \$5,389,200. After assessments were made many irregular and illegal abatements and refunds were made. The auditor suggested the enactment of a law strong enough to correct these abuses. He said that the provision for a two mill levy for general state purposes was not sufficient to meet necessary expenses under the present system of assessment and that the amount of interest paid out on funding and revenue warrants annually was a constant reminder of this fault. The plan of levying a deficiency tax every second year was not a businesslike proceeding, he said, and the Legislature should submit to the people an amendment to the constitution providing for a change in this method. An act providing for a three mill annual levy and no deficiency tax would no doubt be sufficient except in case of war or other emergency. Revenue warrants had been the mainstay of the state ever since 1890 and were used to keep the ordinary warrants at par. As a matter of fact it was clear now that the small saving in percentage made by placing such warrants on the market was far from equalling the amount that was necessarily expended by placing large issues on the market at \$1. The uncertainty of tax collections here and the large sums necessarily required to float these issues caused investors to require them to run for a period

not less than a year at a time. Therefore money could be saved by the repeal of all revenue and funding warrant acts. He called the attention of the Legislature and the governor to the efforts that had been made to reduce the indebtedness of the state even when the revenue was insufficient to pay the interest thereon in addition to the necessary expenses. The auditor made numerous recommendations calculated to improve the finances of every state department.

In February, 1897, Governor Lee, in a special message to the Legislature, urged action in regard to the revenue question. He stated that all ordinary revenue had been legitimately expended and that the state was in a condition of helplessness unless some such action should be taken by that body. He called attention to the practice of issuing revenue warrants against the tax assessed, but not yet collected. These warrants, he said, were sold in large blocks on Eastern markets and the money thereby derived was used to maintain at par the warrants of the state drawn against the general fund, but the warrants could not be sold except in large blocks and on long time. They drew 7 per cent. At the same time Treasurer Phillips announced that there would be a deficiency by June 1, 1897, in the general fund unless some action to relieve the situation was taken. He stated that emergency warrants to the amount of \$103,000 would fall due April 1 and another large sum a little later.

Taxation in 1898 was still very unevenly distributed and unsatisfactory, and state officials on all appropriate occasions took special pains to emphasize this fact and recommend that the evil be remedied. First, the evils were pointed out and then the Legislature was asked to improve the situation. The auditor declared that the entire revenue system was loose, uneven, unjust and needed revision. There was not one gross inequality of taxation, but large amounts of wealth escaped the assessor wholly. Farm property was taxed highest and far beyond its just proportion. Merchandise paid less than its fair share. Mining interests of the Black Hills were taxed by the acre and paid nothing in proportion to the value of the property. The millions of bushels of grain held by elevator companies was taxed almost nothing. The banks managed to escape their just proportion of the tax. In a few counties bank stock was assessed at par and in others at less than 30 per cent. Under the law the state board was unable to separate the shares of banks from the shares of other corporations and consequently all were left as they were returned by the county boards. Annually the state lost large sums of revenue through the almost utter failure of the system to reach moneys properly. Of the total assessment of about \$120,000,000 in 1898 only about \$400,000 was in money. There were other evils similar to these and all constituted a reflection and reproach upon the management of the state and were an insult and a wrong to the inhabitants. The state officials urged the Legislature of 1899 to remedy these unfortunate and unjust conditions of the finances.

In August, 1898, at a meeting of the State Board of Assessment and Equalization resolutions to the following effect were adopted: That inasmuch as petitions had been received from various counties of the state asking that railroads should be assessed at not less than five thousand dollars per mile, and inasmuch as the board had not sufficient evidence warranting such an assessment, the petition had been duly and fully considered but had not been acted upon; that the railroad commissioners had reported that in their opinion the companies were

assessed at a just rate; that in fact the assessment of the Milwaukee railroad was more than one million dollars in excess of the rates of former years; that the value placed upon railroad property by the board in excess of that fixed by railroad commissioners fairly covered all other railroad property, and therefore the report circulated to the effect that the state petitions were not treated with the respect due them was wholly and entirely false and without cause; that they insisted that the request made by petitioners to the board that they should state the facts upon which the petitions were based was a proper and courteous course to pursue; that they believed and declared that the State Board of Assessment and Equalization should be above partisanship in its official acts and be guided solely in the consideration of all matters within its jurisdiction by its best judgment; that they declared in their opinion it would be inconsistent and unwise for the state to contend through its railroad commissioners that a given piece of property within the state was fairly worth for purposes of establishing a schedule of rates no more than eight million eight hundred thousand dollars and immediately thereafter to insist through its board of assessment that for the purpose of taxation the same property was fairly worth fifteen million dollars or more was inconsistent upon its face and unwise because it was believed that the tax levied upon such assessment would be excessive and therefor uncollectible, and further because the Board of Railroad Commissioners would be embarrassed in their efforts to secure more favorable railroad rates within the state. This vote carried with three for and two against.

* Before 1899 the Legislature had passed an act regulating and limiting the levy of local taxes. The law provided that county levies for all purposes should not exceed 8 mills. This amount, it was provided, should not be exceeded for the "consolidated county tax," as it was called. It was claimed that this law worked a great hardship on many counties that had bonds in circulation and were compelled to pay the special tax. They complained that local officers could not levy enough tax to pay legitimate county expenses and were compelled therefore to issue warrants, all the result of the special laws of the Legislature. They asked this Legislature to remedy matters by providing for an increase in the assessments.

For the fiscal year ending June 1, 1899, the total state receipts were \$1,048,979.28, and the total disbursements were \$1,011,387.28, leaving a balance on hand of \$37,592. At this time the total state debt was \$708,300, composed of registered bonds \$267,500 and coupon bonds \$440,800. On July 1, 1899, the total state debt was \$408,300. During this year liquor licenses brought to the treasury \$56,752.28.

In August, 1899, Attorney-General Pyle issued the following statement in reference to the power and authority of the State Board of Equalization to increase the aggregate assessment: "The State Board of Assessment and Equalization in this state is also a board of assessment of certain classes of property. That is, it is required to place an assessed valuation upon telephone and telegraph lines, express companies and railroads, and it is also required to assess this class of property upon the same basis as the rest of the property of the state is assessed, and it is also required to assess it according to its value. It being the duty of the Board of Assessment and Equalization to assess a portion of the property of the state according to its actual value, and to equalize all the taxable

property in the state so that it may be assessed according to its true value and proportionate value, I am of the opinion that the board has the power to increase this aggregate valuation of the state, provided that it does not exceed the true value of any class of property in making this equalization and assessment above referred to. If a few counties in the state are assessed according to their actual value in money and a large per cent of the counties are assessed at a much lower valuation, I am of the opinion that it is within the power and is the duty of the Board of Equalization to raise such counties as are assessed below their actual value, so that the same will be assessed in accordance with the true and proportionate value. Of course, if all classes of property are assessed according to their true value, then all property will be assessed in accordance with its proportionate value." The law provided that the board should "equalize the assessment so that all the taxable property in the state shall be assessed at its true and proportionate value; but said board shall not reduce the aggregate assessed valuation on the state, but may increase said aggregate valuation in such an amount as may be reasonably necessary to obtain a just and true value and equalization of all the property in the state."

The following was the assessment in Yankton County for 1898 and 1899. Similar changes were made, up or down, in all the counties of the state:

What Taxed	1898	1899
Land	\$2,137,775	\$4,832,130
Town Lots	885,775	1,506,310
Merchandise	87,035	194,100
Horses	83,740	215,000
Cattle	104,053	299,380
Swine	15,004	67,720
Money and Credits.....	16,185	131,085
Bank Stock	37,320	110,425

In August, 1899, the State Board of Assessment and Equalization changed the assessment in the various counties so that the total was \$146,333,912 instead of \$118,126,593, as returned by the county boards. The per cent raised or lowered is shown in the following table, together with the totals of each county as equalized:

County	Equalized Assessment	Per cent Raised
Aurora	\$2,024,510	25.
Beadle	3,852,200	20.4
Bon Homme	4,018,765	21.7
Brookings	4,671,792	55.
Brown	7,566,160	23.4
Brule	2,458,169	93.1
Buffalo	375,008	16.6
Butte	1,537,286	.8
Campbell	1,170,932	11.8
Charles Mix	1,617,919	26.1
Clark	2,955,906	29.8
Clay	3,709,995	38.1
Codington	3,673,408	32.8
Custer	824,870	22.9

County	Equalized Assessment	Per Cent Raised
Davison	2,273,354	10.1
Day	3,771,669	70.4
Deuel	2,753,063	40.2
Douglas	1,646,154	9.1
Edmunds	1,524,373	13.7
Fall River	1,171,544	20.3
Faulk	1,384,905	11.7
Grant	3,173,254	57.1
Gregory	179,137	6.9*
Hamlin	2,321,204	49.6
Hand	2,240,718	10.4
Hanson	2,155,584	25.8
Hughes	2,170,167	2.
Hutchinson	5,161,661	41.3
Hyde	925,009	14.8
Jerauld	1,113,474	17.6
Kingsbury	4,049,387	38.3
Lake	3,738,398	48.8
Lawrence	5,258,003	24.
Lincoln	4,836,210	36.2
Lyman	593,476	63.2
Marshall	1,727,282	23.4
McCook	3,564,657	75.1
McPherson	1,725,081	17.6
Meade	1,836,698	15. *
Miner	2,055,644	4.4
Minnehaha	8,375,452	32.3
Moody	3,494,012	37.9
Pennington	2,719,978	1. *
Potter	1,176,660	8.7
Roberts	1,843,633	30.3
Sanborn	2,137,173	19.9
Spink	5,988,331	41.
Stanley	1,056,773	2.1
Sully	1,383,311	1.4
Turner	4,547,575	23.3
Union	3,743,902	30.2
Walworth	986,016	17.1
Yankton	5,073,800	34.5

* Means reduction.

In the summer of 1901 Judge Carland of the United States Court filed his decision in the celebrated rate case at Sioux Falls. His decision said: "The schedule of maximum rates of charge for transportation of freight and passengers adopted, fixed and established by the Board of Railway Commissioners of South Dakota is held to be in violation of the Constitution of the United States in this regard, to-wit: That the schedule if enforced would operate to take the property of the railroad without just compensation, without due process of law and would deprive it of the equal protection of the law. It is held that the schedule adopted by the railway commissioners would not afford the railroad company reasonable compensation for the services performed. The railroad commissioners and their successors, agents, etc., are perpetually enjoined and re-

strained from putting into effect or attempting or claiming to put into effect, the schedule of freight or passenger rates adopted by the board. It is ordered that the railroad company recover of the commissioners its costs to be taxed together with its disbursements necessarily incurred." At this time the total railroad valuation of the state was \$12,929,003.

The bill in the Legislature in 1901 relative to taxing the products of the mines in the Black Hills kindled a great deal of indignation among the residents of that portion of the state. It was declared by newspapers there that the bill was unjust and would be extremely detrimental to the prosperity and interests of the Hills. Mines were taxed at the present time as well as the hoisting plants, reduction works and all the appliances used in the mining and milling of ores. The farmer, it was argued, paid taxes on his farm, buildings, live stock and large implements, and it would be no more than fair to tax the farmer on his wheat or corn or other products than to tax the Black Hills people for the products of the mines.

It again became necessary for the Legislature in 1903 either to increase the total taxation or to increase the total assessment. Accordingly that body provided again for a deficiency levy of 2 mills to be added to the regular constitutional 2-mill tax. At this time the total assessment was in round numbers \$200,000,000. A 4-mill levy on this assessment would yield \$800,000. This sum with the other receipts was sufficient to increase the total revenue to over \$1,000,000 for the biennial period. The law required assessors to value property at its true worth, but they still did not do so. The amount needed for all state expenses of every description for the biennial period was at this time about \$1,275,000.

"The State Board of Equalization was obliged to increase both the valuation and the levy to meet the extravagance of the last Legislature. Senator Johnson said last winter in a letter to the writer from Pierre that it would be better if the state institutions were all located at one place so that the towns could not combine and sandbag the other members into granting extravagant appropriations. The force of that utterance will be more fully realized when the time arrives again to pay taxes. The legislators representing state institutions combined and scratched each others backs to a fare-ye-well, granting about everything asked for in the way of appropriations while the people grin and look pleasant."—*Armour Herald*, September, 1903.

In the fall of 1903 the total moneys and credits found by the assessors of the state amounted only to \$686,620, while the estimate made of deposits in all the national and state banks of South Dakota was placed at \$32,000,000. This disparity between the assessment and the actual valuation was so great that all realized the assessment of such property was merely a farce.

Mutual insurance companies in 1903 were not disheartened nor seriously injured by the refusal of the Legislature to exempt them from the operations of the anti-compact law. They even felt themselves in better condition, because they would not be hampered by its provisions and restrictions. The contracts issued by the state mutuals did not contemplate the establishment of a fixed rate, nor was the rate established at all until the end of the period for which the insurance was written, and even then it was established under the definite and reasonable contract that so much of the original amount of the premium as was not required to carry the risk would be returned to the holder. Every joint stock

company which did business in the state in 1902 was required to secure a certificate of authority to do business in 1903. Several insurance companies were organized under the new law. This signified that the law was neither unjust nor burdensome. Even the old companies continued doing business in the face of every threat of the previous winter that if the valued policy law were passed they would be forced to withdraw from the state. These facts were borne in mind when the old companies took a similar stand at later sessions of the Legislature. By the first of June, 1903, three new mutual insurance companies had been launched at Sioux Falls alone in spite of the recently passed valued policy law. One was the Mutual Cash Surety Company.

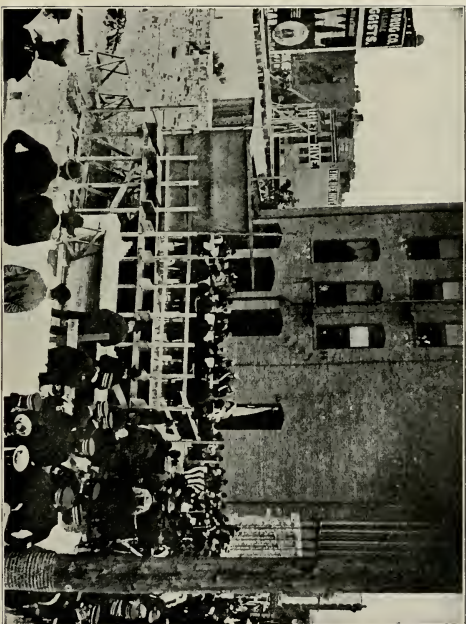
The assessed valuation of the state in 1903 was \$211,035,192. On July 1, 1903, the bonded debt was only \$289,000, but there was outstanding \$215,000 in revenue warrants that had been issued, as was the custom in anticipation of the coming tax. On June 30, 1902, the total state debt was \$677,500, of which \$427,500 was bonded and \$200,000 floating.

In 1903 the State Board of Equalization raised the assessment materially all over the state. The result was a great outcry at the enormous valuations from the counties. However, in 1904 it was shown that the tax rate had been reduced in forty-four counties. The assessed valuation was \$214,239,028. On July 1, 1903, the new banking law had gone into effect with excellent results to the financial interests of the state.

The bonded debt of the state in 1904 was \$289,000, but the state had on hand ready means to pay this entire amount if such a step was deemed advisable. As the state progressed in population and wealth and as expenses became higher, the old schedule of taxation and assessment under the constitution was found to be wholly inadequate to meet the changed conditions. The state authorities continually resorted to all expedients to overcome the difficulty. One was to take advantage of the constitutional deficiency provision of 2 mills and the other was to increase the assessment roll, a difficult thing to do in view of the outcry and opposition. It was estimated early in 1904 that by the end of that year the deficit would amount to \$380,000 unless measures to meet the increase were adopted. It was concluded to meet this deficiency the same as had been done every two years before by the deficiency levy. This was the saving clause of the constitution and in the end the salvation of the state. The total assessment in 1905 was \$126,686,261.

"South Dakota presents the spectacle of a state continually hard up in the department of current expenses, though able to wipe out its bonded indebtedness by a single small levy. During a considerable period of each year the treasury is empty and interest-bearing warrants are afloat. This is not because the state is poor. The condition arises from the inability of the legislative talent of the state to frame and enact a revenue law such as would produce business results." —Sioux Falls Daily Press, August 10, 1904.

Much of the trouble over financial affairs in the state was due to the fact that farmers who numerically controlled the Legislature opposed at all times any increase in taxation, any change in the constitutional provisions regarding taxation, and any advance in assessment valuation. As the Legislature was the authority by which such relief could be obtained and as the farmers opposed any



LAYING THE CORNERSTONE OF THE NEW MASONIC TEMPLE, SIOUX FALLS,
OCTOBER 10, 1905

reform in these particulars, the state for nearly twenty years was annually in serious financial condition and at times its credit was gravely jeopardized.

In January, 1905, Samuel H. Elrod, the new governor, called attention in his message to the escape from taxation of many important industries of South Dakota. He insisted that something should be done to remedy this unjust and unfortunate condition. He declared that within a short time, unless the Legislature should act, real estate and the homes of the common people would be paying all the taxes. He called attention to the fact that no tax whatever was paid on 75 per cent of the personal property of the state, and showed that moneys and credits often were not listed because assessors failed to find either of them. He insisted that the Legislature as a matter of simple justice should at once take steps to equalize taxation, because of the gross inequalities that existed. He asked the members of the Legislature to put aside their political schemes and combines to make larger appropriations, because the institutions of the state required no such improvements. He pointed out that an immediate and efficient tax law was very essential, if not absolutely necessary, for the development of all departments of the state government, and insisted that taxation and revenue was the most important question, not excepting any, for the Legislature to consider at this time.

He called attention to the fact that the constitution provided that all property should be assessed "at its true full value in money," and that this course had not been pursued at any time since the state was organized. He showed that while the state assessment for 1904 was a little over two hundred and fourteen million dollars, the actual valuation of property within the state was about one billion dollars. Should the law be complied with and should the assessment be made according to the wording of the constitution, the two mill taxation authorized would be amply sufficient to conduct the affairs of the state, pay at once the entire state debt and provide an abundant fund for any annual deficiency that might occur. He denounced in unmistakable language the practice of the state authorities, particularly the Legislature, in making special levies to cover deficiencies, or to borrow large sums of money at high rates of interest with which to carry on current expenses. He declared that the frauds revealed from the records of assessment of the state were outrageous and should be prevented by the Legislature. He noted that in Yankton County the returns in moneys and credits in 1903-4 was \$122,025, which sum was within \$1,541 of being as much as the same items reported from the combined counties of Lawrence, Minnehaha, Union, Lincoln, Brown, Spink, Codington, Roberts and Grand, but he noted that the next year Yankton County, probably to get even for this conspicuous inequality, reported in moneys and credits only \$2,880. A certain piece of property there was sold for \$6,500 but had been assessed at only \$800. He insisted that scores of similar instances in all parts of the state could be pointed out. The state board of equalization was powerless to remedy this striking inequality, because names of those who had been omitted were not on the rolls. He asserted that no assessor did his duty, but admitted that no doubt he was influenced by men who did not want to be assessed and who were strong enough politically to get their particular friends appointed or elected as assessors.

At this time also Governor Herreid recommended that the annual meetings of the state board of equalization be held in January and February of each year,

that the board should be given power to appoint a state tax commission, and that annual meetings of all county assessors should be held in order to make uniform assessment methods of all descriptions. He did not believe that the Legislature would necessarily have to pass a mass of new laws, but did believe that there should be an effective and uniform administration of existing laws. He stated that the estimated deficit for 1904-5 and 1905-6 would be about \$410,000 and that a deficiency levy of two mills for 1905 would pay off the existing deficit, but that a levy of one mill for 1904 would be necessary to pay off the bond interest and maintain the accumulation of the sinking fund. He said: "I earnestly hope that not a dollar will be appropriated by this Legislature in excess of the revenues of the state." Evidently the governor, like many others, had become tired of the annual deficit and wanted something done that would remedy matters from the foundation up. He called attention to the fact that in spite of the miserable system of taxation in the state the bonds were being rapidly paid off and that nearly all the state institutions had saved nearly twenty-six thousand dollars from their annual allowance.

Under the new law the state board of equalization and the county auditors met for consultation at Pierre in March, 1905. The state board began listing for taxation private car systems and under the law was given until December 1 to investigate and place on the tax list any property which had escaped taxation, and this was believed to be one of the properties that had thus far evaded its duties. Other special properties were similarly listed. The state board of review was called upon to act upon the protest of the owners of telephone lines owing to the great advance in their valuations. The board decided that telephone company values had been placed at a figure where their taxation would be out of proportion to other property of the state, whereupon a reduction of 15 per cent was granted from the figures adopted by the board of equalization. The Western Union Telegraph Company also asked for a reduction and the board of review granted their requests to the amount of 10 per cent.

The Black Hills Mining Association likewise protested against the rate of assessment placed against them by the state board. For the first time they were returned this year in a separate class from farm lands with which they had previously been assessed. The assessment as returned from Lawrence County was a little over one hundred and eleven dollars an acre and this sum was raised 25 per cent by the state board. Other Black Hills counties returned lower valuations, but all were raised by the state board, though not as high as Lawrence County. This was due to the fact that Lawrence County was reputed to have a richer mining section than the Southern Hills. Since the organization of the state efforts to secure separate classification of mining lands for assessment had been made, but the Hills members of the board and of the Legislature had always been able to ward off such a blow until the session of 1905, when the Legislature passed a bill to that effect. The mining people in the Hills prepared to enter formal complaint before the state board in due time.

The state board of equalization in the summer of 1905 made an increase over the assessment of the previous year. It had been authorized to arbitrarily use its judgment in regard to increased valuations, but the board believed it would be wiser to search out and assess new property which had up to this date usually escaped the scrutiny of assessors. The express companies had been assessed on

an arbitrary basis in the past, but now were placed on a mileage basis. The valuations on telephone and telegraph companies were increased radically, because the companies paid only a state tax of 2.5 mills on the dollar of assessed valuation. In order to make these companies bear their share of the burden the valuation was considerably raised. The total increase in corporate assessments, including all classes of property which came under this head, was practically \$767,692, of which the railroads stood \$414,617. For the first time the Colton Road in Minnehaha County came under this assessment. Telephone companies were assessed \$273,015; telegraph companies, \$60,000; express companies, \$15,000, and the Pullman Company, \$5,000. This assessment shows how enormously within a few years the telephone companies had spread over the state. There were 143 companies as against 106 for 1904. The increase in the railroad assessment was caused by the branch line extensions. For the first time there was a listing of mineral lands this year under the law of the last winter. The counties making the mineral land returns were Custer, Lawrence and Pennington. Custer returned 4,147 acres valued at \$30,449. This was raised 10 per cent by the board. Lawrence County returned 41,570 acres valued at \$4,570,017, which was a 25 per cent increase. Pennington returned 9,525 acres valued at \$190,913, which was a 15 per cent increase. Farm lands were assessed about the same, but there had been considerable increase in the acreage. The assessed valuation of farm lands was \$124,780,992. The highest valuation in any county was \$13.36 an acre, in Clay County, and the lowest was \$2.13, in Fall River County.

This first meeting of the county auditors of the state with the state board of equalization was held at Pierre early in 1905 and was well attended, every county except Stanley being represented. The question of a basis of assessment was radically discussed, and many divergent views were expressed, but on the whole all agreed to certain reform measures concerning taxation. Immediately succeeding the joint meeting the county auditors assembled and formed an organization with the following officers: Charles E. Hill, of Minnehaha, president; J. F. F. Parks, of Custer, first vice president; R. M. Cotton, of Bon Homme, second vice president; W. M. McDonald, of Spink, secretary-treasurer, and P. J. Murphy, of Brookings; George Bippus, of Campbell; W. A. Nevin, of Custer; Chris Myhre, of Lyman, and E. W. Brown, of Turner, executive committee. The recent bill of the Legislature authorized the county equalization board to go behind the assessor's returns to get at any assessable property which to their knowledge or belief had escaped the assessment roll, and in case of failure of the county boards to act placed such authority within the power of the state board to search out such property. The law placed the burden of proof upon the owner in case he was absent and required him to show why it was not listed. At this meeting also attention was called to the list which had been prepared by the state board for a general basis of averaged values for different classes of personal property which was founded on averages as shown on former assessment lists. This list was on the following basis: Horses under three years old, \$17; horses over three years old, \$35; cattle under two years old, \$8; cows over two years old, \$14; all other cattle, \$18; mules, \$30; sheep, \$2; swine, \$3; wagons and buggies, \$2; organs, \$12; pianos, \$85.

By 1906 it was shown that after an experience of seventeen years it required a deficiency levy by the state of 2 mills every alternate year to meet the

emergency or deficiency expenses. Thus the annual expenditure required was about three mills on the total assessment. As the assessment of 1906 was \$222,426,469, the revenue at three mills from this source amounted to \$667,279. At this time the bonded debt of the state was only about fifty thousand dollars, and there was more than enough cash in the treasury to equal that sum. Treasurer Collins had paid off during his term in office \$300,000 in bonds before they were due. In 1906 the total number of acres assessed in the state was 21,251,642. This was valued at an average of \$6.11 per acre by the assessors.

In March, 1909, at the meeting of the county auditors with the state board at Pierre, thirty-seven counties were represented, regardless of the fact that the Legislature had refused to make any provision for the payment of the expenses of such officers in attending the meetings. Every section of the state was represented, even if every county was not. It was decided to appoint a committee to examine the assessment and valuation schedule and report to the meeting. The committee reported a schedule for farm land assessment which, after being slightly modified, was adopted. The changes were all in the line of increase and ranged from 10 per cent up. On the other schedules all rates were adopted as they existed the previous year, with the exception that the valuation of pianos and organs was reduced. All understood that the object this year was to get one-third of the actual value.

In October, 1909, the special state tax commission appointed under the law by Governor Vessey took into consideration after mature deliberation the following important points: (1) To stop double taxation on mortgages; (2) to improve the tax law of the state, which was crude and unfair; (3) to place a tax on incomes, which, thought not recognized by the state constitution, could be reached only by special action of the Legislation. The state board of equalization had neither the necessary information nor the official discretion to tax incomes successfully, nor could they prevent inequalities and variations between the work of different assessors. Under the law the officials of the state, owing to lack of definite authority, were powerless to adjust inequalities in assessment rates, not only between special properties, but between localities such as counties. Everybody knew painfully that large values in personal property wholly escaped taxation.

The constitution of South Dakota specifically required all assessments to be made at full valuation, but remarkable to state this had never been done. The general aim had been to assess property generally at $33\frac{1}{3}$ per cent of its actual value and to assess bank stock at about 50 per cent of its value. In 1906-7 the assessors began to assess bank stock at 40 per cent of its actual value and other property at 33 per cent of its actual value. The rate on bank stock was placed higher than on other property, owing to the surplus and undivided profits which of right, it was thought, should be deducted from the bank stock proper. It was admitted that it was an impossible matter to make satisfactory assessments, owing to the increase in land values and to the uneven, uncertain and doubtful valuations. While lands rapidly increased in value in some portions of the state, they decreased or remained stationary in others and these changes had to be taken into consideration with much care to equalize the assessment and treat all property holders on a fair basis, a result that thus far had never been accomplished.

The tax commission, consisting of Dean Sterling of the university, J. B. Hanton of Watertown, and Dr. H. K. Warren, president of Yankton College, appointed by Governor Vessey late in 1909 and later sent as delegates to the International Tax Conference at Milwaukee, made full report to the governor in January, 1911. The report discussed elaborately the various taxing systems and compared their respective merits. The report said that the system in South Dakota was such that under the constitution property could not be classified for taxation according to kind or economic use or value. The burden of the report was that an entire change in system was imperative before an improvement in taxation in the state could be expected. The commission was of the opinion that the law should permit the classification of personal property so that the taxing authorities could impose a different rate upon different classes of property; that under the existing system a large amount of intangible personal property was not listed at all for taxation, but left the burden to be borne by the property that was tangible. The report of the commission was drastic and went to the bottom of a defect which had perplexed the state since its organization.

In 1911 about one million acres in the state, which had never before been taxed, was placed on the assessment roll. The land had previously been entered and was now transferred permanently from the Government to private owners. The appropriations for 1911 amounted to \$1,066,417, and in 1912 to \$1,083,662. The assessment in 1910 was \$337,702,276, and in 1911 it was \$349,640,703.

In 1912 successful efforts to bring under taxation several large industrial concerns of the state were made. The Homestake Mining Company, it was ascertained, had never paid its proportionate rate of tax. The company had become really an important property factor and apparently for this reason was permitted to list only a small fraction of its property for taxation. For years it had been listed at \$2,000,000, though it was well known that its property was worth at least \$25,000,000. In 1912, seeing the inevitable apparently, the company voluntarily raised its assessment to \$8,000,000, hoping thus perhaps to escape a much larger and juster assessment, but the new State Tax Commission was not to be deceived by such ledgerdemain and accordingly during the summer of 1913 fixed the valuation of the property for assessment at \$16,000,000. This act occasioned great indignation, assumed or real, from the members of that corporation, who proceeded in severe terms to criticise the fairness of the tax commission. Other big concerns in the Black Hills and at Sioux Falls received the same surprise.

The tax commission appointed by Governor Byrne in February, 1913, were H. C. Preston, of Mitchell, six years; Hugh Smith, of Howard, four years; C. N. Henry, of Redfield, two years. H. C. Preston was made president of the commission. At a meeting of the county auditors held in Pierre near the last of March, he outlined what the commission expected to do under the new tax law which had just been passed and of which so much was expected. The total valuation or assessment of all property in the state under the new tax law was \$1,196,708,270 and the tax rate was 1 mill. This gave the state a revenue of \$1,196,708. In 1912 the assessment under the old law was \$353,228,056 with a 4-mill levy. Thus the levy under the new law of 1913 was \$184,406 less than that under the old law of 1912. It was figured that the tax-dodger would be required to pay a greater tax, and that other property holders would thereby

be required to pay less. The total appropriations for the fiscal year 1913-14 were \$1,946,578.

Thus in 1913, for the first time in the history of South Dakota, assessments were presumed to be made upon the real valuation in accordance with the constitution which had been adopted nearly a quarter of a century before. The revolution was complete and overwhelming. Land values were placed at $3\frac{1}{2}$ times over those of 1913 and railway property was placed at 3.9 times over those of 1912. The increase in land assessment was 235 per cent, in railroad assessment 290 per cent, and in express assessment 321 per cent. On an average quarter section of land, the tax under the new system was \$4.09 and under the old system was \$4.95. Thus the value of the land was increased about $3\frac{1}{2}$ times, while the state levy thereon was reduced to about one-fourth of what it had been under the old system. The 1 mill levy, despite assertions to the contrary by opponents of the measure, raised enough revenue for necessary state expenditures. It was found in 1913 by the tax commission that lands in the western part of the state had been assessed year after year more proportionately than land in the southeastern part of the state had been assessed. The commission in marking the assessment took counties by groups where the same conditions and products were and made a common basis of moneys and credits for all counties within such group. The moneys and credits were increased from about one million five hundred thousand dollars to over eight million dollars.

It was admitted, however, that no real reform could come without a suitable amendment to the constitution. The question had been submitted to the voters in 1907 and 1909, but had afterward in each instance been voted down by the Legislature. It was believed that the reform would have to be gradual and not sudden, in order to achieve success at the polls and satisfy the people. During the year 1913 the tax commission regularly issued bulletins to acquaint the public with its methods and operations. Governor Byrne said in October, 1913, "Our present constitutional provisions in regard to taxation are equitable in theory, but will not work in practice. In fact it is admitted by all students of the subject that the general personal property tax system has broken down and failed. It does not work equitably as between individuals or efficiently to raise revenue. My own idea is and has been that ultimately we should substitute an income tax for part or all of the personal property tax."

The State Tax Commission was criticised sharply by its opponents. It was declared to be an expensive luxury by the Aberdeen News, which said that it cost the state from eighteen to twenty thousand dollars per year paid to the commission and that they spent most of their time in looking after political matters and not attending to their duties. The News thereupon advocated the reactionary policy that the next Legislature should abolish the tax commission and return to the old system of taxation under the governor, state treasurer, state auditor and State Board of Equalization.

In the spring of 1915 a tax conference was held at Pierre and was largely attended by county assessors, county boards of commissioners, state assessors and members of city boards. The object of the conference was to examine thoroughly the program of taxation in the state and still further to improve it. The conference was addressed by Governor Byrne and nearly all of the state officials were called upon to assist with information and suggestions. On that occasion

there was held a session of the State Association of County Auditors, of which Harry H. Howe, auditor of Minnehaha County, was president. This meeting covered all subjects of interest in the line of duty of county auditors and was not confined to the subject of taxation alone. Many important innovations and improvements were suggested at this conference.

In July, 1915, the South Dakota Tax Commission reported a considerable increase in the assessment of public service properties in the state. Other property valuations remained about the same as the year before. The public service properties of the state were assessed as follows in 1914 and 1915:

Properties	1914	1915
Railroads	\$129,384,257	\$130,206,405
Telephones	4,043,331	4,192,834
Express	2,959,960	2,897,680
Telegraph	928,353	928,353
Private Car Companies	280,000	413,454
Total	\$137,595,901	\$138,638,726

The bugaboo of a crushing state debt has kept South Dakota back at least a dozen years. The constitution of 1889-90 fixed the maximum of state taxation at 2 mills on the dollar, but under rigid restriction also provided that in certain emergencies an additional 2-mill tax could be levied. At the time the constitution was adopted and for seven or eight years thereafter the whole country, including South Dakota, was in the iron grasp of a public or political movement which had for its slogan—better times for the laboring man, far greater economy and the obliteration of boss, ring and graft rule. No doubt this influence in the constitutional convention dictated the 2-mill clause. So strong was the cry of economy here that no politician had the temerity or courage to advocate an increase of taxation or the creation of a state debt for any purpose. Such a policy, he knew, would promptly spell his political and public doom in South Dakota. It is a fact that this sentiment was so paramount throughout the state that the public officials hesitated for many years to take advantage of the emergency clause in the constitution and levy the other 2-mill tax. They did not care to do it in the face of the call for economy, the cry against public extravagance, the demand for help from the laboring man and the shout that arose against malfeasance in office, the corruption of public officials and the graft of political bosses, rings and cabals. The state officials could do little more than to levy the 2-mill tax and cut out all expenses, regardless of merit or importance, down to the lowest figures.

In 1914 the City of Seattle, Wash., with a population in round numbers of three hundred and eighty thousand had an indebtedness of about thirty million dollars. Of this a little more than seventeen million dollars was city debt proper, incurred for lighting, water and sewer systems, etc., and the remainder was individual debt assessed against the realty of citizens for the improvement of streets, walks, etc., adjoining their property. Every dollar of the indebtedness of \$30,000,000 was voted by the citizens from time to time over a period of about twenty-five years. Why? Because they were satisfied with the results. The city has outstripped every municipality on the northwestern Pacific Coast. Had it

not been for this proudly acclaimed "Seattle spirit" the city would have been crushed absolutely and completely back in the '70s and the '80s by the Northern Pacific Railroad and other gigantic influences which boosted Tacoma and did everything in their power to belittle, benumb, dwarf and kill Seattle. The Northern Pacific announced that it would go no farther—that Tacoma was the south terminal point, and thus, as it seemed, Tacoma was bound to become the great city of the sound country and Seattle was doomed to mere village proportions. And Tacoma began to grow rapidly. In this direful and threatening extremity, what did Seattle do? One thing it did not do—it did not sit down and bemoan its sad fate. The whole city put its hand down to the bottom of its pocket and willingly, enthusiastically, drew out enough coin to thoroughly advertise the city throughout the entire East. They employed every effort to secure railroad connection with the East. They pointed out the adjacent coal and iron supplies, the vast forests of fir and pine, the salmon, halibut and other sound and deep sea fisheries, and the fact that manufactories were sure to come there owing to the already vast trade with the Orient; the fact that all of Alaska would be certain to give the city the bulk of its trade. They finally built their own first railroad of thirty miles back in the interior to the coal and iron mines and in direct line for use by any other railroad company that should come that way. They likewise entered into every negotiation that seemed feasible, to induce other railroad companies to make Seattle the sound terminal point. In every one of these particulars, except that of securing many large factories, the city has won; but it has succeeded far beyond its expectations in its trade with Alaska and its fisheries and its timber output. It has far outstripped Tacoma, has secured five transcontinental railways, has the best water system in the country without any exception. All is due to the "Seattle spirit," of which all boast—real grit and self-sacrifice to make their city the greatest on the Pacific Coast. And what do the citizens say about their big debt? They snap their fingers and say that they are ready to vote more if necessary and really did so in 1914—voted \$3,000,000 for the improvement of their unrivaled large-vessel harbor. They will tell you that the debt does not scare them, that they can and will, if necessary, put their hands down in the aforesaid pockets which have been so responsive to their requests in the past and pay off the whole \$30,000,000 in from two to five years or in one year if the progress and advancement of the city demand. If the present population is 380,000 and the debt is \$30,000,000, the debt per capita is about eighty dollars. Aside from a few thousand families with large numbers of children, the payment of that debt in a year—\$80—would scarcely cause a flutter of the pulse. And the few thousand families that would find it inconvenient would be promptly helped by the leading men who are inspired and glorified by the "Seattle spirit." They would be loaning their money on their own time. Or the big debt would be paid on the basis of wealth and not per capita.

It is true that most people are deceived by the ignus fatuus of taxation. Nine men out of ten spend each year more for tobacco and liquor than they do for their taxes. Ninety-nine out of a hundred spend more for luxuries and unnecessary things than they do on the assessment roll. But they are afflicted with the chronic disease of ascribing to taxation all their petty delinquencies, their business slips and their unnecessary and deplorable failure to make a living

while carrying this bugaboo, this Old Man of the Sea, on their backs. From the start this has been the disease that has hampered the "South Dakota spirit." The early leaders did not have the ability to create the public pride that the leaders of Seattle did. Should this state now, the year of our Lord 1915, be suddenly placed in debt \$30,000,000, it is reasonable to presume, from a knowledge of the past, that all the leading men would scarcely survive the blow. As the population of the state is about 583,000 the debt would be about \$50 per capita. Where is the South Dakotan who could not pay \$50 for every member of his family in from two to five years? Where is the South Dakotan who does not squander or waste that much every year? What, then, should be said of a debt of only \$5,000,000 of \$10,000,000 needed to develop the state irrigation systems and water power? A few years ago when the state debt was less than \$500,000 it was both amusing and ludicrous to hear the lamentations that arose from every quarter. And once when the state debt was but \$100,000 the official reports were filled with anxiety lest the state should suffer serious harm.

With all its prosperity, with all its exceptional wealth per capita, with all its improved and advanced conditions, there is no sound reason why the state should not at once inaugurate a system of internal improvement that within a decade would place a homestead on practically every quarter section and transform the uncultivated and uninhabited hills into fields of waving grain and grass and into happy and contented homes. What was done at Belle Fourche by the Government can be done throughout the so-called semi-arid tract at a cost of from five to ten million dollars, every dollar of which can be made to come back to the state in the end. This plan has already been suggested, studied and recommended by the conservation movements now before the people for their consideration and education.

CHAPTER IX

HEALTH, PREVENTIVE MEASURES, PRACTITIONERS, ETC.

Under the territorial government due attention was paid to health measures, though few believed that any special effort or expense in this particular was necessary in this portion of the country where the climate was so rigorous and bracing. However, the boards of health were organized and did good work in checking epidemics and medical societies were formed for mutual protection, benefit and success. The same proceedings were continued under the state government.

The South Dakota Medical Association of Allopaths assembled at Aberdeen in 1900, and interesting papers were read by Drs. D. W. Rudgers, W. E. Moore, C. M. Keeling, F. W. Cox, J. G. Parsons, A. E. Clough, Frank C. Todd, J. L. Stewart, G. E. Martin, R. L. Murdy, E. Leithhead, C. V. Templeton and C. B. Alford. These papers covered many of the most interesting subjects that physicians have occasion to encounter. Succeeding each paper discussions were held, and personal experiences in the practice were detailed to the great advantage and interest of the attending physicians. The meeting terminated with a banquet. Among the toasts responded to were the following: "Our Guests;" "The State Society;" "The Clergy;" "Our City;" "The Law;" "Education;" "State Board of Health;" "Till We Meet Again."

The State Dental Association met at the City Hall, Yankton, on June 4, 1890. Of the thirty members then belonging to the organization, fifteen were present on the first day and later a few others arrived. Dr. F. O. Sale, of Huron, was president at this date, and after the opening exercises he delivered his annual address which was listened to with much attention. At this session clinics were conducted at the office of Dr. W. H. H. Brown, then a practitioner at Yankton. Several important papers were read, among them being the following: "Destruction of Natural Teeth," by Dr. W. H. H. Brown; "The Broken Arch," by Dr. W. H. Baker, of St. Lawrence County; "Mechanical Dentistry," by Dr. C. A. Maxon. Equally interesting papers were read by several others. Dr. W. H. Baker was elected the new president. At the same time the State Board of Dental Examiners assembled at Yankton and examined several candidates who desired licenses to practice this profession.

The Sioux Valley Medical Association met at Sioux Falls in June, 1900, and was the fifth annual meeting of this organization. A. F. Orr, attorney, welcomed the physicians to the city, and Dr. J. N. Warren, of Sioux City, responded on behalf of the society. President F. W. Cran presided. Interesting papers on the following and other subjects were read: "Smallpox," "Intra-Uterine,"

"Antiseptics in Pneumonia," "Traumatism of the Eye," "Strangulated Hernia," "Surgical Importance of Jaundice," "Chronic Suppurative," "Otitis Media," "Should Opium be Given to Young Children," "Congenital Displacement of the Liver." Present were about twenty-five physicians.

The State Medical Society was reorganized at Chamberlain in June, 1891, with a total membership of over one hundred. This was one of the most momentous meetings thus far held in the territory or the state by the medical profession. Doctor Ware, of Salem, was elected president and Dr. G. W. Moody, of Huron, vice president. Business of great moment was done at this session. This was not the first organization of the physicians of the state, nor was it the last. Like many other similar organizations in early times they flourished for a while and then, owing to the great expense and the loss of time taken to reach the meetings, the organization gradually ceased to meet and was finally abandoned. At this time the State Board of Health was active in demanding from all physicians that they produce their licenses or give up the practice.

In December, 1892, the State Board of Health, which had been created March 10, 1891, reported that as a whole, the health of the state was good. The law required them to direct their efforts to the conservation and improvement of the public health. The board was hampered in its labors, owing to the fact that in creating the board, the Legislature had made no appropriation whatever to meet its expenses. The Legislature had referred to the expenses, but had not specifically provided for their payment. Hence the state auditor was powerless to audit the accounts, and the state treasurer did not feel authorized to pay the bills. Thus all the expenses of the board were advanced by themselves, with the expectation that they would be reimbursed therefor by the Legislature of 1893. The law provided that the board of health should make and enforce any and all needful rules and regulations for the prevention and cure, and to prevent the spread, of any contagious, infectious or malarial diseases among persons or domestic animals; establish quarantine, and isolate any person affected with contagious or infectious diseases. In discharging its duty, the board in several instances had established quarantine, and had joined with the local boards of health for the prevention of diseases. The law required them to kill or remove any animal affected with contagious or infectious disease. Later this duty was assigned to the state veterinary surgeon. As the last Legislature had abolished the office of the state veterinarian, this placed an extraordinary duty on the board of health who had not been educated concerning animal diseases and were unable to diagnose such cases correctly. The board asked that the office of state veterinarian be at once re-established. At this time there had been established in nearly every organized county of the state a board of health, but they were not required to care for animal diseases. This act of placing upon the state board the care of animal diseases was a serious blunder of the Legislature.

One of the duties of the State Board of Health was to investigate and establish health conditions in the various state institutions upon the call of the trustees or management. Thus they were called upon particularly by the board of charities and corrections to investigate conditions at the insane hospital and at the penitentiary. The remarkable fact was that the board went forward and attended to these duties and paid their own expenses. Even the county boards of health did not in all cases perform their duty and the state

board was called upon to relieve the situation. Epidemics ran for short periods in different portions of the state. For two years ending December 1, 1892, there were reported 259 cases of diphtheria with sixty-seven deaths. In some localities hygienic influences were reported bad. The board learned that wherever artesian water had been used almost exclusively for cooking and potable purposes, disease had secured the least foothold and was the easiest controlled. The conclusion was that the surface water was often impure. Impure air in tightly closed houses was regarded as one of the causes of ill health. The number afflicted with scarlet fever during two years was 166 with only four deaths, showing that this affliction was generally mild, whereas the large percentage of deaths from diphtheria showed that the attacks were malignant. Scarlet fever had been prevalent among all classes. Not a single case of small-pox had appeared in the state for two years. Lung diseases, owing to the dryness of the atmosphere, did not give much trouble. Influenza had short runs in some localities. Bronchitis and tuberculosis (except among the Indians) were almost unknown in this state. The board asked for considerable legislation that was necessary to surround them with the proper conditions for fully carrying into effect their responsible duties. They asked that records of birth, marriage and mortality be kept; that the office of the state veterinarian be recreated; that the members of the state board of health be made official inspectors of public institutions; that the board be empowered to revoke licenses of practitioners who had secured such through fraudulent diploma or who were guilty of unprofessional conduct; that the attorney-general be made ex-officio member of the state board, and that a sufficient appropriation for the payment of the expenses necessarily incurred by the members in the performance of their duties be made. At this time W. C. Fowler, M. D., was superintendent of the state board.

On May 24, 1893, the South Dakota Eclectic Medical Society had its second annual meeting at Yankton, on which occasion there was a large comparative attendance. Dr. W. H. Coney was president and delivered his annual address. Succeeding this event Dr. James Buchanan addressed the physicians on the subject of Nervous Debility. Doctor Owens, of Lesterville, read a paper on the Eye and Ear; Professor Birch read an article on the "Optician" and then delivered an able lecture on the "Care of the Eye." F. E. J. Warrick read a strong paper on Medical Jurisprudence. At this meeting delegates to the World's Fair Medical Congress were chosen.

In 1894 the State Board of Health made a number of sweeping recommendations. They pointed out the weakness of the existing law concerning a record of epidemics and other diseases. They announced that the state had a low death rate from scarlet fever, typhoid fever, measles, pneumonia and consumption. Although diphtheria had raged for short periods within the state, the death rate was very low. Out of 284 cases reported there were forty-two deaths, a remarkably low rate for that dread disease. Scarlet fever had been prevalent in numerous localities; there had been 230 cases of which forty-one resulted in death. Several entire health districts had been quarantined because of the presence and unusual fatality of diphtheria. The vigilance of the local boards of health was commended warmly and earnestly by the state board. In Minnehaha County, particularly, a severe outbreak was conquered and crushed by



THE NEW HOSPITAL, DELL RAPIDS

the board. At this time smallpox was totally unknown in South Dakota. Neither had consumption any hold here at this date. Influenza and phthisis were prevalent here, and from a general standpoint were easily controlled. The board of health reported that the state as a whole was eminently fitted for the conservation of health, owing to the dry, pure air charged with ozone and the absence of dampness except in a few restricted sections. The drinking water of the state was excellent as a whole. Artesian water, they said, from a sanitary point of view could not be surpassed for domestic purposes.

During the past two years ending with the close of 1894, 115 physicians had been licensed to practice in this state. During the year 1894 the board inspected the Insane Hospital at Yankton. They were surprised to find how scrupulously clean were the entire premises. They made a number of important recommendations concerning disinfection and other sanitary measures. They likewise inspected the condition of the Soldiers' Home at Hot Springs. They noted that there was present not the scrupulous cleanliness noticeable in most of the other state institutions. Owing particularly to the advanced age and feeble state of health of the inmates, they recommended that the cleanliness be improved at the home. They spoke in the highest terms of the sanitary condition of the State Penitentiary. They said that the action of the last Legislature in providing for the appointment of a state veterinarian had proved to be a wise measure as he had been called upon to diagnose several cases of supposed glanders and in almost every case had found that disease to exist. They recommended that the state veterinarian be separated entirely from the State Board of Health and that his duties be performed independently. They believed also that a special state veterinarian should be appointed for the western portion of the state. The reports from the county boards of health to the state board showed many variations and the presence of many diseases for short periods of time. As a whole, however, the condition of health throughout the state was excellent.

In the early '90s the Hot Springs of the Black Hills attracted the attention of the medical fraternity throughout the country. Many patients came here for treatment under the advice of physicians residing in all parts of the United States. In May, 1894, a large excursion of Chicago physicians came here and remained several days investigating the health surroundings and partaking of the hot and mineral water. This was only one of many similar excursions that came here for health and recreation from all parts of the country as the years passed.

In 1895 scarlet fever was epidemic in several parts of the state, particularly was it bad in the public schools of several cities where it was found necessary to dismiss the pupils for a week or two and to enforce quarantine to check the disease. Typhoid fever was epidemic at Sioux Falls, Yankton and several places in the Black Hills about the same time.

In 1897 when the Legislature passed the first osteopath bill in the state, it was vetoed by Governor Lee upon the ground that it might open a wide field for quackery in South Dakota.

The State Dentists Association met at Vermillion in June, 1897. There was a large attendance comparatively and important business was transacted. The business session was held under difficulties, owing to the fact that the records

of the society had been totally destroyed by fire at Milbank the previous February. Copies of the constitution were saved and this served as a basis for reorganization. The society passed a resolution asking for legislation that would permit the prosecution before justices of the peace of any persons engaged in illegal dental practice thus avoiding the work of grand juries in such cases. Much of the time was spent in examining a large class of applicants for licenses. The State Board of Examiners were Drs. L. F. Straight, W. O. Robinson and F. W. Bromley. There were seven applicants for admission. The officers for the ensuing year were F. N. Palmer, president; H. H. Whitaker, vice president; H. E. Blundt, secretary and treasurer. It was decided that the next place of meeting should be Madison. Several important papers were read at this session. E. V. March read an essay on "Extraction;" Doctor Davies read another on "Anaesthetics," and Doctor Wooten read one on "How to Increase the Attendance at the Society Meetings." As a whole it was an interesting, instructive and important meeting of the society. Among those present were the following: H. H. Whitaker, Aberdeen; J. H. Hall, DeSmet; L. E. Straight and wife, DeSmet; H. J. Davies, Woonsocket; F. N. Palmer, Madison; W. O. Robinson, Parker; E. V. Marsh, Alexandria; H. M. Harlan, Elk Point; H. H. Dickinson, Lead City; F. W. Bromley, Sioux Falls; A. E. Jennings, Canton; Miss Leona Dix, Mitchell; D. E. Dundis, Mitchell; Doctor Drake and wife, Plankinton; H. E. Blundt, Yankton; C. W. Stutenroth, Watertown; W. S. Phame, Minneapolis; Charles Blundt, Yankton.

At the fifth annual meeting of the Homeopathic Medical Society of South Dakota, held at Mitchell in July, 1897, many prominent physicians from all parts of the state were present. The State Board of Health was represented at this meeting and so were local boards from districts and counties in different parts of the state. Many interesting papers were read and important subjects were discussed. The physicians were royally treated by the citizens of Mitchell.

In about 1895, the Black Hills Druggist Association was organized for the betterment of the drug trade. They met annually at different cities in that part of the state. In 1898 W. R. Dickinson was president; Julius Deetken, vice-president; Nathan Franklin, secretary, and William Faust, treasurer. The next year the association met at Lead.

The Pure Food Law of the state was passed by the Legislature early in 1899 and went into effect July 1st of the same year. However, as no inspectors were provided by the law, it became practically a dead-letter and so remained until the next Legislature corrected this defect. At the same session the Legislature passed a law granting osteopaths the right to practice their profession in this state and to organize for mutual benefit. In September, 1899, Judge Campbell of the Fifth Circuit rendered a decision in favor of the osteopaths in a mandamus suit against the State Board of Health. The state board had refused to issue certificates to the osteopaths regardless of the law which went into effect July 1st and permitted them to practice their profession. The court directed the board to issue the certificates.

In December, 1899, F. H. Files was president of the State Board of Health and A. E. Clough, secretary. Under the law the board was required to enforce compulsory vaccination where necessary. In December they were called suddenly to Sioux Falls where smallpox had broken out and threatened to spread

over the city. The board had previously met in November and under a recent law had adopted rules to enforce vaccination in order to restrict and prevent the spread of this dread disease. All persons over one year of age who had not been vaccinated, particularly school children, were ordered under the rule. Local boards of health in all parts of the state and all health officers were required to enforce these rules if it appeared necessary upon the appearance of this disease. The health board also carried out still more stringent and definite rules concerning the control of diphtheria, measles, mumps, scarlet fever, whooping cough and smallpox. In time of smallpox epidemic all children were thus excluded from the schools unless they could produce a doctor's certificate showing that they had been vaccinated. These and other rules occasioned much complaint from school patrons and others who were subject to its restrictions, but all realized the correctness of the course being taken. School patrons were required to report under penalty any such disease to the mayor or town clerk in order that immediate steps to prevent its spread could be taken. In more than one school in the state, when smallpox appeared, all children who attended were required to line up and be vaccinated unless they had previously gone through the same experience. The state board did not furnish the virus; it was procured by the local boards.

In 1901 the State Medical Society met at Huron and discussed particularly the means to prevent smallpox. They passed resolutions deciding that every town and village should have a board of health, a detention hospital and a pesthouse.

In 1901 the Quadri-State Homeopath Society, consisting of members from Iowa, Nebraska, Minnesota and South Dakota, assembled at Sioux Falls with Dr. J. S. Hanchett in the chair. This was an important meeting, there being a large attendance, and many interesting papers were read and professional discussions were conducted.

In July, 1902, the State Dental Association met at Watertown with W. J. Davis in the chair. The society had been organized for fifteen years, but had not maintained a steady organization nor held regular meetings. In 1902 the officers of the South Dakota Medical Association were as follows: J. O. Duguld, president; B. B. Robb and C. B. Mallery, vice presidents; and J. L. Stewart, secretary-treasurer.

During the biennial period of 1901-2 diphtheria was slightly less prevalent than it had been during the previous two years. Although this disease was widespread, yet the cases were scattered and the authorities had little difficulty in controlling it. Good results in confining the disease to the original point of infection had followed the efforts of the superintendents.

Typhoid fever had secured very little foothold in South Dakota. In a few instances it was found epidemic and those cases were traced mainly to sources from outside the state. The general health and sanitary conditions were such as to preclude infection and the spread of typhoid fever. In a few cases in the Black Hills where the population was congested in gulches and mining camps and where the best sanitary conditions could not be secured, the conditions were worse, but even there the disease was easily controlled.

Scarlet fever, whooping cough, measles and chicken pox were found here and there but were easily controlled. The mortality was light. There were no

deaths reported during the year from either whooping cough or measles and only a few from scarlet fever. There was much confusion as to whether persons had chicken pox or smallpox, and it often required skillful physicians to determine the difference between severe cases of chicken pox and mild cases of smallpox.

Tuberculosis was found somewhat scattered throughout the state, but in most cases had been brought here from outside. The general sanitary condition of the state together with its bracing climate, tended to check its development here among the white population. However, the Indians suffered fearfully from the white plague. Many people came here for relief from tuberculosis troubles. As a whole few deaths had resulted from contagious diseases, however the authorities were ready for any emergency.

The state board at this time recommended a number of important changes in the laws regarding health. One was to give the health officers of the state enough funds to properly execute the duties required of them. The state board really existed on a pittance which was wholly inadequate to properly sustain the office. They asked that the superintendent of the state board be given a fixed salary and that his duties be specified and he be employed the year around. They asked also that all moneys received by the superintendent be turned over by him to the treasurer of the state, to be placed in a general fund for the execution of the provisions of the health law. There should be a general health fund to be drawn upon only in emergencies or to meet unusual demands. Epidemics came unexpectedly and had to be met promptly within a few days' time or they would spread over the whole state, resulting in a great loss of life.

The health board urged emphatically at this time the importance of prevention instead of waiting until the disease should get a foothold. Particularly they asked that quarantine measures be carried into effect immediately whenever necessary. They also asked that people of the state be required to obey the instructions concerning vaccination, because thus far smallpox had proved one of the most vexatious and fatal epidemics to the state. The board pointed out that no matter how strong the law might be or how plain the duties of the officials might be made, nothing of consequence would result unless proper funds were on hand to pay expenses. Smallpox during the year had begun at the Sisseton Reservation in Roberts County. Dr. H. E. McNutt, of Aberdeen, one of the members of the state board, went to the infected district, visited all persons suspected of having the disease, quarantined 175 cases and vaccinated or caused to be vaccinated 2,000 people and was in that territory for several weeks. He succeeded with the help of others in controlling the disease in the short period of two months. For this extraordinary service he received no compensation, as there were no available funds for such an emergency. The state board observed that physicians generally were too much looked upon as benefactors of mankind and the value of their services was too often minimized. The state board asked further that additional measures to enforce the pure food laws be taken. Particularly they asked that chemical preservatives detrimental to the health of the people should be removed from all food products, notably in the case of canned vegetables. They asked further for improved methods of preserving vital statistics—births and deaths and their registration; all of these not only as a matter of health, but for convenience in the settlement of estates.



VIEW OF PIERRE FROM WEST SIDE OF THE RIVER



ST. MARY'S HOSPITAL, PIERRE

At this time the State Board of Health was not in possession of reports of its own department from 1895-1900, inclusive, due to the lack of appropriations to publish a sufficient number to meet the demands. They asked that meteorology and climatology be further considered from the standpoint of health. While it was generally thought that the climate here was severe, yet it was a fact that South Dakota climate was one of the most healthful in the whole country. They asked particularly that methods of preventing the spread of flies should be taken because of the fact that flies undoubtedly spread typhoid and numerous other diseases.

During these two years there were licensed in this state 313 regular physicians and osteopaths. Each was required to pay a fee of \$10. These fees were a part of the salary of the superintendents of health. The number of osteopath licenses was eighteen. Of the total number of physicians' licenses 128 were residents of the state and 185 were non-residents.

The reports to the state board from county superintendents of health were somewhat irregular and a few were lost, so that definite statistics covering the whole state could not be given. Superintendents were required to send in monthly reports, but rarely ever did so. The law required physicians to report contagious diseases to the superintendents and boards of health with severe penalties for non-compliance. However, physicians in the hurry and rush of their business were lax in this regard, and although they usually reported to the city boards of health, they failed to report higher. Nearly all the reports that came to the state board, were sent by city boards of health. Not infrequently reports of contagious diseases that had been epidemic in cities and had not been reported to the county superintendents of health, did not reach the office of the state board at all. A law was sadly needed to avoid all of this confusion. In a few cases the information of the presence of epidemic had been suppressed by the officers of cities to prevent the inconvenience of quarantine measures, etc. The total number of smallpox cases in 1901 was 279, and in 1902, 720, among white people. However the Board of Health stated that this did not cover all the cases. They approximated 2,000 and stated that the number might approach nearly 3,000. They called attention to the fact that it could be prevented by proper vaccination and quarantine.

During the two years, 146 cases of scarlet fever were reported. Diphtheria caused the death of about 18 per cent of those who were afflicted. During the two years 198 cases of this disease were reported to the Board of Health. The ravages of diphtheria were so well known that people generally had used extra precautions with the result that its inroads had been checked quite promptly through quarantine and fumigation. With diphtheria and scarlet fever the people had a practical demonstration of the importance of proper health rules. Many people could not believe that artesian wells had any marked effect upon the atmosphere of the state, but when it was known that a little over 27,000 gallons of water would cover an acre of ground an inch deep, and that there were enough artesian wells in the state to cover over four townships of land every day in the year an inch deep, they began to see that the evaporation of this amount of water might have some modifying effect on the condition of the atmosphere. Winds carried this moisture over large portions of the area called semi-arid. Even Professor Todd of the State University admitted that this amount of mois-

ture might to some extent temper the atmosphere. In addition the water from many of these wells, particularly in the western part of the state, had a high temperature and was greatly relished by the live stock on the ranges and the farms.

The Board of Health called attention to the value of artesian water as a conservative of health. They noted the great improvement that had been made in securing artesian water. The Board of Health took the position that the value of artesian water to the health of the people was noteworthy and important. Generally the water of cities and towns was more or less impure. That was the case on farms where sometimes wells were impregnated with more or less filth. Even spring water was more or less contaminated because composed largely of surface water. All surface water was known to be more or less impure, though river water running all the time was generally wholesome. All well water was suspicious, and physicians looked to wells in all cases of typhoid fever. All of this danger was wholly avoided by the artesian water of South Dakota. The supply seemed inexhaustible, the water was entirely free from disease germs, often contained valuable mineral constituents, often contributed to the improvement of bodily functions and as a whole was an extreme health asset to almost the entire state.

Another important medium of health to which the state board called attention was the large amount of sunshine throughout the year. Few states had more sunny days than South Dakota. "The climate of South Dakota is to be considered one of the most healthful of the whole United States. It has few unhealthful factors. It may not be adapted to weak constitutions in some diseases, but generally the diurnal and annual variation of temperature can be nothing but conducive to health. Dry sunshiny climates with large variations of temperature may be generally considered the most healthful. Sunlight is one of the most potent factors for the destruction of disease germs."

The report of the State Board of Health in 1902 showed that the department was making satisfactory progress. Smallpox gave the board considerable trouble. There had been in the state about 2,000 cases in two years and the board had been unable to control it. The disease seemed to smoulder for a while and suddenly to break out again with renewed violence where least expected. The county superintendents of health had done their utmost, but were unable to control it in short time. In many respects the meaning of the law concerning the duties of health officers and the management of epidemics was in doubt. This left the authorities in a quandary what to do in emergency cases. Besides, the officials were not sufficiently and adequately paid for their services. The health board suggested that the county superintendent be paid not less than \$75 per year, and in addition be paid fees where the work exceeded a certain amount. In addition the laws concerning the authority of the superintendent in cases of quarantine and vaccination. In more than one case where the people refused quarantine, the city officials failed to do anything except at the expense of the city health authorities.

The Legislature of 1903 abolished the old State Board of Health, created a new one and provided that meetings of the new board should be held at the call of the superintendent. Governor Herreid called this board together on May 1st for the purpose of organization. Present were Doctors Robinson, Moffatt, Peabody, Ellis and Peterman.

At a meeting of the State Medical Society in May, 1903, there was passed a resolution recommending that all pupils in the public schools should have their eyes and ears examined regularly to ascertain if they were incapacitated from study by reason of defective sight or defective hearing. This action of the society met the prompt approval of the school authorities throughout the entire state. One of the members was delegated to attend the teacher's institutes to explain fully the merits of this action.

In 1903 the officers of the State Board of Medical Examiners were S. L. Olney, president; H. S. Groves, vice president; H. E. McNutt, secretary-treasurer. They held regular sessions in January and June at the state capital and special meetings at other cities throughout the state during other months of the year. The Fourth District Medical Association met at Pierre in 1903. There were present physicians from the counties of Kingsbury, Beadle, Hand, Hyde, Hughes and Stanley. Doctors Robinson and Lavery made a special report on the work that had been done in the hospital at Pierre.

In the fall of 1904 the State Medical Association prepared to demand of the Legislature which was to meet in January, 1905, a much better and more efficient law concerning vital statistics. They prepared a bill at this time to be presented at that legislative session.

At the session of the Legislature in 1905 President W. E. Daniels of Madison, head of the State Eclectic Medical Society, presented a resolution to the Senate through Senator Larkin declaring "that whereas with the Eclectics of South Dakota now in session, we believe that vice and criminality and various forms of degeneracy are on the increase, and whereas we believe that a large per cent of these criminals and degenerates are direct progeny of those who themselves are physical or mental perverts, and whereas believing that it is the duty of the state and nation to protect the health and morals of its citizens, therefore be it resolved that we, the Eclectics of South Dakota, do petition our Legislature to pass such a law or laws as will prevent the marriage of physical or mental degenerates and that habitual inebriates and criminals be unsexed to prevent the perpetuity of their kind and that we, as Eclectics, pledge ourselves and our support to any such law or laws and that a copy of these resolutions be presented to our Legislature for their consideration and action."

In 1906 the death rate in South Dakota per thousand was 8.8 and in 1907 it was 9.4.

In June, 1908, the homeopaths and eclectics of the state met in joint convention at Sioux Falls. The object was to form a joint association for the benefit of the profession generally. The convention lasted for two days and was one of the most notable health meetings of the state up to that time. H. S. Groves was elected president of the organization.

During 1907-8 forty candidates were examined for licenses to practice dentistry. Nineteen were granted licenses and twenty-one were rejected. During the year several persons were prosecuted for practicing without a license. The rules of the state board were rigid and were enforced whenever their infractions could be discovered.

In June, 1908, the State Board of Health stated that South Dakota had been singularly free from any serious or widespread epidemic of disease during the previous two years and this was mainly due to the efficient quarantine methods

adopted by county and city health officers. Better than ever before, local conditions were improved and local health officers were better qualified to discharge their duties. The diseases which were apparently on the increase were pneumonia and tuberculosis, particularly the latter which prevailed to an alarming extent among the Indians and mixed bloods and was a constant menace to the whites who lived near the reservations. The Board of Health warned the people of the state who sent their children to public schools where Indian children from the reservation attended. Cerebro spinal meningitis prevailed to a considerable extent, and was recognized as one of the most fatal diseases of an infectious nature. The health officer at this time called for a well equipped laboratory at a central point in the state to which health officers could have access and from which they could receive up-to-date instruction concerning all diseases and how to prevent or control the same. Particularly early diagnosis was regarded as highly important. Although the people of South Dakota enjoyed great immunity from disease, which fact was one of the state assets, yet it was important, in order to maintain this condition, that proper regulation and rules should be adopted. Up to this time there had been a lack of co-operation between the county and city health officers on the one hand and the State Board of Health on the other, and there was a notable lack of uniformity between the methods and views of city and county health officers. To meet this condition of things, the superintendent of the state board, Dr. W. E. Moore, sent out a letter to all the health boards of the state asking for reports and for closer relationship and calling for meetings whereby all could unite in the work of establishing permanently the health of the state. He called a meeting at Yankton for the first week in September, 1908, and announced that the following topics would be discussed: Organization of a state sanitary association; uniformity of work of county health officers; what diseases should be quarantined and any others of general interest and value which might at the time be brought before the meeting. On this occasion there were present forty-five sanitary officers from all parts of the state and all showed genuine interest in the work. An organization was effected, officers chosen, and steps to put in operation the best methods of conserving and preserving health were taken. From this time forward there was much better uniformity in the handling of health problems in South Dakota than ever before. Much of this excellent result came from the efforts of Dr. W. E. Moore. The State Board of Health at this time was composed of five members appointed by the governor, all resident physicians in good standing who held their offices for a term of five years. The State Board of Health had power to make rules and regulations for their own government; to make and enforce any and all needful rules for the prevention and cure and spread of any contagious, infectious or malarial diseases both among persons and domestic animals; to establish quarantine and isolate any persons affected with contagious or infectious diseases; to isolate, kill or remove any animals infected with such diseases; to remove or cause to be removed any decaying animal body that might endanger the health of persons or animals; to condemn and destroy any impure or diseased article of food offered for sale; to superintend boards of health in cities, villages, towns and counties; to empower and direct the superintendent of public health to perform any of these duties. At this time, also, the law concerning county boards of health was strict and was well enforced. The State Board of Health had

in operation twenty rules and regulations which were aimed to fully cover all questions of health in the state.

Previous to 1909 the State Legislature for several years appropriated \$500 annually for the expense of the State Board of Health. This was so small that it did not afford the help needed. At all times the board of health were being hampered and checked in their operations and were forced to place many of their duties on county and city boards in different parts of the state. As a matter of fact, the Legislature and the citizens generally, owing to the splendid climate of South Dakota, were slow to realize that epidemics and even other disorders could cause havoc here within a few weeks unless proper precautions were exercised. None had yet realized the importance of an organized campaign to prevent or check disease. However, by 1909 a change had come over the state. Generally people were better informed on health subjects and it was realized that even South Dakota needed organization to prevent the spread of disease and to advance the conservation of health.

At the legislative session of 1909 the State Medical Association and the State Board of Health supported a health bill that was introduced in the House. This bill prescribed and enlarged the powers and duties of the State Board of Health. It further provided for a much larger appropriation than ever before. The idea was to prevent all diseases by examinations so prompt, thorough and far-reaching that no disease could escape. It involved examinations of water, milk, food, ventilation, sanitation, and every other subject that involved the health of the community.

The defeat of this appropriation in 1909 caused the State Board of Health to declare in a public meeting that the Legislature alone would be responsible for the deaths that might result from epidemics of disease that were liable to sweep the state. They spoke particularly of the stupidity and carelessness of the legislative body. Apparently the Legislature did not act because epidemics were not then prevalent. The board of health insisted that the object of legislation and of the efforts of the health board was to prevent disease and not wait until it had secured a foothold in the state.

In 1909 the Black Hills district united and endeavored to secure the passage of a bill for a tuberculosis sanitarium to be located in that region. In the end they succeeded.

Dr. J. G. Parsons of Sioux Falls, a member of a special committee of the State Medical Association, was sent to Pierre to secure the passage of a health law, but after three or four weeks of effort found it could not be accomplished as the Legislature defeated the measure. In this connection he said: "If the Legislature will act in no other way, the medical association will begin an aggressive campaign. If a fight is necessary we will fight in the name of humanity. They say they must take care of the state institutions, but human life is nothing. They are willing to appropriate fancy sums to care for the living who are unfortunate enough to become dependents or criminals, but they have not one penny for those who are unfortunate enough to die needlessly. I am here to say that if every member of the Legislature would lose a child or a brother or a wife, from one of these preventable diseases, nothing could stop them from rushing through such a bill as this and attaching an emergency clause, but as long as it is the other fellow's baby who is sacrificed they do not care. Here is what I

propose that the medical association do, and I am willing to predict that it will be carried out: We will find out who is responsible for the failure of this bill to pass, whether it is killed in committee or voted down on the floor, then we will take the vital statistics and whenever a child dies of diphtheria or typhoid, we will send out a bulletin into the homes of these men and publish the fact that they are responsible for these deaths. It ought not to be necessary for the physicians of the state to engage in a bitter strife with the Legislature to put through such a bill as this because it takes money out of their pockets. This was intended to prevent disease and it is the disease that is not prevented that brings business to the doctors."

There was pending in the Legislature in February a bill containing the following provision: "Every parent of any child under the age of fifteen years and the husband of any woman who wilfully omits without lawful excuse to perform any duty imposed upon him or them by law to furnish necessary food, clothing, shelter, or medical attendance for such child or wife, shall on conviction thereof, be deemed guilty of a misdemeanor." This measure at once incurred the hostility and pronounced opposition of the Christian Scientists throughout the state, particularly those at Sioux Falls who promptly met and sent out a letter to every known scientist in the state to do his best to defeat the bill. They also sent out an appeal to the scientists of the state to secure as many signatures as possible to a paper with the object of defeating the proposed measure. The words they particularly objected to in the bill were "medical attendance" which they believed, and justly so no doubt, were directed at them. In this paper the scientists made the following points clear. (1) A large and constantly growing number of the people were opposed to medicine in any form; (2) such people objected to being compelled to employ medical attendance against their own best judgment; (3) they objected to being charged with a misdemeanor simply because they stood on their constitutional right to refuse to employ medical attendance when in their experience they did not need it; (4) they objected to the dictation by anyone as to the method they employed as much as the originators of the bill would as to what they should eat and drink; (5) they objected because it gave a monopoly to the medical fraternity to the exclusion of other methods of healing; (6) they therefore asked for the elimination from the bill of the objectionable clause and for a substitute that would do away with "this unjust and objectionable feature of the bill."

By the summer of 1909 the state health laboratories at the State University were well under the management of Dr. Mortimer Herzberg, who had recently been elected professor of bacteriology and pathology in the College of Medicine. He received his medical degree from the University of Pennsylvania and was a member of the staff of the City Health Laboratory of Philadelphia and pathologist in one of the hospitals of that city for some time. The state health laboratories were established by the Legislature in 1909, and as soon as convenient after the passage of the law, the department was set in operation. At first it lacked equipment and almost everything else except the skill, experience and ability of the professor in charge. It was regarded by the Legislature of that date and had been so regarded ever since, as the most valuable adjunct of the College of Medicine of the University. From the start it planned extensive and elaborate work in the investigation and study of bacteriology, pathology,

sanitary science, etc. Everything conducive to health or destructive of health was placed in the course of study and investigation. The laboratories were organized and maintained at public expense to examine the various forms of communicable diseases which might threaten public health, such as diphtheria, tuberculosis, typhoid fever, rabies, etc. Ere long this department was one of the fixed and indispensable departments of the College of Medicine.

The health of the state in 1909 and 1910 was exceptionally good. There was only one thing lacking. The Legislature had not appropriated enough to warrant the health measures that were demanded by the state health department. The Legislature thus far had never given this department what it really merited and deserved. Generally, the health of the state was so good that they apparently thought it unnecessary to make any specific appropriation for health purposes. Up to this time not over \$600 had been appropriated annually for all health purposes, and when now the board asked for \$5,000 the Legislature after consideration disallowed the request. In 1906 the board of health had emphasized the fact that the small amount appropriated for the department had seriously hampered operations and limited the range of usefulness of the state board. In 1908 the board had again asked for an increased appropriation for the maintenance of the department, but again the request was disallowed. It was becoming more and more apparent each year that a change would have to be made or the department through no fault of its own would lack in efficiency. No salary was paid the executive health officer. He was compelled to take his pay per diem.

The board of health was concerned principally with contagious diseases which had nothing to do with ordinary ill health of any part of the state. It was expected to control sudden epidemics that would ravage localities within a few weeks, but the superintendent was unable to do this with the amount appropriated, though he did the best he could with what he received. The reports from county superintendents of health concerning contagious diseases and deaths therefrom had not been made regularly, and reports for 1907-8 and 1908-9 were all missing. Previous to these years reports were made somewhat regularly. It was therefore impossible for the health board to prepare a work on health statistics. They could not secure information concerning contagious diseases from all parts of the state. The lack of satisfactory results was due wholly to want of funds to carry on the work. It took time to do all this, and the officials were not paid sufficiently to warrant them to spend much time on the work.

In May, 1910, the state board passed a resolution that all county superintendents of health should report each month as to contagious diseases and deaths therefrom, or give up their positions to some superintendent who would. Owing to lack of satisfactory pay several county health officers resigned in response to this demand rather than to do the work for nothing.

No one questioned at this time that diphtheria, scarlet fever and smallpox should be properly quarantined. There were many people who believed that measles should not be. The health board did not agree with this conclusion and said "Measles are accompanied by catarrhal discharges of the eyes, ears, bronchial tubes and lungs. All thus having measles are unduly exposed, are chilled and take cold in these parts, suffer especially in the lungs and are apt never to recover wholly from the effects." They declared that after this time

about one-tenth of all who had measles were predisposed thereby to tuberculosis. Early in 1910 there was an epidemic of measles at Beresford and vicinity. It spread into Clay County and there was no quarantine. The newspaper at Beresford said the epidemic spread to the country, and the people, not realizing the danger of the succeeding cold, became afflicted with pneumonia and spinal meningitis accompanied with half a dozen deaths, all from complications." The health officer of Clay County said: "We have had several deaths from measles or combined effect of measles and whooping cough. Had I quarantined five or six families for measles when it started I would have stopped it." The state board thus called attention of the authorities to the danger due to this neglect. As a rule there were more deaths from diphtheria than from either scarlet fever or measles and there were more deaths from scarlet fever than from measles. Occasionally the reverse was true. The state board, after duly considering the subject of contagious diseases, declared it to be their judgment that those having measles should be lawfully confined until all danger from exposure was past. During the early part of summer and later, smallpox was quite prevalent in the western part of Beadle County, mainly at Wessington and vicinity. Chickenpox was also found there. These two diseases co-existed in families. The quarantine there was not strict. Cases of infantile paralysis were reported to the state board with inquiries as to treatment and whether the disease should be quarantined. It was considered an infectious communicable disease that had a mortality of from 5 to 20 per cent, and 75 per cent or more of the patients surviving were permanently crippled from its effects.

During the winter of 1909-10, owing to the deep and long continued snow, many head of live stock died of starvation in the northern part of the state west of the Missouri River, mostly in Corson County. The carcasses were hauled into the creek bed where they decomposed when warm weather came, and where they became a menace to the health of that portion of the state.

At this time the board of health regarded tuberculosis as in a way contagious. However, the cases were so few among the native white people that little attention was paid to the contagion, although it was prevalent to an alarming degree among the Indian tribe. A few cases of cerebro spinal meningitis were reported to the state board, deaths resulting in about half the cases.

The regular meeting of the Yankton District Medical Association was held in Vermillion in the spring of 1911. Several sessions were held in Science Hall of the university and papers were read by Drs. Mortimer Herzberg, H. E. French, P. R. Burkland and Doctor Fischer. These papers were full of professional interest and dealt with subjects which were then uppermost in the minds of the medical fraternity. There were present also at this meeting as active participants Doctor Spafford, of Flandreau, formerly a member of the State Board of Regents; Dr. L. C. Meade, superintendent of the Insane Asylum at Yankton; also Doctors Hoff, Gross, Moorehouse, Roane, Fisher, Rudgers, Kobe, Anderson, Frink and Stewart. Many subjects of great interest to the profession were considered and discussed at these sessions. The meeting ended with a banquet and smoker at Masonic Hall.

In August, 1911, Dr. O. N. Hoyt, secretary of the State Board of Health, showed that during June the percentage of deaths from measles was greater than that for smallpox or scarlet fever. There were no cases of infantile paraly-



ST. LUKE'S HOSPITAL, ABERDEEN

sis and but one of spinal meningitis. The cases reported were as follows: Scarlet fever, cases 68, deaths 4; diphtheria, cases 26, deaths 4; smallpox, cases 50, deaths none; measles, cases 44, deaths 3

In the fall Secretary Hoyt reported for the month of August, that there had been 61 cases of contagious disease with 5 deaths, as follows: Scarlet fever, 18 cases with 1 death; diphtheria, 30 cases, 2 deaths; measles, 1 case, no deaths; smallpox, 5 cases, no deaths; spinal meningitis, 1 case, 1 death; infantile paralysis, 6 cases, 1 death. At this time the State Board of Health adopted a resolution ordering all public drinking cups taken from trains and railway stations, the order to go into effect October 15th.

For the biennial period ending December 1, 1912, the State Board of Medical Examiners made an exhaustive report to the governor. The number of applicants to practice medicine was unusually small in 1911, owing probably to the partial failure of the crops. For the last five or six years South Dakota had not reciprocated with other states in issuing licenses to practice medicine, but in 1913 this custom was somewhat changed. Many of the western states were communicated with and preliminary steps were taken to put into effect reciprocal relations in this regard. The appropriations were so small that the board felt too cramped to conduct its business in the best manner. Four years before the appropriation had been made so small that operations were curtailed and hampered. Notwithstanding the board had practiced the most rigid economy, there was not sufficient means to pay traveling expenses to places where the law required the board should go from time to time. Members of the board had taken money from their own pocket to pay considerable of this expense. In addition there was no fund provided for the prosecution of violators of the medical law in different parts of the state. This rendered the operations of the board nugatory.

The secretary of the board was required to visit other portions of the state on important matters of business, but had no means to pay his expenses. The physicians of the state did not realize how the state board was thus handicapped, and consequently unjustly criticized them for failure to perform their duties. For instance, the physicians of Hot Springs insisted on a special meeting to be held in Deadwood to consider the charges against one of their physicians who was alleged to be practicing without a license. As there was not enough money within the command of the board to defray the expenses of this meeting it could not be held, whereupon the board was blamed. They asked that the appropriation be sufficient not only to cover the expenses of the two regular meetings required by law, but to pay the per diem and traveling expenses of members when necessary to investigate and prosecute violators of the medical law. Until this should be done, the board declared, it would be an impossibility for them to carry out the law and do their duty. The appropriation should also, they declared, cover the expense of sending delegates to the national medical meeting where it was necessary to send representatives in order to keep in touch with medical progress and education. The board declared its aim was to keep step with such progress and education, and with that end in view were endeavoring to make the examinations of applicants to practice comprehensive, rigid and along modern methods in all respects. The secretary said: "Inasmuch as the work of the board of health and the board of medical examiners overlap and

cover in a large measure the same line, it is my opinion that more efficient and satisfactory work for the health of this commonwealth could be obtained if the two boards were united or both dissolved and a new one organized whose duties would be to look after the work now given the two boards.

For the biennial period ending June, 1912, the State Board of Health reported that there had been several epidemics in the state during the previous two years. Smallpox had appeared here and there and as vaccination was the only preventive, the board urged that it should be adopted with due care to secure the proper vaccine lymph. During the year ending June 30, 1911, there were in the state 616 cases of smallpox and 4 deaths. During the year ending June 30, 1912, there were 350 cases and 1 death. Diphtheria had prevailed in portions of the state. For the first year there were 630 cases with 52 deaths and during the second year 520 cases and 50 deaths. This disease was most contagious and infectious. The state was warned against its ravages. Children under sixteen were especially subject to its attack. Scarlet fever had raged also in various portions. During the first year there were 1,262 cases and 53 deaths and during the second year 548 cases and 16 deaths. This was considered one of the most dangerous, contagious and infectious disease. Children under ten years of age were particularly susceptible to its attacks. Measles had likewise prevailed in portions. There were 767 cases during the first year and 15 deaths and 263 cases the second year and 2 deaths. Cerebro spinal meningitis was also prevalent in certain portions of the state. These were the serious epidemics, but there were others which prevailed in different parts of the state. The State Board of Health, the county boards and the city boards were all united and all employed up to date and effective measures to check and crush any epidemic that might start.

In 1913, Doctor Woodworth, surgeon in charge of the Tuberculosis Hospital at Custer, stated that there were 3,500 victims of the white plague in South Dakota. He announced that it was utterly impossible for that institution to care for the number who desired treatment. At this date the hospital officials asked for a large enough appropriation to care for at least five hundred afflicted with tuberculosis. E. V. Davis of Custer visited the Legislature in 1913 and explained the condition and capacity of the Tuberculosis Hospital and of the prevalence of the disease throughout the state. His statements astonished the whole Legislature. The hospital had been established as an experiment in 1911, but at this date, 1913, it was one of the most important state institutions and needed much larger appropriations to be of much service. By January, 1913, it had been opened only a little over a year, but during that time had been compelled to turn away over two hundred urgent cases and had cured twenty-two cases.

The first extensive health exhibit of South Dakota was held at the Agricultural College in February, 1913. There were present several thousand people. The exhibit was opened by Prof. S. P. Miller, assisted by students, and covered 4,000 feet of floor space. The exhibits particularly showed the causes and methods of prevention and control of tuberculosis and typhoid. Lectures by the professor accompanied the exhibits. Anti-toxins and vaccines were shown. There were over thirty booths which were in charge of an instructor or student of the department. Among the important displays were the following: How

flies contaminate food and carry disease; means of treating garbage to kill house flies; how to dispose of sewage; how typhoid is spread by the milk and water supply; a typhoid sick room; deaths from tuberculosis in South Dakota; how tuberculosis is carried; utensils used by tuberculosis patient; an outdoor sleeping tent for tuberculosis patient; fresh air sleeping garments; window tents; sanitary fly-proof outhouses; sputum cups; hygienic tooth display; view of the South Dakota Tuberculosis Sanitarium; numerous bacterial vaccines, tuberculin and diphtheria anti-toxins. Professor Miller showed the effects of anti-septics; proper methods of cleaning and dusting a house; absorbent dust removers; sterilization of water and dishes and many other health measures.

In May, 1914, the State Dentists Association held a three days' session at Sioux Falls and carried out a lengthy and important program of papers, exhibits, clinics and lectures. Many prominent dentists not only from South Dakota cities, but from adjoining states, were present.

In recent years chiropractics have appeared and commenced the practice of their profession in nearly all the cities of the state. A bill introduced in the Legislature of 1915 asking that they be duly licensed by the state board was defeated, but these rebuffs did not discourage the members of that profession. They had already organized and had been recognized as useful even if the Legislature did not think so.

The food and drug commissioners have been as follows: From April 1, 1901, to March 13, 1905, C. P. Sherwood, DeSmet; March 13, 1905, to February 15, 1907, E. W. Smail, Webster; February 15, 1907, to July 1, 1909, A. H. Wheaton, Brookings; July 1, 1909, to March 13, 1913, A. N. Cook, Vermillion; March 13, 1913, to the present date Guy G. Frary, Vermillion. During nearly all of this time the commissioner has had a number of able assistants in his work. The result has been to increase the standard of investigations in every department fully up to those set by the food and drug commissioners of other states. The investigations have been greatly extended to include every article that might become dangerous under the head of food and drugs. The work was under the hotel inspection law of 1909, and included the investigation of hotels, restaurants, rooming houses, lunch rooms and public buildings under the special law of 1913. The commissioners attributed much of the success of the department to the ability, skill and painstaking care of the department staff which consisted of from eight to fifteen individuals.

The report of the commissioner in 1914 covered the years from 1908 to 1914 inclusive and showed a period of exceptional and most efficient development. During 1914, owing to the fact that previous to July 1, 1913, South Dakota had no law regulating the sanitary conditions under which foods were manufactured and sold, he directed his special attention to the condition of stores and food supplies of every description. The results were better than had been expected. Groceries and meat markets in nearly every town of the state were inspected, sometimes two and three times. In many instances sanitary counters and cases were installed in bakeries and confectionery stores at the request of the commissioner. Generally dealers yielded readily to the wishes of the inspectors, particularly in regard to keeping the stock and store clean and neat, cleaning behind counters, watching for swollen canned foods, covering butter, cheese, honey, bread, cakes, smoked meats, etc., from the ravages of flies. Early in the year

special attention was directed to slaughter houses. After making several prosecutions on the charge of keeping unsanitary slaughter houses and causing several houses to be abandoned and others to be remodeled, the department discontinued the inspection of the slaughter houses at the request of the State Board of Health. This step was due to a possible conflict of operations between the two departments. A slight change in the law would remedy the defect. The department directed its attention, also, to the conditions under which food is shipped into the state. Previously the commissioner had called the attention of express companies to the provisions of the sanitary law, and in response the companies had inaugurated improved conditions. This resulted in a marked improvement in the handling of food stuffs by such companies. The examination of samples of food in the department laboratory showed that a large majority of the goods sold in the state complied with the law. Only a comparatively few cases of misbranding were discovered. A few labels were found wrong. In connection with the inspection of stores attention was directed to the work of discovering food stuffs unfit to eat. Wherever unfit products were found the owner was required to destroy the same. Wormy dried fruit and cereals and swollen canned food made up the bulk of the goods destroyed, which in the aggregate reached hundreds of samples. In a few instances large amounts of such goods were condemned at individual stores.

The large variety of work done by the department prevented the drug inspector in 1914 from devoting all his time to the inspection of drug stores. However, he succeeded in examining all stores in the state and made a second inspection of many of them. He took large numbers of samples, made an analysis of the same and published the result. His report showed that the quality of the preparations sold was about up to the standard in other states. The law which prevented the sale of adulterated liquor was passed in 1905, but was not enforced at first owing to the lack of a sufficient laboratory force to make the required analyses. It was planned in 1914 that time could be spent to good advantage examining the quality of liquor sold in the state. It was thus the design of the department that as soon as it should be located in its fine quarters in the new chemistry building at the State University, an examination of the liquor sold in the state would be duly made. There was not here the opportunity for misrepresentation and adulteration that existed in populous states and large cities, owing to the small quantity of intoxicating liquor manufactured in the state and to the enforcement of the interstate commerce law.

Neither had the department made a thorough analysis of paints and oils during the previous years. This was due to the same reason. Paint analysis required much time, which the chemist did not thus far have to spare. However the misbrand of linseed oil was given considerable attention. One sample of adulterated linseed oil was found and the seller was prosecuted.

During the fiscal year 1913-14 more companies registered for the sale of products in the state under the stock food law than ever before. The increase from license fees from this source alone amounted to about fifty per cent. The Legislature in 1913 made a small appropriation for the department, to be used in making analyses of stock food in feeding stuffs. This enabled the department to examine nearly every brand of stock food and ninety-six samples of feeding stuffs sold in the state. Practically all of the medicinal stock food sold in the

state during the previous year with the exception of the products of one company was sold locally. One company refused to comply with the law and its agent was arrested and fined, but the company appealed to the Circuit Court and prepared, if defeated, to go still higher. Their refusal concerned the method of labeling their goods. An analysis of the medicinal stock foods brought out an important point which the department particularly noted. It was shown that in many of the preparations, although a large number of ingredients were declared upon the label, the most careful search failed to reveal the presence of the substance except in such minute quantities that they could not possibly have any value whatever in the doses prescribed. For instance, *nux vomica* was declared on some labels, yet the most rigid analysis failed to detect anything but a trace of strychnine which is the active alkaloid of that drug.

In 1913-14 the department, at the urgent demand from all parts of the state, began rigid work under the hotel inspection law. The inspectors had not progressed far before the importance of this step was realized. Everywhere hotels, restaurants and rooming-houses were found inferior and bad, and varying thus up to a few which were very good. Fully one-third of the time of the inspectors was taken up to clear up this unhealthful state of affairs. The law required at least one inspection of every hotel, restaurant and rooming-house in the state annually. This requirement was made by the department, and in many instances second, third, and even fourth inspections were made. In addition hundreds of letters and notices were sent from the department offices to aid the cleaning up process. The result was a most marked improvement throughout the entire state. At the beginning of the year numerous complaints came to the department. At the end of the year a complaint against hotels was a rare occurrence. As this was a state of small towns the circumstances surrounding hotels and restaurants were different from those in large cities. Here the conditions were in a measure due to the sharp competition, limited patronage and small profits. In addition poor crops added to the unfortunate conditions. However, surprising results were accomplished by the departments. The work of hotel inspection was directed to sanitary conditions and fire protection. The conditions of back yards were duly considered; knotted ropes were installed in nearly all hotel bedrooms; cleanliness and sanitation concerning the interior of the rooms were duly enforced.

The inspection of public buildings was an important accomplishment this year. Many were made and the work was well commenced. This duty was required under the law of 1913. Work on the new chemistry building on the university campus, in which were extensive rooms for the food and drug department, was well advanced and progressing rapidly in 1914. The building was 60 by 120 feet, fireproof throughout, and three stories high. The appropriation for the building was \$75,000. In order to obtain a building of the greatest possible size to meet the urgent needs of the University, the Regents used nearly the whole amount for the building proper, leaving the matter of equipment to take care of itself afterwards.

For the first time in the history of the food and drug department, an educational exhibit prepared by the commissioner and his assistants, was provided for the State Fair in 1913. The department was given the use of two booths in Agricultural Hall, and both were well filled with diversified exhibits showing the

varied and elaborate work which the food and drug department was doing. The exhibit included samples of food products which had been found illegal, including swollen canned foods and open cans showing the effect of the tin on the contents. There was also a large exhibit of goods which were properly labeled and in sanitary packages. One display was devoted to South Dakota made food products. Many placards and descriptions on the walls explained in detail what the department was doing. Particularly were the bad results from rotten eggs, filthy flies, roller towels, careless handling of goods of every description shown.

CHAPTER X

NATIONAL GUARD, SOLDIERS' HOME, ETC.

The National Guard had its origin back in territorial days and was mostly concerned in keeping the Indians under subjection, its last important service during that period being to assist in checking the outbreak of 1890. For several years thereafter the officers were mainly engaged in recovering the supplies of arms and ammunition that had been sent to the frontier under anxious and repeated calls. After 1891 the National Guard of this state had a somewhat uneventful, uncertain and unfortunate existence until the outbreak of the Spanish-American war in 1898. As a matter of history, it must be said that the legislative appropriations for the maintenance of the organization were so small that no creditable organization could be kept up. The allowance during each of the years from 1890 to 1894 inclusive was \$4,000, and this was barely sufficient to enable the Guard to keep the mere semblance of an organization; but when in 1895 and thereafter until 1898 inclusive, the allowance was cut to from \$300 to \$500 per annum the blow was sufficient to annihilate almost completely the last vestige of order, drill and display. It was during this period that the Guard, such of it as remained in existence, was in a large measure sustained by local town aid and private subscriptions. Under the pressure of the Spanish-American war movement the Legislature in 1899 appropriated a total of \$7,068.72, but dropped to \$1,200 in 1900. In 1901 it appropriated \$36,255.56. In 1902 it was \$4,200. In 1903 the appropriation was \$36,500. Since then the annual appropriations have varied from \$14,500 to \$36,719.13.

No state in the Union needed more than South Dakota to have ready at all times an efficient military organization, owing to the large bodies of Indians within its border, who were liable to go on the war path in short time and on slight pretense. The practical obliteration of the Guard forced all the citizens on the border along the Missouri River and in the Black Hills district to be in readiness to assemble instantly for their own defense. Upon the citizens was thus thrown the responsibility of quelling any uprising of the Indians and maintaining order in the wild and lawless border centers and on the still more lawless plains, a duty that was performed in almost every other state by well organized and equipped companies of National Guard.

In October, 1892, the First Brigade, South Dakota National Guard, was organized and consisted of the Second Regiment of Infantry and Battery. Brig.-Gen. Samuel H. Jumper commanded this brigade. Mark W. Sheafe was colonel; J. M. Adams, lieutenant-colonel; T. H. Ruth, major of the First Battalion; C. T. Jeffers, major of the Second Battalion; A. D. Keller, major of the Third

Battalion; and C. F. Mallahan, lieutenant and regimental quartermaster. Company A was at Flandreau; B, at Sioux Falls; C, at Yankton; D, at Elk Point; E, at De Smet; F, at Aberdeen; G, at Brookings; H, at Watertown; I, at Mitchell; K, at Webster; L, at Redfield; and M, at Rapid City. There were only 493 officers and men, all willing and qualified, but meagerly supported and barely able to call themselves organized. Few companies, if any, had armories, and all were glad to get a dry and secure place in which to store their arms and other equipment. In an emergency call all would have been short of suitable arms and an adequate supply of ammunition and rations. Evidently the Legislature regarded danger from the Indians as a fear of the past and not of the future or present and the discussion of the question in that body, as revealed in the journals, shows that the members regarded the citizens themselves equal to the task of crushing any probable outbreak. They therefore concluded to cut out the appropriation, save the expense and compel the citizens to bear any burden that might develop. But the Guard looked anxiously to each annual session of the Legislature and hoped for the relief that came not, but on the contrary grew fainter and feebler and finally died. In 1893 it was believed that the organization was doomed unless much larger sums of money were forthcoming. It was realized that there was no use in trying to keep it alive on the small allowance of \$4,000 annually for the twelve companies of Guard then in existence, or \$333 for each company. At this time George A. Silsby was adjutant-general. The state at this time had a Second Regiment, but no First Regiment, the latter having been cut off with North Dakota. To remedy this change order No. 4, September 9, 1913, transformed the Second Regiment into the First. About the same time Thomas H. Ruth became colonel; A. D. Keller, lieutenant-colonel; P. C. Murphy, major; C. F. Kutnewsky, major of the First Battalion; C. S. G. Fuller, major of the Second Battalion; and John T. Coxhead, major of the Third Battalion. Col. Mark W. Sheafe retired after eight years of service at the head of the regiment.

In 1894 the new First Regiment, despite all stubborn drawbacks, numbered a total of 799 officers and men. From 1893 to January, 1897, the regiment passed through a period of the most depressing inactivity and disappointment, each company which maintained its slender existence bearing practically all of its own expenses. They were encouraged by Governor Sheldon and General Silsby to maintain their organization and hope for better times. The only company actually mustered into service was the one at Custer—about March 23, 1894. In 1895 Maj. Lee Stover's battalion held an encampment at Camp Sheldon, Watertown, the men paying their own expenses. Another encampment held at Aberdeen in 1896 was sustained by Capt. Charles Howard, who raised the necessary money. The desperate straits to which the Guards had been put in 1895 is shown by the small enrollment of the encampment at Watertown, at follows: Present for duty and absent by leave—3, staff; 14, Battery A; 20, Battery E, Second Battalion; 16, Company F, First Battalion; 28, Company H, First Battalion (Watertown was the home of Company H). The Central Dakota Veterans' Association furnished the rations for the camp, which they regarded as an annex to their own annual encampment. At this time Lieut. E. F. Conklin was the commander of Battery A, but George W. Stiled was his substitute in the maneuvers. The target practice was witnessed and enjoyed by a large crowd

of citizens. The battery target was a large dry-goods box moored in the lake. The infantry fired at a "B" target, distance 200 yards. Both battery and infantry were praised for their skill in marksmanship. Lieut. A. S. Frost, of the Twenty-fifth United States Infantry, inspected the camp and made a favorable report. Considering that the state bore no part of the expense the showing made was excellent and creditable. Governor Sheldon said in April, 1895, that the failure of the Legislature to make suitable appropriations for the National Guard was not the result of hostility to the organization, but was largely the result of an embarrassed treasury and the evident necessity for retrenchment. However, many newspapers of that period declared that the state indebtedness amounted to nothing, comparatively, that the constitutional tax limit of 2 mills could be exceeded in emergencies, that the cry of economy was one raised by politicians and that the failure of the Legislature to maintain the Guard was due not to the indebtedness or burdensome taxation, but mainly to the political intrigues and flank movements of that revolutionary period on the battle fields of industry, labor and capital. The newspapers were right. But the Guard had no recourse except to disband or continue to survive at their own expense.

In 1896 Lieut. Alfred S. Frost, the military commandant at the Agricultural College, became connected permanently with the Guard and so continued until after the conclusion of the war with Spain. He did much to encourage the Guard to maintain its organization despite the lack of adequate appropriations. The annual report of the Guard for 1896 showed this strength: Governor and staff, 23; colonel and staff, 6; First Regiment, 590; Battery A, 46; Fourth Battalion, 108; total officers and enlisted men, 773.

The appropriations, except a small sum for the quartermaster general, ceased with the end of the fiscal year July 1, 1895. The companies were then told that if they continued it must be at their own expense. All the companies but I and C decided to maintain their organizations. The two, I and C, disbanded, and were succeeded by two others organized at Bryant and Canton respectively. Other companies raised increased the whole number to fourteen located at Flandreau, Sioux Falls, Yankton, Elk Point, De Smet, Aberdeen, Brookings, Watertown, Canton, Webster, Bryant, Rapid City, Custer and Huron, all infantry. In 1895 several companies of the First Battalion held an encampment at Watertown and paid their own expenses for the experience. In March, 1896, Mark W. Sheafe again became colonel of the First Regiment; C. S. G. Fuller was lieutenant colonel.

In 1899 an attempt to reorganize the Guard was made, but again the Legislature refused to make the desired appropriations although it was admitted that the war with Spain had revolutionized military conditions and foundations and that public opinion was in favor of the maintenance of a strong and efficient militia organization. In view of this utter neglect or indifference on the part of the Legislature the officers and men who had for years kept up the organization, now announced that the time was past when they would try to keep the companies together at their own expense and thus at great sacrifice endeavor to do what the Legislature was empowered to do by the State Constitution. Col. Lee Stover, voicing the opinions of hundreds of prominent men of the state, said in 1899: "For ten long years I contributed liberally from my private funds to aid in maintaining the National Guard organization and I shall do so no longer.

The time has come when, if the state desires such an organization, an appropriation must be made to maintain it." This position was commended and sustained by the state militia authorities, by the War Department and by the best citizens irrespective of political parties.

In 1899 the First Regiment was allowed by the United States Government about fifteen thousand dollars for the military property it had acquired—ordnance, ordnance stores, etc. Nearly all of such property was unserviceable and as it could not be used under the proposed new organization, it was seen that the Guard was still doomed to extinction unless the Legislature should come to the rescue. But in spite of these and other drawbacks the Guard clung tenaciously to life, refusing to give up the ghost.

In March, 1901, S. J. Conklin became adjutant general, and at that time the Guard, though still in existence, was inactive and was waiting for the aid which prominent officers and public men of the state declared would come before many years. It should again be particularly noted in this connection that from 1890 to 1898 the Guard had been almost wholly maintained by private persons and by the towns or cities where the companies were organized. The state as represented by the Legislature granted but a pittance to the organization during the whole of that period. The action of that body not only left the state defenseless against Indians and mob uprisings, but, what was worse, left it without a well trained militia organization when the call was made for soldiers to serve in the war with Spain. Had it not been for the spirit, patriotism and self sacrifice of the members of the Guard in maintaining the organization, the state would have been wholly destitute of any military organization whatever—would have been placed in the humiliating, if not shameful, position of being called upon by the Government for trained troops and being wholly unable to meet the requirement. This discreditable situation was due wholly to the parsimonious Legislature in a state where taxation was extremely low, where the public indebtedness was insignificant and where the annual products per capita were greater than in any other state of the Union.

Troop A of Deadwood organized in the fall of 1899 and Battery A of Clark maintained their organization in spite of the obstacles. The latter was recruited to the maximum at the time of the call for volunteers in 1898, but had muzzle-loading guns only and did not get into the service as a body. Troop A bore the entire expense of its organization and maintenance, but was burned out in the winter of 1900-01. The year 1901 brought a more satisfactory condition of affairs. An appropriation was made and Governor Herreid authorized Adjutant General Conklin to form one regiment of infantry and one troop of cavalry. By May 14 twelve companies of infantry and one troop of cavalry were organized. At the same time the adjutant general recommended the organization of the Second Regiment of infantry, two battalions and another troop of cavalry to be located east of the Missouri River and one battalion to be located in the Black Hills.

At the annual encampment held at Huron in August, 1901, there were present 457 officers and men, showing that the money appropriated, though small in amount, and the energy and determination of Governor Herreid and Adjutant General Conklin were bearing fruit. Great advancement in discipline was made at this encampment. The men served without wages, paid their own way to and from the encampment and were fed by the citizens of Huron. Two men,

Sergeant Hunt and Private Mackey, had their right hands badly maimed by the premature discharge of a cannon while in practice.

In September, 1901, Companies B, C, D, and M, of the First Regiment held an encampment at Yankton during the state fair, were furnished rations and beds by the citizens, but otherwise paid their own expenses. A few days later another encampment was held at Aberdeen by Companies E, G, K, and L, their own expenses being borne by the citizens of that city.

By March, 1902, the Second Regiment was fully organized. At this time Battery A was transferred to Huron. The encampment was held at Watertown there being present 625 officers and men, and again the citizens furnished the rations and the Guard paid their own expenses. All this was done because it was now clear that before long suitable appropriations would be made by the Legislature. This fact furnished the inducement or incentive to continue. Colonel Stewart, acting as brigadier general, commanded the encampment of this year. General Conklin deserved and was given the credit for the excellent condition of the Guard at this time. His advice and encouragement sustained the companies. It was about this time that the names of the two infantry regiments were changed to Second and Third, leaving the title first to be borne alone by the gallant men who had served in the Philippines.

At the session of the Legislature of 1903 the permanent camping ground of the Guard was fixed at Watertown where sixty acres were donated to the state by the citizens. The same Legislature made a large appropriation for the fiscal years 1903-05. Thus at last with a reasonable appropriation and with a permanent camp the Guard became happy, contented, efficient and prosperous. In 1904 the grounds were improved at an expenditure of \$5,690.74. On June 21, 1903, the Dick Bill passed by Congress was approved. It appropriated \$1,000,000 annually to be divided equitably among the states for the maintenance of the National Guard. This state received that year from the fund \$7,979.08, but the amount has been increased by subsequent enactments.

The encampments of 1903 and 1904 were highly successful, sections of the Guard assembling at different times. In the latter year eighty-five officers and 895 enlisted men were present at one time. There were many changes in the officers from year to year, but the efficiency steadily improved. The equipments became more modern and the drill and target exercises were attended by larger and more admiring and enthusiastic crowds of citizens. Soon the whole state was proud of the National Guard—all due to the fact that the Legislature had at last responded to the public demand. At all the encampments the governor, as commander in chief, accompanied by his staff was present. The Guard were trained by experienced soldiers, usually graduates of West Point or of other military schools. Quite often companies of regulars were present to acquaint still better the Guard with the regular army discipline and behavior. Difficult tactical problems were often carried out at the encampments. Not always did the various companies and battalions assemble at the grounds near Watertown, but held short encampments at different cities of the state largely in order to show the progress and efficiency of the commands. The total strength of the Guard on October 30, 1904, was 1,447 officers and men.

In March, 1905, Charles H. Englesby became adjutant general and his office was changed from Pierre to Watertown to be near the encampment grounds. It

was at this time that the legislative appropriations were reduced from \$30,000 to \$13,000 per annum. This reduction compelled the Guard to limit its numerical strength. The three Black Hills companies survived, but the balance of the Third Regiment was mustered out as was also the Second Regiment. However, enough new companies were formed to constitute one regiment which became the Fourth under Col. R. W. Stewart. Troops A, B, C, and D, of the First Squadron of Cavalry and Battery A were retained for a short time, but were finally mustered out. By this act of the Legislature in reducing the appropriation, the high hopes of the Guard in 1903-04 were blasted, though in this case it must be admitted that the Legislature did what was best even though it cut too far.

In 1905 the first apportionment of the United States funds to the state for encampment purposes—\$7,000—was disbursed for pay, subsistence and transportation. This year the encampment was attended by the Fourth Infantry, Battery A, Troop C and D of the First Squadron of Cavalry and the Hospital and Signal Corps. A rifle range was constructed on the lake shore and here the troops were given instruction in sharp shooting. Troops A and B were given experience in practice marches and held an encampment at Hot Springs. The object of the adjutant general was to organize the Guard in accordance with regular army practices and principles so that it might be rated by the War Department as prepared for field service.

The encampment of 1906 was a success and was attended by the Fourth Regiment and the Hospital and Signal Corps. They went to Fort Riley, Kansas, and received instructions in regular army maneuvers. Other companies were given practice in forced marches and rifle-range work. The cavalry marched from Pierre and Evarts their home stations. Officer's schools were a feature of this year's work. On the lake shore at Watertown an addition of 13.5 acres was secured for an extension of the rifle-range. The Government allotment was doubled, which increase proved of great advantage to the Guard in extending operation of all kinds.

In 1907 rifle practice and range work were carried out extensively and elaborately. A great improvement in long-range shooting was the result. At the state fair and at other public assemblies this year the Guard did provost duty and furnished band music. Their services in keeping the crowds in order were almost indispensable and were fully appreciated.

The encampment of 1908 was likewise a success and the troops were useful in various public services and made great progress in all practice movements. In June, 1908, Congress appropriated \$2,000,000 for the various State Guards, and set aside additional funds for equipment to the amount of about eight dollars per man. In August 449 officers and men mobilized at Sioux City, Iowa, preparatory for their advance to Fort Riley, Kan., to participate in the regular army maneuvers. Much concerning camp sanitation and hygiene was learned at this time. This year the rifle-range was extended by the purchase of 113½ acres for \$7,900, the total area of the camping grounds now reaching 187 acres. During all these years competent instructors from the regular army were detailed to aid in bringing the state guard up to the highest standards of efficiency.

In 1909 for the first time South Dakota was represented at the National rifle competition. This year the annual encampment in South Dakota was a great



Postoffice
High School

Elks' Club

SCENES AT WATERTOWN

success. All field and camp work showed great advancement. Never were rifle practice, sanitation, personal hygiene, military courtesy, discipline, drills and field exercises and programs of a higher order or standard. At last the South Dakota Guard was nearly equal to the regular army in all of these important functions and duties. There were present sixty-eight officers and 640 enlisted men of the Guard. Again this year the state fair grounds were admirably policed by the Guard. Three companies attended the Gas Belt Exposition at Pierre, and, while there, assisted by 500 Indians, they gave daily reproductions of Custer's last fight. The officer's school was held again this year. Many improvements were made to the grounds. Target practice as prescribed by the War Department was the principal feature of the exercises.

In 1909-10 the companies and their locations were as follows: A at Britton, B at Sioux Falls, C at Brookings, D at Milbank, E at Canton, F at Dell Rapids, G at Redfield, H at Spearfish, I at Sisseton, K at Sturgis, L at Aberdeen and M at Yankton. In addition there were separate companies—A at Highmore, B at Pierre and C at Hot Springs.

In 1910 the Guard participated in the regular army maneuvers at Sparta, Wis. In all 560 enlisted men and sixty-five officers of the State Guard took part in the exercises and were amply repaid by lessons in company and battalion drill, extended order drill, tactical programs, guard duty, regimental inspection, sanitation, and by lectures and problems. Contact with the regulars alone proved a great aid to the Guard. The object of the interstate encampments is to bring the Guards of all the states into closer contact with the rigid routine of the regular army. Rifle-range competition is an important and enjoyable feature of the national encampments.

At the annual state encampment of 1910 every effort for the greatest efficiency down to the simplest details was made. Sanitation, camp police, waste removal, care of beds, bedding, etc., disposal of slops and garbage, protection of food from flies and dust, etc., were rigidly observed and enforced. Again this year the Guard's services at the state fair were employed with excellent results. An emergency hospital in charge of a medical corps cared for the sick and injured persons. In March, 1910, Company H, Fourth Infantry, assisted in extinguishing a destructive prairie fire near Buffalo Gap.

The club house at Camp Roosevelt, Watertown, was built by the officers of the State Guard from the per diem allowed them for services at the camp of instruction and the schools. The original cost of the club house was about twelve thousand dollars; it is owned by the Camp Roosevelt Club, which is duly incorporated and is situated on Lake Kampeska. This building serves as the home of the officers during the encampments. A change was made in the school in 1910; a term was conducted at the state camp grounds with an attendance of about fifty officers. At first it was planned to hold this school at Fort Meade, but it was really held at Camp Roosevelt, Col. A. S. Frost being instructor and Capt. E. R. Chrisman assistant instructor. The object was to give the State Guard instructions in military tactics in accordance with the regular army standard of efficiency. Already the Guard showed marked improvement in marksmanship, drills, camp order, sanitation and tactics generally.

On December 1, 1910, the National Guard of South Dakota numbered 88 officers and 854 enlisted men, total 942. The unorganized militia was approxi-

mately 80,000. The Guard was fully armed and equipped for service. At the session of 1909 the Legislature appropriated \$15,000 for the support of the Guard. Several company organizations had found it impossible to maintain interest among its members, owing largely to lack of armory and other facilities and attractions and hence were almost on the point of dismemberment. Not only did the state own no armories, but in some of the towns where military companies were located there were no suitable halls that could be rented. No state in the Union was more deficient in this respect than South Dakota. Lack of suitable and secure places in which to keep military equipments and stores had led to their loss by theft in all parts of the state. The report of Adj.-Gen. C. H. Englesby reveals the chaotic condition of nearly all branches of the National Guard service in 1910.

At the regular encampment of 1911 there were present sixty-seven officers and 587 enlisted men. Many distinguished persons were present, among whom were Gov. R. S. Vessey; Capt. F. V. S. Chamberlain, U. S. A.; Capt. M. C. Frost, U. S. A.; Capt. A. S. Frost, inspector general, South Dakota National Guard. There was a great increase in the number of men who qualified for the sharpshooters' course. Camp routine duty was perfect. Drilling, company and battalion formations, guard mount, guard duty, advance guard contact, etc., were the leading exercises. The year ended with rigid inspections under the orders of the War Department.

As the country around Watertown settled up and farmhouses became numerous the encampment grounds there became more and more inadequate and objectionable. General Englesby said in 1912, "The state camp ground at Lake Kampeska, Watertown, while an ideal spot for a concentration camp, is entirely inadequate and insufficient for field training and field firing under the present regulations. The country adjacent to the camp ground is made up of rich and thickly settled farm lands where maneuver problems and battle exercises are impracticable and impossible of execution and where even tactical walks may not be profitably or advantageously conducted. The state rifle range at the camp ground, at which there are nineteen targets with firing points up to one thousand yards and an electric signal system up to the six hundred-yard line, is one of the best and most complete in the western states, but under the proposed regulations for field firing soon to be adopted by the War Department could not be used without great menace to the public. Only straight-away firing into the lake is possible with any degree of safety and with the addition of the proposed regulations a change of site for the rifle range would become necessary."

In 1911-12 the organized militia (National Guard) numbered 58 officers and 683 enlisted men; total, 741. It was estimated that the state had at this time 100,000 men subject to call in the event of war. In order to show the inadequacy of the South Dakota legislative annual appropriation for the Guard the adjutant-general recorded that North Dakota appropriated annually \$35,000 for its Guard of 656 men; Minnesota, \$75,000 for 2,605 men; Nebraska, \$30,000 for 1,330 men; Iowa, \$141,000 for 3,100 men; and South Dakota, \$15,000 for 886 men. He likewise called special attention to the lack of armories or suitable halls and storage rooms or buildings.

It was found in 1912 that the funds appropriated by the Legislature during the previous two years for the duty of the Guard at the state fair, amounting to

\$1,500 annually, were not sufficient by several hundred dollars to meet the actual expenses. The adjutant-general said in this connection:

"The \$1,500 allowed by the Legislature would have provided for sixty men and twelve officers, allowing the officers and men \$1.50 per day each for their service. To have attempted to handle the immense crowds that attended the fair during the year 1912, doing duty as watchmen, policemen and gate-keepers, on continuous duty both day and night, would have exhausted the twelve officers and sixty men both physically and mentally. In the interest of the militia department it was deemed advisable to increase the force on duty by thirty men. Even with this number the soldiers were overworked and at the close of the fair were worn out. This is demoralizing to the organization of the Guard."

In 1913 instructions both in theory and practice was carried on as in 1912 through the medium of a correspondence school. Twenty-two lessons were taken in 1912 and 1913, and eighteen lessons in 1914. There was indoor and outdoor instructions, the former covering the school of the soldier—squad and company—for the purpose of developing discipline and exactness in executing the drill movements, and the latter embracing drill, practice marches, guard duty and firing on the range. The results of the school were satisfactory. There was a special school for commissioned officers. A general campaign under the supposition that North Dakota and South Dakota were at war with each other was conducted on an elaborate scale in May and June.

In 1914 a gallery of competitive practice was established and was designed to be conducted every year thereafter. The course was five shots kneeling, five shots prone, and five shots prone with a sandbag placed under any part of the rifle as a rest, and each man fired fifteen shots at three targets, five from each of the above positions. It was provided that each man could fire as many shots as he wished, but when he fired his first recorded shot no more practice shots should be fired until after he had completed his record. W. A. Morris was adjutant-general in 1913-1914.

THE SOLDIERS' HOME

The governor in his message to the Legislature in 1890 said that the Territorial Legislature at its session late in 1889 had passed an act, at the request of the Grand Army of the Republic, to establish a home for the soldiers at Hot Springs; that \$47,000 had been appropriated for the building and that a donation of eighty acres of land had been received for the institution from an inhabitant of Hot Springs. He further said that the territorial government had appointed five men, all old soldiers, as a board empowered to oversee the erection of the building and provide for the management of the Soldiers' Home. On November 11, 1889, the cornerstone was laid under the Masonic ritual, with George V. Ayers presiding. M. M. Price delivered the formal oration. By January, 1890, this building was well advanced toward completion and the governor announced it would be ready probably by the fall of 1890. He recommended that the Legislature should make the necessary appropriations for the institution, and that in view of its proposed selection as a national home and sanitarium and in order to increase its usefulness in a cause which should recognize only national boundaries, the state should maintain the institution with due care and credit. It was sug-

gested that it would be fit and appropriate to invite the United States Government to take up the work thus so grandly begun by the state. In October the building was formally accepted from the contractors, and immediately thereafter it was furnished and equipped out. Col. W. N. Lucas was appointed commandant.

The home was duly opened for the reception of members or inmates November 25, 1890. By June 30, 1892, 155 old soldiers had been admitted to membership; 80 were still there in December, 1892. The falling off in the number of inmates was due, it was believed, to the hot and healing waters of the springs where the home was situated. In February, 1891, three months after it had opened, it was recognized as auxiliary to the great system of soldiers' homes throughout the nation. The home was thoroughly inspected first in August, 1891, by Gen. W. W. Averill. He reported the capacity to be 225 members without crowding. He reported that the sanitary condition of the home was excellent and that notwithstanding the members were old, enfeebled, and broken down in health, the mortality was low, the death rate being less than $2\frac{1}{2}$ per cent per annum. He reported that no sooner had the home been opened than the necessity of a hospital became apparent. This was particularly pronounced when the epidemic of lagrippe swept over the country; and when at one time seventeen old and feeble veterans were prostrated with the influenza, the necessity for the hospital became urgent because proper care for the sick could not be given in the home. Necessity forced the erection of the hospital in 1891, Doctor Craven, of Yankton, starting the movement with a donation of \$500. At first the home was handicapped with lack of funds, but gradually as time has passed larger sums have been appropriated, owing mainly to the pronounced demands of the people for better care of the old soldiers. Under the act of Congress the state received from the Government \$100 per capita for the inmates, providing that it costs \$200 or more to keep a man a year; if less than \$200, than one-half of the cost of such keeping.

The first building of the Soldiers' Home was a large stone structure, three stories and basement high, built on an elevation, with a broad veranda across the front and both ends. From the start it was heated by steam and lighted by electricity. There were many rooms and all were kept clean and tidy by the comrades themselves, but a Chinaman did the washing of clothing. The meals were cooked in the basement, and the commander ate with the inmates. The library was so small as to be scarcely noticeable, and the few books were well thumbed and worn. The mail was carried to and from the city twice a day. Samuel H. Coats was an early correspondent for the home. Silas A. Strickland Post, No. 127, held regular meetings in the building. When one of the inmates died he was buried in a cemetery three miles distant. At this time there was a general demand for a cemetery exclusively for the home—one nearby which they could visit often and help to ornament and beautify.

In 1892-93, Capt. J. P. Megrew was commandant of the Soldiers' Home; Mrs. Josie B. Megrew, matron; J. P. Campbell, adjutant; A. Howell, surgeon; E. E. Clough, O. E. Dewey, W. P. Phillips, S. M. Laird and C. S. Palmer, board of commissioners. There had been admitted to April 7, 1893, 214 old soldiers, of whom 106 had been discharged; there were 96 inmates at this time. Of this number 62 were pensioners. Any veteran with an honorable discharge, who had lived in the state one year, could gain admittance. The home received any vet-



ALL SAINTS SCHOOL, SIOUX FALLS

eran who had a family dependent upon him, who was unable to work and who had not to exceed four hundred dollars income from all sources, including pension, rent of houses, rent of farm, interest, etc. All who received a pension of as much as six dollars per month were required to clothe themselves and ail were required to dress in blue uniforms.

The hospital fund was accumulated from the following sources: All moneys received from pensions; all donations made for this purpose by the Woman's Relief Corps, Sons of Veterans, Grand Army of the Republic, posts and individuals; the moneys received for board of transients if not needed for other purposes; entertainments given by the home, etc. Thorough discipline was necessarily maintained. Provision for the care of the wives of veterans was made on land adjoining the home, where cottages were built.

In 1894 there were 58 admissions to the Soldiers' Home and a total of 117 members. The average age of the inmates was 61 years and their average length of service, 29 months. It was about this time that the Sioux City Journal made a severe arraignment of the management of the home by Captain Megrew. The Grand Army of the Republic warmly lauded the institution and declared that the charges were unfounded. A system of sewerage was completed in 1894, and about the same time the inmates began to receive water by gravity from Mammoth Springs. The inmates spent much of their time in grading the avenues and streets, planting shrubs and flowers and otherwise improving the grounds. This year a fine statue of General Logan was prepared largely through the efforts of the ladies. The unveiling took place July 23, in the presence of a large crowd, to whom eloquent and patriotic speeches were made by several leading military men of the state and other prominent citizens.

The growth and value of the home have become more noticeable as time has advanced and as the average age of the inmates has increased. Its usefulness is due in a large measure to the determination of the Grand Army of the Republic to make it what it really is designed to be—a home for helpless old soldiers. But this was not accomplished without constant investigation and great effort. At times the management of the institution has been under a cloud of suspicion. The old soldier inmates complained bitterly of the management and the treatment to which they were subjected from time to time. But in spite of all possible detractions the home has steadily grown in influence and stability until by 1915 it is one of the fixed and indispensable institutions of this great commonwealth. It must be admitted, however, that its successful development and popularity were largely the outgrowth of the determined and intelligent course taken in its behalf by the Grand Army. By 1906 the cost per capita of keeping the inmates was \$190.53 per annum. The members received in early years were as follows: 1891, 115; 1892, 56; 1893, 72; 1894, 61; 1895, 43; 1896, 67. Comrade Nash of the Grand Army of the Republic committee made a supplemental report in 1896, in which he showed to what extent pension money, etc., was spent for whisky by the old soldier inmates. The saloons at Hot Springs, he declared, secured this money. This was almost the only home in the United States where such a condition of affairs could exist. He insisted that a part of such money at least should be devoted to better uses. He further called attention to the undisputed fact that the home was the creature of this department of the Grand Army of the Republic; that it was the home of this

state, and that this department was responsible for its proper management. It was shown that the hospital had cared for more drunken old soldiers than for all diseases thus far. He said that when he visited the home there were nine inmates in the hospital and that eight were there through the influence of whisky. This whole subject was then thoroughly and kindly discussed by the Grand Army of the Republic Encampment in order to discover what was best to be done in the matter. Later the encampment, among other acts, passed a resolution criticising the management for discharging from the institution on the most trivial excuse some of the very men for whom it was built.

In November, 1899, the board of commissioners of the Soldiers' Home passed a resolution authorizing the commandant to receive disabled soldiers of the Spanish-American war, and within a few days thereafter two were admitted. There was no provision of the law for such action, but the whole state sanctioned the course of the board. Col. Arthur Linn served as commandant from 1897 to 1901.

In 1905 Commander Packard of the Grand Army of the Republic visited the Soldier's Home, and made a critical examination of its management and reported that as a whole it was in excellent condition. There was no fault found except by a few old soldier inmates who liked more liberty than the proper discipline of the institution permitted. Excessive drinking by many of the inmates was a serious problem that had to be met and managed.

By 1910 the grounds still contained the original eighty acres of much stony land, hills and gulches with some small scrub pine trees, but no running water other than that obtained from the water company and paid for by the Soldiers' Home from the maintenance fund. The total number of old soldiers that were admitted from the opening in 1890 to August, 1910, was 1,341. The wives of the members were not provided for by the Legislature in the maintenance fund, but were supported on the appropriation made for the men with the consent of the commissioners, the commandant and the members of the home. The commissioners asked the Legislature to provide for the support of these women who, if not thus taken into the home, would be forced to go to the poorhouse. At this time the veteran inmates numbered 259, a few being Spanish-American war soldiers.

Colonel Lucas was again commandant from 1901 to 1903. Colonel Goddard served from 1903 to 1907; Col. D. B. L. Dudley, from 1907 to 1909; Col. J. B. Geddes, from 1909 to 1911; Col. T. G. Orr, from 1911 to 1913. At this time the Soldiers' Home was in excellent condition. All members seemed happy and contented. At the Battle Mountain Sanitarium were over three hundred members being treated for all sorts of old men's ailments. Already the Government had expended over one million dollars for erecting and furnishing this sanitarium. At this time it was in charge of Governor Mattison.

As the years have passed a few general monuments to the old soldiers have been erected within the boundaries of the state. In recent years the home is even more useful and conspicuous than it formerly was, because the inmates are less able to take care of themselves and because, owing to their helplessness, they merit and receive greater attention, aid and kindness. Let their last days be made happy by a grateful people.

In 1906 Comrade Picker said to the Grand Army of the Republic Encampment: "I should like to call your attention to the Battle Mountain Sanitarium at Hot Springs. The Government of the United States investigated sites all over the country and finally decided to put the sanitarium at this point. This institution is for the treatment of old soldiers without charge and I have great faith in the curative properties of these springs. Within sixty days we will have two lines of railroad across the state and it will cost but little to get there."

CHAPTER XI

MILITARY SOCIETIES

Immediately after the close of the Civil war the Grand Army of the Republic was founded by Gen. John A. Logan and at once became popular as a means of perpetuating and cherishing the comradeship and friendship engendered during the struggle; of caring for the veterans and their families in case they should become destitute and helpless; of providing for their decent burial and the appropriate marking of their last resting places, and of encouraging in subsequent generations the noble and vital sentiment of patriotism which actuated the volunteers when they enlisted and fought four years to save the Union. Soon the veterans began to pass away, their deaths, in many cases, being due to the hardships and diseases they endured in the service of their country; but the resting places of all were noted by their comrades and in time were suitably marked in the various cemeteries of the state. The civil authorities paid little heed to their deaths, perhaps thinking that their obsequies would be best conducted by their comrades of the G. A. R.; and even when they became helpless they received little or no help at first from town or county except perhaps to be escorted over the hills to the poorhouse. It must be admitted with chagrin and shame that the grand old veterans were at first treated as paupers under the Government they suffered to save.

Not long after the establishment of the order the Woman's Relief Corps and the Sons of the Veterans were duly organized to assist in sustaining the G. A. R. as it slowly passed away and to carry into effect its noble program of patriotism. Thus associated, the three orders have walked hand in hand down the dying years to the present day, caring for the old men and their families, cheering them in their swiftly declining but happy days, decorating the sacred and silent mounds where they sleep in the arms of a never dying glory, and erecting in the midst of the new generations the shining structures of loyalty and liberty where all may receive the illumination which guided the heroes of the revolution and rebellion in the darkest hours of the nation's life. Is it not the duty of all to hold sacred and sublime the lives that were sacrificed to save the Union, to teach the nobler liberty resulting from the freedom of the slaves and the regeneration of the whites.

At the tenth annual encampment held at Mitchell in 1892 three prizes were offered to the posts that should secure the greatest increase in membership during the current calendar year: First prize, a handsome flag worth \$20; second prize, a drum worth \$10; third prize, a bugle worth \$6. At this time posts were required to foster and encourage all in their power the organizations of the Woman's Relief Corps and the Sons of Veterans. The G. A. R. members expected to become in the end the beneficiaries of these two organizations.

The officers of the State G. A. R. in 1892 were—James B. Holt, commander; E. E. Clough, senior vice commander; Philip Lawrence, junior vice commander; E. W. Foster, medical director; T. M. Shanafelt, C. S. Deering, Charles H. Sheldon, William H. Loucks and N. C. Nash, council of administration; W. L. Palmer, J. A. Pickler, J. M. King and John E. Bennett, delegates to the National Encampment at Washington. It was provided in 1892 that the state should be separated into divisions, each having a colonel and a major subject to the orders of the department commander. These divisions were seventeen in number and there were from three to five posts in each division, all as near together as practicable. The first colonels of the division in order were A. H. Ayer, Centerville; A. S. Jones, Olivet; J. H. Shurtleff, Parker; Andrew Beveridge, Sioux Falls; C. J. Anderson, Plankinton; W. W. Havens, Parkston; E. S. Kellogg, Woonsocket; R. T. Sedam, St. Lawrence; H. G. Wolfe, Huron; V. W. Norton, Brookings; W. A. D. North, Watertown; C. N. Park, Clarke; H. W. Bailey, Faulkton; J. J. Aplin, Britton; T. E. Camburn, Aberdeen; W. V. Lucas, Hot Springs; A. A. McCoy, Deadwood.

It was ordered that all posts should attend divine service in a body either the Sunday before or on Memorial day and that the latter day should be consecrated to the memory of all deceased loyal soldiers and sailors of the Civil war. This observance consisted in erecting a small cross on the grave of each soldier or sailor and in hanging thereon a wreath of flowers, ferns, etc. Great preparations to make Derocation Day, 1892, a memorable occasion were made by the department, staff and division officers were urged to do their best. Post commanders were all instructed to fittingly celebrate that great day. The Woman's Relief Corps and the Sons of Veterans were invited to assist in the observances. Full preparations to be represented at the national encampment in Washington were made. It was estimated that 70,000 old soldiers took part in the parade in Pennsylvania Avenue. Seventy comrades in line represented the South Dakota department.

The Woman's Relief Corps and the Sons of Veterans order were admitted to the encampment hall at Chamberlain. Chaplain Clark addressed them in part as follows: "In behalf of this department permit me to welcome you to seats and a partial cooperation with us in the work of this encampment. Ladies, if there was any song that we sang with wonderful 'eclat' during those terrible days of war, it was the song entitled, 'The Girl I Left Behind Me.' And if there were any letters which came to us from our homes, few were more highly appreciated than those daintily written notes which did not lose their perfume even on the long trip through the Southland, and which came from the girls we left in the North. Sons of Veterans since the war God gave you to us. You have grown by our side. You have had kindled in your minds the principles for which we fought. Your fathers have done all they can of fighting. It now remains for you to take the country we saved for you."

In her address, Mrs. Sara E. Holmes, president of the Woman's Relief Corps, reported that eleven new corps had been organized during the year, the membership increasing from 893 to 1,105. The number of corps now reached fifty-seven. One corps at Groton had disbanded owing to the loss of its books by fire. The expenses for the year were \$448.68; other relief than money \$782.58; turned over to posts \$132.25.

Memorial Day was observed by fifty-five posts in 1892, and by the same number in 1893. In 1892, 401 graves of comrades were decorated, and in 1893 491 were decorated. In 1892 the number of comrades in line on Decoration Day in the state was 1,696. In 1893 the number was 2,100. In 1892 it was estimated that 24,000 persons attended the decoration services, and in 1893, 30,000. Seventeen old soldiers were buried near the Soldiers' Home. In all the services on Decoration Day, the Woman's Relief Corps and the Sons of Veterans participated. At nearly all of the memorial services children were present, the schools dismissed for that observance. Business houses generally were closed and flags were flying from nearly all structures.

The tenth annual encampment of the Grand Army of the Republic, Department of South Dakota, was held at Chamberlain June 6-8, 1893. The following officers were chosen: Commander, N. C. Nash; senior vice commander, E. E. Clough; junior vice commander, C. S. Boldgett; chaplain, H. F. Knight; medical director, I. H. Hughey; council of administration, C. S. Deering, Philip Lawrence, William Osborne, C. H. Sheldon, and C. L. Summers. The department headquarters were at Canton. Full arrangements were made at this meeting to attend the national encampment at Indianapolis and immediately thereafter the World's Fair at Chicago. The South Dakota veterans were given the use of a separate room in the capitol building at Indianapolis for headquarters and when at the world's fair were allowed to use the South Dakota building for the same purpose. Railroads offered very low rates to the veterans. It was planned at this time to make a concerted movement to see if the commissioner of pensions had any right to suspend pensions before he had proved they were obtained by fraud. At the national encampment South Dakota was well represented, and its delegations was accompanied by the splendid Knights of Pythias Band of Yankton. It was estimated that 300,000 people saw this national encampment. The posts in good standing in 1893 were as follows:

Kilpatrick Post, No. 4, Huron.
George H. Thomas Post, No. 5, Redfield.
Ransom Post, No. 6, Mitchell.
Phil Kearney Post, No. 7, Yankton.
Minor Post, No. 8, Vermillion.
Stephen A. Hurlbut Post, No. 9, Elk Point.
Joe Hooker Post, No. 10, Sioux Falls.
George Lyon Post, No. 11, Canton.
Canby Post, No. 12, Miller.
Sully Post, No. 13, Pierre.
Brad Walla Post, No. 14, Athol.
C. C. Washburn Post, No. 15, Egan.
J. H. Carlton Post, No. 17, Parker.
Robert Anderson Post, No. 19, Aberdeen.
Dahlgreen Post, No. 20, Dell Rapids.
Colonel Ellsworth Post, No. 21, Lenox.
James Shields Post, No. 22, Madison.
George A. Stevens Post, No. 23, Woonsocket.
McArthur Post, No. 25, Woonsocket.

- Sedgwick Post, No. 26, Salem.
- John A. Rawlins Post, No. 27, Plankinton.
- Harvey Post, No. 28, Rapid City.
- E. O. C. Ord Post, No. 29, Wessington Springs.
- John A. Dix Post, No. 30, Highmore.
- E. S. McCook Post, No. 31, Hurely.
- Meade Post, No. 32, Gettysburg.
- T. O. Howe Post, No. 33, Hitchcock.
- McKenzie Post, No. 34, Chamberlain.
- Reno Post, No. 35, Kimball.
- General Harrison Post, No. 36, Alexandria.
- Steedman Post, No. 38, Springfield.
- Baker Post, No. 36, Lake Preston.
- General Haskins Post, No. 40, Clear Lake.
- Edward Welch Post, No. 41, White.
- Gen. A. A. Humphrey Post, No. 42, Milbank.
- General Sheridan Post, No. 43, Bloomington.
- Ralph Ely Post, No. 45, Columbia.
- A. S. McCook Post, No. 46, Centerville.
- Winfield Scott Post, No. 48, Ipswich.
- General Wadsworth Post, No. 50, Flandreau.
- N. P. Morton Post, No. 51, Armour.
- Farragut Post, No. 52, Spearfish.
- Colonel Ellis Post, No. 53, St. Lawrence.
- Thomas Elson Post, No. 54, Northville.
- Dumont Post, No. 58, Blunt.
- Freeman Thayer Post, No. 59, Watertown.
- Margin Walker Post, No. 60, Willow Lakes.
- Sol Meredith Post, No. 61, Frankfort.
- General Upton Post, No. 62, Ashton.
- Ricketts Post, No. 63, Eathan.
- Keogh Post, No. 64, Deadwood.
- Colonel Kirk Post, No. 67, Andover.
- Devine Post, No. 68, Arlington.
- G. M. Dodge Post, No. 69, Beresford.
- General Crocker Post, No. 70, Webster.
- Phil H. Sheridan Post, No. 72, Faulkton.
- Robert L. McCook Post, No. 74, Brookings.
- Colonel Hughes Post, No. 76, White Lake.
- Atlanta Post, No. 77, Olivet.
- Grierson Post, No. 78, Tyndall.
- Stanton Post, No. 81, Leod City.
- Harvey Post, No. 82, DeSmet.
- Alpena Post, No. 85, Alpena.
- Morgan L. Smith Post, No. 88, Blunt.
- Iroquois Post, No. 89, Iroquois.
- General Steele Post, No. 94, Custer.
- U. S. Grant Post, No. 95, Oneida.

Weitzel Post, No. 96, Clark.
General Sherman Post, No. 98, Clear Lake.
Colonel George Post, No. 99, Estelline.
Greathouse Post, No. 101, Platte.
Levette Post, No. 103, Groton.
William F. Dawes Post, No. 104, Warner.
A. Lincoln Post, No. 106, Vernon.
J. A. Kellogg Post, No. 107, Wentworth.
General Rowley Post, No. 112, Frederick.
George Washington Post, No. 114, Valley Springs.
John B. Wyman Post, No. 115, Wessington.
E. H. Kennedy Post, No. 119, Volga.
General Hendrick Post, No. 121, Britton.
Thomas S. Free Post, No. 128, Canastota.
W. L. Utley Post, No. 126, Parkston.
S. A. Strickland Post, No. 127, Hot Springs.
Gettysburg Post, No. 132, Roscoe.
J. B. Wiley Post, No. 137, Henry.
Gen. D. H. Strother Post, No. 138, Hecla.
Resaca Post, No. 139, Langford.
Colonel Hawkins Post, No. 140, Bristol.
D. M. Evans Post, No. 141, Raymond.
Calvin H. Duke Post, No. 143, Sturgis.
L. C. Ladd Post, No. 146, La Grace.
Simon Cameron Post, No. 147, Leola.
Stanley Post, No. 148, Hermosa.
John Mangan Post, No. 150, Bangor.
General Brooks Post, No. 152, Wilmot.
Gen. J. A. Logan Post, No. 154, Alcester.
Gen. Warren Shedd Post, No. 155, Hill City.
Custer Post, No. 156, Carthage.
Merritt Post, No. 157, Wakonda.
McPherson Post, No. 158, Esmond.

At the state encampment of 1893 C. B. Clark, chaplain, said: "Upon the two memorial days intervening between this and the last encampment over 50,000 citizens, besides thousands of school children, attended the services. It was my lot to deliver the memorial address on May 30 last in one of the principal cities of our young state. * * * As I moved with the long procession, made up of 150 carriages, along the streets on which the business houses were closed, and saw miniature flags floating in the breeze from hundreds of buildings, by which recognition the people of both country and city joined with each other in doing honor to our soldiers dead, my heart was touched. I could but say with deep emotion, 'Thank God, the boys are not forgotten.' And as I remembered that just at that hour a grateful nation was gathering around our sleeping comrades, while children's hands silently scattered flowers upon the sod above them, there arose before me a mighty army, the army of the dead, no longer dead, but living, whose spirit forms hovered over the land their valor had saved and who joined in the mingled sentiments of love and praise—love

for the heroes who could not be forgotten and praise for the abounding peace and national prosperity which was the fruit of their heroic sacrifice. We fought not from the lust of power, nor the conquest of territory, but for eternal vindication of that dual principle bequeathed us by our forefathers—"liberty and union, now and forever, one and inseparable." All who loved or hated liberty watched with bated breath the tremendous struggle. The emancipation proclamation was but the logical and fitting climax to this great upheaval, born of the spirit of liberty and crystallized in the institutions for whose life we fought. When the war was over, when the dead were buried, and the survivors of that awful conflict had sheathed the sword, then for the first time since Jefferson penned the immortal document did the Declaration of Independence become in this country a living truth. Soldiers of 1861-65, you need no bard to embalm your deed in verse or song, no sculptor to chisel your worth in granite. Your monument is around you—a country saved and liberty ascendant and triumphant."

At this encampment General Gray said: "When Cato the censor used to finish his speeches in the Roman senate he ended every speech for long years with one sentiment, 'Carthage must be destroyed.' Now there is one pertinent thing you comrades should say at the close of every speech or at the close of every post meeting, and that is that the Grand Army must be recruited. Boys, there are 500,000 men eligible to the Grand Army that are outside of the order. You have but one-quarter of the eligibles in South Dakota inside the order today. The commander-in-chief said to me last night, the last thing before he went to sleep, 'If you get a chance at the boys tomorrow tell each one of them to get a fellow by the collar and bring him into the post.' That is the only efficient way to recruit the order; you cannot do it by sending out slips of paper; you cannot do it by telling some other fellow to recruit. If you know a man you can reach go to him and ask to see his discharge, and if he is not a member of the order ask him what in thunder is the matter with his record. The time has gone by when those who are eligible should lie around on the outskirts and not be fighting in the front ranks. While you live get all the boys in to live with you and have a good time. Get them in, and when the time comes for them to die, bury them by the beautiful ritual of our order." The committee on resolutions made a long report in which were the following preambles and resolutions:

Whereas, the education in patriotism of our foreign population and of our colored people has been neglected, and the instruction of all our youth in the righteousness of the cause of the North in the contest over the question of state rights, secessions and negro slavery has not been adequate and efficient; and

Whereas, patriotism is a lesson to be learned and such instruction can be given best in the family and in the school room. Therefore,

Resolved, that the American flag, the emblem of our nationality, should be displayed in every household and over every educational and public institution in the land, and should be recognized by a proper salute on all suitable occasions; and

Resolved, that the commander of each post in this department shall take such steps as may seem to him most practicable to have the last school day before Memorial Day, and during the first month of all the schools in the fall

of each year, observed by certain patriotic services, such as addresses, resolutions, recitations and songs as will arouse a love of country and reverence for the flag and a devotion to the principles upon which our nation is founded.

Resolved, that we demand a liberal construction of the pension laws and a prompt adjudication of claims, to the end that liberal pensions may be accorded the survivors of the Union army, their widows and orphans, and that we deprecate any narrow or technical construction of the acts of Congress granting pensions which may tend to deprive pensioners of what is equitably due them.

Resolved, that we call attention of the posts in this department to the vital importance of establishing more intimate relations between our organization and those of the Woman's Relief Corps and the Sons of Veterans, and we hereby instruct our representatives in the next national encampment to present and favor such legislation by that body as shall open our post meetings to the members of those two organizations in the same spirit of fraternity as we are now invited to sit in the meeting of the Sons of Veterans.

Resolved, that the council of administration is hereby directed to devise a plan by which the Woman's Relief Corps and the Sons of Veterans shall have a voice in the selection of the place and time of holding the annual encampment and in fixing the program of the public exercises during the session.

Mr. Bennett said: "In all of the public exercises in any of the places in which we have held a session there has always been a restriction, so far as attempt was concerned, to hold the people who were desirous of attending them. Now if a tent could be purchased that would hold a thousand or fifteen hundred people to be used on such public occasion, so that the whole people, wherever we assembled as a department, might have the pleasure, the instruction and the inspiration that it is desirous that they should get from these meetings, I think it would be a wise move. Inasmuch as these sessions are held for the purpose of arousing enthusiasm and teaching loyalty, we want all the people, the children and women and young men and everybody, to come and participate and endeavor to get some of the inspiration incident to these meetings." The council was directed to inquire concerning the tent and make report at the next meeting.

Chairman Carpenter of the Sons of Veterans addressed the encampment as follows: "The fourth annual encampment of the Sons of Veterans extend you our greetings and renew our allegiance and assure you of our continued co-operation and loyalty to the men who wore the blue and gave us what we are enjoying today. We come to you and pledge you as you were loyal and true to your country's name so will we be loyal to our country and true to you who have so bravely given us what we now enjoy. I urge upon you fathers that you press home upon your boys the objects and principles of our organization. It is an auxiliary to your order. It will step into the tracks you have made, and it will take up the work where you lay it down." In replying to this, Governor Sheldon said: "We hope you will take back with you to the encampment of the Sons of Veterans the hearty thanks of these old Grand Army men. We are glad as fathers that we will be able in their early manhood to set them such examples, to instill into them such principles as shall make them loyal and devoted to the flag and devoted to the principles of government for which we fought, so that if the occasion should ever arise they will not be found wanting.

Take back to the Sons of Veterans the hearty cordial greetings of these old men, and tell them that your organization meets their hopes and that they bid you Godspeed, and that they hope that in every work which comes to you in your organization that you will show yourselves to be worthy sons of those who we hope are noble sires."

In September, 1893, upon the return of the South Dakota veterans from the national encampment they stopped in Chicago one day in order to assist in making Grand Army Day a big success. Later it was proposed to have a Confederate Day and to have all the Grand Army of the Republic members present on that occasion to make that day also successful. While the state officials of the order were in doubt, they received from E. T. Langley, post department commander, a series of stringent resolutions which had been adopted on that subject by Kilpatrick Post and which severely condemned that step. Commander Nash accordingly sent the following reply to the World's Columbian authorities: "The old soldiers of this department, the men who saved the nation in its hour of peril from the assault of treason which arrogated to itself the title (Confederacy) feel deeply grieved that your body has, through mistaken judgment as we believe, attempted at this late day to make the rebellion respectable and destroy or mitigate the odium of treason by designating Confederate Day. We believe and are proud to believe as a fact that the great majority of former rebels do not desire to parade in public as the men who were traitors to their country and endeavored to overthrow its Government. Your great exposition—the admiration of the whole world—would not now be in existence, and this greatest exhibition of man's triumph would not have been possible, had the rebels been successful in their war upon the Government. We feel that it is an insult to the nation and to every man who served in the Union army and navy for the officers of the World's Columbian Exposition to thus (unwittingly we hope) attempt to make treason respectable and honor the men who sought to rend the nation and destroy its flag. Therefore, on behalf of the Department of South Dakota, Grand Army of the Republic, and on behalf of every loyal citizen of our state, I desire most earnestly to protest against the consummation of your proposed Confederate Day program." As Confederate Day did not materialize it is presumed that South Dakota, in conjunction with all of its sister states, had effectually killed the project.

Elaborate preparation for the due celebration of Decoration Day was made in the spring of 1894. Sons of Veterans and Woman's Relief Corps all over the state were invited to participate in the services. Order No. 11 said: "Not many years will come and go ere the duty we so lovingly perform on Memorial Day will be performed by other hands than ours, but while we are still on duty let us reverently and earnestly seek to impart a love for the heroes who have died that our country might live, which will constrain generations to come to cherish hallowed memories of those to whom duty and love for our flag was dearer than life. No post of this department should fail to properly observe Decoration Day. Let the children be assigned some prominent part in the exercises, for, comrades, remember the children of today must in the near future take your places, and upon you mainly depends their proper education in those lessons of patriotism and loyalty which are essential to good citizenship."

The eleventh annual encampment of the Grand Army of the Republic met at the Opera House, DeSmet, June 5, 1894, and was called to order by the commander, N. C. Nash. One of the first points brought to the attention of the encampment was that the previous year few, if any, of the delegates had brought credentials with them; so that it was impossible to tell whether they were entitled to legally represent their posts. D. H. Hawn and Comrades Ackley, Hall Batchelder, and Johnson were the Committee on Credentials this year. The encampment received from Louisville Commercial Club, Kentucky, a gavel made from an oak tree which grew on the farm where Abraham Lincoln was born. The interest in the gavel was almost wholly historic. Louisville was an applicant for the national encampment at this time. The delegates were instructed to vote for Louisville, but this motion was reconsidered and they were left uninstructed.

General Palmer said: "It has been my good fortune to be present as a delegate in every encampment of the Grand Army of the Republic since its organization in the Territory of Dakota. I find myself today more than ever drawn to the encampments, because I am going to see the boys. Unconsciously I consider this one of the greatest pleasures of my life. I expect to see the Sons of Veterans steadily taking our places as the years pass. Some of the men whom I have seen marching down the streets upon the day of our encampments I do not see any more. Some of the men I met at Chamberlain are not here today, and I never expected to see them again in my life. But our duties will be taken up by the young men—a pure, clean, noble manhood. I tell you he must be blind indeed who reads the recorded page as it is going forth, being made day by day in this land of ours, that does not understand the issue, and he does not have to read between the lines that this country which has once been in peril and saved by these old men, is going to be imperiled, and to be saved, if it is to be saved, by the genuine and magnificent young men as are members of the Sons of Veterans. A young man, a young boy, who reads the daily papers and the accounts of what is transpiring in this land of ours today can understand the dangers we are in when we see armed men who are reported unable to speak the English language marching through the streets of an Illinois town crying and singing "Vive l'anarchique." The time may come when the loyalty and patriotism of 1860 to 1865 may be put to its test again. I tell you, my comrades, the boys that were then alive will ever be found loyal to their country and their country's flag, though they may not be able to shoulder the musket and put down armed treason and armed rebellion and armed anarchy; but I say to you the hope of the future and the welfare of this country lie largely with these boys of the Sons of Veterans who know something of what their fathers passed through."

At the eleventh annual meeting of the Woman's Relief Corps, coincident with the eleventh encampment of the Grand Army of the Republic, the president made a full report. She reported that she had received great help from Mrs. Sara E. Holmes, Mrs. L. P. Bryson and Mrs. Lelia L. Smith during the past year. She reported that the hard times had not only prevented the formation of many new corps, but had compelled several to disband. Corps had been organized at Wessington Springs, Ipswich, Esmond and Arlington. She said: "Commander, your posts cannot afford to be without the Woman's Relief Corps.

this valuable auxiliary of women. You know that women have a way of doing so many nice little acts, that men never think of, and the W. R. C. seems to know just how and just when to do these things—to get up a nice supper, discover when a veteran's family needs aid, and in a quiet way send the needed supplies. Besides it is a duty you owe the good women of your locality to open for them this legalized avenue, that they may demonstrate their patriotism and loyalty to the brave defenders of their country." At this time more than nine-tenths of the Grand Army of the Republic posts in the state had Woman's Relief Corps auxiliaries. The women attending the national encampment at Indianapolis were Mrs. Carrie M. Cleveland, Mrs. Lukens, Mrs. Carpenter and Mrs. Bryson.

Commander Nash said in his annual address: "Comrades, your mission is not yet fulfilled, nor will it be until old glory floats from every schoolhouse in the country we saved. When the children of this generation have learned to reverence that flag and love it with that intense fervor which will prompt them to give their lives if need be in its defense, when the men and women of our land are patriotic and loyal, when good citizenship is indelibly stamped on our civilization, when love of God and country is the universal rule—then, comrades, the war will be over and we can be mustered out." He further said: "At our last encampment we were just beginning to feel the heel of the oppressor. The tyrannical rulings and the brutal presumptions of an unrepentant rebel who had been employed by the hostile administration to apply a whip of scorpions to the backs of the men who saved this union and who were entitled to a nation's gratitude, was bad enough; but to place that whip in the hands of a comrade who, to his everlasting shame, be it said, consented to do the brutal work, made the pain harder for us to bear. The commissioner had fame and honor within his grasp. How pitiful that he should choose infamy and dishonor instead. Had he told Hoke Smith, 'You can have my resignation, but you cannot have my service in attempting to bring dishonor upon my comrades living and dead, nor will I be a party officially or unofficially to any scheme which has for its ultimate object the distress of my comrades and the widows and orphans of these brave men who have answered the last roll call—had he said this, his patriotism could never have been gauged by the size of his salary. * * * Until Lochren's administration of the pension office, congressmen could go there at the request of their constituents and learn what further evidence was necessary to complete a claim, but now it is a star-chamber affair and merits the contempt of all honest men. The pension roll is a 'Roll of Honor,' my comrades, and you and I alike desire and demand that it shall so continue; but this administration assumes that the pensioners are no better than a lot of horsethieves, and it is wasting the people's money in a particularly fruitless attempt to convict the pensioners of obtaining money by fraud. * * * Who has a better right to a comfortable old age, unharrassed by the fear of extreme poverty and consequent distress, than the men and women who saved this nation from destruction? What is now doled out as a charity is yours and mine by right, by virtue of a contract which should be as sacred as any obligation the Government can assume, and it has no right by subsequent legislation to impair that contract. A pensioner in this state was dropped from the rolls, and I took the matter up, and in the course of my correspondence with Mr. Lochren I said to him: 'After a claim has been allowed under the rules and regulations authorized by law, you have no right to suspend

the payment of that pension until you discover that it was obtained through fraud.' This pensioner was restored to the rolls."

Commander Nash also said: "Under the able and skillful guidance of its president, Mrs. Carrie M. Cleveland, the Woman's Relief Corps of this department has made substantial progress during the past year. The loyal women of our land are the best friends we ever had or ever can have. During the dark days of the rebellion they were not less loyal and patriotic than the boys who are now veterans, and their noble service contributed more to the dawn of peace than we can ever know until the records of the universe are open to our inspection. Recognizing in them able and efficient co-workers with us in the mission of our order, we bid them Godspeed in their noble work and we extend to them with all the cordiality veterans are capable of, the right hand of fellowship; and, comrades, since we owe them a debt we can never repay fully, let us settle the score so far as we can by the most generous, sincere and helpful encouragement. Without their assistance I fear our memorial exercises, which contributed so much to the education of the rising generation in lessons of loyalty and patriotism, would speedily languish. Therefore, Mrs. President and sisters of your convention, go on in your grand work, and may the thought that your brothers whom you helped save this nation are intensely loyal to you nerve you to greater efforts and aid you in achieving success as complete as it will be sublime.

"Sons of Veterans! Worthy sons of noble sires! It is with profoundest admiration that we greet you. We salute your loving confidence that you will preserve untainted the liberties your fathers and forefathers achieved on many a bloody battlefield. Brave and fearless, honest and conscientious as you are, remember that great deeds are but seldom done; most of us must content ourselves with the smaller duties which go to make up good citizenship. Be comforted and encouraged by the thought that the good, every-day, duty-doing men and women are of far greater value to mankind than the few who are credited with great deeds. Comrades, encourage by your means the gallant Sons of Veterans, whose organization will remain and whose members will stand with uncovered heads when ours is mustered out. They will take up the work where we leave off. Our mission cannot be fulfilled in the years of our lives, for it is too great to be accomplished before we cross the dark river. Our great commanders are encamped on the other shore, and we have steadily and loyally touched elbows and continued our march. Soon death's bugle will sound for us, but our sons will take up the lines of march when we lay down our arms, and 'Old Glory' will still be carried forward. The hallowed memories which cluster around our heroic dead should prompt us to that higher plane of living which makes all mankind brothers. We decorate their graves with flags to teach the children that these men died in defense of the flags which float above their graves; that they died in order that the Government of this country, which they proudly claimed as their native or adopted land, might survive the storms of treason which so fiercely assailed it in 1861. The observance of Memorial Day is growing more general as the years roll by. To teach its proper observance should be in keeping with the solemn memories it revives in every thoughtful mind.

"In spite of the worst financial panic which our country has experienced in many years, our order has enjoyed a substantial gain. This result I attribute to two causes: (1) The venomous attack on the Union soldiers by the administra-



CENTRAL FIRE STATION, SIOUX FALLS



LOOKING NORTH ON PHILLIPS AVENUE FROM ELEVENTH STREET, SIOUX FALLS. BOYCE-GREELEY BUILDING ON CORNER; CARPENTER HOTEL ADJOINING ON THE NORTH.

tion made the old soldiers stand together more than ever before since their muster out in 1865-66; (2) the competition to secure the prizes offered by the tenth encampment to the posts showing the greatest percentage of increase has stimulated the comrades to greater efforts. The prizes won this year are here and will soon be presented to the winners. Our order is in a flourishing condition."

Senior Vice Commander Clough reported the Grand Army of the Republic of the Black Hills in a prosperous condition. Though the surroundings in 1893 were unsatisfactory, a great change had come over the order in that region. There was genuine interest in every post, and Decoration Day was receiving more attention than ever before. The great event in the Hills was the separate independent annual reunion of the old soldiers.

In 1892, at the encampment held in Mitchell, the per capita tax was reduced from 40 cents to 30 cents per year. By 1894 this reduction had caused a great falling off in the receipts, without any other way to make up the deficiency. In fact the latter year showed that the income was being exceeded by the expense. At the Chamberlain encampment in 1893 the council of administration recommended an increase to 40 cents, but this advice was not followed. To remedy the defect the council in 1894 recommended an increase to 35 cents per year. It also suggested the reduction of the salaries of several of the officers or a consolidation of the offices.

At this encampment (1894) the prizes offered the year before for the largest increase of membership of any post were awarded as follows: First premium, a \$20 flag, to Silas A. Strickland Post, No. 127; second premium, a \$10 drum, to Custer Post, No. 156; third premium, a \$6 bugle, to John A. Dix Post, No. 30. A continuation of these prize offerings was advised. The following prizes were recommended: Fifteen dollars for a flag to the post gaining most in membership (the Strickland post barred); \$7 for a drum to the post showing the second largest increase; \$3 for a bugle to the post showing the third largest increase. On the motion to adopt the report of the council of administration, an amendment raising the per capita tax to 40 cents was carried. The report was then adopted. General Palmer made a motion to increase to 40 cents, and Mr. Blanchard was its chief opponent. Upon the election of Grand Army of the Republic officers for the year 1895 the vote for commander stood: G. W. Carpenter, 72; J. F. Elson, 36; John Ackley, 21. E. E. Clough was re-elected senior vice commander, and George S. Johnson, junior vice commander. The following is from the report of the committee on resolutions:

Whereas, there is a tendency to make Memorial Day an occasion for festivity and indulgence in games and sports wholly foreign to the purposes of the day and the sacred spirit which ought to characterize it; and

Whereas, such desecration of the day lacerates the feelings of those whose dear comrades and kinsmen are recalled, is an insult to the surviving veterans, and destroys the lessons of veneration and loyalty which the day ought to teach the young. Therefore,

Resolved, that the Department of South Dakota, Grand Army of the Republic, hereby expresses its disapprobation of indulgence in public sports, pastimes and all amusements on Memorial Day as inconsistent with the proper purposes of the day, and that the duty of vigorously opposing such practices be urged upon all posts and all old soldiers and their friends throughout the state.

Resolved, that this department heartily endorses the bill recently introduced in Congress and entitled, "A bill to Insure Preference in Appointment, Employment and Retention in Public Service of the United States to Veterans of the Late War."

Resolved, that besides the usual number of copies of the journal of this department, a sufficient additional number be printed to enable the assistant adjutant-general to send a copy to each Woman's Relief Corps and each camp of the Sons of Veterans in the state.

Resolved, that we demand for our disabled comrades a liberal and competent provision to maintain them in their old age. We demand this in the name of justice and patriotism for the honor of the nation they saved, and do not ask it as alms. While we denounce every effort to defraud the Government under the guise of obtaining pensions, and unite and urge the strictest scrutiny of the pension roll, that it may ever be regarded as a "Roll of Honor," we denounce the evidently studied purpose of the present administration (Cleveland's second) and majority in Congress to stigmatize and belittle the pensioners of the Union army. We stand for our comrades and our rights in peace and war; and we rejoice that the patriotism of the American people will verily administer a stinging rebuke to such disloyal politicians, and that the alms home is not likely to be opened for the reception of those who gave the best of their blood and life for their country. If the Grand Army of the Republic had accomplished nothing more than its work in these lines, it would not have existed in vain. While we are ever ready to grasp those of our southern brothers by the hand who accept the results of the war and swear allegiance to the old flag, we strongly denounce those leaders who are poisoning the minds of the rising generation with their treasonable utterances and pernicious doctrines, and we view with some degree of alarm the boldness with which such treasonable sentiments are uttered and the approval with which they are received by the bearers.

The committee on resolutions were T. M. Shanafelt, John Ackley, J. M. Hobbs, H. P. Packard and W. L. Palmer. There was much contention over the site of the next encampment. Pierre finally won from Redfield by the vote of 53 to 44. One town receiving a large support was Hot Springs.

At the encampment held in Pierre June 5-7, 1895, the program carried out was elaborate and interesting. The Grand Army, the Woman's Relief Corps and the Sons of Veterans were well represented. Of the Woman's Relief Corps, Emma F. Robinson was president. Past presidents of this order were Lelia L. Smith, Louisa T. Hauser, Lucy P. Bryson, Ruth H. Thomas, Sarah E. Holmes and Carrie M. Cleveland. The division commander of the Sons of Veterans at this time was Col. R. S. Gleason. The past division commanders were Hamilton Kerr, E. E. Brown, J. R. Brockwell, C. C. Brass, C. B. Cook, L. D. Lyon, D. L. Printup and W. S. Carpenter.

In 1895 Melvin Grigsby delivered an address to the old soldiers at Yankton. He pointed out what he presumed were the dangers to the American republic, and said that the soldiers who freed the slaves in 1861-65 might be called upon to save the country from an evil more dangerous than slavery—corruption in politics.

The thirteenth annual encampment convened at Watertown, June 3, 1896, Commander S. R. Drake presiding. J. A. Pickler reported what progress was

being made in Congress on the service pension bill, which provided for granting a pension to all old soldiers who served in the Union army. He declared that as it was now about thirty years since the Civil war, all old soldiers, in his opinion, should have a pension, and that it was merely a question of time when in any event this would be done. The original plan was to give \$3 a month to every soldier for the act of enlisting and a cent a day per month for the time he served. Thus if he served three years, or 1,095 days, the latter amount would be \$10.95, which, added to the \$3, amounted to a pension of \$13.95 per month.

In this annual address the commander noted the effects of the hard times on the posts; also the growth and development of the Woman's Relief Corps and the Sons of Veterans; referred to the prosperity and necessity of the Soldiers' Home; extolled the due observance of Decoration Day; spoke of the national encampment at Louisville, the first time on southern soil, and dwelt upon the good work being done on the pension laws.

The president of the Woman's Relief Corps, Eppie McMillan, showed how the order had grown, revealed the obstacles in the way of a large membership, described how they had observed Memorial Day at every post in the state, explained how children were instructed to honor the old soldiers living and dead, and said: "We have whispered into the youthful ears. There are still Grand Army boys among us; wait not for death to claim them ere you honor them. Year by year as we stand beside the mounds covering fathers, brothers, sons and lovers, or recall that silent city in some distant state where lies the loved form of his dear one, we resolve anew to help make our nation worthy the awful sacrifices they suffered." She said that at the close of 1895 the books had 996 members in good standing, and that by the close of the first quarter in 1896 the number was 1,097, not including four new corps, which added ninety-five more members. She recognized that one of the legitimate duties of the Relief Corps was to teach patriotism to all men, women and children of the country, and recommended "That the department president appoint a committee on patriotic teaching and that every corps have a similar committee." She further said: "As you are all aware, it was decided at the national convention held at Indianapolis in 1893, to affiliate with the National Council of Women. This has brought the object of our organization before the other great organizations of women in the United States. The knowledge of our work in patriotic teaching has been largely extended, and the co-operation of hundreds of thousands of women in other associations has been secured."

Division Commander Z. C. Green, of the Sons of Veterans, said that owing to the hard times and the intense heat of summer, the camps had fallen off and many had suspended, until on September 30, only eleven camps, with a membership of 147 members, were in good standing. By hard work until the following June the camps in good standing numbered twenty-four, with a membership of over four hundred. Seven new camps were organized. He said: "Never before during the history of our division has so much interest been taken in our order by the Grand Army of the Republic. There is a better feeling existing today between the two orders than ever before." He further stated that a new camp of Sons of Veterans had been organized at Arlington wholly through the efforts of Mrs. Annie Nelson, president of Divine Relief Corps, No. 7.

Senior Vice Commander W. T. Palmer reported that with the assistance of others he "was able to decorate our car to Louisville with a fine assortment of grains, grasses, fruits and vegetables, the products of South Dakota, and on the arrival at Louisville the display was nicely arranged in a vacant store building and attracted great attention and aroused many inquiries regarding the resources of South Dakota."

During this encampment memorial services were held in the Methodist Episcopal Church at Watertown by the G. A. R., W. R. C. and S. of V. Chaplain H. M. Springer delivered the memorial sermon or address.

John Ackley was elected department commander by acclamation. J. F. Baker was chosen senior vice commander, and R. P. Hall was elected junior vice commander, both by acclamation. E. W. Foster was re-elected medical director. S. A. Wheeler, A. B. McFarland, Thomas Reed and O. E. Dewey were chosen delegates to the national encampment. Among the resolutions passed on this occasion were the following:

Whereas, we regard with pride and satisfaction the interest that has been taken by officers, teachers and scholars of the public schools to aid us in the proper observance of Decoration Day. Therefore,

Resolved, that we extend to those officers, teachers and scholars our heartfelt thanks for their aid, sympathy and patriotism and hope that this spirit may increase from year to year; and

Resolved, that we cordially endorse the provisions of the general pension bill, known as the Pickler Bill, to facilitate the allowance and to prevent the reduction of pensions, which passed the House April 28, 1896; and that we also endorse the service pension bill which was favorably reported to the House on May 26 last by the committee on invalid pensions.

The women of the Relief Corps accepted the invitation of the G. A. R. to meet them at Redfield at the next annual encampment; and also accepted the invitation of the G. A. R. to joint installation on the present occasion.

The state encampment of the Grand Army of the Republic for 1897 was held at Redfield, and was well attended. The citizens decorated the principal streets and made every provision for the entertainment of the guests. The Woman's Relief Corps and the Sons of Veterans were likewise represented. The annual address of the commander reviewed the condition of the Army in South Dakota and made many suggestions for the good of the organization. C. B. Clark of Huron was elected as the new commander. R. R. Courtney was chosen commander of the Sons of Veterans. Of the Woman's Relief Corps, Mrs. Moulton was elected president; Mrs. H. C. Walsh, senior vice president; and Julia Grogengesser, junior vice president. Canton was selected as the place in which to hold the encampment for 1898.

The fifteenth encampment assembled at Canton June 7-9, 1898, there being present six hundred to eight hundred members of the Grand Army of the Republic, Sons of Veterans and Woman's Relief Corps and their friends. The proceedings were very important and entertaining. Among the speakers were General Lucas, of Chamberlain; Chaplain Cole, of Iowa; Major Morris, of Redfield; General Pickler, of Faulkton; General Palmer, of Sioux Falls, and General Van der Voort, of Omaha. Music was furnished by Colonel Kimberley, the "Wisconsin soldier singer," the Grieg Sangforening, and two or three cornet bands.

The proceedings of the second day were probaby never surpassed in the history of the organization in South Dakota. Three rousing campfires were attended by several thousand visitors who listened to eloquent and patriotic addresses from Paul Van der Voort, General Silsby, Major Dollard, Major Anderson, Robert J. Gamble and Chaplain Cole. The encampment was elegantly entertained by the city. The principal streets were a maze of banners, emblems and colors. The grand parade was a brilliant affair, with bands, banners and mottoes. On the third day the three organizations elected their new officers, as follows: Grand Army of the Republic, commander, E. P. Farr, of Pierre. Woman's Relief Corps, president, Mrs. Violet Murphy, of Yankton. Sons of Veterans, commander, W. A. Morris, of Redfield. All agreed that this was one of the most successful, brilliant and enjoyable encampments ever held in the state.

In 1899 the Grand Army of the Republic met at Hot Springs for the annual state encampment. It proved to be one of the most interesting sessions in the history of the organization. An annual address of Commander Farr and the reports of the committees were of great moment. The commander recommended the return to the tax of 40 cents per capita, declaring such a step necessary to meet current expenses. The encampment was formally welcomed to the city by Major Harges, to whose address response was made by Commander Farr. The Canton and Rapid City bands furnished the music. W. L. Palmer, of Carthage, was chosen as the new commander; A. B. Conver, senior vice commander; W. A. North, junior vice commander. Mrs. Pickler was elected president of the Woman's Relief Corps, and W. A. Harris commander of the Sons of Veterans. Mitchell was named as the place for the next encampment.

The condition of the Soldiers' Home was considered in detail and several recommendations concerning its management were offered. On the second day the encampment marched in a body to the home to pay their respects to the old soldier inmates and enjoy the scenery and the prospects of the institution. While at the home the whole encampment formed a hollow square into which Commander-elect Palmer advanced with Commander Farr and on behalf of the order presented him in an appropriate speech with a magnificent gold badge set with diamond stars and with emblems of organization. A feeling response was made by the retiring commander. On the same day the Women's Relief Corps presented its retiring president with a fine gold watch and chain as a memento of her efforts on behalf of the corps.

At a joint meeting of the representatives of the G. A. R. and the Union Veteran's Union held at Sioux Falls May 29, 1900, the two independent organizations, after discussing the whole subject finally agreed upon the following resolution:

"That by the joint committee of the G. A. R. and the Union Veteran's Union, we regret beyond expression the evident misunderstanding between our respective organizations regarding Memorial Day exercises, and while we do not wish to pass censure on Joe Hooker Post for the responsibility of this misunderstanding, we at this time join as comrades in a program to fittingly observe Memorial Day; and we duly agree that the program mapped out by the Grand Army Post, so far as it concerns the agreements for speakers, music and hall, be accepted, provided a call be promulgated inviting the Union Veteran's Union and Relief Union to join in the ceremonies and subsequent line of march under a marshal to be appointed."

The joint committee were Greenleaf and Barrett of the G. A. R. and Smith and Ludlow of the U. V. U. Captain Ludlow was appointed marshal of the day. The day was honored with unusual solemnity and devotion. Present were the G. A. R., W. R. C., S. of V., and U. V. U., S.-A. members. After the exercises in the auditorium they went to the cemetery to place wreaths of flowers on the graves of the dead soldiers. It was a memorable day in Sioux Falls.

In June, 1900, Mrs. George E. Upton, commonly known as Mather Upton, died in Hermosa, aged sixty-three years. She was called the mother of the town and was widely known in the Black Hills. She was a member of the Woman's Relief Corps, was greatly beloved for her universal charity and had been a nurse in the Union army during the Civil war.

In June, 1900, Mrs. George E. Upton, commonly known as Mother Upton, opened the Veterans' Association with a delightful program of attractive exercises. There were present 180 veterans and their families, who encamped in the grove and while there were visited in two days by over two thousand people. Sioux Falls secured the next encampment of this association in a sharp contest with Egan, the vote standing: Sioux Falls, 38; Egan, 31. George A. Ludlow was elected commander; W. H. Loucks, vice commander; W. H. Smith, quartermaster; C. H. Van Slyke, adjutant.

On June 19-21, 1900, the G. A. R., W. R. C., S. of V. and S. A. V. held their annual reunion at Mitchell. Elaborate preparations for their reception were made by the citizens. The unusual features were the grand parade through the streets, the trip on the railroad to James River three miles away, where, in a grove, refreshments were served. One table was 1,000 feet long. The campfire late in the afternoon and the sports given for the entertainment of the visitors ended the ceremonies. The big grain or corn palace at Mitchell was turned over for the campfires, concerts and patriotic presentations of the veterans and their auxiliaries. A splendid concert was rendered at the corn palace on Wednesday. Usually the speeches were made in the evening. The last day of this encampment was spent by the four orders in business transactions, the other two having been devoted to sociability and pleasure. Congress was highly commended for the passage of the new pension law. Sioux Falls was chosen for the next encampment. Philip Lawrence was elected department commander, Mrs. Emma Cook was chosen president of the W. R. C. At this meeting a state organization of the Spanish War Veterans was effected by the election of the following officers: Corps commander, O. L. Sues; senior vice commander, Paul McClelland; junior vice commander, C. P. Van Houten; chaplain, C. M. Daley; adjutant, E. E. Hawkins; quartermaster, O. R. Amole; delegates to the national encampment, Melvin Grigsby, A. D. Sessions and R. C. Warne. This first meeting of the Spanish War Veterans was a great success and preparations to organize commands throughout the state were made. By the latter part of March more than twenty organizations of this society were formed or being formed throughout the state. Maj. O. L. Sues was mustering officer. It was decided that the Spanish war soldiers should meet at the state fair at Yankton in September. Twenty-five new members were initiated into the Sioux Falls camps; their homes were scattered over the state. The Sons of Veterans elected the following officers: Commander, Virgil Boyles; senior vice commander, F. D. Powers; junior vice commander, S. A. Fuller. The next annual meeting of these orders was also fixed at Sioux Falls.

In June, 1901, the G. A. R., W. R. C., S. of V. and S. A. V. and their helpers assembled in the auditorium at Sioux Falls. About sixty were present the first day. The W. R. C. met at the Masonic Temple; the Spanish War Veterans in the local G. A. R. hall, and the S. of V. in their tent on Seney Island. The welcoming speech to all was delivered by S. E. Young and the response by Commander Lawrence. Miss Emma Cook responded for the W. R. C. Gen. O. S. Clark of Minnesota made the first address. He explained how important was the work of the above societies and advocated liberal pensions. This occasion was one of the gayest, most brilliant and enjoyable and the most active for good that had ever been held in the state. There were present three or four bands and almost hourly parades came off with spirit and music amid the enthusiastic cheers and greetings of the thousands of men, women and children who lined the streets. Thousands visited the tent encampment on Seney Island. At the auditorium 2,500 people listened to the exercises. Musical clubs rendered patriotic airs.

The Spanish War Veterans elected the following officers: Corps commander, Clayton Van Houten; senior vice commander, Paul D. McClelland; junior vice commander, Boyd Wales Howard; surgeon general, R. C. Warne; judge advocate, Melvin Grigsby. The G. A. R. officers elected were: Commander, G. A. Snow; senior vice commander, J. M. Preston; junior vice commander, J. J. McIntyre; medical director, A. H. Daniels. The delegates to the national encampment were B. D. L. Dudley, Charles Gurnay, L. A. Drake and C. S. Blodgett.

Memorial services were held over the veterans who had died during the past year—thirty-eight or forty of them in the whole state. W. V. Lucas and Comrade Nash pronounced eulogies on the departed heroes. During a heavy rain the orators held forth to a large audience in Germania Hall—Clough and Dollard, with Colonel Grigsby as presiding officer. Clough's speech on "Who Survives?" was a masterpiece of rhetoric, patriotism and logic. He declared that the law of the survival of the fittest still ruled the world. General Dollard confined his remarks to the conduct of the soldiers on the field of battle. He spoke again in the afternoon on the island. Willis C. Bower also spoke. The splendid singing was immensely enjoyed. At the Spanish War Veterans' ball in the evening 250 couples participated. The speakers that evening were Lucas, Clark, Silsby and Palmer. Over three hundred of the soldiers were present. Among the closing exercises were two notable speeches by Coe I. Crawford and Col. Lee Stover. A flag drill by the pupils of the public schools was much enjoyed, with Mrs. Helen Holt manager. The Criterion quartette supplied inspiring music. The big event of the last day was the parade in the morning when all swung into line to the martial music of "Marching Through Georgia." The U. V. U. were present. The W. R. C. rode in carriages. A conspicuous fact was the attention received by the visitors from all the citizens of the city. Everything was done for their comfort and enjoyment. One old soldier died while there—answered the last roll call.

The encampment at Brookings in 1902 was excellent in every respect. The hospitality of the city made the occasion one of superb enjoyment to the distinguished guests. The Sons of Veterans elected as commander W. F. Allison; senior vice commander, J. H. Pilkington; junior vice commander, F. A. Cochrane. The Spanish War Veterans chose Ernest Madden as their corps commander; senior vice commander, Seth Bullock; adjutant, George W. Roskie. Several base-

ball games entertained the veterans and ladies. Mayor Mathews delivered the address of welcome. George W. Snow responded on behalf of the G. A. R.; Helen A. Hobbs, on behalf of the W. R. C.; Col. M. E. Harder, for the Sons of Veterans; and Clayton Van Houten, for the Spanish War Veterans. The sessions were held in a big tent. On the second day W. O. Clough and G. A. Silsby addressed the assemblage. Then followed the grand parade led by the Volga military and college cadets and the whole was reviewed by General Torrance. The campfire at night was addressed by General Torrance. On the third day several prominent people delivered stirring and patriotic addresses. Present and prominent during the encampment were W. V. Lucas, J. H. Houser, George A. Silsby, Robert Dollard, S. J. Conklin, Governor Van Sant of Minnesota, Gen. Els. Torrance, W. O. Clough, C. H. Winsor, Coe I. Crawford and Gen. A. S. Frost. Excellent music was provided by the citizens.

The encampment of the various military societies was held at Big Stone City in 1903. There was a large attendance, and the city took great pains and pleasure in suitably welcoming and entertaining the guests. The new officers chosen for the G. A. R. were: Commander, Thomas B. Reed; senior vice commander, A. B. Nelson; junior vice commander, J. Mayard; chaplain, W. A. D. North. The official report showed that in the whole state there were 83 posts with a membership of 1,700, a decrease of about 75 from that of the year before. Forty-two members had died. The W. R. C., S. of V. and S. A. V. were well represented. In all about 600 guests were present. The hotels were not large enough to hold the crowds, but all were provided with beds in hotels, private residences and tents. At the auditorium all listened to the annual addresses of Commander Blanchard of the G. A. R.; Mrs. Mary N. Farr, president of the W. R. C.; and Mrs. Taylor, president of the National W. R. C. These orations were all well prepared, full of spice for the benefit of the orders and delivered in select language and elegant style. The oratory at this encampment was superb and was received with rapturous applause by the guests and the local population. Among the speakers were Lieutenant-Governor Snow, John A. Prickler, N. C. Nash, Thomas Reed, Governor Van Sant, and others. During the encampment particular effort was made by all the speakers and by the resolutions adopted to secure and enforce the teaching of patriotism in the public schools. The proposed pension measures were likewise endorsed. All members of the above organizations were treated to a trip to Foster on the steamer Queen of the Lake. One of the old soldiers while in the city was accidentally killed by falling from a window of the hotel at night, his neck being broken.

The twenty-first encampment was held at Canton, June 28-30, 1904, and was one of the most enthusiastic thus far held. Through a reception committee the guests were made comfortable and then the joy began. There were present about six hundred persons, representing the G. A. R., W. R. C., S. of V. and S. A. V. Mayor Fitch welcomed them to the city, and Thomas Reed and Jane Mason responded on behalf of the G. A. R. and the W. R. C. Wendt's Orchestra furnished the music. The guests were treated to boat rides on the river and the Indian asylum was thrown open for their inspection. The G. A. R. officers elected were: Commander, H. P. Packard; senior vice commander, Charles Barrett; junior vice commander, H. C. Neumayer; medical director, V. T. Wilson; chaplain, S. A. Boyles; delegates to the national encampment, H. J. Sanford, Robert

Dollard and S. H. Cornell. Aberdeen was selected as the meeting place of the next encampment of the G. A. R. and the next convention of the W. R. C. On Thursday Mrs. Gen. John A. Logan was met at the station by the encampment and citizens and escorted in state to Hotel Rudolph. From the station to the carriage she passed through two long lines of veterans with uncovered heads and was visibly affected but much pleased at this magnificent reception. All the way to the hotel she passed through two ranks of marching veterans. After resting she visited the W. R. C. convention and was given a magnificent reception. At the evening campfire 2,000 people were present. Senator Gamble delivered the principal oration. Then Mrs. Logan for ten minutes addressed the audience in a warm and cordial greeting to the old soldiers and others. J. R. Pattee's songs were much enjoyed. S. H. Elrod spoke for twenty minutes on the respect that was due the old soldiers. P. R. Bailey with his wit kept the audience in a roar for half an hour. Derva Stone and Harriet Elder rendered spirited recitations. The next day in the parade to the hall for the installation of officers all sang "Marching Through Georgia." The speech of Mrs. Mary N. Farr in presenting the retiring president, Mrs. Jane Mason, with a cut-glass berry bowl, was one of extreme grace and elegance. Gen. George Silsby, in behalf of the department, delivered an eloquent address to the retiring commander, Thomas Reed. Eramia Carpenter was chosen president of the W. R. C. for the coming year; Jennie E. Nash, senior vice president; Ella Roselle, junior vice president; Emma D. Humphrey, treasurer; Hattie M. Pay, chaplain; Emma Silsby, Emma Thayer and Lizzie Leavitt, delegates to the national convention. The orations were timely, patriotic and eloquent. All urged the importance of teaching patriotism in the schools of the state.

The twenty-second annual encampment assembled at Aberdeen June 20-22, 1905, under sunny skies and balmy airs. The city had made great preparation for their enjoyment and had gaily decorated Main Street and many public and private buildings. Fully three hundred old soldiers, and in all about seven hundred guests, were in the city on the first day. The Woman's Relief Corps, as ever, was well represented. The G. A. R. assembled in the courtroom. At the first meeting of the W. R. C. all of the past presidents of the city were presented to the members present; they were Louise Hauser, Lucy P. Bryson, Carrie N. Cleveland, Sue C. Moulton, Alice M. A. Pickler, Emma M. Cook, Helen A. Hobbs and Jane A. Mason. At this time the total membership of the W. R. C. in South Dakota was 1,430. The total receipts of the year were \$1,300 and total expenses \$1,100. After various ceremonies the two organizations held a joint session in the courthouse. The U. V. U. was present in the city, but at first held no meeting. Gen. R. T. Paine was commander of this organization.

On Wednesday the officers of the organization for the coming year were chosen. J. B. Wolgemuth was elected commander of the G. A. R. and Clara A. Lukins president of the W. R. C. Yankton was chosen over Watertown as the place for the next state encampment by a vote of fifty-two to forty-eight. In the usual flag presentation to the public school Mrs. Mary N. Farr, national vice president for South Dakota, bore a distinguished part.

In his annual address Commander Packard called special attention to the fact that although the old soldiers throughout the country were passing away the department in South Dakota was growing in numbers, the membership being

1,674 in 1904 and 1,763 in 1905. He also spoke particularly in regard to a pension of \$12 per month for each old soldier. He said of the W. R. C., "This valuable organization auxiliary to the G. A. R. continues with zeal unabated the splendid work to which it is devoted and for which it was organized. For years it has been much help to the G. A. R.; has helped posts financially; has encouraged the weak and shared honors with the strong; has been a messenger of comfort to the widow and orphan of the veteran, and dignified and sweetened the services of Memorial Day by active participation and along the lines of usefulness and patriotism."

At the closing exercises Gen. Els Torrance, of Minneapolis, past national commander, delivered an entertaining speech of about forty-five minutes in length. In particular he cited many instances of loyalty by both sides in the Civil war. A prize speaking contest on "Patriotism" was on the program. Mrs. Alice M. A. Pickler presented the flag to the local school. Gen. G. W. Patton addressed the last assemblage.

The U. V. U. met at this time in Aberdeen and was called to order on June 21st by Gen. R. T. Paine, commander. All members in good standing present were admitted as delegates. They passed a resolution favoring the per diem service pension bill. Col. Simon Price was chosen major-general for the coming year. Other officers were elected or appointed. The place for the next meeting was left to the major-general.

The 1906 encampment was held at Yankton June 19-21. The weather was beautiful and Nature and art did everything in their power to glorify the old heroes. The W. R. C. were first to come to order in Odd Fellows hall, under the leadership of Mrs. Clara Lukins. Later the G. A. R. assembled in the opera house with General Wolgemuth in the chair. A large delegation from each order was present. At the same time the U. V. U. held forth in the courthouse. At these annual reunions and campfires, where sociability and reminiscence ruled, the members seemed to take the keenest delight. Mayor Price welcomed the G. A. R. and the W. R. C. at New Theatre on the evening of the first day. George A. Silsby answered on behalf of the G. A. R. and Clara A. Lukins for the W. R. C. All of these addresses were select, ornate and appropriate. At the regular meetings Laura Harmon was chosen the new president of the W. R. C. and Gen. N. I. Lowthian commander of the G. A. R. The U. V. U. organization elected Dr. A. C. Stewart major-general. There were close and vigorous contests for these important positions of honor. Hot Springs was chosen for the next encampment.

Perhaps the most important event of this encampment was the presence of National Commander Corporal Tanner. Present also was Mrs. Abbie A. Adams, national president of the W. R. C. Commander Tanner delivered a memorable address. He said that when he was proposed for commander in chief he wrote and asked if South Dakota would support him in the national encampment. The response was that South Dakota had never yet been honored by the visit of a national commander and that if he would pledge himself to visit this state if elected, the South Dakota delegation would support him. This pledge was made and he was now here to redeem it. He said that he carried a musket in the war until mustered out by a piece of shell from the rebel batteries; that he did not intend to hold the old soldiers up as models when he knew they used to be guilty

of deeds which now would be classed as petit and even grand larceny; and that the viewpoint, however, was everything, because an act might be eminently proper when a hungry soldier fighting for liberty wanted something to eat. Other speakers followed General Tanner.

The resolutions adopted by the encampment asked that a committee of three be appointed to secure the passage of a bill by the next Legislature providing for the teaching of patriotism in the public schools and requiring the state superintendent to put such instruction into execution. Another resolution asked that a bill be passed to secure additional benefits and better care for the inmates of the Soldiers' Home.

An event of note on the last day was the speech of Chaplain in Chief Jesse Cole, of Iowa. He traced in detail the two civilizations on this continent—the Puritan and the Cavalier, the former devoted to liberty and the latter to slavery. He scored to the limit the treacherous and rebellious administration of James Buchanan and described in graphic terms how he permitted the rebels to do as they pleased until Lincoln's inauguration checked, and in the end stopped, the havoc of treason and war. He criticised the Government for not giving to the women of the North the credit due them for their trials, sufferings and sacrifices during the terrible struggle. The last evening was devoted to exercises to please the visitors, the schools being called upon to render what they had been many weeks in preparing.

The new officers elected in 1906 were: Commander, Tom C. DeJean; senior vice commander, E. M. Thomas; junior vice commander, W. H. Loucks; medical director, J. H. Smith; chaplain, C. B. Clark; Joseph Elsom, W. P. Price and J. H. Shirk, delegates to the national convention. Hot Springs was chosen for the next encampment.

The twenty-fourth annual encampment of the G. A. R. of South Dakota assembled in Huron June 4, 1907, and was called to order by Commander N. I. Lowthian. Senior Vice Commander F. A. Fassett, Junior Vice Commander W. R. Stowe, Chaplain S. A. Boyles and Medical Director J. H. Smith were present. At this time the total number of the posts was 154. A few speeches were made in the morning and in the afternoon after a parade a joint session of the Grand Army and the Woman's Relief Corps was held at the opera house. Mrs. Laura A. Harmon, president of the Woman's Relief Corps, delivered her annual address.

Commander Lowthian said, "You may search the pages of war history from beginning to end and you cannot find one principle in them that was involved in the late War of the Rebellion. Other wars were for conquest and glory; ours, for law and order. Our forefathers started out in the War of the Revolution to establish the right of no taxation without representation and ended in forming a Government founded in liberty, justice and equality for all. Comrades of the Grand Army, we enlisted to maintain freedom, justice and equality; to uphold the ensign of our country; to raise aloft the flag of the Union where it had been torn down; to establish law and order; to save the Union; and when all this was accomplished we laid down our arms, returned to our house and took up our domestic life again as if nothing had happened, thereby teaching the world the great blessing of a republican form of government—a Government of the people, by the people and for the people. Hence we say that the Grand Army cannot

be perpetuated, but must die when the last soldier of the war for the Union of 1861-65 dies. The soldiers of the Spanish-American war cannot comprehend what the rebellion was. They fought no great battles. They were fighting a foreign foe; we were fighting our misguided brothers. They were fighting to retrieve a diplomatic insult and to end the reign of terror and murder on the Island of Cuba. We were fighting to put down treason at home, save the Union and establish law and order. The northern soldier fought to save the nation; the southern soldier fought to dismember it."

He called attention to the passage of the McCumber Pension Bill, granting to all honorably discharged soldiers, thus: At the age of 62, \$12 per month; at 70 years, \$15 per month; at 75 years, \$20 per month. He declared that no old soldier need be buried in a pauper's grave; the state provided for such cases, \$50 to be paid by the county judges. He further noted the great success of the national encampment held in Minneapolis in 1906, there being 688 South Dakotans registered and 588 in line. Excellent harmony prevailed between the G. A. R., the W. R. C. and S. of V. All were working for a common cause—care of the old soldiers, teaching of patriotism, etc.

Miss Emma Cook, past department president of the Woman's Relief Corps, and a resident of Huron, welcomed them in these words: "You comrades of the Grand Army represented a mighty host who went forth under Old Glory to save the nation and redeem the race. Your work well done you returned to civil life, but you did not forget your comrades slain and by organized effort during all these years you have cared for the dependent ones left by the comrades who fell during the war. You have been assisted during these years by the organized efforts of the loyal women of America. The year 1900 marked the twenty-fifth anniversary of the organization of our national body, for after somewhat prolonged comradeship and a good deal of flirting, the Woman's Relief Corps became legally wedded to the Grand Army and of them it can be truthfully said, 'They lived happily ever after,' because as far as known no divorce proceedings have been instituted, not even in South Dakota. By walking hand in hand those two organizations have performed deeds of mercy and taught lessons of patriotism unparalleled in the history of the world. We are fortunate in having with us so many generals. The Black Hills has sent us Gen. C. B. Clark, whom all Huron loves to honor; Mitchell, the silver-tongued orator; General Silsby; Arlington, a Reed not easily broken; Carthage, the jolly tar and Irish soloist, Palmer; Redfield, the genial Packard; while Pierre, not to be outdone, has sent General Farr, the jolly Lillibridge and battling Nelson."

Mrs. Lois Perry, of Sioux Falls, past department patriotic instructor, said among other things: "The war for the preservation of the Union was one of the grandest occasions of history. The valor of the northern soldiers in standing for the Constitution and the integrity of the Union, deserves to be commemorated by the pen of the poet, by the tongue of the orator, by the hand of the painter and by the faithful work of the historian. While the soldiers of the Confederacy may have been physically brave, they fought for slavery, not for liberty; for a dismemberment of the Union, not for its perpetuation; for states' rights, not for a national Government of adequate centralized power. On the other hand, the Union soldiers, in camp and in battle, and their faithful wives at home and all the patriotic people of the North, deserve praise for the spirit of patriotism that

was not sectional like that of the South, but was national, was for liberty, was for the Union, one and inseparable, was broad with the splendid spirit of liberty and union—a spirit that could look backward to the sacrifices of the Revolution and the War of 1812 and could look into the future and recognize the blessing to posterity that an indestructible union of indestructible states would be as the years grew into decades and the decades lengthened into centuries. And so I come to you children of this loyal and patriotic young state and young city and in this august presence appeal to you to be ever true to your proud birthright as citizens of the grandest nation in the world. Love peace; work for peace; be honest, brave and patriotic. Love the flag, the Union and the Constitution. Remember that there will be more years of peace than of war. Remember that girls as well as boys, that women as well as men, honor the flag and intend to preserve the honor of their country."

In 1906 there were 78 G. A. R. posts and 1,436 members. For the fiscal year 1906-07 the total receipts were \$1,834.78 and the total expenses \$955.45. The number of posts with W. R. C. attached was 15. The number of assistant patriotic instructors was 110; number of schools in this department, 5,190; number of pupils, 141,618; number of schools flying the flag while in session, 750; number of schoolrooms having a flag, 1,400; number where flag salute is given on special occasions, 1,732; approximate amount expended in patriotic instruction in this department (including the building of two soldiers' monuments) during the year, \$5,000. Memorial Sunday, Memorial Day and Flag Day were generally observed in the towns and cities.

Mr. Beadle said, "I wish to commend the work of the patriotic instructor. I knew where it has had its effect and been helpful. There is one single thing I wish to remark upon and that is regarding the pledge which we ask the children of the public schools to take. We are not going to give a theory as a basis of patriotism, but we are going to teach patriotism of the head and heart. The old form of pledge which I have used for pupils under my control for years and years is as follows: Rising, the flag is unfurled and held before the pupils and they repeat: 'I give my head and heart to God and my country. One country, one language, one flag.' The finger of every child is pointed to the flag as it is dipped and they get the idea without any philosophic inquiry in regard to patriotism."

The annual encampment of 1908 was held at Hot Springs June 23d to 25th. The railways furnished half fare rates and there was a large attendance. The citizens made elaborate preparations for their entertainment and comfort and beautifully decorated the streets and principal buildings. The Sanatorium Band, under the leadership of Professor McGee, and the Fox Drum Corps, of Sioux Falls, furnished the music. About six hundred persons were present at the first meeting held in the rink. The two principal orators were Gov. S. R. Van Sant, of Minnesota, and Gen. R. M. Woods, of Chicago, both high in the ranks of the order. On Wednesday the grand parade through the principal streets took place. The distinguished visitors were treated to trips to Battle Mountain, Wind Cave, etc. Major Bently welcomed them to the city, and Gen. T. C. DeJean responded on behalf of the encampment. Warren Osborne succeeded T. C. DeJean as commander and Minnie Fox succeeded Mrs. Mary Brown as president of the State W. R. C. Mrs. Farr, of Pierre, addressed the ladies of the order on Wednesday.

Mrs. Eva Williams presented the flag to the local school. The occasion was most enjoyable. Music, recitations and fireworks at night on the hills brightened the proceedings. At this time there were in the state fifty-two W. R. C. lodges with a total membership of 1,808. The same week the Black Hills Soldiers' and Sailors' Association met here also, it being their twenty-first annual assemblage.

In 1909 the encampment met at Sioux Falls, June 22d to 24th. Appropriate and elaborate preparations for the reception of the veterans and the ladies of the W. R. C. were made by the whole city. Hundreds of private residences were richly decorated and the streets were brilliant avenues of color and splendor. General Van Sant sent word that he could not be present, but sent General Torrance to take his place on the program. The most distinguished visitor was Gen. O. O. Howard, then the only Union corps commander living. Melvin Grigsby was chairman of the reception committee and J. B. Fox was officer of the day and leader of the Sioux Falls Brass Band. A great crowd welcomed General Howard at the station. When he stepped on the station platform the old soldiers were so anxious to greet him that they brushed the guards aside and several hundred shook warmly the only hand he had left. He seemed as much delighted as they did. Upon his arrival at the Cataract House he was again royally received by the G. A. R. and the city dignitaries. Present also was Gen. Henry M. Nevies, national commander. Mayor George W. Burnside made the welcoming address at the opening meeting, and response was made by Warren Osborne, department commander. As a special honor to General Howard a poem entitled "The Empty Sleeve," composed by David Barker, was read by Miss Clara Anderson. Splendid music was furnished by the Northwestern Entertainers' Orchestra, the Sioux Falls Male Quartette, the Sioux Falls Brass Band, the Coon Rapids Drum Corps, and other organizations. The parade on Wednesday was a grand affair, to witness which the whole city turned out. Many Spanish-American war veterans were present. In addition to Generals Howard and Torrance, Colonel Grigsby spoke on Wednesday. There were present at this encampment about fifty survivors of the Battle of Shiloh. On Wednesday General Howard was specially entertained at the residence of Mrs. U. S. G. Cherry. The same evening General Howard addressed a large audience at the Congregational Church, his theme being "Prayer in War." The traction company invited all veterans to ride free on their cars, declaring that a G. A. R. or W. R. C. badge was as good as a ticket. A heavy and continuous rain on Thursday spoiled the out-of-doors performances, but made all the brighter and warmer the ceremonies within doors. At one of the meetings Capt. T. H. Brown asked General Howard to describe the circumstances of losing his right arm at the Battle of Fair Oaks. In response the general made a brilliant and thrilling speech of about thirty minutes, describing graphically how he was hit twice on the right arm by rebel bullets. So intense and realistic was his address that the great audience almost stormed him with the fervor of their applause. He declared that he "always got his dander up" whenever he reflected on his loss in that battle. Joe Hooker Post and W. R. C. of Sioux Falls did wonders for the enjoyment and comfort of the guests. At this encampment a committee was appointed to assist in the proceedings of unveiling the soldiers' monument at White Stone, North Dakota. Twenty soldiers were killed there by the Indians on September 3, 1863. They were detachments of the Second Nebraska Cavalry and the Sixth Iowa Cavalry from the forces of

General Sulley. Doctor Stewart, the new department commander, had taken part in this engagement.

In June, 1911, the Lake Madison Veterans' Association assembled at Colton on the twenty-fifth anniversary of their organization. Many were present and had a pleasant time. Several other military organizations were in existence in the state and are to this day.

In 1911 the encampment was held at Pierre. The city and the principal business blocks and many residences were decorated and a large crowd assembled to witness the proceedings. The local G. A. R. Post and W. R. C. prepared a special program, of which music was a distinguishing feature, for the entertainment of the visitors. Col. T. G. Orr with a squad of "boys" from the Soldiers' Home was present. Colonel Geddis, former commandant of the Home, was also present. The music of Major Pembleton's martial band enlivened the out-of-door exercises. Company A of the National Guard did guard and escort duty. The playing of the national and popular airs by the Capital City Band was the chief musical event. The principal meetings were held at the auditorium. Judge Dick Haney welcomed the visitors to the city. Responses were made by Gen. H. A. Kingman, department commander G. A. R., and Mrs. Mary J. Osborne, president of the W. R. C. Thomas H. Brown was chosen the new commander and Helen Kibbee the new president. The resolutions adopted favored a per capita tax of 60 cents for the employment of a female nurse at the Soldiers' Home, denounced the attempt that had been made to besmirch the military record of Thomas H. Brown, and recommended that an examination of the moral character and habits of all applicants for admission into the Soldiers' Home be made.

The Twenty-ninth Encampment of the G. A. R. was held at Mitchell in June, 1912, and was called to order by Commander Thomas H. Brown. It was a joint session of the G. A. R. and the W. R. C. Commander Brown in his address said, "With a glorious past and a bright future the years dance merrily on; we are building an empire and we are happy in our usefulness. The glitter and glory of the past is now assuming somber shades and shadows through dimmed eyes and stricken hearts. But with the courage and fortitude born of the hardships and sufferings of the Civil war, we are meeting with soldierly resignation that enemy which is ever advancing, never retreats and never lost a battle—AGE. How rapidly are we surrendering to the inevitable. Those of us present today are the vigor and strength of the old guard. If the absentees could be present many would be on stretchers, wheeled chairs, crutches and other invalid conveyances. Those are the battered, tattered remnants of the grandest army of history. It is almost a desecration to attempt in words to portray the modest, unostentatious, tender, watchful care of the Woman's Relief Corps. They are the very life of many posts and the encouraging support of all. As an organization they possess that which we do not possess, the power of renewing their youth; and therein is the assurance of their increasing strength to meet the cares of our increasing weakness. We are glad to know that they measure their success by their service to the Grand Army. The day is approaching, yea, is near at hand, when the Sons of Veterans, organized and unorganized, and the Woman's Relief Corps, will take the entire responsibility and carry forward the patriotic purposes of the Grand Army of the Republic. Memorial Day last was generally observed, the citizens taking charge of the program. A few counties under the law paid the necessary

expenses. In the passage of this law the Legislature designed to encourage and insure a proper observance of that day." During the year, the commander said, he had enforced the disuse of the portrait of Lincoln in a billboard whisky sign. The commander commended the new pension law which had been signed by the President May 11, 1912. He said that while the Soldiers' Home was well conducted it had not the capacity to care for all of the infirm old soldiers.

It was noted at this encampment that a bill in Congress provide for an appropriation to pay in part the expenses of the soldiers of the Federal and Confederate armies to attend the fiftieth anniversary of the battle of Gettysburg on the field. In this connection Comrade Ringman remarked: "We have been preparing for three years one of the greatest anniversaries ever held on American soil or in any country of the world. There was passed by the last Legislature a joint resolution making every man in the state, whether in the northern or southern army, a delegate to this encampment. The important things to be done were to learn the names of all who expected to go and get from the Legislature as large an appropriation as was possible to defray costs."

There was present at this encampment Mrs. Cora D. Davis, of Oregon, president of the National Woman's Relief Corps, who remarked: "Among the reflections which we indulge none is more ennobling in its influence than the contemplation of these patriotic comrades of ours whose lives are linked with the unfolding of our institution; the story of their services and their love of country. And we teach our children to believe that there is no organization on the face of the earth that is the equal of the Grand Army of the Republic, whose members, by their heroism and sacrifices, have raised this nation high above the nations of the earth, where it stands today the peerless sovereign of them all. And so with each passing year our gratitude to the Grand Army of the Republic grows greater, our devotion stronger, our love purer, our lives more consecrated, and our obligation more sacred. The Civil war will in time, I believe, come to be known as the greatest war of the earth, because its results have in a great measure changed the destiny of the whole human race and have advanced civilization and freedom far beyond the dreams even of those who won the victories. It has been predicted that the time will come when every Union soldier who fought for human liberty will be lifted out of the niche of honor which he now occupies and will be placed upon the pedestal of the world's heroes. It is a great pleasure and a distinguished honor to me to come into this inspiring presence and extend to you the greetings of the National Woman's Relief Corps and of the 170,000 loyal women who are devoted to the principles you espouse and who are devoted to you." She ended her eloquent remarks by reciting the poem entitled "Where Does the West Begin," one verse of which is:

Out where the world is in the making,
Where fewer hearts with despair are aching,
There's where the West begins.
Where there's more of singing and less of sighing,
Where there's more of giving and less of buying,
Where a man makes friends without half trying,
That's where the West begins.



HURON COLLEGE, HURON

Judge Gifford reported that the office of advocate-general had paid chief attention during the past year to the compilation of the laws of the several states with reference to granting aid to ex-Union veterans, their widows and orphans. He said that the object and purpose of this work was to furnish information as a foundation for legislation in the state in the same direction, to create a fund from which those needy veterans and their widows and orphans can receive aid and support in their own home without separating the families and placing them in the Soldiers' Home, and to relieve the congestion at the Soldiers' Home.

Comrade Van Etten, patriotic instructor, gave an interesting description of his experiences and movements: "I started out in my work as patriotic instructor February 1st, and remained out until April 1st., Weather didn't stop me. I gave thirteen addresses in Sioux Falls, and the professor of the school said my address was the best they had ever had in their school. When I went there they told me I could not get into the school, because they had shut out fakers and peddlers and that kind of people; and I said: 'If I don't get into Sioux Falls High School while I am here you may shoot me,' and I went and got a permit. I visited every school from Wolsey to Woonsocket and west to Wessington Springs, and east to Egan. I didn't miss a town. I held meetings every night. I didn't miss a night from the 1st of February to the 1st of April, and I had audiences ranging from fifty to four hundred. I paid my own expense in nearly every town, the total amounting to \$125, and I can afford to do it because I am connected with the temperance reform. I go before the people at night and they give collections. I think a \$5 collection is an abundance, but they gave me \$10 at Madison. Nearly all the posts have a patriotic instructor, and they have flags on the schoolhouses at many places, and I find that at many of the schools the children can tell me who made the first flag and how many stars were in the flag and how many there are now. Most of the schools have a flag and float it on holidays. I have a bullet that was shot into my arm, and I cut it out with a razor, and I carry that around, and you can't imagine how much patriotism that little bullet will bring out of 150 school children."

The resolutions adopted at this encampment asked the next Legislature to make an appropriation sufficient to secure the services of a professional female nurse for the Soldiers' Home. Governor Vessey was thanked for his Memorial Day proclamation. Aberdeen was chosen for the next encampment.

Mrs. Farr, a member of the Woman's Relief Corps, in an interesting address, observed that "the Corps was in session working earnestly to perpetuate the principle for which you fought fifty years ago. To prove that their hearts are still loyal to you we have been detailed to come to you at this time and extend the loyal, fraternal greetings of the members of this twenty-ninth convention and to assure you that we have pledged anew our allegiance to our God, our country, and you. During our peace program yesterday afternoon one of our speakers mentioned the 'boys of the '60s.' It is a fact that the Union was literally saved by the boys in their teens." The official record of enlistments was as follows:

At the age of 10 years and under.....	25
At the age of 12 years and under.....	225
At the age of 14 years and under.....	1,543
At the age of 16 years and under.....	844,801
At the age of 18 years and under.....	1,151,438

At the age of 21 years and under.....	2,159,798
At the age of 22 years and over.....	618,511
Wounded in battle.....	280,000
Killed in the service.....	67,000
Died of wounds.....	43,012
Died of disease.....	244,586
Died of other causes.....	24,872

On June 30, 1913, there were reported to the national headquarters fifty posts, with 838 members, in South Dakota. The total receipts were \$373.10, with \$368.13 additional on hand, and the expenses were \$342.16, with \$399.07 on hand. Memorial Day was well observed all over the state.

At this year's encampment Mrs. Ida McBride, of the national department, again addressed the veterans, ladies and friends. She said that the Woman's Relief Corps was organized more than thirty years ago, and that the present membership was 167,000. The annual campfire, a recent invention, where all the delegates could talk and tell their experiences and their impressions, was greatly enjoyed. The amusing colloquies and stories would fill a volume. The committee on resolutions reported among others the following:

Resolved, that our appreciation of the official visit of our commander-in-chief, Gen. Washington Gardner, merits especial mention and that his charming presence proved both an inspiration and a benediction; and we thank him most heartily for the effort made to meet with us and cheer us on our way.

Resolved, that in view of the fact that the revenues, as now fixed, are inadequate to finance the department, the recommendation of the commander that the stronger posts hold campfires and turn into the department the net avails of the same, is most heartily approved; and we urge that every post that can should do so, and thus aid to increase the income of the department.

Resolved, that there is just cause for congratulation in the fact that our State Soldiers' Home is now fulfilling its true mission and that the management has reached that high plane where only commendation is heard.

The report of the Woman's Relief Corps showed a total membership of 1,885, and expenditures for the year ending March 31, 1914, of cash, \$312.77; relief other than cash, \$657.01. Mrs. Clara A. Lukins, a past department president, was present. She detailed her experiences. Mrs. Ida McBride, the national president, was also present. She said in part: "I am a little different from your past president, Mrs. Lukins. She said she loved the Grand Army of the Republic, but not any particular member. I love all of the Grand Army, and one particular member more than all the rest. The man whose name I have had the honor to bear more than forty-five years is a member of the Grand Army. This year I tell him he is judge advocate-general of the Woman's Relief Corps, for without his assistance I could do little. I bear today, I think, the greatest honor that can come to woman, after the honor of motherhood. When last year I became president of the Woman's Relief Corps I felt that there was not more in life if I looked only for the blessing."

In 1914, May 21, there were in the state 965 members of the G. A. R. in good standing. As the years had passed there was a steady falling off. Campfires were urged to be held where camps were large, in order to raise means to pay expenses. The encampment thanked the Legislature for permission to erect upon

the capitol grounds at Pierre a monument commemorative of the soldiers of the Civil war. Commander Jolley said: "It is for this encampment to proceed as it shall think best to bring this matter before the public. We, the G. A. R., cannot erect this monument, and if we could it would not be good policy for us to do so. This is a public work, and should be done by all the people who favor such a patriotic movement. It will be necessary under the law as passed to have the Woman's Relief Corps and the Sons of Veterans to join in this work with a committee that you should appoint. The State Capitol Commission is the proper body to select the spot for this monument; and they must also approve the plans." The commander was generous enough to say nothing concerning the stinginess of the Legislature in refusing to make a reasonable appropriation for a part of the expenses of erecting the structure. In order to carry out this good object and to see that the work should go rapidly forward, a government committee was appointed and given full authority to push the project forward. They were Comrades Farr, Hoffman and Lawrence.

The commander further said: "The 30th day of May is no longer the Memorial Day of the Grand Army. It is the Memorial Day of the whole country and all the citizens thereof. Long after the last soldier of the Civil war will have passed away the custom of decorating the graves of the dead will be observed throughout the republic. The graveyards and cemeteries of this land instead of being a place of sadness are now a thing of beauty. The old soldiers established the custom of decorating the graves of the dead, and every family has made it a day for strewing with flowers the graves of their departed friends. The Grand Army must have been guided by a friendly hand when it took the Woman's Relief Corps as an auxiliary. If it had not been for the members of the Corps we would have been in much worse condition than we now are. The very idea that there is a strong force back of us gives us more vigor for the work we have to do. In my work the past year I have learned what a help they are to us. At the national encampment when a committee of the Woman's Relief Corps came into the hall and handed to the commander a draft for \$1,000 I was happy, not alone because of the money but because I knew that we had a strong help back of us. I have always found a better and stronger post where there was a good Woman's Relief Corps auxiliary. The day is fast coming when all the work that is done for us will be done with and by the members of the Corps. The easy, quiet and earnest manner in which they go about their work stamps them at once as faithful, true and sincere."

CHAPTER XII

THE SPANISH-AMERICAN WAR

The war with Spain was preceded by several months of expectancy and uncertainty during which time nothing could be done but wait the outcome of the controversy between the diplomats of the two countries. The people of South Dakota, like those of other states, had looked with indignation upon the atrocities and butcheries on the Island of Cuba during 1896 and 1897 while the army of Spain was crushing and killing the native population. Many here, as elsewhere, believed it the duty of the United States Government to interfere in order alone to protect their own rights which were incidentally being infringed and trampled upon. Later in 1897 war was deemed probable between the United States and Spain. The climax was precipitated by the destruction of the battleship *Maine* in Havana harbor on the night of February 15, 1898. Not since the famous Sioux uprisings were the people of South Dakota so thoroughly aroused, and from many newspapers came the demand for war to avenge that act. Public meetings were held in many cities of the state, stirring resolutions were adopted and volunteers were offered. At Aberdeen an enlistment office was opened on the 16th or 17th "for the enrollment of those who promise to answer the first call to arms in a war with Spain, and scores of patriotic citizens have placed their names thereon," said the *News*, which asserted that Brown County could be counted on for 1,000 men for the war if it should come. At Sioux Falls, Watertown, Canton, Mitchell, Huron, Yankton, Vermillion, Pierre, Hot Springs, Rapid City, Deadwood and other cities and at many smaller towns the same patriotic spirit was shown and thousands of volunteers were promised if needed.

The Second Regiment National Guard was at that time under the command of Col. Mark W. Sheafe of Watertown. Within a few days after the destruction of the *Maine* he was flooded with letters from individuals in all parts of the state asking, pleading, for him to use his best offices for their admission into the service. Battery A at Clark was so eager for service that they deluged him first with letters, second with telegrams and finally ten of them took the train to meet him at Yankton, where he was temporarily sojourning, wiring ahead, "Ten of us on train to see you." At this time Colonel Sheafe and others were engaged extensively as a company in the cattle business on the range and employed about fifty cowboys who were noted for their dare-devil riding, rounding-up and shooting. All of them caught the war fever at the start and were eager to go as a body, but all could not be spared from the range, as the company (McLain, Williams & Sheafe) had then about ten thousand cattle to be cared for. So far as known this was the first tender of cowboys as a body for the war. No doubt many had thought what an ideal body of troops, real fighters, a cowboy company would make—had even had such thoughts before a war with Spain was thought

of—had been aware of the value of their services and their daring during the previous Indian wars. But so far as known this was the first real movement for a distinctive cowboy command for the war. The idea was abandoned because the men, en masse, could not be spared from the range, but many of them as individuals entered the service in other commands. The headquarters of these cowboys was near old Fort Bennett.

In order to appease those who were determined to enter the service Colonel Sheafe promised them that if war should occur he would lead them to the front as a part of the Second Regiment. It is probable that Colonel Sheafe thought at the time that he could fulfill this promise. He made the following statement at this time: "And may heaven be kind to the Spaniards if Company B ever turns itself loose in the midst of a drove of them. I would hate very much to indemnify the Spanish government for the dead. South Dakota's militia is in excellent shape and will make an excellent showing if called out."

Soon it was realized that war was out of the question unless it could be shown that Spain was responsible for the destruction of the Maine, and until it could be shown that that country would not agree to make certain amends for wrongs already done to this country. In March the report of the court of inquiry was sent to President McKinley and it became known a few days later that the court held that the first and principal explosion came from the exterior port side, that the second explosion was from the reserve magazine and that the big magazine did not explode. After due negotiations President McKinley's ultimatum was sent to Spain on April 2. On April 20 Spain refused to grant the demands of the United States and then for the first time it was realized that little short of a miracle could avert war.

In the meantime, particularly after the report of the court of inquiry had been made public, the whole country was rapidly preparing for the struggle. In South Dakota the feeling was intense and five times as many men as could probably be accepted were offered.

Finally, on April 19, came the declaration of war and the call of the President for volunteers. It was determined at once by the war department to make the National Guard the basis of the volunteer organizations; but this fact was not wholly clear to the citizens at first and accordingly the formation of more than twenty independent volunteer companies was commenced in the towns and cities of the state. In the principal centers of population several companies were started as early as April 21 or 22. At a mass meeting in Yankton it was decided to raise three companies to be tendered the President. Two companies were started at Sioux Falls and a third was proposed. Aberdeen, Watertown, Redfield and Huron also held big meetings which began the enlistment of companies. In the Black Hills particularly was the war spirit rampant and paramount. There all restraints were swept aside by enthusiasm, patriotism and gallantry and hundreds of rough men sought the enlistment offices and would not accept a negation. At Scotland sixty men enlisted in one day—the 23rd. At Vermillion, Flandreau, Brookings, Mitchell, Chamberlain, DeSwet, Madison, Pierre, Milbank, Sisseton, Ipswich, Faulkton, Hot Springs, Rapid City, Lead, Deadwood, and Belle Fourche similar meetings were held, great loyalty and enthusiasm were exhibited and thousands of men were offered for the service.

At first the orders from the war department seemed conflicting, which condition of affairs occasioned much confusion in the war movements in this state. It was thought at first that Colonel Sheafe should be the leader of the forces from South Dakota, but later Lieut. Alfred S. Frost was commissioned colonel of the First Regiment South Dakota Volunteers. The regiment was ordered to mobilize at Sioux Falls on April 30.

At first it was thought that the number of volunteers to be required from South Dakota would be about eight hundred and fifty, but in the end a full regiment of infantry, the First, was accepted and in addition a regiment of cowboys was accepted though raised only in part in this state. Battery A, as such, could not get into the service. A considerable squad of men was secured here by recruiting officers for the regular army, and many men left and became members of companies in other states. All of Colonel Grigsby's cowboy regiment except five troops came from adjoining states.

Company A of the First Regiment came from Pierre; Company B, from Sioux Falls; Company C, Yankton; Company D, Worthing; Company E, DeSmet; Company F, Aberdeen; Company G, Huron; Company H, Watertown; Company I, Custer City; Company K, Brookings; Company L, Spearfish; Company M, Rapid City.

The attitude of Governor Lee in support of the war movement was sustained unanimously by the leading men of all parties in the state. Political differences were forgotten in the patriotism that burned in every breast. He was at once confronted with the serious problem of raising means to put the regiment in the field in the absence of any legislative appropriation that could be used for that purpose. Here was strikingly shown the unwisdom of the last few legislatures which had refused to make appropriations for the maintenance of the guard. At once the governor decided that the money must be raised from private sources. C. A. Jewett, B. H. Lien, State Bank and Trust Company, Sioux Falls Savings Bank and Minnehaha National Bank, all of Sioux Falls, advanced \$1,000 each, or a total of \$6,000, toward defraying this expense. Their example was followed promptly by the First National Bank, American National and another national bank of Deadwood and by the Pierre National and the Bank of Commerce of Pierre, making in all a total of \$11,000, which sum was placed in the hands of Governor Lee to be used in fitting the First Regiment for the field. Governor Lee himself advanced \$3,000, thus raising the total used to \$14,000. This sum proved sufficient. In time it was refunded by the Government.

On April 26 he sent word to the adjutant general to notify all the companies of the National Guard to get ready and mobilize at Sioux Falls. It seemed at first as if the call of the war department was for seven troops of cavalry; then came the report that seven troops of infantry were wanted. And this confusion was worse confounded by the spirited contest at Pierre for commissions in the National Guard. About this date also appeared officers to recruit for the general army. At the same time Grigsby's cowboy regiment was fast forming. The citizens were more than willing,—were anxious, but it was not clear at first what was wanted.

On the 2nd of May came the news of the defeat of the Spanish fleet at Manila, and again the whole state was aroused to the highest pitch of military

ardor and patriotism. About the same time the movement of the battleship Oregon around Cape Horn was noted with pride and satisfaction. Enlistments for independent companies continued because it had not yet been learned that such commands would not be accepted. All the companies of the First Regiment mobilized at Sioux Falls about May 1 and were there put under a rigid course of field and camp drilling. Alfred A. Frost became colonel; Lee Stover, lieutenant-colonel; Charles H. Howard and W. F. Allison, majors; J. H. Lien, adjutant; Henry Murray, quartermaster; R. C. Warne, surgeon; A. H. Bowman and F. W. Cox, assistant surgeons; Charles H. Englesby, Clayton P. Van Houten, Arthur L. Fuller, Charles S. Denny, Frank W. Medbury, William Gay, Alonzo B. Sessions, Robert R. McGregor, Charles L. Brockway, Harry A. Hegeman, George W. Lattin and William L. McLaughlin, captains.

On May 29 the First Regiment left camp at Sioux Falls and started for San Francisco enroute for the Philippines. Upon their departure they were given a great ovation by the citizens of Sioux Falls and on their way westward were cheered and treated royally at every station. In all there were 1,008 men in the regiment, divided into three battalions, each of which occupied a whole train, thus making three long trains which ran thirty-five minutes apart. Upon their arrival at Oakland they were entertained by the Ladies of the Red Cross and escorted to Camp Merritt and a day later crossed the bay and took their permanent place in camp near the Presidio, San Francisco. They were treated handsomely by the Red Cross Society of the latter city and by various quasi-military organizations which from time to time gave them green rations, delicacies, etc.

While at Sioux Falls among their friends the discipline was slack, the relations between citizens, officers and men free and cordial; but upon reaching San Francisco all social relations between officers and men were terminated and the rigid discipline of the regular army was carried into effect. This was regarded as an unnecessary proceeding by the men, but was borne uncomplainingly, as all realized its necessity where efficiency was absolutely necessary. They went into camp at San Francisco June 2. Life in camp has its unpleasant features, hardships and sicknesses, and the men were all delighted when the order came at last to board ship for the Philippine Islands. At this time, owing to the continued drill for five hours each day, the strict discipline and the dietary and drink regulations, the whole regiment was as hard as steel and ready for any war movement.

The regiment left San Francisco on the transports Rio Janeiro and Valencia July 22, reached Honolulu July 31, arrived at Cavite August 24 and entered Manila September 12. The First and Third Battalions were quartered at San Miguel and the Second Battalion, on the Matabaun grounds.

In the meantime the war had continued in Cuba, Cervera's fleet was crushed and the battle of Santiago was fought and won. Spain was easily beaten at all points. Soon negotiations for a cessation of the hostilities indicated that peace was not far distant—would be reached as soon as the alleged honor of Spain could be adjusted to descend the ladder with due dignity from boastfulness to surrender. At last, after many hands had been played in the game of diplomacy, Spain, in November, 1898, agreed to cede the Philippines, Porto Rico and Guam to the United States and make Cuba a free and independent country. As peace was now certain, war measures were checked, troops as fast as possible

were mustered out, and all military movements would have ended in a short time had it not been for the insurrection of the Filipinos.

The treaty with Spain gave the Philippine Islands to the United States, but the inhabitants thereof were still to be reckoned with. As all persons know, the intentions of the United States concerning the islands were of the fairest and most liberal character. Had conditions remained normal—had the natives been treated as equals by civilians sent out to help them establish a state government—had they not been pushed aside, ignored, humiliated and neglected by arbitrary military environment and routine, it is possible that there would have been no insurrection, no war between the natives and the Americans and no account of battles and campaigns on the islands to record in history.

On the other hand it is possible that had the mailed fist of the army been withdrawn from the islands immediately after they became the property of the United States, the same conditions which now (1915) tear and distract Mexico might soon have prevailed. It is known that immediately after the battle of the fleets in Manila Bay the relations between the natives and the Americans were friendly if not actually cordial. However, as time passed and the iron grasp of the military hand was felt, the former friendly relations were severed and ere long incipient hostilities began to be exhibited by both sides—natives and Americans. It began to be believed by the natives that the liberty which had been promised might never come and that they might be held in subjection by the military power of the Americans. At this critical juncture had the Filipinos been treated with favor and consideration by a commission of civilians from the United States, it is wholly probable that the subsequent insurrection would have been avoided and that a peaceful civil government of the natives themselves could have been established on the islands. But diplomacy was now lacking when it was most needed and arbitrary military rules were enforced. In the minds of the Filipinos matters reached a climax when General Otis issued his unwise proclamation on January 4, 1899, announcing his military dictatorship of the islands. This act seemed to the Filipinos as if their liberties were gone, as if they would be given no part in the local government, and as if they would be controlled first by the military authorities and second by civil functionaries sent from the United States. To them the situation was oppressive and unbearable and no wonder in the absence of direct acts to prove the good intentions of the United States. They held meetings and determined to resist oppression and to fight for their liberties if necessary. On January 7, Aguinaldo accordingly announced himself as commandant of the Philippines and declared that General Otis was a usurper. It was then only a question of time and overt acts to begin a state of war.

The first clash came on January 10, when two natives armed with bolos suddenly attacked Private Smith of Company E near Block House 4. He received a severe cut down the side of his head and face, but shot one of the Filipinos dead and probably wounded the other, who succeeded in escaping. Other hostile acts occurred, but generally peace prevailed.

The first real conflict occurred on the night of February 4, when a Nebraskan sentinel shot and killed a Filipino lieutenant who refused to halt when commanded. This shot brought out a fusillade from the whole Filipino front, to which reply was made by the American advance line. The First South Dakota

Regiment was thus engaged at once and was hastily gathered for the fight that had been expected so long. Colonel Frost placed four companies to guard the line then held and ordered the other eight to advance to the support of the outpost under Lieutenant Foster, which was being attacked vigorously by the enemy. Companies F and I under Captain Brockway and Lieutenant McClelland were deployed and advanced for action and were moved to the limits of the outpost without opposition other than desultory firing by the enemy from a considerable distance. The other six companies were held in reserve to assist Companies F and I in case their services should be needed. While this night fusillade amounted to but little, it served to show that both sides were ready if not eager for the fray. It amounted to nothing more than a long range shooting in the dark and a certainty that a real battle might be expected at any moment on slight pretext or none at all.

As no formal movement by the Americans had been ordered and as General Hale, brigade commander, announced that an offensive movement was not contemplated, the six companies were moved to the rear while Companies F and I under Colonel Stover were left to hold the position already occupied and were exposed to the fire from Block House No. 4 and the Chinese hospital, both of which were held by the Filipino sharpshooters armed with Mauser rifles. As there was no protection from the Filipinos' fire the men were ordered to lie down and conceal themselves the best way they could from the bullets that came stinging over the rice fields and through the bamboo thickets. The moon came out about 1 o'clock in the morning of the 5th and flooded the scene with silver light. The firing had ceased and nothing further was done until about 3 o'clock A. M., when suddenly a heavy rifle fire was opened by the enemy along their entire line. Almost immediately two men of Company I were shot dead and another received a serious wound. As the men were exposed and could accomplish little or nothing by returning the fire they were ordered to wait until the Filipinos should attempt to advance. The Americans were armed with Springfield rifles, while the enemy used Mausers, the latter thus having much the advantage.

The sharp fire of the Mausers continued with a rain of bullets over the heads of the South Dakota boys and after about thirty minutes came an order from General Hale to hold the position and advantages thus far gained, because they were the key to a possible Filipino movement against Manila. Major Doolittle was ordered on the dangerous duty of going to the Colorado lines about a mile away to report progress and ask for reinforcements. His course lay along the front and was exposed to the fire of the enemy, particularly in the open spaces where the moonlight revealed his movements. He made the trip successfully with the bullets flying around him. In the meantime Companies F and I were not idle; but with their bayonets, plates and stout sticks scraped up enough earth to form protection from the bullets that would be sure to come with the appearance of daylight. Doolittle again distinguished himself by going under fire a half mile to the rear after tools with which to throw up earthworks, bringing back all he could carry. While thus at work they were more or less exposed, which fact caused the fire of the enemy to grow heavier. Adjutant Lien here distinguished himself by his coolness and bravery.

About 5 o'clock on the morning of the 5th Colonel Frost arrived within half a mile of the rear and within supporting distance with the other six companies and reported to General Hale for orders. He posted Companies H, G, M, and A on the old outpost line, while L and K were held in reserve over the edge of a small slope. About this time Major Howard relieved Colonel Stover, and the latter and Adjutant Lien reported to Colonel Frost. The two men of Company I who were killed were William G. Lowes and Fred E. Green and the one wounded was Arthur E. Haskell.

Soon after 9 o'clock in the morning General Hale gave Colonel Frost permission to charge the Filipino line if he thought best after a few shots of artillery had been fired at the block house and the entrenchments. At once the regiment was prepared for the advance, Colonel Stover having command of the right wing, Major Howard the left wing, and Colonel Frost the center. As soon as the cannonade was over the regiment swept forward, carried the earthworks and took possession of the blockhouse, routing the enemy and forcing them with loss to take to the woods. Here they rested and remained. During all this time other regiments were being engaged, one of which was the Tenth Pennsylvania near the South Dakota troops.

About 3 o'clock in the afternoon the regiment received orders from General McArthur to form on the right of the Pennsylvania regiment and advance. Companies A, F, and I were held to guard the flank, while the others under Frost, Stover and Howard formed in line of battle and moved forward deployed as skirmishers, the center aiming for the La Loma Church. For nearly half a mile the advance was rapid and under fire, and then at a depressed road the men were halted, ordered to lie down and return the fire which they did with effect. At this time there was a hot fire from the church, but soon another advance of about one hundred yards was ordered at double quick when they again dropped under cover and returned the fire which was now sharp and continuous. After firing three volleys the regiment again advanced at quick time, shooting as they ran. It was at this time that the South Dakotans came near being exposed to the fire of the Pennsylvanians, whom they had passed, owing to a lack of continuity in the American line.

Again the regiment advanced at a quick pace, running with battle yells over the entrenchments and driving the enemy out with a rush and killing and wounding many of them before they could pass to the woods beyond the church. Thus the Dakotans captured the fort, the church and the entrenchments, while the Pennsylvanians captured the Chinese hospital and the entrenchments in their front. Promptly, Colonel Frost threw his command beyond the church and forced the enemy to move swiftly in the direction of Calaocan. Soon afterwards came orders to retire, the advance having been made farther than was expected or contemplated. On the way back the regiment was complimented for its good work by General McArthur. While this advance skirmish was in progress H. J. McCracken of Company H was killed and Frank T. McLain, Company G; Hirman W. Fay, Company I; B. B. Phelps, Company K; and Eugene E. Stevens, Company K, were wounded. For the whole time from the outbreak on the night of the 4th until late in the afternoon of the 5th the South Dakota boys were under fire and at all times showed the coolness, steadiness, courage and discipline of veterans.



SCENE ON LAKE BYRON, HURON

The new line occupied by the South Dakotans extended along with Block House No. 4 in the center and with the wings reaching out toward La Loma Church and Block House No. 5. The Filipinos retreated to the little town of San Francisco del Monte about a mile distant from Block House No. 4, from which safe position they continued to pour a galling and deadly fire from their effective Mausers upon the American entrenchments. By keeping well under cover pursuant to orders the troops suffered little from this desultory musketry.

No further sorties by either side were made until early in the morning of the 23d, when a strong squad of Filipinos attacked the outpost held by six men and Lieutenant Hawkins of Company B, but were held in check until the few were reinforced by Company A under Captain Fuller and Company B under Captain Session. The position held by Major Howard was also attacked, but his force replied with a heavy fire and were supported with great effect by the Utah battery. Under the orders of Colonel Frost Companies A and B and the men of the band who had been armed, commanded by Adjutant Lien, moved up a ravine and poured a heavy fire upon the flank of the enemy; but Lien was compelled to rejoin the line soon with his command to prevent being outflanked by the enemy himself. This flanking movement of Adjutant Lien and Captains Fuller and Sessions was one of the best advances thus far made and proved the efficiency of these officers when under fire on the battlefield. In this engagement the First Regiment lost in killed, Oscar Felker, Company C, and William B. Smith, Company M (mortally wounded); and in wounded Fred Tobin, Company B; Martin Eide, Company M; and Charles Hultberg, musician, Company M. Before this time Lieut. E. A. Harting of Company A, who was on detached service, was drowned in the Pasig River while engaged in landing a heavy gun from a small war vessel. The entrenchments continued until fire day and night for several weeks, two men being wounded—Herman M. Bellman, Company B, and Robert B. Ross, Company I—and during this time the men slept on their arms ready for any sudden movement. Thus time passed until March 25th, when an advance was ordered.

The plan was to move out and capture Malolos. On that date the First and Third battalions were deployed in skirmish line, with Allison in command on the left, Stover on the right and Howard held in reserve. In this order an advance of about a thousand yards was quickly made under a heavy fire until the line of the enemy was within reach of the Springfield rifles. They then fired three volleys standing and the advance was resumed, the men shooting directly over the trenches of the enemy, firing on all in sight, and continued on to a road a few miles beyond San Francisco del Monte, where they halted and closed ranks. They were continually under fire over this long distance, the enemy retiring and setting fire to their huts as they went. The march was over lava beds and through jungles that gave the enemy an excellent opportunity to retreat under concealment and to fire from hiding places.

After reforming, the brigade moved northward instead of northwestward as before and after several miles again halted to reform, the broken character of the country having separated them into small detachments. During all this time they were under fire, though from a long distance. They now turned northwestward toward the Tuliahan River, crossed it and halted on a bridge facing toward Polo. About dark they were ordered to close in on an old bridge which spanned

the river; this they did soon after dark. During this eventful day they marched eighteen miles under a tropical sun, through jungles and over rough lava beds and all the time were under a desultory fire from a concealed and retreating enemy. They had not halted to eat or drink and caught only what they could as they advanced. The erratic movements of the day were in part due to the change in the plan of campaign resulting from the capture of Malinta, and were the cause of losing the baggage train, which failed to arrive with provisions. Thus they had little dinner, no supper and no breakfast, but were plucky and undaunted and ready for a fight, a frolic or a feast. During the day's march Walter S. Brown, Company G, was severely wounded.

It now became a serious problem to solve by Commissary Burdick how to supply the battalion with food and ammunition. He solved the difficulty by taking possession of every buffalo cart and by pressing into the service all the native help of "amigos" he could find, with the result that the men were supplied with provisions and equipment. The troops were now in the enemy's country to a certainty, so that early in the morning of the 20th they again were formed in open order, with Howard's and Stover's commands on the advance line and Allison's in reserve. On their right was the Tenth Pennsylvania and about one thousand yards in the rear were the Nebraskans acting as a reserve. The whole command moved down the river and finally reached the Polo Plain, which was mainly open, though several miles long and wide and encircled by a fine forest. The sun beat down with pitiless fury and the men, without fresh water, were suffering much, but pressing on and on. Near the Polo end of the plain, on a heavily wooded slope, the enemy were encountered, heavily entrenched and seemingly prepared for a desperate resistance. The orders were to take the trenches and then wheel to the left and march upon Polo. Howard's battalion was placed in echelon on the exposed right flank as a measure of precaution. Then with fixed bayonets the troops were ordered to advance upon the enemy's work, which they did with splendid spirit under a raking fire. Stover was on the right, Allison on the left and Frost in the center. With a rush the first line of trenches was captured, the enemy falling back to a second line of breastworks whence they poured volley after volley upon the advancing Americans. So heavy was the fire in front that the rapid advance was continued over all obstacles until the banks of the Meyacanyan River was reached, where it was found that the bridge was strongly guarded by heavy breastworks on the other side. The enemy set fire to the bridge and then poured heavy volleys upon any men who appeared ready to cross before the fire had ruined the structure. Companies K and I were sent by Stover to flank the trench and companies F and G were ordered to force the bridge. Sergeant Holman of Company C rushed out on the bridge under the heavy musketry, extinguished the fire and returned in safety, an act of signal and conspicuous bravery. Immediately thereafter Lieutenant Huntington and part of Company F crossed the bridge, followed by the remainder of Company F, parts of C, K, I, G and L, stormed the trenches and scattered the enemy, who left many dead and wounded in the works. At once the remainder of the South Dakotans and many of the Nebraskans crossed the bridge. Several small bands of the enemy were attacked on both sides of the river and scattered. In a general charge upon the enemy's strong earthworks on the right the troops went nearly wild with the ardor of battle and rushed the

works and shot down the Filipinos as they took to their heels. While they were here taking care of the wounded a hot fire was opened upon them from a cluster of Nipa huts at the distance of about seven hundred yards in front. Adjutant Lien took twenty men, rushed the huts and scattered or killed the sharpshooters. It was in this engagement that Fred C. Lorensen was badly wounded before his company crossed the bridge. The Nebraskans, brave to rashness, suffered severely in this encounter. General Hale was slightly wounded in the foot. Sharp skirmishing in all directions for more than an hour occurred, for the enemy were numerous, brave and determined to do their utmost to drive back the "Americans." Night now fell upon the battle smoke and tumult and all sought rest and food, for they had been marching and fighting all day with no rest and with but little to eat. In the night, between midnight and 3 o'clock A. M., Quartermaster Burdick with pack ponies succeeded in bringing the hungry troops a goodly supply of provisions and an abundance a few hours later.

In the meantime Major Howard's battalion, which had been placed to guard the right flank, successfully attacked a rifle pit held by the enemy and from which a severe fire was directed against the Americans, driving the enemy therefrom and killing and wounding several. In this movement they were compelled to cross and recross the river several times owing to the bluffs and windings and were thus wet to the skin, though elated at their thrilling experience and success. Captain Englesby suffered a slight wound. After the engagement the men were allowed to bivouac, build fires, wash off the mud and dry their clothing. Major Howard finally reported to Colonel Frost about 9 o'clock at night. The wagon supply train was lost, but was safe in the woods miles back. Ponies brought up the supplies, as before stated. The losses during this thrilling and memorable day were as follows: Wounded—C. H. Englesby, Company H; Fred W. Barber and Warren E. Crozier, Company I; Herman A. Pratt, Company F; Fred C. Lorensen, Company L; Arne Hanges, Company K; George Benson, Company C; Allen Myers, Company L; Byron F. Hastings, Company E. Thus during two days the men had marched more than thirty miles, had skirmished continually, had gone nearly the whole time without food and with little fresh water, but had shown their mettle in every attack and their endurance in the exhausting march under the hot sun. And they were ready for more.

On the 27th the South Dakotans became the advance guard for the brigade. Major Howard's battalion was sent to the front, Colonel Stover's came next and Major Allison's formed the rear guard. The advance was ordered and the commanders were told to beware of flank attacks from the concealed companies of the enemy. Stover's force was finally placed on the railroad to guard against such attacks. Supported by the Third Artillery the South Dakotans then advanced, and were greeted with a long range fire after going about half a mile. The artillery answered the fire, but as it was believed the attack amounted to little the advance was continued. Soon thereafter, just as they crossed a dry creek bed, they received the severest fire yet from a line of trees which had been pointed out by General McArthur as likely to contain a large body of the enemy. The firing was by volley and came, as it was later learned, from Aguinaldo's regulars, who had served in the Spanish army. The mountain artillery, which could now have rendered splendid service, was abandoned owing to the imminence of the attack, whereupon it was seen by Colonel Frost that the only course

to pursue was to assault the force in the woods. Stover and Allison were ordered to deploy their battalions to the right, which they promptly did. This order was taken to them by Adjutant Lien, who was shot through the bowels by a Mauser bullet while on his way back and died within about eight minutes. He was the pride of the regiment, undaunted under fire and his loss was felt by all his comrades and by all the people of South Dakota. The advance was made in splendid fashion through the hail storm of Mauser bullets that stretched many of the gallant boys on the bloody field. Their advance was made by rushes of about fifty to one hundred yards covered in double quick time, followed by their dropping to the ground, their volleys at the enemy while thus prostrate and their further advance under the same program. The fire of the enemy was deadly, many of the Americans falling, killed or wounded. When within a short distance of the enemy's trenches Colonel Frost ordered the charge, whereupon the whole battalion leaped forward, drove out the Filipinos and reached the river bank. Companies E and D were ordered to cross the bridge and stop a heavy rifle fire which came from the trenches there, but before they could do so Major Howard's command advanced to the river, waded or swam the same and drove the enemy from the works. Stover's and Allison's commands were on the scene soon afterward. The heat was so terrific that Major Allison collapsed, seriously stricken, and was finally sent to the hospital in Manila, after which the Third Battalion was commanded by Captain Englesby. This was the most obstinate defense which the South Dakotans had yet encountered, all the previous ones having been mere skirmishes.

During this forward movement a hot fire had been poured upon the boys from a church in Marilao. To check this fire the mountain howitzer was now ordered up, but came too late to be hauled over the bridge, which had been burned down to the girders. Not to be outdone Captain Van Houten, of Company D, a man of great physical strength, had the gun taken from the carriage, placed upon his shoulder and then amid the ringing cheers of his comrades, he carried it across the bridge, stepping from girder to girder, almost a superhuman task. Others, in the meantime, took the carriage apart, carried it across, put all together again and soon drove out the Filipino sharpshooters with a few effective shots. Captain Van Houten never recovered from the terrific strain placed upon him by this memorable feat. In the end he died from the effects.

The excitement and dangers of the day and the overpowering heat, with little water and food, completely exhausted the men who sank down to rest whenever opportunity offered. About this time the Nebraska regiment arrived and deployed on the right of the South Dakotans, both regiments lying down and resting. Near night they were ordered to advance by General Hale, which they did by the left flank. A skirmish line of Filipinos came from cover and advancing fired at the distance of over a mile. They were fired at by the Dakotans and were then charged by the Nebraskans and driven several miles. Then Major Howard with six companies formed an outpost line to protect the remainder of the command from molestation while they slumbered. Soon the Pennsylvania, Nebraska and South Dakota regiments were sleeping almost side by side, after having partaken of a hearty repast of substantial food.

The losses this trying day were very severe, the Second Battalion suffering most, losing two-thirds of the whole and sustaining the greatest percentage of

casualties of any battalion in any engagement of the war in the Philippines. The losses of the South Dakotans were as follows: Killed—Jonas H. Lien, Sidney E. Morrison, Company E; Frank H. Adams, Company H; James Nebron, Company D; Mathew Ryan, Company D; Harvey Keogh, Company E; Lewis Chase, Company E. Wounded—Charles B. Preacher, Company M (died of wounds); Benjamin Strobel, Company F; John Stanks, Company E; Sidney J. Connell, Company C; Earnest Madden, Company D; Arthur A. Northrop, Company E; David Elenes, Company M; Ray Washburn, Company D; Isaac Johnson, Company D; Matt Schuber, Company M; Peter J. Tierney, Company F; Fred Bunger, Company L; William F. Panke, Company E; Homer Stockmeyer, Company I; Peter Ryan, Company E; Will May, Company I; George A. Moon, Company C; Alexander Hardy, Company G; Frank A. Schroeder, Company E; Paul D. McClelland, Company I; William Ammo, Company I; Bay S. Nichols, Company K; Frank E. Wheeler, Company E; Charles H. Jackson, Company M; Guy P. Squire, Company I.

The 28th was a day of rest and recuperation, the troops cleaning their clothing and bathing in the river. On the 29th they again advanced, the Nebraskans on the right and a few minutes in advance of the rest of the brigade. The rice fields had been flooded so that the troops were compelled to march two miles through mud and water from knee to waist deep. Only a few hostiles were seen and only a few shots were fired. After getting out of the rice swamp, the South Dakotans marched in fours down the railroad, the Pennsylvanians advancing in front in skirmish formation. At places the troops were deployed to sweep the country clean of straggling or predatory bands. While near the bridge on the Guiginto River a severe fire from a column of Filipinos was encountered, to which reply was made by the Pennsylvanians. The South Dakotans endeavored to flank this band of the enemy by passing around a bend of the river, while Howard's battalion was assisting the Pennsylvanians. But the flanking movement was recalled as soon as it was seen to be impractical. Frost's and Englesby's battalions then crossed the river on the bridge and formed in line with Howard's command. Here they all bivouacked for the night. The losses during the day were: Wounded—Knut K. Peterson, John W. Otman, John P. Rogers and John Donnelly, Company L; Oscar E. Johnson, Company H; Oscar Fallon and Charles E. Theiss, Company M; Frank B. Stevens and Lewis F. Barber, Company C; Manuel Pickman, Company D.

On the 30th the brigade in its march out from Guiginto encountered a severe fire, but pressed forward without serious opposition and finally stopped and deployed at the right of Santa Isabel. First the artillery was used to clear the way, after which the Nebraskans took the advance line, closely followed by the South Dakotans and then by the Pennsylvanians. As they advanced toward Malolos Creek they received a long range fire from the enemy, who could be seen drawn up in line of battle partly behind a line of trees on the further side of the stream. The South Dakotans fired several volleys and advanced rapidly and soon the Filipinos were sent flying to the railroad embankment for shelter. But the advance was so rapid that they were soon driven pell mell from this position. There were many of the enemy and their fire was heavy, though wild, uncertain and ineffective. Soon they were broken up and scattered in the woods. The complete victory of the Americans drove large numbers of the Filipinos from

this point by rail to Calumpit. The train could be seen steaming away from Malolos. About this time the Kansas and Montana regiments could be seen entering Malolos and the campaign with that city as the objective was at an end after five days of eventful hardships, marches, skirmishes, battles and other ever-memorable occurrences.

Succeeding this campaign the South Dakota regiment remained in camp near Malolos for twenty-four days, but during that period were ever on the alert, were alternately placed on outpost duty and were thus exposed day and night to attacks from small detachments of the enemy. Numerous reconnoissances were made and small engagements were fought. On April 11 Major Howard, in response to an urgent appeal from the Minnesota regiment at Guiguinto, marched there hurriedly with six companies, but arrived too late to be of any assistance. Again on April 23 Major Bell, chief of scouts, while out with a small force making reconnoissance encountered unexpectedly a large force of the enemy, was almost surrounded and was about to be cut to pieces when in response to his urgent demands the Nebraska regiment was rushed to his assistance. It attacked and carried the works, scattered the Filipinos, but suffered severe losses, including their colonel, Stotsenberg, who was shot through the heart as he was gallantly leading his men in the charge. The enemy in force retreated beyond the Bayolas River, threw up entrenchments and prepared for a siege. Late in the evening, under orders of General Hale, the South Dakota regiment marched up and encamped near a large church. Upon the appearance of dawn the regiment in marching order advanced to the Bayolas River, but when within about fifty yards of the bridge received a heavy fire from the enemy entrenched on the further bank. At once two pieces of artillery were brought up, placed near the bridge and about twenty shots were sent against the entrenchments, succeeding which the South Dakotans, led by Company F under Captain Brockway, swept across the bridge and stormed the works, but encountered only a feeble resistance, the artillery fire having demoralized the enemy and driven many of them back several miles. They were pursued a considerable distance by the South Dakotans who guarded the bamboo bridge while the other troops crossed. The casualties in this movement were: Killed—Oscar E. Johnson, Charles Stultz and Mortimer Brown, Company H; Harlow DeJean and David C. Dean, Company L; James A. Lezer, Company K. Wounded—Charles P. Greene and Hall Wiess, Company G; Axel Sjoblom, Company L; Charles L. Butler, Company B.

The Americans again prepared to advance, two battalions of the South Dakotans on the right and the other within supporting distance, with the Nebraskans on the left in the same order and the Iowa regiment in reserve about half a mile in the rear. As the advance approached Pulilan, a considerable town, they received a fire from a trench in their front whereupon all dropped to the ground and exchanged volleys with the enemy. A charge on the works was ordered, and the men began to advance; but at that moment, the artillery having arrived, they were ordered to halt. This restraining order was not heard by companies H, L and G, under the command of Captain Englesby, which accordingly swept up to the trenches and over them, scattering the Filipinos or shooting them down behind the breastworks. This charge was gallantly executed by the three companies mentioned. Many dead and wounded Filipinos and many rifles were found where the companies had done their deadly work.

After a few artillery shots had been fired against the flying enemy, the South Dakotans led by Colonel Stover's battalion and the remainder of the American force marched rapidly through Pulilan, then wheeled to the left and marched in the direction of Calumpit. When within four miles of that city a strong force was encountered and a sharp engagement was sustained. The ground was difficult, the advance being through a dense jungle. When this was passed the regiment reformed and with the Iowans on the right the advance was made, the men dropping after each of several volleys and finally moving swiftly forward, firing as they approached the enemy's works about eight hundred yards distant. But the Filipinos had escaped through "get-away-trenches" and but few were found and they dead. Here night fell upon the scene and the tired men went to rest after about fifteen hours of almost constant marching and fighting. They were so tired that though very hungry they ate a hurried supper only, but were gladdened with letters from home which were brought up by Chaplain Daley and were read by the campfires ere the boys spread their blankets and surrendered to the attacks of "Nature's sweet restorer."

On the 25th the Americans moved forward with the Iowans on the right, the South Dakotans in the center, and the Nebraskans on the left. Near noon as they approached Baghag River they received a severe though scattering fusillade from the trenches across that stream. Here the enemy had thrown up the strongest entrenchments thus far encountered by the Americans. They had covered the works with railroad iron and numerous fragments of boiler iron and were in force and prepared for stubborn resistance. The river being unfordable, the South Dakotans were moved up to the bank and were ordered to engage the enemy in concealment while the Nebraskans were directed to cross a nearby ford in order to flank the works. The battalions of Howard and Stover advanced to the bank, and fired volley after volley into the trenches distant only about seventy-five yards. Englesby's battalion was held in reserve about four hundred yards in the rear and was under fire. In this advance Corporal Breed, though shot through the heart, called it nothing but a "scratch" and continued the forward march until he fell dead on the river bank. The South Dakotans continued their deadly and continuous fire in order to divert the attention of the Filipinos until the Nebraskans could execute the flank movement. When word came that this had been accomplished the South Dakotans ceased their fire, but were still exposed to the severe musketry volleys from the Filipino trenches for an hour and a half before the attack of the Nebraskans was finally made. Soon the latter were seen swarming over the enemy's works and the enemy were seen flying in retreat. During the battle Colonel Stover was overcome with heat and was not again able for service until May 6, when he joined his command at San Fernando. Many instances of individual gallantry were shown by the South Dakotans during their trying experiences while under the severe and deadly fire of the Filipino Mausers. Officers and men alike were intrepid and undaunted under these exacting and unnerving conditions. The killed were: Henry Breed, Company B; Guy Jones and Charles E. Peterson, Company H; and the wounded: Walter S. Doolittle, Company G; Oliver C. Lapp, Herbert A. Putnam, Charles Wagner and William H. Harrison, Company I; Christ Myhre and Thomas H. Coleman, Company E; Quartermaster Sergeant Antone Jurich, James H. Davis, Company L; William K. Reaman, Company F; Arthur W. Swenson, Hammond

H. Buck, James A. Gibbs, Robert Hawkins and Frank Goebel, Company B; Ray E. Ranous and Don J. Ranous, Company K.

Succeeding this battle the Americans marched at night to the junction at the Juinga and Calumpit rivers and went into camp. Early on the morning of the 26th the South Dakotans crossed the Calumpit and occupied a position with Bagbag River on the rear, the right reaching the railroad track. At this time Calumpit was occupied by the Kansas and Montana regiments in spite of the rapid fire upon them from the enemy's trenches north of the Quingua and Calumpit rivers. Soon this fire was silenced.

On the 27th Colonel Frost was ordered by General McArthur to hold the railroad bridge, and accordingly stationed one battalion on the north bank at Calumpit and the other two on the south bank. Here the regiment remained until May 2 when it participated in the movement under General Hale to reinforce General Lawton. It moved rapidly to Pulilan in a heavy downpour of rain and bivouacked with everything drenched, but learned the next morning that Lawton did not need help, whereupon the regiment and other commands were marched back to Calumpit. The South Dakotans were now assigned to ground north of the Rio Grande de la Pampauga on the railroad near Apalit Station. The next day the entire brigade was ordered to advance upon Santo Tomas, the South Dakotans now being in reserve and the Iowa regiment leading the movement. As they approached Santo Tomas River where the enemy was entrenched the artillery opened fire and after a sharp fusillade the Iowa regiment was deployed and sent against the trenches under a galling fire. Soon the Nebraskans were deployed for the attack on the right of the Iowans and thrown into the conflict. After about half an hour of intense rifle fire the South Dakotans were ordered to advance to the right to prevent a threatened flank movement of the enemy. This movement was one of the most dreadful experienced by the men during the whole war. The heat was intense, the water was poor, and the men were exhausted with the lack of food and the hardships of the campaign. In addition all were suffering more or less from malaria, diarrhoea and stomach troubles and from sores on their legs and bodies caused by scratches and abrasions that had become poisoned and foul. Now the broken-down men were required to march through swamps and bogs where the dirty water and dirtier mud was at all stages knee deep and often above their waists. Literally they dragged themselves for a mile through this filth, under the blazing sun, until many suffered sunstroke and scores were forced to stop on the mounds of grass to gain strength for a further advance. At the end of a mile dry ground was reached and here it was found that less than three hundred men of the whole regiment had come through the swamp and reached dry ground in readiness to continue the flanking movement. Here they sheltered themselves as best they could from the fierce rays of the sun, dried their clothing and rested. It was then learned that no danger of a flank movement from the Filipinos was to be apprehended. While the South Dakotans were going through the swamp the Nebraskans crossed Santo Tomas River, drove the Filipinos from the works and held the ground thus gained.

After two hours the regiment joined the Iowa regiment on the railroad, forded the river and formed in line on the right of the Nebraskans. Then the whole brigade advanced a mile and went into camp. In this march the First

Battalion was compelled to march through a swamp nearly as noisome and bottomless as the one through which they had marched earlier in the day. In the new bivouac they built fires, ate their army rations, erected Nipa sheds, but were compelled to sleep on the ground in line of battle during the heavy and almost incessant rains of the night. During the day Robert J. Van Hook was wounded by a Filipino bullet. On the next morning only 304 men were fit for duty.

On the 5th the Iowa regiment entered San Fernando without opposition and occupied the city. In the evening the South Dakotans also entered and soon afterward Colonel Frost was directed to act as provost marshal. The city had been the headquarters of Aguinaldo after he was driven out of Malolos and here were many beautiful homes of the wealthier natives. But owing to the condition of the men their stay there was anything but pleasant. In addition the Filipinos built entrenchments close around the city from which they poured a rain of Mauser bullets whenever there was a chance day or night of bringing down the hated "Americanos." In a short time the men were so run down by privations, exposures and sickness that there were left hardly enough well ones to guard the outposts. Camp life aggravated and intensified the deplorable conditions. The sick could not get suitable food, medicine and treatment generally and diseases hung on with torturing tenacity. Colonel Stover at this juncture spent \$800 of his own money to purchase delicacies for the sick and convalescent, but was repaid later by the men themselves from their slow arriving pay pittance. In time nearly every man of the South Dakota regiment was on the sick list. Letters telling the melancholy and dangerous condition of the troops went home to South Dakota and at once kindled a blaze of protest from the Black Hills to the Big Sioux Valley. Soon the time of the First Regiment expired and the men were expected home; but they were needed on the islands and were retained against the remonstrances of hundreds of citizens at the head of whom was Governor Lee. The latter protested, expostulated, pleaded and demanded in open letters addressed to the President and the War Department the muster out of the men and their return home. But the War Department replied that the men could not be spared until enough regulars to take their places and hold the rebellion in check had arrived at Manila.

The South Dakotans did their full duty from the time they enlisted until they were mustered out long after their terms of service had expired. In the dreadful camp at San Fernando they stood on guard, returned the harassing fire of the enemy and swallowed their unfit rations without a murmur, though scarcely able to stand and not able to march. In fact at times when attacks threatened even the sick ones tottered to the ranks and answered "here" to the call of the roll and staggered as best they could to the stirring blasts of the bugles. All this was thought necessary by General Otis in order to impress the Filipinos with the idea of the fighting strength of the Americans. He even sent the army surgeons through the hospitals of Manila to find who might be able to do duty at the front. And all this, too, when thousands of volunteers were suffering from inaction and sickness in Camp Chickamauga and other army hells and would have been only too glad to share the hardships of the insular campaign. As it was several South Dakotans absolutely unable to do duty were ordered to the front; there were twenty-five of such men, several of whom yet suffered from unhealed wounds received in battle. Others thus ordered out were yet so low

from disease or dysentery that they could scarcely move. No wonder an indignant protest from South Dakota shook the War Department and even the White House itself. They are marched to Calumpit, a distance of four miles, but were then so weak and exhausted that they could go no farther. The army surgeon reported that they were incapable of doing any duty and that it was impossible for them to march to Calumpit, a distance of ten miles. They were then ordered into the buffalo carts and conveyed to San Fernando, where their condition was found by Doctor Warne to be so alarming that he at once ordered them into the hospital and positively refused to allow them to perform camp or field duty.

Although the Filipinos kept up more or less of a continuous fire day and night while the troops were encamped at San Fernando, no considerable engagement transpired until May 25th, when they were seen advancing to the attack by Captain Hageman in charge of Company K on the right outpost. At once Colonel Frost formed a skirmish line behind a belt of timber in the direction of the advancing enemy. Evidently the latter became aware of this plan to give them a warm reception, for they remained skulking under cover at a distance waiting until chance or opportunity should give them an advantage. A few of the enemy could be seen here and there adjacent to the jungles, in which their main force was believed to be ambuscaded. General Hale was present and made a reconnaissance by walking up the railroad beyond the outpost when he suddenly was fired upon without effect by two Filipinos not over two hundred yards distant. He returned and at once Colonel Frost led an attack on the enemy in the jungle with the First and Second battalions. They rushed the enemy's skirmish line before the latter could escape, shot down many of them behind the breastworks, and advanced a hundred yards farther to be sure that there were no inner entrenchments. Those who escaped were careful to remain beyond the range of the Springfield rifles. Upon their return the battalions found many dead and wounded Filipinos in the trenches. They captured two and wounded many, the most of the latter escaping with the aid of their comrades. The troops returned to their quarters, but were again attacked at 3.20 o'clock the next morning and were quickly in line again and held in readiness until break of day, when the First and Second battalions were posted in front of a sugar mill near where the enemy was presumed to be waiting for an opportunity to attack. The Iowa regiment came and took position on the right and when they were near the sugar mill the Filipinos opened fire along the line. But they were quickly driven away, scattered and silenced. This was the last important engagement fought in the Philippines by the South Dakota regiment. The casualties in these attacks were: Killed—Dan Colleran, Company G. Wounded—George Barker, Company A; David Martindale, Company C; Edward Heald, Company D; Carl McConnell, Bert Kellet and James Black, Company G.

The South Dakotans remained on the outpost, under fire the most of the time, day and night, until June 10th, when the order came for their relief from duty. At this time there were not more than an average of eight men to each company fully well and fit for duty. They had been on the advance in the enemy's country and on the firing line for a period of 126 days and most of the time were exposed to the elements—heavy rains and a tropical sun—and nearly the whole time were obliged to sleep in their clothes on the damp and muddy



MASONIC TEMPLE, SIOUX FALLS

ground. Their food was unsuited to the climate and the water they were obliged to drink was the cause of much of the sickness of the regiment.

It will be admitted that discipline in an army under all ordinary circumstances is an absolute necessity. In the United States this is particularly true owing to the small regular army and on account of being obliged to accept inexperienced and undisciplined volunteers that of necessity must be called into the service. The lack of cohesion, unity and discipline of the volunteers in every war in which the Government has been involved, from 1776 down to the present time, has proved at times a serious hindrance to success. Even during the Revolution insubordination ran riot in the continental ranks and was one of the most grievous obstacles to effective results that Washington had to overcome. It required such rigid disciplinarians as Baron Von Steuben to bring the raw colonists under even partial submission and usefulness. The same conditions ruled in the War of 1812 and even in the Mexican war, although in the latter the large number of West Point graduates worked wonders with the raw volunteers. In the Civil war conditions were still further improved, but there was much insubordination during the early stages. These facts are referred to in the reports of Generals Logan, Sherman, Grant, Halleck, McClellan and others.

When the Spanish-American war burst forth conditions were better, because the National Guard supplied the bulk of the volunteers, but even they were far from the standard of discipline which prevailed in the regular army. The rank and file fraternized with the officers like bunk comrades and continued to do so for some time after they were mobilized at Sioux Falls. But when they went into camp at the Presidio, San Francisco, all this companionship between officers and men was abandoned and the rigid rules of the regular army were enforced. much to the disgust and chagrin of the volunteers. After they reached the Philippine Islands the rules were even more inflexible than they had been at San Francisco, all of which was perhaps proper and necessary as a whole.

But while the above is all true there is a reverse side. Circumstances alter cases even when applied to the regular or the volunteer army. Discipline and army routine may often be advantageously altered, though it will be difficult to cause a regular officer to see this fact. It required many months before General Funston finally broke away from the adamant army rules and began to fight the Filipinos after their own tactics. But this was after the wrongs to the volunteers on the islands had been perpetrated. It required many years of experience before the regular army was fitted to cope with the Indians of the plains and mountains in battle. Braddock's defeat was due to his insistence in marching his troops in long ranks into an Indian ambush against the protests of George Washington, who was present and who had had experience in fighting the Indians after their own guerrilla and covert fashion. When the British redcoats and the Scotch highlanders marched with splendid formation, precision and step into the defile where the Indians were known to be concealed in large numbers ready for the attack, Washington realized the fatality almost certain to befall the army, though he could not move Braddock from his belief in the impressiveness and infallibility of the solid columns. When suddenly, however, hideous and blood-curdling yells from a thousand Indians concealed in the bushes, the sharp and incessant crack of their deadly rifles and the fall of scores of dead and wounded men resulted, with not an enemy in sight upon whom to

fire, the redcoats soon became demoralized, hesitated, swerved and finally fled panic-stricken from the field, closely and hotly pursued by the yelling savages, who slaughtered everyone they could reach. Months afterward this decisive field was strewn with the wolf-mangled bodies of the really valiant British troops. Braddock was completely heart-broken and crushed and never recovered from the shock. "Who would have believed it possible?" he asked in his humiliation and anguish. But he is not the only regular officer of history who has made such mistakes. Many similar defeats are chronicled of the contests with the Indians on the plains even down to the present time. The regular officers seem not to understand how to change or vary their rigid rules and tactics to meet the conditions of which advantage is taken by the various enemies from savage to civilized. This seems to have been the condition in the Philippines when the First South Dakota regiment was sent with other troops on this campaign. The Filipinos who opposed them either shot from a safe distance, or fired from light entrenchments to which were appended "get away" trenches to enable them to escape when it should become certain that the Americans were on the point of capturing their works. The object of the Filipinos was to kill as many Americans as possible and then get away, and seemingly the orders of the regular army officers were designed to aid them in their plans.

The regiment returned to Manila on June 10th and convalesced as rapidly as possible in the camp at Santa Mesa until the 23rd, when for a time they assisted in guarding the line around Manila. The First and Third Battalions under Colonel Frost were stationed to guard the line from Baligbalig to the church at La Loma, while the Second Battalion under Major Howard was assigned to the line between the Passig River and the Deposito. On August 5th the regiment was relieved by the Twenty-fifth Infantry and directed to quarters at Manila. Five days later they were ordered to board the transports for conveyance back to the United States. On August 12th they embarked on the Sheridan and in due time arrived in San Francisco. There they were mustered out.

To sum up, the principal engagements were as follows: Block House 4, Manila, February 4 and 5, 1899; La Loma church, February 5th; Block House 3 and 2, February 5th; Manila trenches, February 23rd; same, February 27th; San Francisco del Monte church, March 24th; Pulilan River, March 25th; Maycauayan, March 26th; Marilac, March 27th; Santa Maria River, March 29th; Guiguinto, March 29th; Santa Isabel, March 30th; Malolos, March 31st; Guiguinto, April 11th; Pulilan, April 24th (first trench); Pulilan, April 24th (second trench); Calumpit, April 25th; San Tomas, May 4th; San Fernando, May 25th.

Roll of Honor: Killed in Action—Jonas H. Lien, Harvey M. Breed, Oscar Felker, James W. Nelson, Mathew N. Ryan, Harvey R. Keogh, Lewis Chase, Sidney E. Morrison, Peter Ryan, Frank A. Schroeder, Frank H. Adams, Mortimer C. Brown, Oscar E. Johnson, Guy Jones, Horace J. McCracken, Charles Stulz, Fred E. Green, William H. Lowes, Charles W. Peterson, James A. Lizer, Harlowe DeJean, Oscar Fall. Died of Disease—Roy W. Stover, Jim Goddard, Frank S. Denison, Charles Eschels, Askle O. Eidsues, Fred C. Grennslit, Leon F. Hull, Martin C. Mortenson, Royal H. Smith, Otto J. Berg, Horace G. McCordic, Nelson B. McKeller, Judson C. Nickliam, Wilson M. Osborn, Leatis

A. Roberts, Irving J. Willett, Jay A. Smith, James E. Link, Arthur A. McElrath, Victor E. Schofield, Roy P. Anderson, James M. Clark, John J. Mahoney, George Stillwagon, Samuel C. Frazee, Newell E. Jenks, Olavus T. Felland, Edward Mancher, Joseph W. Whitman. Died of Wounds—John Dale, William H. May, Charles B. Preacher, William B. Smith. Drowned—Edwin A. Harting.

The story of the battles, skirmishes, campaigns and hardships from day to day was of great interest to all South Dakota. As the news of the victories was received from time to time great enthusiasm over the splendid courage of the South Dakota boys was shown in every center of population. On August 2, 1899, the ship Relief with many sick and wounded troops, of whom twenty-four were members of the First Regiment, reached San Francisco and elaborate preparations for their proper care were made. At a public meeting in the Black Hills a committee consisting of J. H. Burns, D. A. McPherson and Edwin Van Cise was appointed to receive contributions for a hospital for the sick and wounded boys. Encouraging telegrams were sent the boys from all parts of the state and preparations for their reception were made in their home towns.

On April 13, 1899, Governor Lee in an open letter to President McKinley made the following request: "In obedience to what I believe to be the most universal wish of the people of my state I desire to request the return to the United States of the First South Dakota Volunteer Infantry, now engaged under General Otis in war against the inhabitants of the Island of Luzon." The governor afterward repeated this request several times. In July, 1899, he communicated his views to a New York newspaper and among other things said: "The report from Manila regarding the South Dakota volunteers is no surprise for we have long known the terrible condition to which they have been reduced and have repeatedly urged the administration to have them returned home, but without effect. Their obligation to the Government closed when the treaty with Spain was ratified. Since that time their services have been used without warrant of law or justice. The administration cannot escape the responsibility of its mistaken expansion policy, for which this Government is paying so dearly with life and treasure, to say nothing of the unpardonable injustice done to a people whose only crime lies in their desire for independence and self government. I have definite knowledge that many of the volunteers realize the injustice of the cause for which they are forced to fight. With the rapidly growing sentiment that the expansion policy is a serious mistake and with the present conditions existing in the Philippines added to the experience of our own regiment, I believe but few would enlist from this state."

This request from Governor Lee for the return of the South Dakota regiment was based on three points: (1) That the term of enlistments had expired with the conclusion of peace; (2) that the war with Spain had ended and the regiment should be mustered out and (3) that the war against the Filipinos was a movement against their liberty and independence, and in support of the alleged territorial expansion policy of the McKinley administration. To his request courteous replies were returned by the assistant secretary of war, who stated that the regiment would be mustered out as soon as possible after regular troops could be rushed to the islands to take their places. The Government put the question squarely before the members of the regiment and a large majority agreed to remain until their places could be taken by regular troops. They did

this out of pure patriotism with the object in view of enabling the Government to control the islands and of preventing the reign of anarchy certain to result should they leave before the Government troops arrived. General Otis had instructions to send them home as soon as practicable. The politicians endeavored to make it appear that the McKinley administration was carrying on a war of conquest in the islands in support of its alleged expansion policy, and Governor Lee was not the only state head to take action in the matter. Governor Lind of Minnesota and perhaps others made similar requests.

That the action of the volunteers in agreeing to remain on the islands until the regulars should arrive was fully appreciated by President McKinley is shown in many things he did at the time, but perhaps no more warmly or gracefully than by his words on the bronze medal which was presented to the volunteers in September, 1906, in commemoration of their voluntary services to the country after their term of enlistment had expired. The words on the medal were an extract from a cablegram dated July 1, 1899, sent to General Otis at Manila by President McKinley: "The President desires to express in the most public manner his appreciation of the lofty patriotism shown by the volunteers and regulars of the Eighth Army Corps in performing willing service through hard campaigns and battles against the insurgents in Luzon, when under the terms of their enlistments they would have been entitled to discharge upon the ratification of the treaty with Spain. This action on their part was noble and heroic. It will stand forth as an example of self-sacrifice and public consideration which has ever characterized the American soldier."

About September 7, 1899, the transport Sheridan, having on board about six hundred and fifty-two members of the First South Dakota Regiment, besides other commands, reached San Francisco. Before their arrival and immediately afterward they were the recipients of hundreds of warm and welcoming telegrams from friends and relatives in South Dakota.

Before the First Regiment had reached San Francisco on its way home, in fact, immediately after it left the Philippines, preparations for their fitting reception were made throughout the state. Particularly, in every town which had furnished part of a company or the whole elaborate ceremonies were planned. A convention with this object in view was called at Huron and about three hundred delegates from all parts of the state were present, R. W. Stewart presiding. He stated that the expense of bringing the men home would be large and that it would have to be raised by private subscription. A committee on finance, consisting of sixteen persons, of whom F. A. Brown of Aberdeen was chairman and E. J. Miller of Huron secretary, was chosen to collect the funds. The plan adopted provided that business men should raise the money from banks on guaranteed notes made payable March 1, 1901. A souvenir button was planned to be sold to help augment the fund. Hughes County was the first to raise its share of the fund—\$1,000—and Brookings County was second. Governor Lee refused to call a special session of the Legislature to appropriate money for this purpose as was suggested from many quarters of the state, because he believed the amount should be and could be raised from individual and municipal sources. In addition to the plans for a state-wide and ceremonious reception all the cities represented in the regiment made similar local preparations for the reception of their own companies. Elaborate prepara-

tions for the reception of Company C were made at Yankton. On October 14 the boys arrived there from Aberdeen and were duly and appropriately honored by the whole population, including the G. A. R. President McKinley was present and addressed the men in eloquent and complimentary terms. A similar reception had been previously extended by the citizens of Aberdeen to the men who had gone from that city and to nearly the whole regiment, President McKinley being also present. He spoke in the most feeling terms of the gallantry and good conduct of the First Regiment. It was said at the time that this reception cost each one of the soldiers who had come to Aberdeen the sum of \$20, because they had been detained several days at San Francisco at their own expense while waiting for instructions from the reception officials as to where they should go. Later the officials announced in a public statement that about one hundred and fifty members of the regiment had come home before the others and had paid their own fare. In this announcement, dated October 25th, the committee agreed to refund such men the fare paid if they would send in their names and addresses. The reception proceedings were carried into politics, the republicans and fusionists contesting for the honor of managing the reception both of the volunteers and of President McKinley. This rivalry occasioned a humiliating squabble which was spread broadcast by the public press over the entire state and referred to with severe comment by many outside newspapers. The Black Hills conducted their own reception with enthusiasm and success and without interference or interruption from pernicious outside influences and jealousies.

From the date of their return the members of the First Regiment claimed pay and transportation from San Francisco to Sioux Falls: they were justly entitled to this amount. Many of them contended that they should be paid all their expenses from the time of leaving the Philippines until they reached Sioux Falls, the place of enlistment. By 1910, for over ten years, their claims had been before the war department, but had not been allowed. Just previous to 1910 travel pay for the regimental officers (regulars) had been allowed—a day's pay for every twenty miles traveled. The few officers (regulars) of the regiment, who remained on the islands, received pay for time and expense on their way home—sums reaching in several instances about fifteen hundred dollars. All volunteer members had demanded the same allowances, but all settlement had been neglected probably with the expectation to "freeze them out," as it was declared. Finally \$15,573.25 was allowed. After paying the lawyer's fees (a lawyer's services should not have been necessary) the regiment received of this amount \$12,458.60. They were really entitled to \$27,000.

On March 23, 1898, Melvin Grigsby, attorney-general of the state, telegraphed to the secretary of war, offering his services and suggesting that the western cowboys would make fine volunteers and effective soldiers. He received a reply to the effect that such soldiers would be accepted if needed. Matters remained in this state until April 1st, at which time Mr. Grigsby became convinced that while no opposition to the formation of a cowboy regiment would be offered here, a new bill or law providing for the formation of such a regiment would have to be passed. In order to secure if possible the passage of such a bill, he went to Washington, arriving there on April 19. There he found everything alive and eager for the war. He consulted senators, representatives

and war department officials, including the secretary of war and General Miles. The latter warmly favored his plans. In the consultations it was shown that should Mr. Grigsby raise such a regiment it might not be able to get into the service because first choice would be given to the National Guards. He therefore realized that if his proposed regiment were to get into the service at all, it would be necessary to pass through Congress a special bill to that effect. Beginning in March or earlier all the states between the Missouri River and the Rocky Mountains had considered the advisability of raising cowboy regiments; particularly was the sentiment strong in Texas and Wyoming. In these two states and in South Dakota large numbers of cowboys signified their willingness and readiness to go to the front. Nothing, however, could be done until Congress should pass an act authorizing the acceptance of such commands. Later in March Senator Warren of Wyoming introduced a bill for the organization of one regiment of cowboys. This bill was independent of the volunteer army bill which had just passed the House and had been referred to the Senate Committee on Military Affairs, of which Senator Warren was a member. At once it was seen by Mr. Grigsby that it would be much easier to amend the army bill in the manner wanted than to put through a new bill. The Senate Committee on Military Affairs was in session and could not be seen by Mr. Grigsby, who thereupon secured the help of Senator Kyle, who succeeded in calling Senator Warren from the committee room for a conference. He was quickly told what was wanted, but at once responded, "Too late: we will report the army bill in thirty minutes." Mr. Grigsby had anticipated this emergency and had drawn up an amendment which it was desired should be attached to the army bill. This he promptly produced and showed to Senator Warren, who took it at once to the committee room, appended it to the bill, and thirty minutes later it was read in the Senate as a part of the army bill. The Grigsby amendment was as follows:

Provided further, That the President may authorize the Secretary of War to organize companies, troops, battalions or regiments possessing special qualification, from the nation at large, under such rules and regulation, including the appointment of the officers thereof, as may be prescribed by the secretary of war.

The bill then went back to the House, where the words "Not to exceed 3,000 men" were added to the Grigsby proviso and in that form the bill was passed by the House, approved by the Senate and became a law the same day. Immediately the secretary of war authorized the formation of three regiments of cavalry of frontiersmen possessing special qualifications as horsemen and marksmen to be designated as First, Second and Third United States Regiments of Cavalry, the First to be commanded by Colonel Leonard Wood (Theodore Roosevelt, lieutenant-colonel), the Second by Judge Torrey of Cheyenne, and the Third by Melvin Grigsby of Sioux Falls. Mr. Grigsby received his appointment at once as colonel of the Third and returned to Sioux Falls, arriving May 2d, and was welcomed with rapturous enthusiasm by the population of the whole city and the surrounding country. He immediately issued the following commissions: Troop A, Capt. Seth Bullock of Deadwood; Troop B, Capt. Otto L. Sues of Sioux Falls; Troop C, Capt. George E. Hair of Belle Fourche; Troop D, Capt. John E. Hammond of Sturgis; Troop E, Capt. Robert W. Stewart of Pierre. The other troops to complete the regiment were left to be formed in other states—four in Montana, two in North Dakota and one in

Nebraska. Otto L. Sues became adjutant and John Foster captain of Company B.

The five South Dakota troops rendezvoused at Sioux Falls from May 12th to 17th. Troops A, C and D were called the Black Hills Squadron and were commanded by Maj. Leigh H. French. The Second Squadron—Troops B and E—were commanded by Maj. Robert W. Stewart. Joseph Binder became captain of Troop E. On May 18 orders were received to move on the 20th to Camp Chickamauga, near Chattanooga. The first detachment reached camp May 23rd and the last May 29th. Upon their departure from Sioux Falls they were given a formal farewell banquet which was attended by the city authorities, by the officers of the First South Dakota Regiment, by the G. A. R. and by thousands of citizens, ladies and school children. The boys encountered enthusiastic receptions at all points on their way down to Camp Chickamauga. Everybody was surprised at the mannerly and gentlemanly behavior of the "Cowboy Regiment." The newspapers had pictured them as wild, lawless and reckless riders of the ranges, with revolvers in their belts, bowie knives in their boots and lariats at their saddle bows, rough of speech, profane and ready to shoot a man on small provocation or to insult a woman regardless of decency. Great surprise was shown, therefore, when the boys were seen to be about the most well behaved and gentlemanly at the camp. But their subsequent life in camp was enough to take the spirit out of any human heart. Day after day, month after month, came the same weary routine, the same useless drudgery and the steadily increasing ravages of camp fever. What a smothering of courage for boys who were brave enough and audacious enough to walk up to the mouth of a Spanish cannon. But the gallant fellows bore their fate uncomplainingly, cheered with the hope and prospect that they might yet be called to face the enemy on the red field of war. The arrival of their horses in June was a grateful diversion and caused them for a time to forget their sore disappointments. But when in July and August one after one of the robust men sank under an attack of typhoid fever or dysentery, when the food became unbearable and when the termination of the war and the negotiations for peace showed the uselessness of their remaining longer in the service, they began to intimate that they wished to be mustered out. They did not murmur in camp, but this wish was revealed in the sorrowful letters which they wrote home. On July 30th they were moved from the old camp to the new one on the ridge—Brotherton Field. By August 27th about one hundred and fifty of the boys were sent north on sick furlough. At this time the camp hospitals were filled with sick and convalescent soldiers. The grand reviews served merely to accentuate their miserable plight and terrible sufferings. On August 28th came the official notice or order for their muster out. From September 1st to 8th they were sent to their homes. Colonel Grigsby bade the boys farewell on the 5th and left for Sioux Falls. Upon their return they were received with great public honor and distinction by the communities whence they went forth—not to war but to the deadlier typhoid camp. The men of this regiment from the South Dakota troops, who gave up their lives during this period of service, were F. M. Gilligan, George Maclaren, W. R. Williams, A. J. Beach, W. F. Copelin, George Cassells, George Bahler, C. W. Gates and H. F. Lawrence. Scores never recovered from the effects of the camp diseases. All should be pensioned.

CHAPTER XIII

IRRIGATION, WATER SUPPLY, RAINFALL, STREAMS, ELEVATION, TEMPERATURE, RESERVOIRS, CONSERVATION, RECLAMATION, ETC.

Irrigation has been practiced as far back as civilization commenced, and the labor involved to raise the water has ever been the most troublesome problem. In early times many crude devices were employed. It is only in comparatively recent times that inexpensive and practical methods have been devised. The gasoline engine has proved to be the cheapest and best water raiser. To farm by irrigation, different methods from the old ones must be adopted. It succeeds best and almost invariably under intensive methods. It is necessary to carefully prepare the soil and thoroughly cultivate it. In all cases those crops which give the best returns should be selected; among them are fruits, alfalfa, rice, grapes, garden produce, especially celery, asparagus, strawberries, potatoes, hops, tobacco and cotton. The experiments of the Government, the agricultural college and the experiment stations have proved beyond all doubt that in localities where there is sufficient rainfall, particularly in the Black Hills region and along the stream valleys, the addition of the right quantities by irrigation at the proper time will double or triple the crop. Too much water will decrease the yield. In irrigation the aim in the Black Hills is to furnish about 70 per cent of soil saturation and no more.

A few of the advantages of irrigation are the following: Submergence improves the soil by depositing silt, new soil and organic matter; increases the production by bringing more of the soil into use; destroys injurious insects and worms; makes the farmer independent of unconstant rainfalls; prolongs the harvest period of various crops if so desired, and executed; makes farming profitable in waste and desert places; enables the farmer to reclaim soil that is apparently worthless; enables the farmer to double and triple the crops on the same acreage without doubling or tripling the labor; increases the number of crops that can be grown on the same acreage; introduces new plant food, such as carbon, potassium, phosphorus, nitrogen salts, etc. If too much water is used the air cannot reach the inner soil to replenish the plant food. At all times the farmer and fruit grower of the Black Hills takes into consideration the kind of soil he is cultivating. He must know just how much water it needs, how much humus it contains, also sand, clay, marl, lime, loam, peat, muck, gravel, etc. Sand is poor in plant food, but requires much moisture. Clay is hard to work, is apt to bake, but holds moisture well and therefore needs less water. It contains potash, lime, nitrogen, phosphorus. Loam soils are midway between sand and clay and usually have all the good features of both. They yield immense returns to irrigation. When irrigating light soils like loam, very small streams

of water should be used, otherwise there is danger of washing the plant food out of the soil. After irrigating it is important to keep the soil thoroughly cultivated, for all authorities agree that it is full of capillary tubes through which moisture finds its way to the surface and evaporates. To conserve the water in the soil these tubes must be kept severed or closed by surface cultivation. The cultivated soil serves all the purposes of a mulch. This system is well observed in the Black Hills. They also understand how to treat alkali. The bases of alkali are soda, potash and ammonia. This is necessary to plant growth, but if in too large quantities is greatly injurious. This condition is remedied by cultivation, frequent flooding, underground drainage and by growing leguminous crops. How much water to use is determined by the Black Hills growers through experiments. There are four methods used to apply the water—flowing, flooding, seepage and sprinkling. All make it a point to cultivate as soon as possible after irrigation in order to conserve the moisture. Sometimes gravity methods of supply cannot be used; then engines are employed, but this is always attended by greater expense.

In the western part of the state there are large areas of arable land which lie above the stream valleys and beyond the reach of any system of irrigation except that furnished by local reservoirs built to impound storm waters. In Butte, Meade and Pennington counties there are large quantities of this land. All through these counties can be seen such projects in working order. It should be borne in mind at all times that the old-time extensive farmer must surrender his ancient farming operations for the intensive system if he aims to practice irrigation. Intensive farming is hard and painstaking, but can be done largely by horse and engine power. Close attention along approved lines is necessary to insure success. As irrigation is the keynote to future success on a large quantity of the land of South Dakota, the facts concerning that system cannot be impressed too strongly and forcibly upon the understanding of farmers and their children. If they will begin gradually no time nor money will be lost. They should at once build reservoirs from which they can at first try intensive methods under irrigation on small tracts, which should be treated like a garden. It should also be borne in mind that irrigation without propitious conditions—good soil, frequent tillage, abundant fertilization and necessary aeration—will not succeed. The sooner the old-fogy farmers abandon their crude and unsatisfactory methods the sooner the state will come into its own and rise side by side with its sister states. Such a farmer will never succeed with irrigation. In all instances intensive farming with right irrigation has succeeded in South Dakota. Irrigation is simple when understood; but soils, fertilizers and plant life should be studied. The farmers of the Black Hills have combined their experience with the scientific knowledge of the experts with most gratifying results. When intensive farming through irrigation is taught in all the public schools, particularly those in the rural districts, scientific agriculture will advance rapidly, and not till then. If all farmers will commence at once to irrigate small tracts along intensive lines while conducting their usual farming operation—if they will thus start with reservoirs and irrigation an experimental tract of land of from two to five acres, and if at the same time they will quit laughing at the experts, who know much more about farming than they do, and commence to read the bulletins and other documents of the Government and

state authorities—they will take the first necessary long step towards the prosperity of both themselves and the state. In their first experiments the farmers will learn much from the bulletins of the experiment stations and the agricultural college.

In a large measure the operations of dry farming may be conducted in accord with those of irrigation and intensive farming. With the single exception of the amount of water used, the conditions are much the same. Where it is found difficult to secure large amounts of water, dry intensive methods should be employed. These are now being employed on hundreds of farms in the state.

Where water is so important to the husbandman it is easy to understand the objects and importance of the water conservation movement that now has taken possession of the state. Why sensible people will let millions of acre feet of the best water in the world rush by their parched farms without an effort to store and save it, is one of the mysteries of husbandry. In spite of all precautions, much water is also seen going to waste even in the irrigated valleys of the Black Hills, through ditches that leak and through the unnecessary flooding of lands that are better off without so much water. It is the experience in the western valleys that irrigation areas are being called upon constantly to expand so as to annex additional tracts, and hence the call is for more water. All this demand can be met by the storage of flood waters. This situation may be seen under the Belle Fourche system, which utilizes the surplus. So do other systems. But it cannot be denied that despite all of these conservation methods, millions of cubic feet of water needed on the adjacent lands are allowed to go rushing onward to the sea each season. Very little has been done in the state to conserve storm water; nearly all the efforts have been directed to the use of ordinary stream water. The storm waters are particularly valuable for the uplands, the hills and the tablelands, and there all farmers should commence storing such water in reservoirs for the drier months. Thousands of acres on these uplands now regarded as almost valueless would soon blossom as the rose were they to receive the water that falls near them or on them. Already many tracts of from forty to two hundred acres are being thus supplied with water from such reservoirs. Nothing is better to conserve the moisture than forests. There is every reason, then, to start the forests at the same time with the reservoirs. Upland reservoirs will build up the upland forests—just what is wanted. Already hundreds of such have been started in all parts of the semi-arid region. Recollect that co-operation in irrigation projects has thus far given the best results in South Dakota. The state water code should be amended and studied.

The Legislature of 1889 authorized the sinking of artesian wells for irrigation purposes, upon petition of the residents of a township. At the October session they passed this memorial to Congress: "Resolved, that the senators and representatives of the State of South Dakota in the Congress of the United States are hereby requested to urge the passage of a bill at the earliest date possible providing an appropriation for the purpose of making necessary surveys and of boring experimental artesian wells, so as to determine the feasibility and practicability of artesian irrigation, preparatory to the establishment of a system of irrigation for the state." An artesian irrigation convention was held at Huron in September—a mass convention. Committees were appointed to investigate the subject and make report at a subsequent meeting. J. B. Hart, A. P. Robinson and L. M. Gibbs were the State Artesian Well Commission.

The Government Irrigation Commission visited the state in May, and among other duties inspected the artesian wells to see if they could be used for irrigation purposes. When their official report was finally made it stated that out of ninety-six million odd acres in the two Dakotas, about fifty million acres were within the arid belt or region; that the annual rainfall of this region was from fifteen to eighteen inches; that the James River Basin contained about seven million acres, of which 98 per cent was good for tillage, etc. While the report classed much of the land as arid, it stated at the same time that all of it would produce grass, small grain, etc. "Why, then," it was asked by the newspapers, "should the region be classed as arid?" Generally, the settlers felt that the report conveyed the false impression that the land was practically worthless. From all portions of the state came criticisms of the report. One newspaper said: "All that the people of the Dakotas will ever obtain from this commission has been obtained—namely, a statement that more than half of their domain is arid, and therefore incapable of sustaining agriculture. It does not matter that the report is a stupid misrepresentation of the true condition. It is official, was procured at the instance of the people, and it will stand." At once opinion was unanimous in the two Dakotas in support of a liberal appropriation for an irrigation survey, and the demand came from all sides that the general Government should appropriate also a sum sufficient to defray the expenses of rapid geologic and hydrographic inspection by which the forms of developing a water supply already named might be fairly outlined and located in connection with the physical features of the two states. In 1890 there were yet open to entry in the two Dakotas 21,000,000 acres. A law of Congress in effect in 1890 required the President to withdraw from settlement all arid land west of the 101 meridian, thus taking away more than one-third of South Dakota. It was claimed that the aridity of this tract was falsely urged in order to provide certain officials with large sums for its reclamation. The congressional representatives of the two Dakotas made herculean efforts in the fall of 1890 to prevent the withdrawal of these lands from settlement. In fact it required earnest statesmanship to establish the point that these lands were just arid enough to entitle them to an irrigation appropriation, and not arid enough to place them under the operation of the law forbidding their settlement. The truth was that the residents wanted more settlers and wanted them earnestly. Naturally, therefore, they presented the most attractive features and failed to mention the others, just as every salesman fails to mention all the defects or demerits of his goods. But the Government report brought out all the defects as well as the merits of the so-called arid belt. The real damage in the report was due to the ignorance of the officials as to the possibilities of irrigation, moisture conservation, dry farming, drouth-resisting crops, etc., all of which were developed at a later date until the so-called arid belt is slowly disappearing. No doubt now exists that sooner or later practically every foot of South Dakota soil will be under cultivation.

An irrigation convention of both of the Dakotas was held at Aberdeen in August, 1890, there being present 250 delegates. The following committees were appointed: On resolutions, legislation, canal systems, artesian well systems and memorial to Congress. The big question was, Is irrigation desirable? Among those who took part in the proceedings were L. H. Hale, C. M. Harrison, A. W.

Burt, F. H. Hagerty, F. A. Brown, H. S. Williams, D. M. Evans, Ira Clark, Reverend Gardner, State Engineer Coffin, Director Powell, and Ira Barnes. The convention appointed a committee to negotiate loans to farmers who wanted to sink artesian wells for irrigation purposes and to procure the necessary legislation. It was shown that a good well would cover a square mile with from sixteen to twenty inches of water in a year; that this, added to the moisture from the clouds, would give a grand total of about thirty-five to forty inches. The planting of trees, it was believed, would draw more rain, temper the hot blasts, and help to extend all crops. It remained for science to reveal the truth about rainfall, irrigation, alkali, etc.

The conditions affecting irrigation are not the same in all parts of the state. In territorial times, and later in early statehood times, the attention of agriculturists was called in periods of drouth to artesian water as a means of irrigation. As early as 1890 the office of state engineer of irrigation was created, and at first nearly all his efforts were confined to the use of artesian water. He investigated the wells and encouraged the sinking of others, and the purchase of machinery to supply artesian water both for power and irrigation. He likewise accepted artesian wells for township authorities in order to legalize their construction and to enable them to float bonds to defray legally the cost. But the methods were long and roundabout, the cost was very great, and the effects of artesian water on the soil were gravely in doubt, so that interest died away when for several years in succession welcome and abundant rains came and the hot winds of July and August were absent.

In 1897 the office of engineer of irrigation was abolished by the Legislature, and a professor of the agricultural college was required to carry on the irrigation measures. He at once began a system of crop raising with artesian water used for irrigation, and later in a bulletin announced the degree of success he had attained.

It was shown early in 1890 that there were two principal ways to irrigate in South Dakota: (1) By damming up creeks for the formation of reservoirs; (2) by the use of artesian water. Already it was known that the whole James River Basin was in the artesian district. This basin was known to extend from a short distance below Yankton up to Jamestown, and was from one hundred to one hundred twenty-five miles wide. There were indications also that it extended to the Red River Valley and to the Missouri Valley, and perhaps farther westward.

In November, 1890, Edwin T. Nettleton was appointed chief engineer of the experiment irrigation project in all the West, and Robert Hay, chief geologist. They began operations in the James River Valley at once. They inspected the irrigation project at Huron where 509 acres were flooded with artesian water obtained at a depth of 810 feet. The water was conveyed to the land by five miles of ditches.

In April, 1890, the Government Irrigation Commission reported 135 artesian wells in the James River Valley. No doubt there were many more semi-artesian. At more than a dozen places irrigation with artesian water was in operation with what at first seemed good results. Companies for this purpose were formed at Yankton, Redfield, Huron, Mitchell, Mellette and other smaller centers of population. Already irrigation with this water was practiced by farmers from



GOVERNMENT DIVERTING DAM, BELLE FOURCHE

Yankton to Jamestown, North Dakota. It began to be noticed at this time that when the wind blew heavily sand was thrown out of many of the wells; that when it blew from certain directions the pressure and flow were less, and that the minerals in the water were injurious to crops unless applied under certain conditions and at certain times.

In January, 1892, Col. E. S. Nettleton of the Government Irrigation Commission, reported that the James River Valley artesian basin was about 40,000 square miles in extent and that the artesian sandstone tipped to the north, so that while the artesian water was reached at 500 to 600 feet at Yankton, it was necessary to go down 600 to 1,800 feet at Devil's Lake to secure it. This made irrigation with the water expensive at the start. There was thus a dip of from 700 to 1,000 feet between the two places. On the east it extended well over into Minnesota and on the west it reached far beyond the Missouri River—almost as far west as Deadwood. He reported this water available for irrigation. It was late in the nineties that the rage for artesian wells abated considerably owing to the fact that the water therefrom for drinking, household, stock and irrigation purposes was found not to be as good as stream water owing to the mineral salts it contained. The large amounts of sulphur and iron in the water were sufficient, it was found in practice, to injure lawn grasses, crops, the teeth, and all vessels used to contain water. Thus already the cities had come to the use of water from running streams whenever possible. Shallow wells were dug along fresh water streams in order to obtain through seepage the water from the streams rather than that from the artesian wells or from the soil. Pierre and other cities secured comparatively good water by digging big wide wells near the Missouri River and other fresh water banks, but even there the water contains minerals that stimulate the kidneys and bladder. This water would be excellent for a person needing such a remedy. Yankton and other towns and cities have found it necessary to go to river channels for their household water supplies. Thus artesian water for irrigation and even for domestic use is not as popular as it once was.

The big irrigation convention at Redfield in 1896 was the most helpful ever held in the state up to that date. It organized and carried out many practical and successful plans and reforms and was controlled by expert irrigationists. This convention recorded the fact that many lakes of the state were drying up, due probably to the attacks upon their sources of supply—the artesian water reservoirs under ground.

To the National Irrigation Congress in Chicago in November, 1900, the following delegates were appointed by Governor Lee: Carl Jackson, S. A. Cochrane, J. M. Woods, A. G. Williams, Charles L. Hyde and John Scollard. The delegates brought back many new ideas as to what was best to be done on the subject in this state.

An important fact of history is that by 1900 irrigation by artesian wells had gone out of custom. This circumstance was due to several causes: (1) The water itself was not suited for irrigation unless handled exactly right; (2) few learned except by costly experience how properly to handle it; (3) cultivation of the soil conserved the annual rainfall and made irrigation not so necessary; (4) it was found that ten inches of water put into actual use when needed was as good as better than twenty inches with one-half wasted; (5) there

was thought to be a slight increase in the actual rainfall; (6) the hot and destructive winds of July and August were tempered by the vast cultivated fields and the groves; (7) the varieties of grain and grass used were drouth resistant—could come to vigorous maturity on less moisture than formerly. All of this was an unexpected and marvelous outcome. Fifteen years earlier it was not dreamed that the natural conditions could be thus improved. Intelligent study conquered the apparently insuperable obstacles. The future has in store equally as momentous and important improvements. Will the husbandman accept them or sit back, denounce the elements and call the scientist a "college farmer"? Time will tell the truth to more progressive spirits and build them happy and sunny homes on bad lands, range wastes and gumbo hills.

An irrigation expert station was established at Brookings in 1891 with Col. E. I. Nettleton, chief engineer of the Department of Agriculture, in charge. Associated with him were B. S. La Grange, practical irrigationist; W. W. Follett, government irrigation engineer; F. F. B. Coffin, artesian well inspector and engineer. These men were members of the United States Artesian Well and Irrigation Inquiry Commission, with headquarters at Huron. At this time R. O. Richards was manager of the Consolidated Land and Irrigation Company, which had from 700 to 800 acres under artesian irrigation near Huron. Richards said the problem was how to use the artesian water economically and effectively. All his crops were better than those on surrounding farms where irrigation was not used. He estimated an \$8,000 crop from 400 acres; he had 300 acres in wheat, 50 acres in corn, 300 acres in flax, besides big fields of oats, barley and potatoes. He was complimented by the government experts.

In the fall of 1891, upon invitation, officers of the Chicago & Northwestern and Great Northern railways, members of the State Board of Railway Commissioners, representative business men from St. Paul, Minneapolis, Sioux City, Sioux Falls and other cities, visited the home of the Consolidated Land and Irrigation Company at Huron to witness the results of the threshing. The wheat field was carefully measured before the crop was harvested, and as the grain was cut, bound and fed to the thresher it was weighed as it came therefrom. It averaged 53 bushels and 20 pounds per acre. It was grown on irrigated land.

In May, 1892, Congress appropriated \$10,000 for South Dakota artificial rain experiments. Representative Jolley tried hard for \$25,000, but failed to get that sum. Pettigrew's bill appropriating \$40,000 for such experiments passed and became a law, \$10,000 coming to this state.

In April, 1892, a bulletin of the Agricultural College considered the subject of irrigation by artesian wells. It said, "All of the experiments go to show that irrigation by means of artesian wells is a success in South Dakota, and there seems to be no reason why the James River Valley, once famous for its fertility and productiveness, will not become one of the most prosperous agricultural sections of the United States. It has all that is necessary—the fertile soil and the water which may be obtained in abundance from artesian wells." But it was shown that the water had to be let on at the right time, that it brought up the alkali from the subsoil, but was not bad for wheat, barley, oats, corn, potatoes, sugar beets and generally was good for gardens. The artesian water contained salts of lime, potash, magnesia, soda, which were used in the formation, in part, of ammonia which was a solvent and thus available for plant food. But the water lacked organisms.

It may be truthfully said that practically all of the state east of the 100th meridian is arable and fertile prairie land suitable for agricultural pursuits, fairly well provided with living streams and with an elevation of about 1,500 feet above the sea. Lying between the eastern border of the state and the Missouri River are two pronounced divides running north and south between the Big Sioux and the James and between the James and the Missouri and its small eastern feeders. Across the eastern part on about the same latitude the elevations are: Brookings, 1,636 feet; Huron, 1,285 feet; Pierre, 1,441 feet. Further north the elevation at Highmore is 1,890 feet, and that at DeSmet is 1,726 feet. There are no large forests in this part of the state. In the valleys are numerous small groves of cottonwood, ash and box elder. The average annual temperature of the whole eastern part is 44.5. There is an annual average difference of 5 degrees between the southern counties and the northern counties. In the summer temperatures as high as 100 degrees have been reached. The mercury has climbed to 114 in the summer months. It rose to 114 at Bowdle; to 111 at Aberdeen and Greenwood; to 110 at Academy, Alexandria and Kennebec. It went as low as 46 below zero at Aberdeen; 43 at Huron; 42 at Sioux Falls and Menno; 41 at Brookings and Kennebec; 40 at Clark and 39 at Bowdle. At Huron the wind blows an average of 11.6 miles an hour, and at Yankton 8.4. The mean relative humidity at 8 o'clock in the morning is—Huron, 82 per cent; Yankton, 60 per cent. At Huron the prevailing direction of the wind is from the northeast and at Yankton from the northwest. Killing frosts occur as late as May and as early as September. The mean annual precipitation at a number of points is as follows: Bowdle, from 1892 to 1908, 19.83 inches; Highmore, from 1890 to 1908, 17.92 inches; Chamberlain, from 1897 to 1908, 18.05 inches; Greenwood, from 1894 to 1908, 24.13 inches; Yankton, from 1874 to 1908, 26.00 inches; Centerville, from 1897 to 1908, 27.05 inches; Ipswich, from 1898 to 1908, 22.27 inches; Faulkton, from 1893 to 1908, 20.02 inches; Mellette, from 1893 to 1908, 20.70 inches; Redfield, from 1898 to 1908, 20.34 inches; Huron, from 1882 to 1908, 21.04 inches; Mitchell, from 1892 to 1908, 24.05 inches; DeSmet, from 1889 to 1908, 21.53 inches; Sisseton Agency, from 1869 to 1905, 22.71 inches; Watertown, from 1893 to 1908, 22.5 inches; Gary and Clear Lake, from 1892 to 1908, 24.68 inches; Brookings, from 1889 to 1908, 20.66 inches; Flandreau, from 1890 to 1908, 25.00 inches; Wentworth, from 1892 to 1908, 23.24 inches.

The waste lands comprise the so-called Bad Lands, the mountain ridges, the gumbo hills and the marshes and overflowed regions east of the Missouri River, or more accurately in the northwestern part of the state. In this eastern part, during wet seasons, large tracts of extremely arable land are overflowed and rendered useless. A drainage system wherever such a state of affairs exists should be established. It was estimated that the lands thus needing drainage aggregated about three hundred thousand acres, too large an area to permit to go to waste. Several of these low areas, after rainy seasons, remain filled and unusual for several years thereafter. A considerable portion is cultivated when dry enough, which it is occasionally. The spring floods in the valleys of the James, Vermillion and Big Sioux have demonstrated the necessity of drainage. In recent years such drainage systems, by the construction or commencement of large canals or ditches, designed to carry off the surplus waters at times of over-

flow, are being built. As the land thus often flooded at unexpected times is the most arable in the state and as the state already has too much dry and unproductive land, it would seem that the state should push the drainage measures to a successful finality. It is true that much has been done in this direction, but it is also true that thousands of additional acres need drainage and will not get it unless an effort is made by all interested.

The largest tract of the so-called Bad Lands is situated between the Cheyenne and the White rivers southwest of the Black Hills. They consist of a labyrinth of winding ravines and narrow ridges which in places widen into broad buttes capped with tables formed from harder strata, or surrounded with slender pinnacles like the spires of a cathedral. In other places the harder beds remain like cornices and buttresses around the more prominent buttes. Everything shows that this whole region was once washed by the rush of waters for thousands of years, the softer strata being swept away and the harder left standing in all sorts of fortification-like remains or structures. Strata and fossils are left bare and revealed. Around the Bad Lands proper are more or less continuous high clay bluffs from which all the intricacies may be seen. These are not the only bad lands. They are found in considerable extent along the Missouri and Cheyenne rivers and appear as lead-colored creaceous clays or gumbo hills. Or the bad lands may be found in patches often covering a whole township, where a cement-like hard-pan prevents successful cultivation. These tracts long ago should have been marked in order to prevent innocent purchasers from being swindled when buying the same.

The Black Hills are real mountains and are the result of volcanic action many thousands of years ago. Here may be seen large areas of steep and stony unproductive soil and numerous ledges of rocky formations. High on the hills in the level sections are splendid forests growing from a sandy or gravelly loam soil. The river deposits in the valleys are mainly sand, gravel, clay and organic matter mixed to form a soil of great fertility. West of the Missouri River, here and there, the buttes stand out as reminders of the small sections that were not washed away by the great interior lake that thousands of years ago covered the rest of the state, but did not remain long enough to finish the buttes. Bear Butte in Meade County, just outside of the Black Hills district, is the most conspicuous formation of this kind in the state. Others are Thunder and Rattlesnake buttes in Ziebach County; Elk, Clay and Hump buttes in Carson County; Wolf, Arrow Head and Bad Land buttes in Perkins County; Cave Hill and Slim Buttes in Harding County; Hay Stack, Castle Rock, Owl and Deer's Ear buttes, in Butte County; Cedar, Grindstone, Medicine and Fort George buttes in Stanley County; Red and White Clay Butte in Lyman County; Turtle Butte in Tripp County; Eagle's Nest Butte in Washabaugh County; Porcupine and Slim buttes in Harmon County; and Sheep Mountain Butte in Pennington.

The question of adequate and available moisture has been computed from every angle. According to the weather bureau of the Government the state east of the Missouri has from 1 to 2 inches of rain during the winter, 6 to 7 inches during the spring, 8 to 9 inches during the summer and 3 to 4 inches during the fall. Thus not only is the supply sufficient for the crops on right soils, but it comes at the right time. The great problem, then, is to make it available on all the soils of the state. When there is an impervious subsoil the only suitable plan

is to apply all the moisture on the top by irrigation when needed and to conserve the moisture with mulches. The elevations west of the Missouri range from about 1,500 feet above the sea near that river to about 3,200 feet at the eastern border of the Black Hills. The Hills rise up from 4,000 to 8,000 feet. Except in the Hills the physical features are not such as to affect the climatic conditions, because there are neither large forests, large bodies of water, nor mountainous elevations elsewhere. In the Hills agriculture is limited to the valleys and the more gradual slopes and where irrigation can be employed. The rich valleys or bottoms are locally called "parks." The average annual temperature from all localities where records have been kept is about forty-five and six-tenths degrees. It is not as cold in the northern counties west of the Missouri as it is in the northern counties east of the Missouri.

The average annual precipitation of the eastern section is about 22.3 inches, of which about 83 per cent comes from March 1st to September 30th. It gradually decreases from east to west and the southeastern part of the state receives the most. The rainstorms of summer in this section are often accompanied with hail and severe lightning. Occasionally tornadoes devastate strips of the country. Droughts in the summers and blizzards in the winter are likely visitors. March generally gives the largest amount of snowfall. The average annual precipitation in all the region west of the 100th meridian from March 1st to September 30th is about 17.3 inches, or five inches less than for the region east of the 100th meridian. This meridian passes north and south through the state near Blunt, Hughes County—about a mile west of it. The greatest precipitation is in the central or more elevated portion of the Black Hills and outside seems to decrease from south to north. The heaviest rainfalls are in May, June and July, and the least in January and February, about eleven inches of snow counting for one inch of rain. In this region March usually gives the heaviest snow or rain fall. The mean forenoon relative humidity at Rapid City is 70 per cent, at Pierre is 75 per cent; the afternoon humidity is from 15 to 20 per cent less. The average hourly wind velocity at Pierre is greater than at Rapid City—9.3 and 8.1 miles respectively. Over the eastern portion of the western half of the state southerly winds prevail from May to September inclusive and westerly winds prevail the rest of the year; but over the western portion of the western half westerly winds prevail.

West of the Missouri River conditions vary very much—lowlands and highlands, dry and wet, arid and fertile, prairie and timber, farming and mining—but all are or can be made profitable. The rainfall is sufficient where conservation methods are employed, but needs assistance if they are not. The irrigation methods quite generally inaugurated in the Black Hills aid the annual rainfall, so that generally all crops are good and sure. Killing frosts occur both early and late and sometimes cut the crops to the ground even in the summer months. Large tracts in the western part of the state are already benefited by irrigation—many in fact have been reclaimed from semi-arid conditions.

It may be stated as a fact that irrigation in this state is yet in its infancy, but enough has been done to show its possibilities. Neither can it be denied that a large part of Western South Dakota is semi-arid and needs irrigation. The mean average rainfall at Rapid City from 1888 to 1908 was 17.15 inches; Ashcroft, from 1892 to 1908, was 14.26; Spearfish, from 1889 to 1908, was 22.20;

Pierre, from 1892 to 1908, was 16.5; Fort Meade, from 1879 to 1908, was 20.06; Leslie, Stanley County, from 1895 to 1908, was 14.07; Rosebud, Todd County, from 1892 to 1908, was 18.44; Hermosa, Custer County, from 1890 to 1908, was 19.04; Oelrichs, Fall River County, from 1890 to 1908, was 18.94; Cascade Springs, from 1897 to 1908, was 14.05; Little Eagle, from 1899 to 1908, was 16.48. It will be seen from these figures that the rainfall is too light for successful agriculture year after year. At Rapid City in 1893 only 9.61 inches fell; at Pierre in 1894 only 7.82 inches fell. As a large percentage of the water flows away and is lost, the importance of irrigation becomes apparent.

Every citizen will admit that all the state needs from, generally, the 99th to the 103d meridian, is more moisture, more rain, more water. If the people of the state could give satisfactory assurance that an abundance of rain—say forty inches annually—would fall over this area, what would be the result? The whole region would be filled with permanent settlers within three or four years. Hundreds of thousands of families in the East and in Europe would come as fast as the trains could bring them, but such rains do not come nor are they likely to come soon. Is there any substitute? Only irrigation. Every farm can be supplied, but farming must be more or less intensive—the acreage of each farm must be cut down or irrigation cannot be employed. If applied it will double the production on the same acreage. The surplus waters alone of the rivers and large creeks would supply all that is needed in any section beyond the annual rainfall. By storing this surplus in reservoirs and using it on restricted tracts when needed, the problem for the semi-arid belt would be solved. The population would triple within three to five years. All money spent would come back from Jupiter Pluvius. But the farmers are comparatively poor, are unable to unite on an irrigation project, fear their advisers and wish to avoid all possible chances of failure. So they can do nothing in concert, as nearly all irrigation projects should be conducted. One way out of the wilderness would be for the state to advance the money for the projects, beginning with the smallest, feeling its way step by step from one success to another, supplying all farms wanting the water in each district, charging a reasonable interest sum therefor. Good crops will follow irrigation properly conducted; irrigation will follow an abundant water supply; water will follow reservoirs, canals and ditches; reservoirs, canals and ditches will follow state enterprise, pride, money and decency. What, then, will set the latter in action? The newspaper, the leading officials and orators, the great educational institutions and in short all the more intelligent citizens, if they will all unite on a course of action and will then ask for the voters to ratify the plans at the polls or the Legislature to pass suitable laws. A general demand from this source will succeed sooner or later in effecting this result. Or in other words, a campaign of education will swing the whole state into line for this advance.

While it is true that crops can be produced successfully in the state west of the Missouri River under dry farming methods in years of average rainfall, it is likewise true that safer and larger yields can be secured by irrigation wherever such a step is practicable. This fact has led to the establishment of the various irrigation projects around Spearfish, Belle Fourche and on Rapid and Battle creeks and Fall and Cheyenne rivers. Irrigation means all the water needed for the best development of the crops. But as nature supplies rainfall the actual

amount of water needed for any crop is the difference between what is utilized from the clouds and what will mature the crop. This amount will vary with the different years and must be supplied from one or more of these principal sources: (1) Perennial streams; (2) flood and storm waters; (3) wells. Nearly all the streams arising in the Black Hills are perennial. On the plains the Little Missouri, Grand, Moreau, Cheyenne, White, Little White and Missouri rivers are perennial. Several may cease to flow in very dry seasons. In addition to these streams there are numerous drainage channels and smaller streams, which will afford water for reservoirs and dams during flood periods.

Owing to the fact that the Missouri River and its larger tributaries have very narrow valleys, the installation of an expensive and elaborate irrigation system from those stream would not be warranted for such purposes alone. However, the fall of the Missouri River in its passage across both North and South Dakota is so great that by impounding its waters well to the northward immense tracts of higher lands farther down stream could be reached by canals, ditches, etc. It is only a question of time when this will be done, not only on the Missouri but on the Cheyenne, White and other state streams. With an excellent soil as a whole, but with an insufficient supply of water west of the Missouri, South Dakota some time will awake to the fact that the only additional inducement needed to thickly populate the semi-arid portion of the state in a very short time is a reliable supply of moisture to insure the maturity of all crops and supplement what nature furnishes. This course should be commenced at once. Whether the Missouri River should be included in the project or not, it is certain that smaller streams should thus be set to work at once. On Grand River near Seim and at other places on that river and on the Moreau and their tributaries irrigation projects should be put in operation. Another tract is on the Little Missouri—several tracts aggregating thousands of acres. No one but the state itself is to blame for the ill repute the western part has received from persons not knowing the conditions and possibilities that are offered there.

Where dry farming is practiced alkali will not hurt the crops under ordinary circumstances, but where irrigation is used methods must be adopted to prevent the alkali low in the soil from coming to the surface to be there accumulated to the injury of the crops. Systematic and intelligent drainage is already solving this problem in the other states. The alkali is not brought to the surface as it would be under an irrigation system, but is put in solution and removed by under-drainage and seepage through the lower soil. Where alkali exists in South Dakota this system would have to go hand in hand with irrigation.

The size of the valleys west of the Missouri varies with the size of the streams except where the erosion has been too violent or sudden. In the latter case there are swift, narrow streams, compressed valleys and precipitous bluffs cut up with deep ravines. Much of the abruptness in this portion of the state is due to the difference in the resistant qualities of the original surface formations, the softer soon disappearing and the harder remaining often in fantastic forms, as in the Bad Lands. The buttes are part of the formations that resisted the erosive agencies. The Bad Lands show extreme erosive effects. They are said to have been so named because they were hard to travel through. The Big Bad Lands are in the northern and northwestern part of Pine Ridge Indian Reservation, in the southwestern part of Stanley County and in the southeastern part of Penning-

ton County. The greater portion of all this area is from two thousand to three thousand feet above sea level. In the plains proper the drainage is ample and during the hot months all streams except the larger ones become dry—all except the principal ones in the Black Hills.

The annual precipitation in practically all sections of the tract west of the Missouri is often sufficient to insure the successful production of crops. Sometimes when the distribution of the downpour is not even this is not the case. Usually, when there is a crop failure due to drought the distribution has been irregular or out of the ordinary. The precipitation varies very much with both the month and the year. The precipitation at Rapid City in 1893 was only 9.61 inches, while in 1905 it was 27.06 inches. At Spearfish it was 11.89 inches in 1898 and 29.41 inches in 1903. The greatest amount of water falls in the Black Hills and in the southeastern part of the western area, and the least falls in the far northwest and along the lower Cheyenne. The average precipitation from October to March inclusive—six months—is 4.22 inches, while the average from April to September inclusive is 14.05 inches—nearly three and one-half times as much. Thus generally the rain falls when it is most needed by the crops. If there could be added to the monthly rainfall of July and August a few more inches each, there would be a vast difference in the appearance of the crops on September 1st. That extra supply will come only through irrigation. It should be borne in mind, also, that the rainfall of the six months from April to September inclusive is increased by the melting snows which soak into the ground in the early springs.

“There is a more or less general impression that the climate in this section is changing and that the plowing up of the country is causing a permanent increase in the rainfall. The records at Rapid City show that the rainfall for the last decade is considerably higher than for the preceding, and although the contrast is greater there than at any other point in this area, it is probably responsible, in some measure at least, for the idea that the rainfall is on the increase. Careful records here, as well as in other sections, extending over long periods, lead to the conclusion that no permanent change is taking place and that drier years may be expected in the future as in the past. A fuller appreciation of the necessity for conserving the moisture and a better understanding of the methods for accomplishing this, together with the selection of crops better suited to the soils and semi-arid conditions, will doubtless do much to lessen the injury sustained in years of insufficient moisture.”—Bureau of Soils, 1911.

“In Eastern South Dakota climate and physical characteristics are similar to those existing in states to the east and bountiful crops of corn and small grain are grown without the artificial application of water. But it is different west of the Missouri River. In that portion of the state, while the rainfall is sufficiently well distributed in normal years to produce crops, irrigation is necessary in other years for the best production. There are in Western South Dakota several million acres of unoccupied land suitable for agriculture and comprising virgin soil as rich as any area of like extent in the world. Under present conditions this land is not cultivated, but lies unimproved. The problem for consideration comprises the prospective benefits that may be expected when the irrigable portions of these lands and other irrigable areas are brought under a high state of cultivation by means of irrigation. It may be truthfully said that the practice



UNITED STATES FISH HATCHERY, SPEARFISH

of irrigation in South Dakota is still in the formative period."—Report of State Engineer.

The state water code declares that "all the waters within the limits of the state from all sources of water supply belong to the public and, except as to navigable waters, are subject to appropriation for beneficial use, which shall be the basis, the measure and the limit of the right to the use of water; that all water used for irrigation purposes shall be appurtenant to specified lands owned by the person claiming the right to use the water; and that priority in time shall give the better right." It also provides that "any person, association or company who may have or hold possession, right or title to any agricultural lands within the limits of this state shall be entitled to the usual enjoyment of the waters of the streams or creeks in said state, and for the purposes of directing flood waters for irrigation or for stock purposes any person, association or company may build or construct dams across any dry draw or water course within the state and such person, association or company shall have the right of way through and over any tract or piece of land for the purpose of conveying said water by ditch or flume."

Of course the Missouri River furnishes an enormous supply of water suitable for irrigation. The alkali (or other injurious salts contained therein) is so small in amount as to have no effect on the excellent results obtained by using the water for irrigation purposes. The great obstacle is the enormous cost of having to convey the water through canals and ditches far enough to override the hills where it is needed most.

The largest rivers west of the Missouri are Grand, Owl, Cheyenne, Bad and White. All of them except the Bad flow throughout the year. They have similar characteristics—passing in low, narrow valleys on zig-zag courses generally eastward to the Missouri. In the valleys and along the smaller tributaries are groves of cedar, elm, box elder, ash and cottonwood. From source to mouth some of them have a fall of about two thousand feet. The length of the Cheyenne within the state is about five hundred miles and of the Grand, Owl and White about four hundred miles. Thus all have a swift and eroding current. The two branches of the Cheyenne, including the Belle Fourche of the northern branch, almost completely enclose the Black Hills in this state. Other streams west of the Missouri are the South Fork of White, Keya Paha in southern part, Little Missouri in northwestern part, and Whetstone, Bull, Medicine, Cedar, Willow, Stone and Oak creeks, which empty into the Missouri. The streams of the Black Hills are Fall and Red Water rivers and Whitewood, Bear Butte, Alkali, Elk, Box Elder, Rapid, Spring, Paxton, Spearfish, Beaver, Cascade, Battle and French creeks, all, or nearly all, having a constant flow with unrivaled facilities for irrigation and water power. The Belle Fourche River has been known on a day in June to discharge 5,444 cubic feet of water per second, and on a day in May, 4,360, at Belle Fourche. The Cheyenne River at Edgemont has been known to discharge 10,960 cubic feet per second on a day in July and 9,175 cubic feet on a day in June. Grand River at Seim has discharged as high as 2,910 cubic feet per second on a day in June. The Little Missouri has discharged 609 cubic feet per second on a day in June. Owl River has discharged 1,122 cubic feet in August at Bixby under same conditions. Red Water River at Belle Fourche has discharged per second on a day in June 7,000 cubic feet.

Spearfish Creek, which originates in two big springs in Lawrence County, has supplied many irrigation systems with water. It has a fall on its upper course of about 100 feet to the mile and is remarkably uniform in its monthly and annual flow. Near the end of the valley the fall is about 60 feet to the mile. The average flow is about 50 cubic feet per second. In 1909 there were twelve ditches taking water from this stream for irrigation purposes, and five for power purposes. The area irrigated was 4,810 acres. Spearfish Creek tributaries supplied three other irrigation ditches, irrigating 525 acres. Redwater Valley below the mouth of Spearfish Creek is used to irrigate hay and live stock ranches, and lower down in the same valley and extending over the Belle Fourche Valley is the Red Water Canal, the largest private irrigation system in the Black Hills district. This canal has a flow of from 41 to 71 cubic feet per second. The length of the canal is 42 miles, though only 30 miles are in use, and the head-gate is about five miles above the mouth of Redwater River. About 5,000 acres were being irrigated, though the capacity was about 10,000 acres.

Fall River is fed by warm springs and the water even in winter is comparatively warm and ready for irrigation purposes. The normal flow is about thirty-two cubic feet per second. On its upper portion are many small tracts devoted to gardens and orchards. On Cascade Creek, which is likewise fed by warm springs, the flow is about twenty-eight cubic feet per second. About six miles above Rapid City, Rapid Creek emerges from the hills and becomes useful in the valley. For thirty-six miles thence its course is through a valley where its waters can be fully utilized. Eight to ten ditches are in operation and practically the whole valley is under irrigation. Along the valley are natural basins which could be used for storage reservoirs. Above Rapid City the stream is particularly valuable for its waterpower. The aggregate now in use is several thousand horsepower. Beaver Creek affords an excellent opportunity for the storage of flood waters. The valley is about ten miles long and widens to five or six miles broad at the outlet. There are at present six to eight irrigation ditches in use, several of which are not much importance. At least ten thousand acres could be irrigated by conserving the waters of this stream. Reservoirs could be easily and cheaply constructed. In that region the following creeks can be and are now being utilized for irrigation purposes: Elk, Bear Butte, False Bottom, Box Elder, Alkali, French, Spring and Battle. Nearly all of these have a continuous flow, and several pass under sandstone strata during dry seasons—underground. In each valley of these streams there are several thousand acres than can be and will soon be irrigated. Flood storage is entirely practical and desirable.

The whole of the western half of South Dakota is drained by the Missouri River and its tributaries. It would be a difficult and expensive task to dam up the Missouri River so as to carry its waters out over the elevated plateaus and table lands along its course. Doane Robinson has not only shown that the plan is feasible, but also that the cost is not prohibitive. The state could and should do this under stipulations that in the end would bring all the outlay back to the treasury. Bonds in any amount not exceeding \$15,000,000 should be voted by the state, to be issued by installments and redeemed in the end by the usual irrigation charge of \$1.50 or thereabouts per acre. Within three years after such irrigation water was available more than 2,000,000 acres would thus be paying rental to the state, and within eight years more than 5,000,000 acres would be doing the

same. The land is here; it is good; all it lacks is water, and the water will bring good crops despite hot or any other variety of destructive winds. The water thus used would build up the forests and that result alone would be worth all the state had spent for irrigation, even though the amount should be \$10,000,000. If there were 5,000,000 acres under irrigation, each acre paying \$1.50, the total receipts would be \$7,500,000 per annum, or say at least \$6,000,000 net to the state each year. How long, then, would it take the state to pay off its indebtedness of \$15,000,000? But the most important fact in this connection is that a million of inhabitants would be added to the state, thus more than doubling its annual assessment and its annual income. Any first class hydraulic and irrigation engineer will tell the denizens of this great state that these statements are substantial facts, namely: That an abundance of water to every farm applied under tried and true methods will soon people every farm of from 80 to 320 acres with a family and will bring all the increased prosperity which follows irrigation successfully applied. These are not dreams, but glittering realities that have been proved in hundreds of localities in all parts of the United States by trained and successful experts.

But the great mass of the people do not know how to accomplish these results. They are largely unlettered as to the methods that would have to be employed. They were afraid that they would be hoodwinked by a coterie of official knaves, who would plunge the state heavily in debt while lining their own deep pockets. In addition the state has never had a few great trustworthy leaders to outline the plans and show beyond doubt how they could be put into acceptable effect. Apparently the state has no great mind capable of creating a broad and attractive system of state internal improvement. Or if there is he does not dare to proclaim the fact and the plan with that openness, sincerity and frankness that would win success through the allegiance and support of the people. All he has dared to do is merely to suggest how it could be done. And even while making the suggestion he has trembled with fear lest his official head should be chopped off for being too far in advance of his time, for wanting to plunge the state into debt—horrible thought!—for being crazy and therefore dangerous, for not knowing what he was talking about, for working desperately for his own pockets, and for numerous other very grave offenses. Hundreds of other localities are running up great debts to do so and are doing just what the South Dakota voters should do at the very next election: Create a Commission of Internal Public Improvement, with enough means to make a thorough investigation as to the improvement of the semi-arid lands of the state. Then whenever a given location promised success beyond a reasonable doubt put it under way and sell bonds enough to pay the expenses. The Belle Fourche project stands out as a shining example to be imitated and surpassed, if possible. Then one after another the systems could be created, commenced and completed and thus step by step the smaller systems one after another could be added to the domain until at last the use of the great Missouri River surplus water could be placed in the category of success.

The total fall of the Missouri River across the state is about four hundred and seventy feet in 547 miles, the length of the winding river. The water in this river is the purest and most healthful in the state and would be the best for irrigation. The James River is second in importance and has a length of about

five hundred miles in South Dakota. Sometimes it is dry in the summer as far down as Mitchell. For so large a river it carries an unusually small volume of water. The Big Sioux River drains a considerable tract in the eastern part. Many lakes are in this portion, and the country is quite level, but lower down the stream flows between steep banks, which are often rocky. The Vermillion River waters a considerable portion of the southeastern part. From the divide between the James Valley and the Missouri Valley small streams flow westward to the latter, among them being Swan, Little Cheyenne, Okoboja, Medicine, Chapelle, Crow, Platte, Chateau, and other creeks or small rivers. Thus the whole state east of the Missouri contains enough fresh and pure water streams to supply that section with all the water needed for every branch of husbandry.

Previous to 1905 this state exercised no supervision over flowing streams and pioneer customs prevailed in the usage of stream water for field or domestic purposes. This was due to the custom in the Black Hills mining districts to claim the water to be used in placer mining, and this was done on all the gulches and streams in that region. The posting of a notice or the filing of such a claim at the courthouse was considered sufficient. When the placers were largely abandoned these water claims became obsolete from nonuse, but which are still valid time alone will tell. The laws of the state permitted the water to be thus used and the pioneer or miner customs rendered the above notices sufficient. In a few cases these water claims were made for speculative purposes, though this step was frowned upon by the mining fraternity generally. Quite often the water claimed greatly exceeded the annual discharge of the stream. One early law permitted the acquirement of this water right by continuous usage through a considerable time. All of the old water rights secured under the operation of the state water laws were recognized as valid and in full force and effect if they had been kept alive by usage. A failure to use the water for two years nullified the rights of the claimant.

But the law of 1905 provided for a readjustment of existing rights and the absolute state control of the water supply of the future. The state engineer was vested with authority to put the whole water question in a state of development and a condition of fairness to all claimants and citizens. Two years later the law was amended and made applicable to all beneficial uses of water and not limited to irrigation alone. The law gives the engineer power to make all necessary general rules and regulations. One of his duties is to make hydraulic surveys of each stream and source of water supply and to co-operate with similar agencies from the Government and other states, the object being the thorough determination of the extent and character of the water supply and how it may be used to the best advantage by the citizens. A complete record of all this was directed by the law to be kept in the office of the state engineer. In any suit on water rights all claimants are to be made parties and the records of the state engineer are used as evidence to determine individual and corporate values. Costs are assessed in proportion to the amount of the water rights allotted to claimants. Appropriations are made by the Legislature to meet the necessary expenses. The decree of the court is filed in the office of the water commissioner of the water division in which the stream is situated. It is required that such decree shall in every case declare as to the water right adjudicated to each party, the priority, amount, purpose, place of use and the specific tracts of land

to which it shall be appurtenant, the object being to define the right and the priority.

Necessarily the law must be strict or there would be no system or order. Ditch owners, therefore, are required to put in head-gates and measuring devices under the penalty of a shut off of the water supply after twenty days. And the taking of water in violation of this order is made a misdemeanor. Material interference with the system is also a misdemeanor. Owners of works for storage, diversion, or conveyance, when such works contain water in excess of their needs for irrigation or other beneficial use, are required to deliver any surplus at reasonable rates to the persons entitled to the use of the water for beneficial purposes. He may be forced to do so by mandate of the County Circuit Court. The object is to afford a guaranty to landowners of a continuance of the water supply and to safeguard his possession of a normal supply under any and all conditions. Thus the state steps in and safeguards the rights of both parties—the provider and the user of water. It also insures an equable distribution or division of the water supply. Owing to the common tendency of all water users to turn on too much water the water commissioner of that particular water district is authorized to lock the head-gates leading to any particular tracts, thus preventing the waste of water. Canal owners are required to furnish water at reasonable rates to other users than the regular customers, in order to prevent exorbitant charges. Courts are the last resorts in case of disputes between the authorities and the consumers or customers. The water commissioners are paid by the state. Certain state fees are collected by the state engineer.

In the distribution of water, system is necessary. In a few of the systems land owners own ditches and feed gates and take their supplies whenever they please. When there is an ample supply of water this is unobjectionable, but in times of extreme drought they are required to take their supplies alternating so as not to exhaust the supply by all using at the same time. In the valley of Rapid Creek there is more land proportionately than available water, particularly in very dry seasons, and then the system of taking in rotation is in vogue, the one longest without water being next in the order of taking. This valley is wholly under ditch and the system here employed to such excellent purpose should be studied by every land owner in the state, particularly by all who need water for irrigation. Many suits have been instituted and tried in order to establish equitable principles in the new relations under the irrigation program. Usually all water is measured as it passes from the canal through the weirs to the feeder ditches leading to the farms. There is and has been much contention in the different systems between water users until rules and principles have become established in those particular localities. There will always be found men who will think or say they are not getting their due supply. The company keeps the canal in repair, but the land owners must take care of the laterals.

To prepare irrigated land for cultivation is much more expensive than to prepare ordinary land. This should be borne in mind by the prospective homesteader or buyer of land where irrigation will be indispensable. But in the end he will get back much more than this extra expense. Government land under the reclamation project will cost the same as other Government land, but the purchaser will have to pay in addition the cost of the irrigation. In fact the irrigation is, and should be so regarded, a permanent tax on the land. On the other

hand, the added benefits will far surpass this tax. One of the most important truths about the use of irrigation is that it makes better farmers out of men—forces them to become intensive. On the Belle Fourche system the maintenance charge is about forty cents per acre annually. The cost of getting started on irrigated land is considerable and should not be underestimated by the newcomer. This cost is much greater than on ordinary raw land. Recollect that irrigated crops are always sure. Every dollar spent and every hour worked will come back accompanied by commensurate profits. But all should understand the different conditions in the humid regions. But after all, storm water reservoirs, aided perhaps by windmills, are better than any other system for farmers situated on elevated lands providing such reservoirs can be filled by easy and natural drainage assisted by windmills.

In recent years the rainfall per annum east of the Missouri seems to be sufficient under the conservation methods adopted by the agriculturalists for all ordinary farming operations. Some soils not receiving sufficient moisture are the cement hardpan lands found in tracts not far from the Missouri River and the gumbo hills appearing here and there. It thus occurs that the eastern and southeastern parts of the state need irrigation only rarely and not often perhaps than large portions of Minnesota, Iowa, Nebraska, Kansas, Illinois, and other states. In fact portions in the eastern part need drainage worse than they need irrigation. However, large reservoirs of surplus water stored in the spring could often be used to advantage in July and August, and in time will be built.

But it is different west of the Missouri where large tracts do not get sufficient rainfall and irrigation is necessary to insure good and regular crops. This is particularly true of the extreme western region adjacent to the Black Hills. Numerous small streams, branches of the Cheyenne, spring from the hills and hasten on down to their mouths through narrow defiles or valleys and afford very little help to the crops. They originate from natural springs and melted snows, the best water in the world for irrigation—as good, in fact the same, as rain. Where they finally spread out into valleys their speed is so great that they still do not water the soil sufficiently for the crops. Irrigation is necessary. The water is there; the soil is there; but they are not associated. The South Fork and the Belle Fourche of the Cheyenne River system enclose the Hills closely as between two fingers. As many of the first settlers came from Montana, where water rights were as important as land rights, all located their lands and water rights so that they could be united for the production of crops and the rearing of cattle. Many took out such rights as early as 1876-77. In truth, from this fact and this period may be dated the origin of irrigation in the Black Hills. It is thus the second agricultural district in the state, the first being a narrow strip in the southeast, bordering on Iowa, Nebraska and Minnesota.

But irrigation grew slowly because it was very costly, though it received a signal impulse at the time artesian irrigation was all the rage in the eastern part of the state. During this period, in the late '80s and the early '90s, two important irrigation canals were built in the Black Hills region—Redwater Canal and Edgemont Canal. The former had a measured flow of from forty-one to seventy-one cubic feet per second and its head gate was five miles above the mouth of Redwater River. Its whole length is now forty-two miles and its total capacity is sufficient for 10,000 acres. The Edgemont Canal is in Fall River County and



MASONIC TEMPLE, YANKTON

was built to irrigate a portion of Cheyenne River Valley. It was first built fourteen miles long at great expense, but was abandoned when the company failed. Recently it was repaired and put to use. During this period other irrigation canals were constructed in Rapid Creek Valley below Rapid City. All of these with perhaps one or two exceptions have proved of great value to their owners and the agriculturalists in this region of the state. Where they have been used under right methods the profit has been very great. Cascade Ditch was at first a private enterprise, but was later extended to meet the wants of the neighboring farmers.

Where irrigation has been tried and then abandoned in South Dakota, the reason will be found mainly in the fact that irrigation must be followed by intensive instead of extensive farming. Irrigation is costly, but will and does greatly repay the farmer, but not unless he pursues intensive methods. As not one farmer in ten can do this, as nearly all still pursue the old bonanza methods, they find that irrigation does not pay and they therefore go back to the old extensive methods. It is common all over the western half of the state to see private irrigation systems of all patterns in operation. These methods were forced where the rainfall was insufficient and were undertaken by individuals when combinations of capital could not be formed. Thus it has required many years to perfect the irrigation systems, because it required double work on the part of the farmer—to learn how to irrigate and how to farm along intensive lines. Both were serious problems and are only partly mastered today (1915). The reason why farmers do not pursue intensive methods is because they dare not abandon old, tried and reliable methods for those that are new, would have to be learned through many years of study, and in the farmer's judgment, would delay or handicap his operations. On the other hand, there is no doubt whatever that the Department of Agriculture and the experiment stations have developed a system of intensive farming by which the farmer on the same soil can double his production on the same acreage. All the great improvements in agriculture during the last twenty years have come from the above sources and from the agricultural colleges. It thus happens that intensive farming is absolutely essential to successful irrigation and that irrigation is necessary to the success of intensive farming.

No doubt intensive farming is practiced better in the Black Hills region than in any other part of the state. This has been forced upon the agriculturalists there by the necessity of intensive farming. Where a man can raise twice as much on an acre with the same cost as before he can afford to pay the expenses of irrigation. But it required many years before the present good results were brought about. At first the farmers and stock growers did the best they could with the old bonanza methods, the only one they knew. The rich valleys were used for grain growing and the hills and uplands for grazing. The fact that some sort of a crop could be grown every year, cattle could be raised or raised themselves and land was cheap—were the causes that checked the progress of irrigation in this portion of the state. Along later in the '90s it became a common belief that irrigation was more of a luxury or a fad than a progressive and desirable advance in farming methods. It has required years of argument to drive into the hard head of the farmer that intensive farming pays and that irrigation is one of the chief requirements to this end. Few could be made to

believe that "college farmers" had anything of real importance to communicate. So at first they held back and nine-tenths of them hold back yet, refusing to believe that intensive farming through irrigation and other artificial methods will make them far more certain of their crops and yield them double the products for the same labor. But the Government has the system, even though they will not believe it and in time intensive farming will be the rule as it is in Spain, Portugal, France, Belgium, Germany, Switzerland, and other countries of Europe.

The advent of many new settlers ten or fifteen years ago, the growing scarcity of good farming land, the fencing up of the ranges, the pressure to bring all good land under cultivation by the many new settlers, the homesteads which sprang up all over the western part of the state, the calls for larger yields from the acreage and the high prices of all farm products, have contributed to the inevitable and irresistible force that is compelling farmers to adopt intensive methods at least in part. Increased land values demand better returns. Increased population consumes more field products.

A new departure was made when the Government inaugurated the Belle Fourche irrigation project in the southern part of Butte County and it was soon followed by many others and generally by a striking revival of irrigation. The vast and valuable possibilities of irrigation were soon realized by all. It affected the whole state, because the movement demanded state supervision of all the stream—the conservation of the water fit for irrigation. All non-navigable streams were placed under the management of the state. In 1905 the Legislature passed an irrigation law patterned after the recommendations of the reclamation service and providing for the appointment by the governor of the state irrigation engineer, with an official term of six years. His duties were to supervise the state waters and learn their measurements, discharges, distribution and usability. Thus after a period of decadence and inactivity irrigation again took an advance step toward intensive farming. Water rights were at once determined and tabulated and recorded in the different counties penetrated. It was necessary to survey all the streams of the state, note the areas that could be irrigated, estimate the probable costs and benefits, place the rights of each person beyond jeopardy and ascertain the crops that might be expected to do best in the various soils and valleys. All of this has been done, but considerable work is yet to be performed to perfect it. Water power and water conservation were also investigated and studied. The irrigation engineer was aided by the state geological survey, because their objects and duties in a measure dovetailed or overlapped.

Under all of this stimulus and healthy growth irrigation projects were pronounced in all parts of the state, particularly in the Black Hills and their adjacencies, and along the rivers of the western part. The eastern portion, except along the Missouri River, will not irrigate as long as the farmers can make money by extensive farming without such water. Perhaps that portion will be worse off in the end than the Black Hills region, which has practically been forced to irrigate and hence to put intensive methods into effect. About this time the Government issued a special bulletin to illustrate by a definite case what might be expected along intensive lines where irrigation and fertilization were combined and employed to effect improved results. The experimenter was an old colored

man in Mississippi who knew nothing of scientific methods. He became the owner of two acres and began to study how to support himself and wife thereon. He owned a mule, a plow, a small cart, a harrow and a number of garden tools. His first crop was cotton and amounted to about one and one-half bales per acre or three bales for the two acres. In addition he grew between the cotton rows a quantity of vegetables. But this result was unsatisfactory, so he began to figure on how to increase his crop. He did not have, nor could he get, sufficient manure, so he went to the adjacent woods and secured many cart loads of leaves which he plowed under and also soaked the soils with rainwater. The result was that his crop was increased from twenty-five to forty per cent. Again he plowed under large quantities of leaves and irrigated with rainwater when needed and so continued for seven or eight years, when his cotton crop had increased to seven or eight bales to the acre and his vegetable crops between the cotton rows was the wonder of the whole town. Thus without knowing what intensive farming meant he stumbled on just the right program—rich soil, the right water, the proper tilth, right aeration of the soil, proper drainage, destruction of weeds—all the conditions to produce the most possible in a given acreage. The immense vegetables grown in large quantities between the cotton rows were nearly as valuable as his cotton crop and his poultry assisted much in swelling his income.

There are in South Dakota at the present time thousands of bonanza farmers who have ceased to make big money and never again will be able to do so until they can and will adopt much the same methods pursued by the old colored man. Many a man who owns 160 acres or over has all he can do to make a living—really makes less than the colored man on two acres—say about \$225. They are the men who laugh at the statements of the agricultural and irrigation experts and are egotistical enough to think that they know more than the Department of Agriculture, the agricultural colleges and the experiment station. If they will select forty acres—the best of their large farms—they can make more by intensive methods than they are now making on 160 or more acres by the old methods of haphazard farming. On twenty acres of the forty they can grow under intensive methods five tons of alfalfa to the acre or 100 tons on the tract and one of the crops will yield a large quantity of seed. Seed and hay will easily yield \$1,200 per year. The other twenty acres can be made under irrigation and intensive methods to make as much more in vegetables, hogs, cows, poultry and special crops like onions, potatoes, tomatoes, beans, etc. These are facts vouched for by the Department of Agriculture, agricultural colleges and experiment stations. The old colored man in Mississippi will tell the South Dakota farmers that they can raise more on twenty acres under intensive methods than they are now raising on 160 acres under extensive and wildcat methods. And the statements of the colored man will be substantiated by the three expert authorities above mentioned. The truth is there are too many old ignoramuses and egotists in South Dakota who think they know more about farming than the Department of Agriculture. Almost every valuable thing about farming they now know came from that source. All of these intensive methods, these irrigation problems, are set forth in the Government or station bulletins which the alleged farmers have not sufficient intelligence to read and utilize. In many places in the state may be seen these egotistical nonentities making fun of the trained experts of the stations or the Government—drinking liquor, gambling and bursting with laughter at the pretensions of intensive farming.

Yet the good influences are having their day even with the numskulls. The latter are slowly imbibing the up-to-date farming methods in spite of the skeptics and the scoffers. Everywhere is seen the improvement. The old antediluvian methods are doomed and there is no hope of resurrection. Down in the beclouded minds falls the sunlight of uplift and ascension. The darkness in the country homes is fast flying before the attacks of sanitation and domestic science. Intensive farming will accomplish all this with the help of irrigation, but not otherwise. A few years ago New Orleans had a terrible and destructive drought; the dust on the river front was eight inches deep. Secretary Wilson in a speech there about the same time called the attention of the citizens to the fact that the entire Mississippi basin poured its floods of the water past the city's doors at all times and that irrigation from reservoirs would answer all the drought questions and problems. The time is bound to come when the whole country under intensive methods will use reservoirs and irrigation instead of depending upon the fickle and deceptive weather. South Dakota should wake up. The Black Hills is aroused, but the central section, influenced by a fitful and intermittent rainfall, is blind to the promises of the future and the opportunities of the present.

The extensive wildcat farmer is doomed just as the buffalo was doomed, as the range cattle kings were doomed, and as the irrigation scoffer is doomed. Reservoirs are as certain to come soon as irrigation is. Both will be followed at once by intensive methods. Intensive farming will result in twice the crops with the same labor on the same acreage. Already throughout the East thousands of farms are being conducted along more or less perfect intensive lines. And many of these farms are the old abandoned ones of thirty and forty years ago—land it was then believed would never again be fit for husbandry. But the experts have found ways to restore the exhausted lands to their former fertility. The average farmer never would have been able to do so. In this state soil exhaustion is seen in the small crops of wheat compared to what they were the first few years of cultivation. Other evidences are to be seen all over the state of soil exhaustion as well as drought. It should be recollected that most soils need to be soaked from time to time in order that the plant food therein may be made soluble and ready to be taken up by plant roots. Irrigation should be studied from this point of view. Soil may contain an immense surplus of plant food, but unless it can be and is absorbed by the water and placed in proper chemical condition it may not be utilized by the plants. Sometimes manure applied to soils will not pass through the necessary chemical changes to fit it for the plants for several years. The old Mississippi colored man did not get the best results from his compost of leaves until after the lapse of seven or eight years. It took that long for the chemistry of Nature to digest the leaves and prepare them for available plant food. Generally speaking you cannot put too much crude fertilizer on your land. Slowly it will yield up its plant food.

"The experiments in England showed that as a rule the cost of purchasing nitrogen, potassium and everything needed for fertilization was so large as to consume the gain in the increased productiveness. But this was only where the fertilizers were purchased. Every farm possesses nitrogen and potassium in enormous quantities which may be had practically without expense. There is enough nitrogen in the air over an acre of farm land to produce maximum crops for a period of 500,000 years, and this supply is permanently maintained by

natural processes. Leguminous plants take the nitrogen from the air and deposit it in the soil by a natural process. These legumes, as manure, liberate the potassium already there. The only fertilizers not naturally produced by the farm itself are phosphorus and limestone. There is enough high-grade phosphate rock in the United States to furnish five tons an acre for all of the farm land in this country. This rock costs from six dollars to ten dollars a ton, and a ton of natural phosphate contains more phosphorus than one thousand bushels of corn or wheat. The three things we need for improvement of the normal soil are not the nitrogen, phosphoric acid and potash commonly sold in commercial fertilizers. They are (1) organic manures produced upon the farms; (2) natural phosphate; (3) ground natural limestone. All are cheap and easily obtained. Experiments at the Illinois Agricultural School show that fertilization with phosphate has increased the crop of corn 17.5 bushels per acre, oats 15 bushels per acre, wheat 24 bushels per acre and clover 2 tons per acre. The time for muscle farming has passed in this country and the time for brain farming is at hand."—Prof. Cyril G. Hopkins in address at Land Show, Chicago, December 3, 1912.

There is a growing belief that farmers should be compelled by law to adopt and pursue the methods of scientific agriculture. If all the farmers of the country today would grow next year twice the crop and live stock products they grew last year without a material increase in the cost, would not the present high prices be cut practically in half? Is not this step the solution of high prices? Would not compulsory education of the farmer along scientific lines settle this vital question? If the farmer will not advance to meet the new responsibilities, if he seeks to justify himself with false reasoning, if he becomes an obstruction to the advancement of the people as a whole—then the time is sure to come, probably before he shall be aware of the change, when he will be compelled to adopt intensive methods or give up his farm to the man who will. The Government has the right of eminent domain and can take a farm for the public good as it now takes lands for parks, highways, railroads and other public benefits. There is no reason why a railroad or a bank or a telephone line or a large corporation should be regulated and compelled to serve the public and a farmer be permitted to pursue a policy detrimental to the public good. Should he not be compelled to obey a compulsory law requiring him to learn and apply methods of scientific agriculture under expert state and county direction and supervision? Should he not be required to pass a civil service examination in scientific farming and if he fails to pass, be required to pursue a suitable course of study?

As irrigation is the backbone of intensive farming and therefore of success, its importance and practicability are here elaborated. And as small but sufficiently large reservoirs are essential to much of the irrigation projects in this state, they are likewise here dwelt upon.

In the construction of reservoirs, cement is not necessary, though valuable and desirable. Earthen dams are now in existence in some parts of the state and others are being built. Before attempting to build a dam or a reservoir all farmers should communicate with the state engineer. This is done in most cases, but should be done in all in order that they may be constructed according to right principles and the money therefore not be thrown away. The area to be drained for the reservoir should be carefully measured so that the desired amount of water may be obtained. The character of the earthen matter in the

dam should be submitted to the proper authorities. The law requires a certain slope to all dams built under the supervision of the state engineer. The object is safety in construction and certainty that heavy winds will not force the waves over the sides. The advice of competent engineers should be secured by all means. Double reservoirs would better as a matter of precaution, as the bursting of a reservoir occurs occasionally and the crops are left to burn up. It is practicable to build the reservoirs so that if the upper one should burst much of the water would be caught by the lower one. All of these irrigation problems are now being considered and solved. The time is not far distant when the husbandman in South Dakota will not have to submit to the caprices of the weather for his water, his crops or his success. Rain is certain to fall in all parts of the state; such rainfall can be caught and stored; therefore the man is foolish or crazy who will permit these certain conditions to pass by unheeded and then groan and wail because fate seems against him. His fate is in his own hands and he will practically commit suicide unless he grasps the opportunity.

Bear in mind that the reservoirs should be storm proof. Many existing in the state are of this character. Scores, if not hundreds, of such are in the Black Hills. Owing to the lack of moisture there the Black Hills has perfected its canals, ditches and reservoirs to a greater extent than any tract east of the Missouri except those under the management or direction of the agricultural college and the experiment stations. That the construction of a reservoir will soon pay for its cost has been demonstrated scores of times in South Dakota. But the plan must be feasible on each particular tract—the land must be good enough to warrant the outlay, or the enterprise should not be undertaken. The situation should be thoroughly studied before work is begun. The Department of Agriculture said a few years ago, "The construction of small reservoirs for impounding storm water in South Dakota is encouraged by the state engineer office, for the reason that such reservoirs are useful in storing and retaining part of the run-off of each rainfall which would otherwise go quickly into the larger streams. In this way some good results are obtained mitigating the effects of over-flow and flooding by the larger streams. Of course, no very great amount of water in any one stream system is thus held back, but in the course of time it is hoped a decided benefit in this respect will be effected when the number of reservoirs for impounding storm waters has been increased to the maximum. These systems are a fair example of storm water reservoirs and methods of irrigation therefrom in South Dakota."

Storm water flooding instead of storm water reservoirs is successful in some portions of the western section. The plan is to send much of the flood water in the streams through side ditches or canals out over the soil, thus practically increasing the rainfall on the tracts to be irrigated. With wing dams the water of any stream however swift can be diverted into basins and then sent out over the soil through sluices or ditches, thus doubling or tripling the water supply of each rain. In Pennington, Meade, Butte, and other counties, this system or practice is followed with great success.

The Big Sioux River is subject to great fluctuations, but has been used for many years as a source of power. It would be an easy matter to store up the surplus flow for dry weather use and this step would be in accord with the policy of the Government to construct reservoirs at the headwaters of the Mississippi



THIRD STREET, LOOKING WEST, YANKTON

Taken in 1914

River system. Formerly the Government investigated Lakes Kampeska and Pelican with the view of making them storage reservoirs for the Big Sioux Valley in times of drought. It was announced that this could be done—that the two lakes could be united and Lake Kampeska and 40,000 acre feet in Lake Pelican could be obtained. Lake Poinsett and others near it farther down the stream could be similarly utilized and about fifty thousand acres feet storage could be secured.

Thus far the Legislature of South Dakota has done very little to aid irrigation in any and every form. Of course, many sections where irrigation is needed and necessary do not contain sufficient population to warrant the expense. On the other hand, where state aid would have been extremely beneficial as a public measure, the Legislature with its customary backwardness, if not stupidity, has failed to afford any relief, leaving all advances to private individuals. One Legislature went so far as to vote down the Carey Act five or six years ago. There did not seem to be sufficient public interest, it was declared in the debates. Unquestionably the measure then would have been of the greatest value to South Dakota in reclaiming desert tracts and introducing settlers to hundreds if not thousands of farms. Though independent of the Reclamation Act it did not conflict therewith, but was supplemental to or amendatory of the former.

The Reclamation Act depends largely upon the artificial storage of water for the purposes of irrigation. Thousands of acres in South Dakota contain all the elements of plant food except that of water. Usually such tracts are remarkably fertile when the moisture is applied under proper conditions and the surprising crops are the most striking and gratifying result.

Early in 1907 the Government appropriated the waters of the north fork of the Grand River in Butte County for purposes of irrigation under the Reclamation Act. This appropriation embraced about ten thousand acres, of which three thousand were in South Dakota.

Many other examinations have been made in the state under the Reclamation Act. Many have been found to be practical and desirable but will have to wait until the population becomes sufficient to warrant their construction. Three of the most feasible projects are the ones on Rapid Creek, Little Missouri River and Cheyenne River. About one hundred thousand acres are reclaimable on these streams under present plans.

On January 1, 1909, the following areas were under irrigation: Redwater, 5,000 acres; Spearfish Valley, 5,335; Little Missouri, 213; Belle Fourche Water District, 3,242; Elk Creek, 75; Rapid Creek, 15,278; Battle Creek, 148; Fall River, 3,900; South Cheyenne, 2,708; Belle Fourche project, 12,000; reservoirs, 14,000.

The project of using the water of the Missouri River for irrigation purposes was again duly considered in 1910, as it had been many times before. The plan now proposed was to construct enormous reservoirs here and there along its course and build canals or aqueducts to convey the water to the higher lands farther down when needed. It is merely a question of time when this plan will be carried out in detail. The people are too progressive and intelligent to put up with semi-arid conditions forever. It could and would be done soon if the Government would lend the money necessary to build the dam and reservoirs, all to be repaid by installments in the future, but the state must take the first step to show its interest in the project.

The Belle Fourche reclamation project is the largest that has been built or proposed in the state. Another is the Grand River reclamation project, which is partly in North Dakota and partly in South Dakota. The Belle Fourche project was commenced in 1903. The altitude there is from 2,600 to 3,000 feet. The extent of the irrigable region is about 40 miles from east to west and about 13 miles from north to south. On the north is clayey loam and on the south is sandy loam. The average annual rainfall is from 14 to 18 inches, plenty enough for the crops if all could be used and used at the right time. The irrigated land is valued at \$75 to \$125 per acre. The water shed is 4,300 square miles and the storage reservoir contains 8,000 acres, with a capacity of 203,770 acre feet. The main canals have a total length of about 100 miles, the lateral canals 125 miles, and the sub-lateral canals about 1,000 miles. The average annual discharge of Belle Fourche River at the head of the inlet canal is in round numbers 400,000 acre feet. The leading products are native hay, alfalfa, sugar beets, grain, vegetables, hardy fruits. The temperature ranges from 30° below to 100° in the shade.

The primary survey was made in July, 1903, and construction of the works was authorized by the secretary of the interior March 10, 1904. The residents of the valley who owned private lands under the proposed system organized in July, 1904, as the Belle Fourche Valley Waterusers' Association, with a total capitalization of \$3,400,000. In April, 1905, bids for the division dam, the main feeder canal and the structures on the latter were opened and contracts were awarded about two weeks later and soon afterward work was commenced. The project contemplated the reclamation of 100,000 acres, beginning about two miles east of the Town of Belle Fourche and extending eastward to the distance of about forty miles. The main supply canal conveys the waters of Belle Fourche River to the reservoir, which is held by the dam 6,200 feet long at the top and 115 feet high at the deepest part. Two large canals convey the water from the reservoir to the lands to be irrigated. The north canal serves the farms in Indian, Horse, Dry and Willow Creek valleys; while the south canal irrigates lands in Owl Creek Valley and in the vicinity of Vale and Empire. Other extensions have been made lately and many more can be made without interfering with the supply. The main canal is 6.5 miles long and extends from the river to the reservoir. This canal is 70 feet wide at high water and 40 feet wide at the bottom and carries 10 feet of water. Its capacity is 1,635 cubic feet per second. Along its course are wasteways and sluice gates. At the lower end is a concrete weir 180 feet long. The dam in the river raises the water about 8 feet and diverts the flow to a depth of 10 feet in the canal. This dam is 400 feet long, is a concrete weir or overflow, rests on bed rock and connects on the south side with an earth wing dam about 1,300 feet long. At the head of the supply canal is the regulator which consists of seven 5-foot openings, the water being under the control of double gates. There are three sluiceways also which are used to eject the water without forcing it over the weir. Twelve miles northwest of Belle Fourche is the big dam across Owl Creek, the highest earthen dam in the United States. The earthen dams have concrete revetments. More than one thousand farms are embraced in this irrigable project; some of the land is flat and some rolling; in fact considerable land is too high for irrigation from this system unless the water should be drawn up by windmills. Water may

be secured, of course, in many cases from the rainfall on the hills and uplands, by storing the same in reservoirs.

By May, 1910, the great irrigation works near Belle Fourche were nearly completed. The largest earth dam in the world was here. The reservoir covered about nine thousand acres and the land benefited covered 150,000 acres, of which 100,000 acres were in Belle Fourche Valley on both sides of the river. Within this district were 50,000 acres of public land, 45,000 acres of private land, and 5,000 acres owned by South Dakota. During the year a large water power electric plant was planned for the Black Hills—to cost \$1,500,000.

Numerous irrigation and reservoir plans west of the Missouri were considered in 1903. Many artesian wells were already in use west of that river—at Buffalo Gap, Smithville, along Bad River and elsewhere. Plans presented by Representative Martin were figured to reclaim 307,000 acres as soon as the National Irrigation Fund should be placed at the disposal of the states. About this time Raymond T. Walter, engineer on the United States Geological Survey, called a meeting at Rapid City, in the interest of irrigation and reclamation. At this meeting committees were appointed and were instructed to consider the subject and report at a subsequent meeting. In June the Western South Dakota Chamber of Commerce assembled at Rapid City to take steps to promote irrigation in the counties of Meade, Pennington, Custer and Fall River. C. L. Wood served as president. Several committees were appointed. The subject was one of great interest and moment to the whole Hills region at this time.

In the districts where the soil is sometimes thought good and sometimes thought otherwise, and where sometimes the rain is thought insufficient, it has been learned that the rainfall would be ample if it were conserved and if it were not for the hard subsoil or the impervious bed farther down through which not a drop of moisture can be drawn upward to supply the roots of plants in times of hot weather. In cases of that kind an examination has shown, in nine cases out of ten, that it is not the lack of moisture in the soil, except in the soil above the hardpan, that is responsible for the "burning up" of crops. But it is shown that the great reservoir of moisture below the hardpan is of no use to the crops which has no storage to draw upon after the moisture above the hardpan has been exhausted. Where this hardpan is near the surface the moisture above is soon gone, though conserved by dust and other mulches, and then the first hot wind wilts the corn or other grain in a day's time and soon completely ruins it.

By 1904 irrigation had made considerable advancement. In 1902 the total irrigated acreage was 53,137, an increase of 9,461 acres over those of 1899. There were 696 farms covered by 348 systems, costing a total of \$381,569, with an aggregate length of canals and ditches of 426 miles. By 1904 the irrigation areas were determined as follows: (1) Spearfish River above Toomey Ranch—23 square miles; (2) Belle Fourche above the Belle Fourche River—3,250 square miles; (3) Red Water River above Belle Fourche—1,015 square miles; (4) Cheyenne River above Edgemont—7,350 square miles; (5) Rapid City above Rapid City—410 square miles; (6) Box Elder Creek above Holmes' Ranch—157 square miles; (7) Spring Creek above Blair Ranch—205 square miles; (8) Battle Creek above Hermosa—175 square miles; (9) French Creek above Fairburn—118 square miles; (10) Elk Creek above Piedmont—100 square miles; (11) Little Missouri River above Camp Creek—1,900 square miles.

The Cheyenne system was designed to furnish water to 589 farms through 413 miles of ditches.

Of the National Irrigation Fund, \$2,100,000 was for South Dakota and was used on the above systems. The big one on the Cheyenne was surveyed in May, 1904, and contemplated reservoirs that would furnish 175,000 acres with one foot of water a year. In that section the rainfall was from seventeen to twenty inches annually. The two would give that district all the water needed. It became clear at this time that the most productive years were not necessarily those of the heaviest rainfall, but were those when the rain fell at the most opportune times. It was not what fell, but what was used, that produced the big crops. All this began as never before to study water conservation.

In the western part of the state many irrigation projects are already in existence. Much of the country between the Black Hills and the Missouri River is susceptible of irrigation. Portions are yet in the possession of the Indians and their adaptation to irrigation belongs to the future. In the open sections a few successful attempts at irrigation have been made and many others have been proposed. Reservoirs are the methods used thus far along the streams, but are mainly used for stock instead of for irrigation. Here and there small areas in this portion of the state, just west of the Missouri, are used for raising alfalfa, vegetables and the small grains. All of these attempts are mere makeshifts and only introductory to the irrigation systems that later will be adopted.

In the counties of Butte, Meade, Lawrence, Pennington, Custer and Fall River are at present the largest and most important irrigation projects in the state. Several of these are of great magnitude and great value. They have been put in operation from time to time as the years have passed mainly as private or individual enterprises and have received no assistance from the public as such. Each water user is required to provide and care for his own laterals. The cost of irrigating is about fifty cents per acre. The total cost is about \$1.50 per acre. The water is good, reliable, and the crops therefrom are bounteous.

In Rapid Creek Valley are several important ditches, among them being Iowa and Hawthorne, which are owned by farmers. The former has a capacity of fifteen cubic feet per second. Owing to the conformation of the land the water is readily conveyed to out districts. Recently it has been extended. The Hawthorne ditch has a capacity of thirty cubic feet per second and commences a short distance below Rapid City. It supplies a number of farms with water. In the valleys of Spearfish, Spring and Rapid Creeks are numerous small ditches which in the aggregate supply many farms. Several of them were completed as far back as the '70s, the very first settlers needing the water and seeing the feasibility. In the state water districts are many private ditches, which irrigate farms, large or small, and greatly extend farming operation. These additional districts are Little Missouri, Grand River, Moreau, Belle Fourche, Elk Creek, Battle Creek, Fall River and South Cheyenne. Recently others have been added. Many individual ditches have been built under the provisions of the Desert Land Act, and much waste land has thus been reclaimed. Nearly all of these movements are based on reservoirs where water is stored for use during the spring or early summer floods.

Another important irrigation feature of recent years in South Dakota is the large number of private reservoirs built to water land too high to be reached by

gravity flow. They are built to catch the flood waters that fall on the elevated tracts or table lands, and at this day meet a large demand that could not be supplied in any other way. This reservoir system on uplands does and will see enormous development in the future. On almost every farm high above the water courses enough rains fall in the spring to supply the farm demand. This method is by far the most practical, the cheapest, the most serviceable, the most unfailing of any that has been proposed for the farmers of the uplands. A stone and cement reservoir with sufficient capacity to put on the cultivated land a few extra inches of water at just the right time for the crop, will alone solve the problems of good crops. Not only that, it will enable farmers to cultivate every foot of suitable soil in the state, so that only the worst lands will be left. Later, by degrees, the latter may be brought under the influence of timed water floods. Upland farmers with adjoining lands may co-operate in the construction of these reservoirs, where their lands are so exposed that the same body of storage water can be used by all. Side ditches to feed the reservoirs can be built so that enough water can and will be secured to meet the known crop demand, with allowances made to meet the exigencies of phenomenally dry seasons. There is not a farm on the uplands, and to a great extent of the middle and lower lands, where such a reservoir cannot be built so as to catch enough of the rainfall to water the crops. The actual amount of water needed to mature a grain or grass crop is much smaller than nine out of ten persons imagine. Numerous experiments show that ten inches of water, used at the right time and fully conserved, are amply sufficient for any crop grown in South Dakota. There is no portion of the state that does not have a greater rainfall than that. But, in spite of all care and precautions, much of this runs away, evaporates quickly, and thus cannot be used for the crops. The only certain, sure and useful way is to build the reservoir to supply, at the right moment, just the amount of water needed.

The office of state engineer was established by the Legislature in 1905, and made operative the following year. Gradually this department took control of the irrigation management of the state. In addition, the good roads movement was soon placed under his control. Both projects, by 1915, are well advanced and efficient. In 1909 the drainage problem was also placed under the supervision of this officer. He is thus required to give expert advice on water power, drainage, artesian wells, public building construction, roads and bridges, irrigation, conservation of natural resources, dams, water rights, canals and ditches, permits, licenses, etc.

The state is divided now into three water divisions: No. 1—Butte, Meade, Perkins and Harding counties; No. 2—all counties west of the Missouri River, except Butte, Meade, Lawrence, Perkins and Harding; No. 3—all counties east of the Missouri River. No. 1 is subdivided into Little Missouri, Grand River, Moreau River, Sulphur Creek, Belle Fourche and Elk Creek water districts. No. 2 is subdivided into Rapid Creek, Battle Creek, Fall River, South Cheyenne, East Cheyenne, Bad River and White River water districts. No. 3 embraces the Big Sioux water district—the entire watershed of that river lying in South Dakota. Each of the three districts has a water commissioner.

There are numerous other irrigation projects already commenced or under consideration, among which is that of Rapid Valley which is an enlargement of Iowa Ditch and is designed solely to store the flood waters of Rapid Creek, the

normal flow having been otherwise appropriated. Another is in Cheyenne Valley, where it is proposed to store flood water for the irrigation of 100,000 acres in Stanley and Pennington counties. This project was surveyed in 1911. The Bad Lands Basin was planned to be used as a reservoir. Another is the Box Elder project. In ordinary years only about twenty thousand acres of land can be irrigated in this valley, but it is now planned to store the surplus waters and irrigate 10,000 additional acres. Work has commenced on this improvement. There are many other areas under consideration.

AREAS UNDER IRRIGATION WORKS AND PROJECTS, 1909

Project	Areas to Be under Irrigation by Jan. 1, 1909	Additional Area to Be Reclaimed under Present Projects
	Acres	Acres
Redwater Canal	5,000.00	.....
Spearfish Valley	5,335.00	.....
Little Missouri Water District.....	213.00	631.77
Belle Fourche Water District.....	3,242.13	1,872.21
Elk Creek Water District.....	75.00	727.20
Rapid Creek Water District.....	15,278.00	2,237.60
Battle Creek Water District.....	148.66	461.70
Fall River Water District.....	3,900.64	750.00
South Cheyenne Water District.....	2,708.60	3,640.00
Grand River Water District.....	.....	1,201.11
Moreau River Water District.....	.....	434.88
Belle Fourche Project.....	12,000.00	88,000.00
Reservoir Filings, estimated.....	14,000.00	30,000.00
Totals.....	61,901.03	129,956.47

About this time the Business Men's Club of Rapid City was conducting a series of important experiments in dry farming. They operated on three tracts with different soils and followed the rules laid down in Prof. H. W. Campbell's system of dry farming. Professor Willis investigated their work and approved the means and measures, especially the attempts to conserve moisture. The latter question was one of great moment this year. There was a widespread—a general—movement for soil and water conservation this year, among the leaders being A. E. Chamberlain. The agricultural college and the experiment stations, of course, gave great momentum to the movement. Much in the same cause was done by J. J. Hill, the railroad magnate. Everywhere tree planting was in progress. Everywhere rang the cry to save the soil by rotation, fertilization and conservation. It was publicly announced that of the twenty to thirty inches of annual rainfall, two-thirds was permitted to run off without entering the soil or being used. Why permit this waste and go to the expense of irrigation, it was asked? It was further declared, that if all the rain and snow that fell was saved, economized and used, no part of the state would be without all the moisture needed for crop and stock production. At last the state was becoming partly awake on this important advancement.



WARD HALL OF SCIENCE, YANKTON COLLEGE

Gift of Dr. D. K. Pearsons

The first Dry Farming Congress ever held in the state assembled at Rapid City, in July, 1910, with A. E. Chamberlain in the chair. Prof. M. E. Carleton, of the Department of Agriculture, addressed the congress at length on Plants Adapted to Sterile Soils. Prof. N. E. Hansen described how he had traced alfalfa, from its birthplace in Persia thousands of years ago, through Europe, Chili and California, to the Mississippi Valley. He also delineated his travels through Siberia, Asia Minor and the Crimean region, in search of hardy plants for this state and the whole arid West. Prof. W. P. Snyder, of the North Platte Experiment Station, scored the farmer for his haphazard and slipshod methods, and his astonishing waste. He said that if there were 7,000,000 farms in the United States, and if each lost annually, through the depredations of rats, five bushels of corn, a small estimate, the waste was 35,000,000 bushels. He further showed that on each of those farms there was wasted annually from \$20 to \$200 worth of manure, which if put on the soil, would increase the crops not less than ten per cent. Thus he showed waste, extravagance and astonishing losses in dozens of farm undertakings. Important papers were read by Doctor Stover of Highmore and Superintendent Snyder of North Dakota. The congress adjourned to meet next at Pierre. This was one of the most momentous movements ever undertaken in this state.

The Conservation Congress met at Pierre in January and held an elaborate and important session. Many of the brightest men of the state and many able speakers from outside were present and participated in the proceedings. As on former sessions, all of the great conservation questions were duly considered—soil, water, farming methods, cropping systems, dry farming, irrigation, legumes, drouth resistant plants, good roads, agricultural education, fruit and forest trees, live stock, alfalfa and forage crops, silos and silage, dairying, etc. The congress favored the big game preserve which had been planned for the Black Hills region. They also favored the proposed county agricultural advisers, but insisted that they should be well qualified.

Another meeting of great moment was the Conservation Development Congress, which met at Pierre late in June, 1910. Able speakers from all parts of the state and from outside were present. Governor Vessey presided and State Historian Doane Robinson served as secretary. Archbishop Ireland was advertised to be present. Governor Eberhart of Minnesota spoke of the importance of keeping the boys and girls on the farm; Dr. Robert L. Slagle delivered an address on Land Grant Colleges and State Farm Schools; Dr. H. F. Ratte described how it was possible to control the white plague; Prof. N. E. Hansen lectured on Northern Plants for Northern Prairies; Doane Robinson showed how the waters of the Missouri River could be used by South Dakota for irrigation purposes; Judge C. S. Whiting spoke on the Growth of Law; Senator Crawford talked generally on Reclamation, Irrigation, Soil Waste, Intensive and Dry Farming, etc.; Hon. J. W. Parmeley advocated good roads in a strong speech; President Cook of Spearfish Normal, described Fruit Possibilities in the Hills. Dr. A. A. Brigham delivered an eloquent address on The Conservation of South Dakota's Best Product—Her Girls and Boys. Other speakers were Professor Bigelow, State Engineer Lea, and A. J. McCain. President Vessey appointed a committee of representative men to organize a permanent congress to hold regular meetings.

One of the largest drainage propositions ever projected in this state was complete in 1911, near Young Lake in Sanborn County. A large tract of country there was opened by a large ditch, which carried the water into the James River. Several lateral ditches were dredged at the same time. During the previous four years thousands of valuable acres there had been almost constantly under water. This ditch opened up this land to cultivation. It had for three years been a popular rendezvous for hunters. The ditch was four miles long, from five to sixteen feet deep, and from twenty to fifty feet wide in places, and cost about \$18,000.

In the summer of 1911, Census Director Durand issued an important bulletin on statistics concerning irrigation in South Dakota. The report was based upon the findings of Dr. LeGrand Powers and R. P. Steele. This report was made under the act of Congress of February 25, 1910, which provided for the census on irrigation and for the collection of full information concerning all irrigation enterprises, whether under national, state or private control. The total number of farms irrigated in South Dakota in 1909 was 500; in 1899 the number was 605, a decrease of $17\frac{1}{2}$ per cent. During that period the number of farms in the state increased 47.6 per cent. The total acreage irrigated in 1909 was 63,248 acres, against 43,676 acres in 1899. This was an increase of 44.8 per cent. During the same period the improved areas of farms increased 40.2 per cent. The total acreage which was irrigated in 1910 was 128,481 acres, an excess of 65,233 acres over the area irrigated in 1909, which showed that the existing irrigated acreage could be doubled with the construction of new works. The number of independent irrigation enterprises reported in 1909 was 395, against 188 in 1899. Many of the new enterprises were reservoirs and artesian wells used to irrigate single farms. The length of main ditches in 1909 was 631 miles, against 223 miles in 1899. The number of reservations reported was 314. Most of these were small, irrigating single farms or small parts of single farms. The total cost of all irrigation systems as reported for 1910 was \$3,043,186, against \$270,018 for 1899. The annual average cost per acre for maintenance in 1909 was 64 cents, against 23 cents in 1899, showing that the newer works were not only in the cost of construction, but to appropriate and maintain. Streams supplied water to 47,662 acres or 75.4 per cent of the total area irrigated; lakes supplied water to 200 acres; wells supplied 1,456 acres; springs supplied 395 acres, and reservoirs supplied 13,535 acres.

The Conservation Congress at Sioux Falls in January, 1912, was a grand and elaborate affair, replete with excellent advice and distinguished by speeches and papers that touched many vital points in public progress. Elwood C. Perisho was president; Doane Robinson, secretary-treasurer; and Mark C. Rich, vice president. In spite of the intense cold the congress was a marked success. Dozens of important questions were considered by many of the ablest men of the state and nation. All things considered this was the most momentous industrial meeting ever held in the state, considering its breadth of discussion and its far-reaching effects. The meeting of the congress in 1911 was attended by 4,000 people and great impetus was given the upward movement—a campaign of progress and enlightenment. This impetus was given fresh and strengthened propulsion by this congress at Sioux Falls. Among the subjects considered were—conservation; education in horticulture; education in agriculture; demonstration

farms; South Dakota hogs for export; battleships or better roads; interstate wagon roads; seedcorn; institutes; grain grades and seed; economy of higher education; consolidated schools; conservation in state education; the teacher; health supervision in schools; common and rural schools; irrigation in central South Dakota; conservation of surface waters; corn growing; conservation of human life; National Tuberculosis Association; pure food and health; tuberculosis exhibits; germination tests; alfalfa and other hay; farmers' institutes, etc. Governor Eberhart of Minnesota, and Governor Vessey were among the speakers. Among those who took part in the proceedings of this congress were: R. F. Pettigrew, Doctor Wilson, R. F. Kerr, L. J. Bruce, H. K. Warren, N. E. Hansen, J. W. Campbell, W. S. Hill, J. H. Foster, J. S. Kelley, R. M. Crawford, J. W. Parmeley, J. R. Dalton, J. M. Manson, N. G. Reininger, E. C. Issenhuth, Doctor Stoner, Clifford Willis, O. S. Jones, A. W. Krouger, A. E. Chamberlain, Mark Rich, Frank Bower, A. E. Hitchcock, Doane Robinson, W. A. Wheeler, John T. Bilk, C. G. Lawrence, A. O. Eberhart, Governor Vessey, S. W. Glenn, Dr. C. G. Cottam, W. L. Cosper, F. B. Gault, J. G. Parsons, C. R. Jorgenson, Doctor Hume, T. F. Riggs and Dr. A. N. Cook.

The Great Plains Irrigation Company was organized in January, 1913, with Judge E. H. Barthow as president. They planned to irrigate a tract 25 by 500 miles, extending from northwest North Dakota, southward across South Dakota to the Nebraska line. They estimated that 8,000,000 acres of semi-arid land could thus be reclaimed with Missouri River water.

In March, 1914, the Conservation Congress assembled at Sioux Falls, there being at the start a somewhat small attendance, owing to the weather. There were present many eminent speakers and scientists. The congress recommended the following progressive measures: (1) The regulation and control of streams; (2) protection and extension of the forests; (3) more money for farmers' institutes; (4) organization of farmers; (5) a new state constitution; (6) advised inviting Professor Holden of Iowa to traverse the state and lecture on alfalfa; (7) recommending a thorough survey of state soils; (10) commending the establishment of a tubercular sanitarium; (11) condemned the liquor traffic and asked for a national prohibition law; (12) commended the Legislature for sending Prof. N. E. Hansen to Siberia after hardy plants; (13) commended the railways for aiding the agricultural college to send out instruction trains; (14) favored a merchant marine instead of more battleships. At this meeting all up-to-date and important subjects were duly considered by the ablest men of the state. The general demand was to build up the state and save its natural products for home use. Among the subjects were, forest reserves, coal beds, Missouri River water, the homes, agricultural progress, better agricultural methods, more manufacturing plants, better use of home resources, better education, irrigation possibilities, water power, economic problems, good roads, agricultural extension, etc. Professor Perisho urged generally better agricultural methods, and asked farmer, merchant, manufacturer and professor to unite to push the state forward. State possibilities had been only half exploited, he declared. He particularly urged the consideration of economic and domestic problems and congratulated the state on the appropriation for the good roads movement.

By September 12, 1911, there was but one irrigation project in the state under the United States Reclamation Service, but it embraced 90,000 acres,

though the total acreage entered was only 20,000, with 30,000 more subject to entry. The average price of the water rights was \$36 per acre. The sum expended on the project up to March 31, 1912, was \$3,216,240; total length of main canals and laterals, 225 miles.

On September 12, 1911, there were in the state 101,685 acres of privately irrigated lands; the cost of construction was \$2,444,044, and the total length of the canals was 631 miles, with 500 farms under irrigation. The number of reservoirs was 314. Total acreage under irrigation canals in the state was 201,685, all classes; actual number of acres under irrigation, estimated, 128,481; total acreage to be irrigated, 225,000; total irrigable area of the state still unclaimed, 550,000 acres.

The Legislature of 1909 enacted a law providing for the acceptance of the offer of the United States in relation to arid lands, commonly known as the Carey Act. Under the provisions of this act, in each public land state to which it is applicable, as much as one million acres of the public lands susceptible of reclamation by irrigation may be segregated by the secretary of the interior and turned over to the state. The reclamation works are built by outside capital under the supervision of the state and the state turns the land over to the settler at a minimum price of 50 cents per acre, this money going into the state treasury. This act does not conflict in any way with the United States Reclamation Act, but is supplementary thereto.

The subject of drainage, while of great importance to Eastern South Dakota, is not as prominent now as it was a few years ago. At that time vast areas of low lands in the southeastern portion of the state were covered with water, and lake beds and depressions that were formerly dry, were then wet and unproductive. It was estimated that about a half million acres of land in the state were unfit for agricultural purposes because of an excess of water, and that about four million acres were wholly and partially unproductive by reason of being too wet to cultivate properly. Since the enactment of a state drainage law by the Legislature in 1909, a vast amount of drainage work has been done in the state, and many thousands of acres of land have been reclaimed thereby. For a period of two years the precipitation in the state was below the normal and there was consequently no great accumulation of surface water in the low areas. These two causes have resulted in a situation that does not now call for extensive drainage operations, although many localities in the state require drainage for agricultural lands.

LAWS CONCERNING ARTESIAN WELLS

Section 2648. Whenever a petition signed by not less than fifty resident freeholders of any county in this state, of whom fifteen shall be each the owner of not less than eighty acres of land, located on any natural watercourse on which an artesian well is sought to be located, shall petition the engineer of irrigation for the location and establishment of an artesian well, it shall be the duty of such engineer of irrigation to personally investigate and view out the course and extent of such natural watercourse, for the purpose of determining the practicability and advisability of such well. And, if in his judgment, it is found practicable and advisable, he shall locate and establish an artesian well on such

watercourse at some point where it will render the greatest benefit to the lands to be effected thereby, and shall make and file with the county auditor of the county wherein such well may be located, a full report of his proceedings in locating and establishing any such well, together with the petition on which such proceedings were based. He shall at the same time file with the county auditor an estimate of the total cost for constructing and putting down such well.

Section 2649. On the receipt of the report of the engineer of irrigation, locating any well as herein provided, the county auditor shall appoint two disinterested persons of his county, who shall, together with the county surveyor, constitute a board of viewers, who shall, without unnecessary delay after being duly sworn to a faithful performance of the duty, proceed to personally examine the location of such well, and the course and extent of the natural watercourse along which the water from such well would flow, and the lands located on such watercourse which would be affected by the flow of water from such well.

Section 2655. When a county shall have voted for the issuing of artesian well warrants, as provided in this article, the county commissioners shall cause a notice to be published in at least one official newspaper of their county for three successive issues of such paper, asking for bids for the sinking and casing and construction of such wells. The notice, so printed, shall give the size of the well, kind of piping to be used, the valves and appliances necessary to control the flow of water from such well, and the date, as near as may be, when said well shall be completed.

Section 2662. Whenever artesian well warrants are voted by the electors of a county, as provided herein, it shall be the duty of the county commissioners to create a county fund, to be known as the artesian well fund, and all proceeds from the sale or other disposition of artesian well warrants issued under this article shall become a part of such fund. The county commissioners shall levy a special tax upon the lands to be benefited by such well, shown by the report of the board of viewers, and the amount of tax to be levied on each tract of land shall be the same as shown on the report of the board of viewers as corrected and confirmed by the board of county commissioners. Such levy shall be entered on the tax books of the county, and shall be collected by the county treasurer in the same manner and with the same powers to force collection as general taxes on real property are collected.

Section 2681. Whenever a majority of the qualified electors of any civil township in the State of Dakota shall make application in writing to the state engineer of irrigation, requesting him to locate within said civil township artesian wells, not to exceed nine in number, if said wells shall be six inches in diameter, and not to exceed sixteen in number if said wells shall be $4\frac{1}{2}$ inches in diameter, for the purpose of supplying the public with water, it shall be the duty of said engineer within twenty days from the presentation to him of said application to locate or cause to be located in said township the number of wells mentioned in said application, not exceeding nine if said wells be six inches in diameter, and not exceeding sixteen if said wells be $4\frac{1}{2}$ inches in diameter, at such places as shall in the judgment of the state engineer of irrigation best subserve the interest of all the landholders of the township. The majority of electors is to be determined by the vote of the civil township as shown by the poll list thereof at the last preceding general election.

CHAPTER XIV

AGRICULTURE, HORTICULTURE, LIVE STOCK, ETC.

When South Dakota came into existence as a state the agricultural, horticultural and manufacturing industries were all that could be expected, considering the adverse circumstances. The Horticultural Society, about 1885, passed resolutions in favor of co-operative farming, but at first was laughed at as visionary dreamers. They were not disconcerted, because they had the approval of the State Agricultural Society and the United States commissioner of agriculture. About 1889 they secured 320 acres near Watertown and began operations. George P. Crose was president of the co-operative society in 1889. That year was a hard one, owing to the drouth, prairie fires and blizzards. Several counties needed and received help to recover from the losses. The society recommended farmers and others to plant the following trees: Forests—box elder, white or green ash, rock elm, larch, white birch, soft maple, butternut, cottonwood and black cherry; windbreaks—white willow, cottonwood and box elder; street trees—hard maple, white elm, basswood, ash and hackberry; ornamental trees—bird cherry, larch and white birch; forest evergreens—red cedar, white pine, European larch, American arbor vitae; ornamental evergreens—Colorado blue or white northern (Norway) spruce; Siberian fir; Scotch pine, dwarf mountain pine, red cedar and arbor vitae. Under this recommendation the first efforts to reforest the South Dakota plains were made. Later other varieties were added. Many thousands of trees were planted in territorial days.

As early as 1886 the farmers had established a farmers' insurance organization, and issued policies against fire, hail and drouth. The Huron Board of Trade was organized in 1889, and encouraged farmers' organizations. Sioux Falls, Yankton, Watertown, Aberdeen and other towns had similar organizations. They were established mainly to "boost" their towns and aid the farmers.

In his message of November, 1889, Governor Mellette stated that all the land of what is now South Dakota was fitted for agriculture except perhaps a small portion which was good for grazing the whole year through. It remained for the department of agriculture, a few years later, to announce that "no land is worthless." The Governor further said that mixed farming was more general, stock growing was increasing very fast, dairying was becoming important, irrigation was already common and grain farming alone was going out of date.

Perhaps the most important question with the farming community this year was the artesian well system of the "Jim" River Basin for irrigation. It came to a climax owing to the severe drouth in certain portions of the valley. Almost every county east of the Missouri River held mass conventions on the subject near the close of the year. Often special committees to investigate were appointed by county boards or city authorities. It was not known or realized at this time

that the process might injure the crops. The average cost of an artesian well was about \$1,000. The power developed by the pressure was another important object. Already many industries were utilizing this power.

Flax was grown extensively at this time—for seed mainly—not for fiber. The farmers urged the department of agriculture to find a way to use the fiber. Important sugar beet experiments were in progress at the Agricultural College, Brookings. A gopher exterminating campaign, organized at Howard, destroyed 1,428 of the pests in a week's time. Already great efforts to extend the "corn belt" farther northward were being made. All the hardy varieties were introduced and tried. In the end the result is that the belt has been extended over nearly the whole state. This movement brought the famous Ree Indian corn into prominence. It was learned that Elijah Boley, an old settler of West Dakota Territory, had grown the Ree corn for many years, and that it had been grown by the Indians over nearly all of Dakota Territory. Mr. Boley planted only the best kernels from the best ears, and within a few years advanced from short ears with from four to six rows, to long ears with twelve rows. He claimed there was more nutriment in the Ree corn than in the ordinary varieties. It was hardy, grew rapidly and ripened fast. For many years a considerable quantity was grown near Mandan. For an unknown period of time, it had been grown there by the Aricaras, after whom it was named—Ree, the early pronunciation of the last syllable.

The South Dakota Fair was held at Aberdeen in September, 1889. It was not a great success owing to the cold weather and the excitement over the approaching state election. However, it was estimated that five thousand people were present on both Wednesday and Thursday. There were days called veteran, school and capital. It was decided at this fair to hold a series of farmers' institutes. This year the Holstein-Friesland (as it was then called) herd of cattle of the Friesland Live Stock Company's barn, near Aberdeen, was exhibited at the Minnesota State Fair. Their cow, Lina Twisk, beat the world's record for milk, defeating a Jersey cow from New York valued at \$10,000. Twenty animals were in this test, among them being several famous prizewinners. Already South Dakota was widely known for its milk cows, dairies, creameries and butter. Wool growing was already a large industry. In July three growers of the Black Hills shipped to market 35,000 pounds of wool. It was believed that the Merino breed of sheep was not suited to South Dakota, as the wool contained too much grease, which caught the dust until the coat became too foul. One fleece of a Merino, marketed at Yankton, weighed thirty pounds, but when washed, weighed only 5¼ pounds. Neither was the mutton of the Merinos palatable. Coarse-wooled sheep were the ones first sought.

In May, 1889, stock to the amount of \$1,000,000 was subscribed for the purpose of building a large packing plant at Sioux Falls. The incorporators were; R. F. Pettigrew, of that city, and E. M. Stedman and James H. Dyer, of Portland, Maine, the name chosen being the Sioux Falls Stock Yards Company. Next to the Homestake Mining Company it was the largest corporation in the state.

In 1889 the Bureau of Agriculture became the United States Department of Agriculture and experiment stations were provided. One was located at Brookings in connection with the agricultural college. The year before the

Farmers' Alliance, in conjunction with Minnesota organizations, united for the purpose of building farmers' elevators to take the place of those conducted by men whose methods were questioned by grain growers. Quantities of the stock were sold in England.

In 1888 and 1889 glanders and anthrax prevailed alarmingly in portions of the state. Many animals were destroyed by Territorial Veterinarian J. S. Alloway. The owners were recompensed. Much complaint arose over the course of Doctor Alloway. It was said that he did not seem to know what the cattle disease was—said it was not anthrax, but was caused by eating too much dry food. He killed a horse alleged to have glanders, and valued at \$3,000, when it was declared by experienced farmers that it had only an ulcerated tooth. But he was probably right. He was finally removed, no doubt through prejudice, and Dr. D. E. Collins was appointed in his stead by Governor Mellette. He called the cattle disease "splenic apoplexy." Eighty-four cattle near Yankton died of the disease, a number belonging to the insane asylum herd. Hogs died from eating the meat of the dead cattle. Doctor Collins ascribed the disorder to the Rhine water, but was no doubt wrong. Later it was shown beyond doubt to be anthrax, or charbon of France, or miltz of Germany. Hog cholera prevailed in many portions of the state this year, but could not be prevented nor cured.

In many towns and cities where there were gushing artesian wells the water power was used to run flour mills and other manufacturing concerns.

The Farmers' Alliance met at Huron in January, 1890, with President Wardall in the chair. He said that the alliance, expecting a large business in 1889, had placed many agents in the field, but that the drouth which generally prevailed cut short their expectations; however, they had insured 458,301 acres. The alliance had thus far never sued nor been sued, had grown rapidly by honest dealing, its receipts for 1899 being \$87,525.70, a part of which belonged to the Alliance Aid Association. Their newspaper, the *Ruralist*, was issued at Aberdeen, but the headquarters of the alliance was at Huron. The executive board of the alliance controlled the paper. H. L. Loucks was one of the leaders of the alliance.

The Morrill Bill of 1889 gave the agricultural college \$15,000 in 1889 and then increased the amount annually for a few years up to \$25,000, when it became permanent. This appropriation set the machinery of the school in operation. In addition \$15,000 per year was appropriated for the experiment station. By January 1, 1891, both institutions had received a total of \$48,000 and were well started on their work.

Many immigration movements were conducted this year. The National Land & Trust Company of Huron brought in fifty-three families of Finlanders on April 1; all located in Beadle County. The Farmers' Alliance this year reorganized upon a secret plan and engaged in the game of politics in conjunction with the Knights of Labor.

The South Dakota Sheep Breeders' Association met at Huron in June. Col. J. D. Eddis, of Virgil, was chosen the new president. Several interesting papers were read and several committees were appointed and instructed to report at subsequent meetings.

A big problem throughout the state was how to get plenty of cheap fuel. Much of the native timber was being cut off for posts, fuel, etc., and great

efforts to bring into use the local lignite beds were made. It was planned to get out this lignite in North Dakota, and ship it on barges to all points down the Missouri River, to be then distributed through the out settlements.

The cities of the state were growing rapidly this year. Sioux Falls had in view, or already in operation, a packing plant, woolen mill, electric railway, graded streets, a dozen big brick business blocks, many fine churches and schools, and scores of beautiful residences. In 1883 the assessment of Sioux Falls was \$857,546; in 1890 it was \$6,145,354. The wealthiest citizens were assessed as follows: William Van Eps, \$108,000; A. Gale, \$96,000; P. H. Edmison, \$95,300; R. F. Pettigrew, \$91,597; Hollister estate, \$88,000; Drake property, \$87,400; Melvin Grigsby, \$85,450; Pettigrew and Tate, \$71,085; D. Hayward, \$68,000; P. P. Peck, \$61,250; C. G. Coates, \$57,000; Daniel Scott, \$46,500.

In July, 1890, the Farmers' Alliance sold large quantities of farm machinery throughout the state and loaned money extensively at a low rate of interest. Its members were insured against crop losses by hail. At this time the alliance was doing more insurance among the farmers of the state than all the other insurance companies combined.

The Sheep Growers' Association this year established the following essential conditions for success: (1) Must have the right breed; (2) must be kept dry and have shelter; (3) long wool grade merinos were most valuable because they yielded from seven to ten pounds of wool worth 17 cents a pound; (4) the cost to maintain a sheep per year was \$1; (5) sheep raising was very profitable, both for the wool and the mutton, the latter having been greatly improved by crossing; (6) breeding ewes were worth \$4 each. At this time there were many large herds in the state varying from five hundred to fifteen hundred head.

The state fair of 1890 at Aberdeen was a success. That city paid about \$1,700 to secure it and drew large crowds with its attractions and premiums. Over four thousand persons attended on Wednesday and Thursday each. Many conventions and other public assemblies were held there during the fair in order to increase the crowds. The grain, live stock and domestic products exhibits were good. The attractions were trotting, running, balloon ascension, tight rope walking, etc. The South Dakota district fair was held at Center-ville in October and was likewise successful. A number of counties held small fairs of their own.

In November cattle were shipped from Custer by rail for the first time. Important tests at sugar beat growing were made this year by Professor Shephard at Brookings. In experimental crops he produced 14.17 and 20 per cent of sugar, when the usual average was 12 to 14 per cent. The growing of sugar beets was taken up in many places in the state at this time, more as an experiment than as a money making project. This year the state produced more corn than wheat. Beadle County raised 35,925 bushels of potatoes this year. This tuber was grown extensively.

At the Farmers' Alliance meeting in November 300 delegates were present, among them being Loucks, Wardall, Scott, Cozand, Lowe, Leavitt, Goodfellow, Cummings and Bartlett Tripp. This was mainly a political session. The Single Tax League met with them. The census this year gave the state a population of 328,808. The flax crop of Brookings County this year was valued at nearly one million dollars.

Up to January 17, 1891, the winter was the pleasantest South Dakota had experienced in thirty years. The fine weather brought together many farmer organizations. The horticultural society met at DeSmet, with A. C. Warner as the new president. The stock breeders' association met at the same place, with O. P. Kempt as president; so did the dairymen's association, with A. H. Wheaton in the chair. A new sheep growers' society was organized in Beadle County about this time. They appointed a committee to secure certain legislation. In February the State Alliance Relief Committee secured large quantities of seed wheat at Minneapolis; W. H. Curtis was secretary. During the year they did much for the drought sufferers—flour, corn meal, coarsely ground corn, ground or chopped feed, bran, wheat, seed corn, etc., in large quantities were furnished. The Huron National Bank, L. W. Hazen, president, which had closed its doors in December after a heavy run, due, it was claimed, to an unfounded report, resumed business the following February.

In the spring of 1891 the settlers of the Crow Creek Reservation to the number of 568, who had been evicted under the orders of President Cleveland, asked payment for their claims, which amounted to \$205,398.47, and more to come.

Among the important items of history in 1891 were the following: Yankton's woolen mill was in successful operation, propelled by artesian water power; several townships, here and there, issued irrigation bonds; Governor Mellette fixed May 1st as Arbor Day; the state was placed within the sugar beet and corn belt by the official isothermal line; the big pontoon bridge at Pierre was completed in May; there was a great increase in the number of artesian wells; Chamberlain was authorized to issue bonds to build a bridge over the Missouri River; by the middle of June Wessington had shipped over 50,000 pounds of wool; many large herds of sheep were brought to the state—Beadle County alone had over 30,000 head—they came largely from Montana and Wyoming; a special grass from Austria, suitable for semi-arid regions, was introduced by the Government; drought conditions were attacked from all sides—rain making, irrigation, reservoirs, conservation of moisture and drought resistant plants; large increase in the population mainly through the efforts of the irrigation commissioner; flax acreage this year 354,951 with 1,801,115 bushels of seed, the largest in the United States; immense damage from prairie fires—companies and communities organized to fight; many thousands of chattel mortgages paid off from September 1 to November 20, 1891—in Beadle County alone 2,000 of such mortgages were liquidated; over 100 bushels of oats were raised on one acre in Beadle County on irrigated land; efforts to secure a sugar beet factory for the state were made; in September a farmer at Pierre sold a load of wheat for \$97—he threshed 115 bushels from two acres; what to do with the Russian thistle was the big problem; this year the state consumed 17,640,000 pounds of binding twine; the crops were so large that there was a great shortage in freight cars in November; efforts of the rain-makers to help conditions failed.

The Legislature of 1891 authorized the board of trustees of the agricultural college to provide for holding farmers' institutes, but meanly failed to make an appropriation therefor, thus throwing upon the communities the burden of expense. President McLouth and Professors Foster, Keffer, Orcutt, Sheppard, Phillips, Frost, Wheaton, Walters, and others were active in this movement.



ADMINISTRATION BUILDING AND AGRICULTURAL HALL, SOUTH DAKOTA
STATE COLLEGE, BROOKINGS



WENONA HALL—LADIES' DORMITORY—SOUTH DAKOTA STATE COLLEGE,
BROOKINGS

The corn bulletin issued by the agricultural college in May, 1891, showed that the southern tiers of counties would grow Dent corn and the central and northern counties Flint corn, but it was stated that the northern portions would do better to plant the other cereals and raise live stock as well as corn. This year the Department of Agriculture marked Minnesota 100 per cent as a wheat producing state and South Dakota 99. This was why South Dakota paid off its mortgages this year to the amount of several million dollars.

The new banking law required all banks to reorganize thereunder, subject to a fine if they did not. Brown County received an addition of over ten thousand head of sheep in the fall. By August the State Millers' Association operated thirty mills and \$750,000 worth of machinery. They met this year at Madison, being four years old and having met previously at Aberdeen, Watertown and Huron. L. J. Begnon was president in 1891. The Fidelity Insurance Company at Huron was auxiliary to the Farmers' Alliance; Alonzo Wardall was its president in 1891. It became seriously involved.

The state fair of 1891 was a success. It was held at Sioux Falls. Racing purses as high as \$500 were offered. It was estimated that ten thousand persons were present on Wednesday and more than that number on Thursday. Yankton County won with vegetables and Clay County with fruit. The latter county took first prize of \$300 for the best agricultural exhibit. The live stock was better than ever before. Scotland held a district fair this year—the counties represented being Yankton, Bon Homme, Douglas and Hutchinson. At the state fair Pettigrew and Tate, of Sioux Falls, exhibited a herd of twenty wild buffalo and seven head of wild moose.

The third annual meeting of the State Horticultural Society assembled in the city hall, Yankton, December 9th, with H. C. Warner in the chair. All the southern counties reported large crops of fruit. The president said that for three years they had asked for aid from the state annually to publish their report, but had failed to receive any. "But here in this vast treeless, wind-swept state a Senate committee, a majority of whom were farmers, voted unanimously to postpone indefinitely a bill for publishing the proceedings of the State Horticultural Society and to pay the annual expenses, which amounted to about five hundred dollars. I earnestly recommend that the horticulturalists of the state pledge candidates for the Legislature next fall to support a bill for publishing the proceedings of this society. South Dakota is almost the only state in the Union that fails to make an appropriation for her horticulture society and where is there another state that needs the benefits of horticulture and forestry as much?" All over the southeastern portion of the state at this time thousands of seedling fruit trees were being grown to fruitage in order to develop hardy and desirable varieties suited to the soil, climate and rainfall. George H. Whiting, A. L. Van Osdel, Paul Landmann and President McLouth of the agricultural college participated in the exercises. Prof. C. A. Keffer, of the agricultural college, read a paper on "Forestry as a Government Problem," in which he showed (1) forests are effective windbreaks; (2) they prevent the rapid flowing away of water; (3) they increase the apparent moisture of the atmosphere; (4) they lessen the extremes of heat and cold; (5) they promote the even distribution of rainfall. Noxious weeds were duly considered—Russian thistle, cockle burr, etc.

Early in 1892 Governor Mellette, in response to a general demand, appointed a Russian famine relief commission and on February 12th of that year issued a proclamation authorizing them to commence the work of soliciting donations of flour, grain, cash, etc. The commission went to work promptly and continued until free transportation ceased, when they were compelled to convert the grain contributions into cash, which was done after considerable trouble and expense before scarcely one-third of the state had been canvassed. They had divided the state into eight districts, had appointed a commissioner for each and in the end received in cash \$3,807.63; flour, 250,000 pounds; corn, two carloads. These products were forwarded to the foreign authorities.

Early in 1892 H. L. Loucks was president of the South Dakota Farmers' Alliance, vice president of the National Farmers' Alliance and editor of the *Ruralist*, the state organ of the alliance. He was likewise connected with the farmers' insurance concern, which was precipitated into legal complications and which was declared to be associated in some way with the cordage trust. Nothing whatever could be shown by the enemies of Mr. Loucks that he was in any way connected with the alleged illegal transactions, but not as much can be said of his associates. Even the Chicago Inter Ocean charged that Mr. Loucks was a spy of the cordage trust in the ranks of the Farmers' Alliance. No proof was forthcoming. The statement was not believed, as is shown by the honors and preferments accorded Mr. Loucks and by his good conduct thereafter. Concerning the collapse of the Fidelity Insurance Company the *Wessington Times*, edited by Charles A. Blake, published several caustic editorials and was sued by Alonzo Wardall for \$10,000 damages for libel, but in the suit the jury failed to agree. The truth was much clouded and confused. It was at this time that the State Board of Agriculture offered a premium of \$50 for the best editorial argument in favor of state and county fairs, and the Corn Belt Real Estate Association of Sioux Falls authorized the issuance at Chicago of a paper run in the interest of the South Dakota corn advancement.

The spring of 1892 witnessed more settlers bound for the lands west of the Missouri River than ever before. There was a notable advance in the price of lands in all portions of the state. Country land in Turner County—40 acres—sold for \$29.85 per acre, the highest price thus far paid there. As another enormous harvest approached in 1892 the state was found to be greatly short of harvest hands. As high as \$5 a day was paid for hands for the small grain harvest. It was at this time that the farmers were roused against all corporations. At the same time there were eight farmers' corporations at Huron alone, among which were the Farmers' Alliance, Alliance Aid Society, the Big Land Corporation, Fidelity Insurance Company, Calamity Hail Insurance Company, an agency of the National Harvester Company, etc.

In 1892 much aid was given the starving Russian peasants. The semi-weekly mail between Pierre and Rapid City was carried in passenger coaches. It required four days for a passenger to go from Pierre to the Hills. Experiments with potatoes, corn, field peas, sugar beets, wheat and many other plants were conducted at the agricultural college this year. The report gave the following result concerning the field pea experiments: Crown peas, 37.5 bushels per acre; white field, 37 bushels; Scotch field, 35 bushels; golden vine, 31.7 bushels; Prussian blue, 31.3 bushels; Egyptian mummy, 27.3 bushels.

It was stated in 1892 that South Dakota lost every season by prairie fires enough produce to feed its whole population. Fire breaks as well as wind-breaks were studied and wanted. At this time the state was divided into (1) corn belt; (2) wheat belt; (3) mineral belt; (4) undeveloped belt. In August 600 acres eight miles south of Beresford sold for \$25 an acre.

Many counties of the state held fairs this year. The district fair at Scotland was again a signal success. The Mitchell Corn Palace was unique, new, attractive and highly creditable. Numerous harvest festivals were held throughout the state to the music, it was said, of the reapers and the threshers. The Plankinton Grain Palace was a creditable and interesting exhibit. At the opening were present 1,000 people. The Lenox Band furnished the music. The state fair at Sioux Falls was the best ever held thus far; all conditions were favorable. Tuesday was Old Soldiers' Day, Wednesday, Thursday and Friday political days. The prohibitionists, who were ignored, raised their voices in lamentations. A. L. Van Osdel, of Yankton, was chief marshal. In the horse department alone there were 300 entries. The races were better than ever, brought out by the large premiums offered. The purse for the sweepstakes race of state trotters was \$1,000; the time set was 2:50 and there were twelve entries. In most of the races the purse was \$500.

There was another grain blockade in the fall of 1892, even worse than that of the year before. It was estimated that shippers lost \$500,000 through this cause. It was demanded of the railroads that they must thereafter put on enough cars to handle the grain. Farmers paid from 7 to 10 per cent for the use of money this year. Generally the farmers were opposed to free wool, because in the two Dakotas they raised about 2,000,000 pounds annually. About 15,000 cattle were shipped from Pierre in 1892.

At the meeting of the State Horticultural Society in December, 1892, William Leaning lectured on spraying fruits; L. D. Cowles led a discussion on grape culture; J. J. Schumacher described how he conducted his greenhouse at Sioux Falls. H. C. Warner was reelected president. This meeting was held at Yankton.

The South Dakota Grain and Stock Belt Association was organized at Redfield early in 1893, the first officers being H. S. Mouser, president; T. E. Dogan, secretary, M. P. Beebe, treasurer. They passed resolutions asking the Legislature to reestablish the State Bureau of Immigration, to provide for county agents of immigration, to distribute 40,000 pamphlets boosting South Dakota in the East and to prepare a souvenir book concerning the state for an exhibit at the World's Fair, Chicago.

There were several bank failures in the state this year, due mainly to outside financial conditions. There were forty national banks in the state with an aggregate capital of \$2,500,000 and individual deposits of \$4,103,241. Loans and discounts amounted to \$5,160,577. As a whole they were well conducted, fair and prosperous.

There was an enormous increase in the cattle industry in the years from 1890 to 1893, inclusive. There were sixty firms and companies engaged in the business between Chamberlain and the Black Hills, nearly all with ranges on the old Sioux reservations, now Government property. Thousands of head were being taken there for pasture from other states. Large numbers came from Colorado, Wyoming and Texas. A recent law in 1893 required that cattle should

be inspected before being landed in the Eastern markets. It became an object of unscrupulous cattle dealers to evade this law whenever they could, as it made a great difference in the expense.

Although the Corn Palace Exposition at Mitchell had already become an important industrial, economic and social event, it remained for 1893 to signalize and extend this reputation not only over the whole of South Dakota but far beyond the confines of the state. There were present the Military Band of 50 pieces from Lynn, Mass., Santee Indian Band, Iowa State Juvenile Band of 28 pieces and the Mitchell Exposition Band of 24 pieces. Ten big special days were advertised—Chamberlain Day with an Indian wedding; German Day with musical parade and picnic in the grove; Woman's Day with a special program of literary and other exercises; Sunday with sacred music and special soloists; Traveling Men's Day with a young ladies parade and a grand ball; Shriner's Day with uniformed parades in Oriental garb; Bicycle Day with big display and parade of those vehicles; Old Soldier's Day with six brass bands and hundreds of veterans in line ending with a camp fire and barbecue; Cement City (Yankton) Day with special displays of that product and another soldier parade; Farmer's Day with special parades and exhibits. Besides these there were other special days to amuse and edify. All of the railways ran excursion trains with lower rates. A special purse of \$1,000 was offered for the best general county exhibit, with this result:

In the summer of 1893 the banks of South Dakota were in prosperous condition despite the hard times and the panic. They had a total capital of \$2,550,000, individual deposits, \$4,107,251, loans and discounts, \$5,160,577.

Counties	Corn	Grains	Vegetables	Fruits	Grass	Manufactures and General	General Arrangement	Total Points
Edmunds	10	22	10	4	6	3	5	60
Charles Mix	20	18	14	4	2	2	3	63
Miner	11	18	14	4	2	2	2	53
Douglas	16	16	10	3	5	3	2	55
Lake	15	20	8	5	6	3	3	60
Sanborn	21½	22½	19⅔	8⅔	5⅔	4½	4	86½
Minnehaha	12	19	13	4	3	5	3	59
Bon Homme	20	22½	19⅔	8⅔	6⅔	4	3½	84½
Hanson	18	22	19	6	9	4	4	82
McCook	12	18	15	5	7	3	3	63
Brule	12	16	15	3	8	4	4	62
Yankton	22⅔	16⅔	20	10	8	5	4	85⅔

The judges were C. H. Hunt, A. J. Losey and J. P. Mulhall. Davison County was barred from this contest. General Silsby announced the result. An examination of the above table will reveal in what particular each county excelled. Minnehaha and Yankton counties excelled in manufactured articles, the former in linen. Edmunds, Bon Homme and Sanborn showed the best grains and grasses; Yankton, Sanborn, Bon Homme and Charles Mix surpassed in corn growing; Sanborn, Bon Homme, Yankton and Hanson were superior with vegetables; Hanson, Brule and Yankton were ahead on grasses; Yankton, Bon Homme and Sanborn surpassed at fruit growing, and so on. Other counties had good dis-

plays. As will be seen Sanborn, Yankton, Bon Homme and Hanson counties won in that order. In many respects this exposition far surpassed the state fair. It was far-reaching in its effects, because circulars containing a full description of the exhibits were sent all over the Eastern States; and the leading newspapers of the whole country gave descriptions, thus showing what South Dakota could produce and "boosting" the state as the circulars of no real estate firm, railroad or corporation could possibly do. It was a splendid exhibition of local grit, ambition, civic pride and public spirit. And it has been continued to the present day with many and vast extensions of its usefulness, attraction, benefits and beauties. It would be difficult to overestimate its immense value to the whole state.

The state fair this year was held at Aberdeen, the district fair at Scotland and local fairs in Clay, Charles Mix, Yankton and other counties. At all the displays of grain, fruit, grass, vegetables and live stock were highly creditable. Aberdeen held an Interstate Grain Palace Exposition and special inducements were offered to secure the cooperation of the southeastern counties of North Dakota. This exposition differed from that of the Mitchell Corn Palace in that it placed wheat, oats, rye, barley, flax and grass on an equal footing with corn, which latter was the basis of the Mitchell Exposition. Aberdeen thus had a grain palace and Mitchell a corn palace. The exhibit at Aberdeen was highly creditable. The district fair at Scotland was better than ever before. Within three years, 1891 to 1893, inclusive, the interests of farmers and manufacturers in these fairs was more than doubled. There was great advance in fruit growing in the southeastern counties. The Dakota Farmer was a valuable aid in placing before the agriculturist the improvements of the Department of Agriculture, the agricultural colleges and the experiment stations. Broom corn was grown extensively this year.

In 1893 the Black Hills were swept by dreadful forest fires which destroyed over \$5,000,000 worth of pine timber. Lawrence County lost heavily. Death and the destruction of other valuable property accompanied these losses. Several villages were burned and Lead and Deadwood had narrow escapes.

Chamberlain this year organized a mutual insurance company one of the first if not the first in the state. A band of cowboys and other reckless characters succeeded in terrorizing Pierre for a number of hours one day in November, but were finally subdued by the authorities. It was said that "the cowboys captured the capital."

The linen mills at Sioux Falls and the cement works at Yankton were the boasts of the state in 1893. Large quantities of towels were made by the former. Many head of South Dakota live stock were slaughtered at Sioux City.

The State Horticultural Society held an interesting meeting at Vermillion in December. Among the topics considered were the following: "Vegetable Garden," by D. Hinman; "Small Fruits," by T. L. McCrea; "Raspberries," by N. Norley; "What Forest Trees Shall we Plant?" by D. H. Whiting; "Grapes," by A. J. Barnsback; "Plums," by E. D. Cowles; "Ornamental Shrubs," by G. C. Jones; "Russian Fruits," by E. L. Collins; "Seedling Apples," by D. Hinman; "Insect Enemies," by Prof. T. H. Williams; "Horticulture in the Black Hills," by Chris. Thompson; "Horticulture at the World's Fair," by Prof. L. C. Corbett; "Plants for the House," by J. J. Schumacher; "Roses," by Mrs. E. D. Cowles. Col. John L. Jolley delivered the address of welcome and response was

made by Professor Corbett. The damage done to the fruit and forest industry by the failure of the Legislature to aid this society will never be known, but was vast and incalculable.

Failure of the Legislature of 1891 to provide for the South Dakota exhibit at the World's Fair was due mainly to the hard times, the cry of the fusionists for economy and the lack of knowledge of what the fair would be. On February 5, 1891, a convention was held at Pierre to devise means to have the state properly represented in the absence of a legislative enactment to that effect. Colonel Bullard, one of the World's Fair commissioners, explained the object of the convention. It was here planned to have the state provide the buildings, and the people the exhibits. A committee on legislation was appointed—Bullard, Hunter, Crane, Star and Van Osdel. It was believed that the levy of half a mill on the dollar could be secured, thus raising \$175,000. In April the committee, having failed with the Legislature, called for plans for raising the necessary money. Governor Mellette called a mass convention for May 20 to be held at Huron to devise ways and means. Already cities and counties all over the state had taken similar steps. In nearly all the meetings or conventions resolutions calling for a meeting of the Legislature to pass the necessary bills were passed. Sioux Falls, Yankton, Huron, Aberdeen, Watertown, Mitchell, Pierre, Rapid City, Deadwood and many smaller centers held such meetings. A large majority of the people favored such action as would insure a suitable and creditable display. Finally the convention of May 27, 1891, appointed eighteen commissioners, two from each of the eight judicial districts and two from the state at large, to take charge of the whole matter and achieve success. The commission at once met and requested Governor Mellette to call a special session of the Legislature for the purpose of appropriating \$50,000, the Legislature thus called to serve without pay. This plan proved to be unpopular, unsatisfactory and perhaps inefficient and so failed. Mr. Loucks at the head of the Farmers' Alliance opposed the special session, but his course was denounced as a blow against the publicity of South Dakota's attractions. Many said it looked penurious and mean to ask the Legislature to assemble at their own expense and Governor Mellette was not equal to the emergency of call with a full paid special session.

The matter hung fire until September 22, when the commission again met at Huron to make another effort. The proposed fair building plans were examined. At this time the commission concluded to try to raise \$80,000 which it was believed would be sufficient to cover the cost. In November a proclamation of Governor Mellette recognized the commission as the official World's Fair organization of the state until otherwise provided by law. Soon afterward a board of lady managers was chosen, with Mrs. William Duff Haynie, of Rapid City, as president, and Mrs. A. C. Mellette, as lady commissioner of the state at large, and Mrs. H. M. Barker, Mrs. J. R. Wilson, and Mrs. E. C. Daniels, as members of the National World's Fair Commission. In response to this meeting the people of the state assembled in scores of places to devise ways and means of raising their portion of the required \$80,000. Senator Pettigrew was chosen by the United States Senate as chairman of the World's Fair Committee.

The pressure upon Governor Mellette became so great in February, 1892, that he finally sent a letter to each member of the Legislature stating that if two-



MECHANIC ARTS BUILDING, SOUTH DAKOTA STATE COLLEGE, BROOKINGS



DAIRY HUSBANDRY BUILDING, SOUTH DAKOTA STATE COLLEGE, BROOKINGS

thirds would agree, he would call a special session to pass a World's Fair bill, appropriating from \$25,000 to \$50,000, with from \$25 to \$50 to each member of the Legislature to cover their actual expenses, and that no further legislation should be undertaken. This course did not meet the approval of the Legislature as it seemed like a limitation of their powers and a reflection upon their independence and dignity. They thought he should have convened the Legislature and then have made his recommendations and left them to do what they deemed best instead of calling them together with restrictions placed upon them by himself. Senator Washabough of Deadwood was one who refused to assent to the proposition, mainly on these grounds, and because he believed the governor was exceeding his authority. He favored the World's Fair appropriation and was willing to pay his own expenses.

In April, 1892, the South Dakota Columbian Exposition Company was organized at Pierre with a capital of \$50,000. Similar organizations were formed elsewhere in the state. All measures seem again to have failed because in May, 1892, a new World's Fair Commission was appointed at a big meeting held in Huron, L. G. Ochsenreiter becoming president. Their announced plan was to raise at once \$20,000 by private subscription. At their meeting held in June at Sioux Falls they announced that they had raised \$15,000, but needed \$10,000 more. The commission, at this time, was more hopeful of succeeding than ever before. Many men of means told them to go on and to expect sufficient backing. At the meeting of July 12 at Huron plans for the state building were decided upon and at this time the commission received assurance that the next Legislature would hand them a reasonable appropriation. The county board of Minnehaha County voted \$2,000 bonds for the World's Fair. No doubt other counties did likewise. Already the Black Hills were engaged in preparing a splendid mineral exhibit for the fair, regardless of whether or not they would receive help from the Legislature. The school children of the state also raised an independent sum for a state educational exhibit.

The women also began an independent movement to collect a fine exhibit of curios, heirlooms, etc. They wanted anything that would help to ornament the state World's Fair building and make it inviting. They wanted particularly anything showing what the women of the state had done worth while—painting, sculpture, modeling, wood carving, china decoration, authorship, patents, lace making, embroidery, basket making, mat or rug making, plain sewing, house-keeping reforms, etc.

By January 23, 1893, there had been collected from the counties by the World's Fair Commission a total of \$22,000 and \$3,000 obtained from other sources. At a caucus of the republican members of the Legislature January 27th the vote stood 44 to 29 to appropriate \$70,000 for the World's Fair. A bill appropriating \$60,000 finally became a law. At one time it came near defeat owing to a railway combine's intention to prevent its passage unless certain other legislation they wanted should be passed.

The state building at the World's Fair was completed late in 1892 under the superintendence of Col. T. H. Brown. As soon as it was ready the work of decoration was done and the exhibits were displayed. The State Horticultural Society and the Black Hills made excellent exhibits. The educational exhibit was in charge of Pres. J. W. Mauck of the State University and was highly creditable to the state.

The state commissioners proper were as follows: L. G. Oschenreiter, T. M. Brown, P. F. McClure, J. E. Pilcher, F. T. Evans, W. M. Powers, John Baker; and the women commissioners were Mrs. W. D. Haynie, Mrs. L. Q. Jeffries, Mrs. W. A. Burleigh, Mrs. G. A. Silsby, Mrs. A. C. Mellette, Mrs. W. Gaston, Mrs. J. S. Oliver, Mrs. J. E. Bennett and Mrs. J. A. Trow. At the opening of the Fair May 1 both commissions, Governor Sheldon and several state officials, church and school dignitaries and private citizens were present. They were not ashamed of the South Dakota Building and display. The structure was covered with Yankton cement and was decorated with minerals, cereals, fruit, produce, corn and curios. W. L. Dow was superintendent of the exhibits.

The building was formally dedicated July 12. Governor Sheldon was present and made an address in reply to the presentation speech of F. H. Brown. Mrs. Helen M. Barker told what the women of the state had done. The orator of the day was Judge C. S. Palmer, of Sioux Falls. W. P. Sterling closed the dedication ceremonies with a brief address. Present at the dedication were Buffalo Bill and his cowboys. During the summer it was concluded that the South Dakota exhibit was too general and not striking enough, so in September it was reconstructed with new and better material. The exhibit was in the Government Agricultural Building and the mineral exhibit in the Mines and Mining Building.

In June occurred the ride of the cowboys from Chadron, Nebraska, to the World's Fair. First prize was won by John Berry; he covered 150 miles in the last twenty-four hours. Each man started with two horses. No South Dakota riders were in this race.

At the fair in October Mrs. Helen M. Barker addressed the World's Congress of Agriculture on the subject of "Training Girls for Farm Life." In group No. 25 of the Mines and Mining Building South Dakota took ten gold medals. The crystal cave was owned by Kieth and Allabaugh of the Black Hills. During the fair 1,800,000 people saw the cave, paying 10 cents each. The owners cleared about \$116,000 and at the close sold the cave to George W. Childs of Philadelphia for \$15,000. It was an imitation of the famous crystal cave on Elk Creek, Black Hills, about twenty miles east of Deadwood. After the fair the South Dakota Building was brought in the main to Vermillion and was used partly to form a building to take the place of University Hall that had been burned. The total expenses of the fair to South Dakota was about \$64,000.

During 1893 and 1894 diversified farming under the guidance of the Agricultural College and the Experiment Station received almost wonderful advancement and development. Everywhere in the country districts could now be seen on one farm corn, small grain, fruit, vegetables, hay, sheep, cattle, hogs, horses, poultry, etc. No longer did the farmer depend solely on one crop or product. Better farming methods were in vogue and more modern machinery was used. Near Elk Point Martin Rust owned 300 apple trees, over 400 currant bushes, 147 cherry trees, 80 tame plum trees, 150 gooseberry plants and 500 grape vines. He also grew thirty acres of broomcorn. Besides he raised grain, grass and domestic animals.

In February, 1894, the state Poultry Breeders' Show was held at Vermillion, there being present exhibits from Minnesota, Iowa, Nebraska, Missouri and North Dakota as well as from South Dakota. There were 532 entries. F. H.

Shellabarger was judge. There were leghorns, plymouth rocks, cochins, brahmas, wyandottes and games.

The South Dakota Artesian Association did important advance work in 1894. They formed electric plants for lighting towns and cities and used artesian wells to supply the power. At this time four flour mills in the state were run by this power and four or five towns were lighted by electricity. A recent law gave municipalities the right to use this power. The association conducted a campaign of education on the subject. The Commonwealth Army passed down the Missouri River this summer.

Rain-making experiments were conducted at several points in the state this year. At Sioux Falls C. B. Jewell, a chemist, endeavored to cause rain by bringing together hot and cold air currents through the agency of chemicals. He used 1,000 pounds of a special acid, 500 pounds of muriatic alloy, 20 pounds of ammonia, 4 pounds of caustic potash and 4 pounds of metallic sodium. Others tried to bring rain by bombarding the skies with high explosives. All their great efforts came to grief although they still were confident of success.

This year stock growers of the foot hills suffered so much from the depredations of big gray wolves that they at last determined on a general hunt to remove as many as possible. Accordingly twenty-one horsemen surrounded a large tract including Hat Creek Canyon, closed in and captured five of the animals. The horsemen had with them a number of English trail hounds. About this time a second great fire destroyed nearly the whole of Deadwood's principal business street. In July a body of students from Princeton College in charge of Prof. J. B. Holittier toured the Bad Lands in search of fossils and curios; they collected about 9,000 pounds, mostly the fossilized remains of extinct animals.

They secured a complete specimen of the extinct pig—*Eootherium*. An important question this year was whether the herd law should be repealed.

In the early '70s Russian immigrants brought to this state in their baggage seed of the Russian thistle, which they intentionally or inadvertently scattered along the highways and finally through the fields. It has since been asserted that they brought it intentionally to serve as feed for sheep during its early growth as they had used it in their native country. It is here to stay. From time to time organizations of farmers, weed pest experts, the Legislature and Congress have tried to remove the plague but without avail. Perhaps the Russian settler feels more at home with his old weed comrade near him. In Congress in 1894 attached to the agricultural appropriation bill was a clause appropriating \$1,000,000 for the extermination of this thistle in the two Dakotas. The congressional delegation of both of these states fought desperately for the retention of this clause, but it was stricken out in July.

Better and more concerted efforts to prevent destructive prairie fires were made this year than ever before. Farmers had learned through sorry experience and severe losses that the best way was to do the burning themselves after they had protected their stacks and buildings with furrows or narrow burned strips around their property.

While diversified farming was rapidly on the increase in 1894, it was true that the state was short in several important food articles. In May, 1894, large quantities of potatoes and onions from Wisconsin arrived in car load lots and were sold to local retailers in Sioux Falls at \$1 per bushel in 100-bushel lots. In 1893

one firm there brought in \$10,000 worth of potatoes, for which they found ready sale. Other portions of the state witnessed similar importations. The newspapers attacked this custom and declared it was due to the lack of diversified farming.

Many of the counties held fairs this year, among them being Yankton, Clay, Union, Lincoln, Bon Homme and Hutchinson. The state fair at Aberdeen was moderately successful. That city cleared over three hundred dollars on its grain palace exhibition and had a royal time in addition. The district fair at Center-ville was even a greater success than the state fair.

Prior to the middle of November there were shipped from the Black Hills region alone cattle worth over \$5,000,000. These cattle were fattened wholly on the native grasses of that region—buffalo grass (*Bulbilis dactyloides*), curly mesquite or false buffalo grass, the gramas, blue joint, sand grass, and others. The profits were estimated at \$4,000,000, because it cost next to nothing to raise the cattle and to fatten them for the market. From Belle Fourche alone there were shipped this year about 3,000 car loads of these cattle. During a general hunt in Hand County in the fall of 1894 there were killed about 3,500 jack rabbits. In a similar hunt in Beadle County 445 rabbits, 1 fox and 1 wolf were destroyed by several companies of twenty men each. It was estimated that the hot winds this year reduced South Dakota's crops 50 per cent. This fact set all the agencies at work to change, evade, modify or correct the evil. The free wool tariff law interfered with wool and sheep production, it was both claimed and denied. In 1904 a plan of R. O. Richards was to amend the constitution so that townships could issue as high as eighteen thousand dollars in bonds with which to sink nine artesian wells, which would be sufficient to irrigate the whole township. From the Department of Agriculture came the request in 1894 for farmers to grow more corn instead of wheat.

At the Russian thistle convention held in St. Paul early in 1895 there were passed resolutions asking the states of Minnesota, Iowa, Nebraska and the two Dakotas for general appropriations to destroy the pest. There was a big battle in the Legislature of 1895 as to whether a bounty for wild cat, wolf and mountain lion scalps should be paid by the state. It was a Black Hills measure and was urged with great persistence. The object was to protect cattle in the unorganized counties. Such a bill was declared constitutional by the attorney-general. It passed in modified form.

At the farmers' institute held at Yankton in January, 1895, all subjects were discussed solely from a scientific standpoint for almost the first time in the history of the state. At previous institutes, while scientific lectures and discussions occurred, they were interspersed with experiences not based upon scientific inquiry and investigation. Now the agricultural college influence was beginning to be exerted and felt. At this institute were Professors Phillips, Sheppard, Wheaton, and other scientists, who discussed milk and its products from the up-to-date standpoint. The chemistry of soils was explained and topics were looked at from a new angle and not from the old one of the farmer's experience alone. The Dell Rapids Creamery was cited as a model establishment of its kind. It had purchased the year before 2,254,553 pounds of milk, paying from 50 to 83 cents a hundred pounds. George W. Palmer was state veterinarian at this time. Elkton had a cooperative creamery company.

In March, 1895, Governor Sheldon issued a proclamation which excluded Texas cattle from the state owing to the prevalence of pleuro-pneumonia. In this proclamation it was shown that on the state ranges were 75,000 calves and yearlings from Texas and that many of them were afflicted with this disease. They were kept here a year or two, fattened on the ranges at little expense and then shipped to market. This trade brought to South Dakota and particularly to the Black Hills district from eight to ten million dollars annually. This proclamation was issued at the instance of the Department of Agriculture. In the spring of 1895 approximately ten thousand head of young cattle from Minnesota were driven to the ranges west of the Missouri River.

This year the Sheep Breeders' Association passed resolutions opposing free wool and asking for a duty of 6 cents per pound. In July about five hundred thousand pounds of wool were shipped from Pierre, the product of the range country to the westward. During one day at Alexandria 14,000 pounds of wool were marketed. The price paid was 9 cents per pound. The freight rates on wool from Pierre to Chicago were 82 cents per hundred pounds, and from the Black Hills were \$1.42 per hundred. This fact caused wool growers living as far west as the forks of the Cheyenne to bring their wool to Pierre. Cattle rustlers were the pest and terror of the growers, who often organized, ran down the culprits and either arrested them or hung them to the nearest tree.

This year more men were brought to the state from outside to help in the harvest than ever before. Often oats yielded over 100 bushels to the acre and 30 bushels of wheat per acre was a common crop, though above the average. Corn ran from 40 to 50 bushels to the acre. Highmore was the center of important dairy interests. The great hay fields were historic sights. Weather reports came from Huron. The glanders which had prevailed over the ranges for many years was checked this year and slowly exterminated. Severe hail storms and destructive tornadoes devastated portions of the state. The hot winds came too late to seriously affect the small grain crop. At the meeting of the Sheep Breeders' Association held at Mitchell in June, Kyle, Gamble and Pickler were present and delivered addresses; they promised relief to wool growers.

The state fair at Sioux Falls in September was successful, though it fell behind financially. A. A. Grant was president and John Pettibone, secretary. The contract between that city and the State Board of Agriculture was that the former should pay the latter \$1,500 the first year and \$1,000 per year thereafter for six years as a bonus to secure the fair. In addition Sioux Falls agreed to put the grounds in order and pay the printing bills. It was declared that while the city paid the \$1,500 it did not comply with the remainder of the contract and finally took the latter in order to evade the obligation. In any event the state board became insolvent after this fair and failed to pay the premiums as advertised. The total receipts were \$10,711.61. Nearly all of this was denied by Sioux Falls, which promptly went to work to retrieve the disaster which it claimed was mainly due to the board's helping itself to the gate receipts. Senator Pettigrew took up the cause of the city and scored the state board, said it should be abolished as it was run wholly on a wrong basis, declared it was corrupt and bred disparity and should not be allowed to hold another fair in the state, defrauding the people as it did. But the board was not an officially constituted body—was a private concern in the game to make money. After an investigation

the state board was cleared of blame in October. It was "more sinned against than sinning" it was said. As a matter of history, the board deserves great credit for its efforts in the face of the most discouraging circumstances.

The Corn Palace Exposition at Mitchell was a striking success this year, as it was the year before. It was formally incorporated in the spring with L. C. Barnes, D. A. Mizner, L. C. Gale, J. K. Smith and William Smith as incorporators. It was at this time that tumbling mustard began to make its appearance over the highways and fields in the eastern part—another weed pest to be controlled. Destructive prairie fires swept away thousands of dollars worth of property despite all the warnings and precautions.

A law passed by the Legislature several years before required outside corporations doing business in this state to comply with certain restrictive and oppressive regulations. The result was to drive many of them from the state—including the Dun and the Bradstreet agencies. This law was repealed in 1895, whereupon those two concerns and others returned. The census this year gave the state a population of 339,975, as against 328,808 in 1890. Thirty-two counties showed a decrease and thirty-seven counties an increase. This report was a disappointment to the people who had thought from the indications that there had been a substantial increase. They had not taken into account that many had become discouraged owing to the prevalent hard times and the usual hardships incident to a new country and had gone back East. It was particularly noted this year that the "Great American Desert" had almost wholly disappeared and was slowly being transformed into profitable cattle ranges and then into equally profitable ranches or farms. Many had contended that drought was South Dakota's normal condition in summer, but it was shown that the average annual rainfall in the vicinity of Pierre was about 16 inches, at Watertown about 26 inches and at other points as high as 40 inches. For twenty-one years, ending with 1895, the average precipitation over the state east of the Missouri was 26.41 inches, the highest being 40.95 inches in 1881 and the lowest 14.41 in 1894. Already it was shown that with proper management the whole state could be made available for the various forms of husbandry. Irrigation, tree planting, drought resistant plants, and conservation of moisture were seen to be the leading factors for this finality.

This falling off in the population of the young and attractive state furnished food for serious thought to all residents during the winter of 1895-96, with the result that numerous immigration and "boosting" mass meetings and conventions were held in all sections. At the immigration convention held at Mitchell, January 17th, delegates were present from all centers. It was ascertained that other western localities outside of South Dakota had succeeded in winning large bodies of immigrants away from this state. H. H. Keith, who presided, urged the importance of properly advertising the opening of the Yankton Reservation and the advantages of the lands west of the Missouri River. It was declared at this meeting that the custom here of agitating the irrigation subject amounted to a confirmation to outsiders that the state did not have sufficient rainfall and that such agitation really checked and prevented settlement. On the other hand it was stated that any misrepresentation of the true conditions—any "boosting" done by lying—would react upon the state, and that too much of such "boosting" had already been done. This convention issued a circular which was widely dis-



LAST THREE HUNDRED BUFFALO ON THE AMERICAN RANGE, NEAR PIERRE



THE BUFFALO HERD ON FULL FEED

tributed, telling the facts about the state, showing all its good points and calling for 100,000 settlers.

In January, 1896, the Black Hills Improvement Association was organized through the influence of the mayors of all the leading cities in that portion of the state. The object was to develop the untold wealth of the Hills and to induce capital to come there for investment. The construction of a gold palace was planned. This meeting was held at Deadwood and was presided over by Fred T. Evans.

All of the fairs this year indicated to what extent improved breeds of live stock had been introduced, particularly in the eastern section. Aberdeen Angus, Durhams, Guernseys and Herefords could be seen on the ranches or farms. The latter were commonly called "white faced cattle" and had become great favorites. This year was very important to the dairy interests, many new dairies and creameries being added. At the State Dairymen's Association annual meeting in January it was stated that there were about fifty creameries in successful operation and nine others being built. There were made in 1895 4,500,000 pounds of butter which sold for an average of 22 cents a pound. Nearly all the plants were cooperative. Five years before 1895 the state did not make enough butter for home use. The winter of 1895-96 was an open one and cattle subsisted wholly on the wonderful range grasses which cured without cutting. Many were shipped to market in January, the owners fearing that the excellent conditions might not continue. In going from South Dakota to Chicago cattle shrunk in weight 140 pounds and hogs twenty pounds. It was believed that this was a "hold up" at Chicago. The chief state industries this year were general farming, grain growing, dairying, cattle growing and mining. Manufacturing was limited, and jobbing was confined to Sioux Falls mainly.

In April, 1896, Yankton secured the state fair for nine years upon condition that it should furnish a forty-acre site near the railway station, make the necessary improvements, guarantee the premiums the first year and pay the expenses of the board of agriculture. Frank M. Byrne became the new president of the association, Morris H. Kelley, secretary and J. E. Platt, treasurer. The fair was duly held in September and was a pronounced success—more so than for several years.

The Western South Dakota Stock Growers' Association held its fourth annual meeting at Rapid City this year, there being a large attendance of delegates and cattlemen. The association now numbered 346 members who owned 200,000 cattle. When first organized it had but fourteen members. The range cattle industry west of the Missouri was developed principally during these few years.

Other important industrial events in 1896 were the extensive burning of corn and hay for fuel; the large numbers of hogs that died of cholera; the great increase in the number of creameries and cheese factories (181); and the announcement of the State Bankers' Association that the state financially was never in better condition.

The deep snows were the striking features of the early part of 1897. It was openly said that the drifts generally were deeper than ever before. All of the state north of Sioux Falls and east of the Missouri River had more snow than any winter since 1880-81. The ice was also unusually thick. In the James River

Valley the drifts covered fences and all small trees and shrubs. Great floods were predicted at the break-up. At Pierre the snow blockade interfered seriously with the work of the Legislature. Snow piles along the railway between Pierre and Huron were sixteen feet high. On March 11th another furious snow storm swept all of South Dakota east of the Missouri and blockaded all transportation for several days. Snow was about four feet deep at this time over most of the eastern portion. The spring came slowly without flooding.

This year the Government established a hatching station on nine acres near Spearfish. Grasshoppers were seen in Spink, Day and Brown counties, in June. Professor Saunders of the agricultural college investigated and showed how to exterminate the pest. The creameries showed up better than ever before. Butter made by six creameries of Kingsbury County in 1896 sold on the track for one hundred thousand dollars, in round numbers. The DeSmet creameries were famous. It was shown that the fine and delicious flavor of South Dakota butter and cheese was due to the aroma of the native grasses on which the cows fed. The state fair this year was better than ever before, there being notable improvements in all departments—racing, live stock, school children exhibits, women's work, grain display and vegetables; but the attendance was smaller than at several previous fairs. The total receipts were only about seven thousand dollars. Fred Schnauber was president of the association.

During 1896-97-98 the culture of sugar beets received a strong impulse under the supervision of Professor Sheppard, director of the experiment station at Brookings. Several companies organized to handle the beets and farmers here and there tried their skill with this crop. Excellent results were obtained by Professor Sheppard on the experiment farm—an average of about sixteen per cent of sugar.

Early in 1898 it was concluded to send East lecturers instead of circulars to expound the attractions of South Dakota, but the plan seems to have been abandoned. The state dairymen's meeting of February was an important event, because many new methods were explained. Lieutenant-Governor Gibbs of Minnesota lectured on the subject, "The Cow and Her Feed." More than one hundred and fifty delegates from all sections were present. All agreed that, in political parlance, the "American cow has a great and growing constituency." The subject of what to feed to produce the most and best milk was considered and discussed in detail. The native grasses had many firm friends. It was at this time that the growing importance of alfalfa was called to the attention of the delegates. At the meeting of the dairymen in DeSmet valuable prizes were awarded.

"While Harry Adams was gone on his eastern trip he closed a contract with the Reeves Pulley Company of Columbus, Ind., for the construction of one of the celebrated horseless wagons to be used between Pierre and Rapid City. The wagon will be constructed especially for this route and the motive power will be supplied by a Wolverine gasoline engine of sixteen horse power. The tank supplying this will hold sufficient gasoline for three single trips. The wagon will be elegantly finished and upholstered, furnished with canopy tops and storm curtains and will be guaranteed in every way. Under favorable conditions it will make twenty miles an hour and it is expected during the summer to make the trip in sixteen hours."—Pierre Journal, April, 1898.

By 1898 the state had made great advance in improved methods of farming, the most modern machinery and better live stock. It was already seen that the days of the ranges were numbered, in view of the demand for homesteads and fenced farms. The influence of the agricultural college, the experiment station and the United States Department of Agriculture, with their hundreds of bulletins and circulars on every subject of husbandry, was a powerful factor for improvement. But it was hard for the farmer to realize that a college professor could know more about farming than he did or that he knew anything worth while concerning farming. The farmers usually ridiculed all the attempts of professors to improve farming methods. Such men they called "college farmers." With this prejudice to combat the state and government agricultural experts had a hard time to uproot the old wasteful and improvident methods. But hammering at last made a break which has steadily grown down to the present time. Alfalfa fields could be seen here and there in 1898. Hogs took to it readily. Balanced rations for hogs, cattle, sheep and horses began to be discussed around the fire-sides and hearthstones of the farmers. In 1897 the Huron creamery bought 1,853,030 pounds of milk and sold butter and cream to the amount of \$12,696.27, of which sum \$10,836.75 was distributed to the farmer stockholders of the concern. In April there were in the state 145 creameries that handled daily over six thousand pounds of milk. Their annual income was about two million dollars. Four years before there were but six cream separator plants in the state. This year sixty-eight varieties of standard apples were grown in Yankton County alone.

The state fair of 1898, though well attended, fell short of the receipts of 1897. There was slim attendance on the first and fifth days. The racing was excellent and all the exhibits good. At the close of the year the society was behind \$1,866.98. The total receipts were \$4,427.25. Premiums to the amount of \$2,006.60 were paid. The races cost \$1,174.53. The general expenses were \$2,336.25. As a matter of fact the so-called state fair was little, if any, better than the district fair at Scotland and many of the county fairs. Its foundation was weak.

At the annual meeting of the State Horticultural Society in December, 1898, many interesting papers were read, among them being: "Model Farm Home," by G. L. Gilman; "Diversity in Farming," by William Walpole; "Economics of the Household," by Isabella S. Frisbee; "Plum Growing," by H. J. Gurney; "Cherry Growing," by Sam Kaucher; "Celery Growing," by W. B. D. Gray; "Canning and Preserving," by Mrs. Thomas Thorson; "The Trip to Russia and Siberia," by Prof. N. E. Hanson; other papers were read. A question box was an interesting feature. Among the subjects discussed were: "Advantages of the State Fair," "Sugar Beet Culture," "Sugar Beet Growing," "Grain Farming," "Plant and Animal Diseases and their Treatment," "Care of the Orchard," "Fruit Crop of 1898," "Marketing the Fruit Crop," "Farmers' Orchards," "Profit in Apples," "House Plants," etc. A full line of fruit trees for all parts of the state was recommended at this meeting.

In 1899 Professor Sheppard at farmers' institutes described his experiments with sugar beets: 86 samples yielded from 12 to 14 per cent of sugar; 127 samples, 14 to 16; 99 samples, 16 to 18; 28 samples, 18 to 20; 10 samples, 20 to 22; 7 samples, 22 to 24. A sugar beet company was organized at Sioux Falls.

John Armstrong in an open letter to the farmers in January, 1899, told them how to feed their live stock—explained about the balanced ration, protein, carbohydrates, etc., and noted why bulk was necessary. In January the wolves and coyotes were so thick and fierce west of the Missouri River that many parties of hunters organized for their extermination.

The National Creamery Butter Makers' Association met at Sioux Falls in January, there being present delegates from nearly every state in the Union. Large quantities came to contest for the prizes offered. Much indignation was expressed over the fact that a large oleomargarine factory of Chicago was putting out more of that product than there was being sold butter by 1,000 large creameries, because the law did not prevent them from passing it off as butter. Stringent resolutions for better legislation on the subject were passed. A. W. McCall, of Iowa, took the first prize for the best single exhibit of butter, his score being 97. Minnesota had 169 entries and was marked 88.2; Iowa had 170 and was marked 87.8; South Dakota showed 48 samples and was marked 86.6.

There was intense cold weather in January, 1899, over nearly all of the state. At Yankton for fifteen consecutive days the mercury did not get above zero; the coldest there was 25° below zero. At Pierre it reached 30° below zero; at Sioux Falls it sank to 40° below. The distinguishing features was that it remained below zero for so long a time. At Huron it was 30° below, and there occurred the coldest long stretch for seventeen years.

In the spring of 1899 the state suffered severe losses from numerous prairie fires; the air was dry and the wind high. Governor Lee early in March vetoed the bill providing for a beet sugar bounty. At the same time there was passed a pure food bill aimed at all food adulterations. A tornado swept across a portion of the state south of Chamberlain this spring killing several persons and animals and destroying considerable property; its path was twenty rods wide and three miles long.

This year the agricultural college established an experiment station at Highmore, starting out with ten acres. Dry climate grasses from Siberia and Manitoba were tried at the start. Soon it had a full line of experiments in progress. In March the Legislature passed the Wilson bill which provided for the establishment of a state board of agriculture to consist of the presidents of the several state industrial institutions and of three representative farmers to be appointed by the governor. Packard's bill seems to have been of a like character. There was appropriated \$2,000 annually to be used in paying premiums when the usual receipts should be deficient. Thus the Legislature came gingerly forward on the last day in the afternoon to do what it should have done in 1891, but was prevented by cunning politicians and "booby" farmers. The Yankton City Council had refused to help the state fair unless the Legislature should make an appropriation. The above action of the Legislature induced Yankton to liquidate the old expense. The resulting state fair was one of the best thus far held. Governor Hoard of Wisconsin and other eminent agriculturalists were present. Prof. N. E. Hanson explained why fruit trees died during dry and very cold weather. The agricultural college made an excellent display at this fair. While the fair was in session the Farmers' Institute, the Stock Breeders' Association and other farm organizations held meetings at Yankton. This was the fifteenth annual state fair.

In the early '90s South Dakota suffered from great depression, but by 1898-99 a wonderful change had come over the state. Farmers were out of debt, were sending their children to city schools and were buying pianos and other luxuries. It was also true that when the territory began to grow rapidly soon after the Civil war the towns and villages outgrew the rural districts and suffered from the severe reaction for many years, mainly because the settlement of the state as a whole was much slower than had been expected. But by 1898-99 the recovery was complete and gratifying.

In January, 1900, a merchant of Aberdeen bought "a horseless carriage with which to visit his rural customers, gasoline being the motive power." This was one of the first automobiles in the state. It was purchased in Chicago, but the freight rates were so high that he had it driven through to Aberdeen.

At this time the state apiarists organized with nineteen members and with Thomas Chantry as president. The state was divided into districts and a vice president was appointed in each. Soon afterward many local societies were organized. Steps to secure a bee experiment station were taken. The farmers' institutes, horticultural societies, state fair board and the agricultural college were asked to aid the movement. At this time the *Dakota Farmer*, issued at Aberdeen by W. F. T. Bushnell, was beginning its twentieth year; it took up the cause of the apiarists with vigor and effect.

In 1899 the *Belle Fourche Times* claimed that 350,000 head of sheep were owned within a radius of 100 miles of that city and that the annual clip was 2,000,000 pounds. In 1898 Butte County shipped 2,091 cars of cattle to market at a cost of about \$160 per car. The stock shipments at Pierre in 1898 were 14,000 head of cattle, 10,000 head of sheep and 150,000 pounds of wool. At the same time 10,000 head were shipped in for feeding purposes.

In May, 1899, H. G. Hamaker, forest supervisor, divided the Black Hills Reserve into twenty districts and appointed a ranger for each, as follows: August Peterson, Alexander Dunbar, F. D. Widney, J. F. Smith, William Mills, Charles Ennis, D. W. McFadden, C. H. Dodge, F. S. Towner, C. H. Kammon, J. A. Hackeman, L. R. Davis, M. M. Fuller, Frank Lytle, A. C. McCready, Arthur Lynn, L. T. Griggs, M. B. Oppenpaugh, T. C. Clark and Charles Pilcher. There were 219 applicants. Each ranger was paid \$60 per month. The duty of the ranger was to see to the protection of timber against fire and depredations, and to see that no timber was cut and hauled off the reserve except in accordance with the department regulations. They were authorized to call upon the citizens for help if found necessary to fight fires, and to bring to justice those who did not comply with the regulations.

The Alderman fruit farm in Turner County contained about 7,000 trees in August, 1899. Nearly 10,000 bushels of apples were marketed in 1898. On the farm in 1899 were marketed 5,000 quarts of strawberries.

The Black Hills Sheep Growers' Association was organized at Rapid City in the early fall of 1899. Robert Boyd was chosen president; Ed Stenger, vice president; W. M. Cox, secretary; H. E. Swander, treasurer; J. H. Chase, G. H. Saunders, Charles Morris, S. H. Raymond and Anthony Fuhrman, directors. About fifty thousand sheep out of a possible eighty-five thousand in the district were represented by the new association.

At the anti-trust conference held at Chicago in February, 1900, Governor Lee was present and delivered a powerful address in favor of stringent measures to curb the trust evil. The pure butter bill in Congress was favored by resolutions adopted at more than a dozen meetings in this state; all denounced the selling of oleomargarine for butter. The articles of John Armstrong of DeSmet on various farming topics were published in nearly all the newspapers of the state and did a vast amount of good. In dairying he brought out particularly the importance of cleanliness. Artificial fertilizers were the talk of the farming community this year. Their uses and abuses were fully shown by the agricultural college. In 1900 this state ranked third as a gold producer, third in wheat, first in flax, fifth in barley, rye and oats, eighth in wood, tenth in live stock, and stood high as a producer of dairy products. Its production of coal and fruit was not inconsiderable. The largest creamery in the state was at DeSmet. It was established in April, 1895, and the balance of that year paid out \$8,811.96; 1896, \$22,987.98; 1897, \$23,709.54; 1898, \$29,846.92; 1899, \$35,624.18. By March, 1900, there were ten creameries in Kingsbury County.

In 1900 all the cities of the state had taken on great and important improvements within a few years. All had vastly advanced their municipal administrations, had paved their streets, erected public buildings, installed lighting plants and generally now reflected the immense improvement blossoming in the country. Sioux Falls was growing fast, so was Mitchell, Huron, Aberdeen, Watertown, Madison, Yankton, Brookings, Redfield and others. There was sharp rivalry between the leaders for commercial supremacy, for population, for public and private institutions and for the title of "Metropolis of South Dakota." In the Black Hills, Deadwood which had held supremacy for so long was losing ground, but more because of its own lack of good management than from any other cause. Lead was steadily and rapidly gaining the commercial supremacy of the Black Hills. Deadwood was rent with local jealousies; every man was for himself and "devil take the hindmost." The city had no commercial organization with which to "boost;" no chamber of commerce; no board of trade; no mining or cattle associations. In fact, not one of its industries was organized, and when a stranger appeared with money for investment he was soon driven away disgusted by the personal fights for supremacy. The city did not seem to have a general leader. J. K. P. Metler or Judge Kingsbury, had they been there, could have united the people, but now such conspicuous men were lacking from the ranks of the dozen who claimed leadership and looked upon themselves as the agents of God to lead the people out of Egyptian darkness. Owing to this demoralization the city was killed by its friends, or at least seriously wounded. It needed a new Government Building and new Federal offices which were at this time scattered over the city. Belle Fourche had almost monopolized the cattle and wool industries of Northwest South Dakota and drew considerable sustenance from declining Deadwood. Senator Pettigrew succeeded in getting an appropriation for a Government Building at Deadwood through the Senate, but it was killed in the House. Senator Moody was almost the only man in early times who could lead the Black Hills, and he had his deadly enemies. Sturgis, Hot Springs and Rapid City, as well as Lead, were gaining partly at the expense of Deadwood.

The Sheep and Wool Growers' Association met at Brookings in June, 1900, was was called to order in the chapel of the College by Prof. E. G. Spaulding.



INSPECTING A BRAND



"CUTTING OUT"

Many important questions were discussed, including "Grub in the Head," "Feeding Lambs for Market," "What Should be Done when the Ewe Refuses to Recognize Her Lamb," "New Forage Plants from Siberia," "Feeding Value of Nevada Blue-grass," "Turkestan Alfalfa," "Siberian Millet," "The Salt Bush on Alkali Land." It was shown that the salt bush yielded 20 tons of green forage or 5 tons of dry forage per acre and that its feeding value was nearly equal to that of alfalfa. Dugal Campbell, president of the North Dakota Sheep Breeders' Association, read a paper on "Sheep Ranges in the Dakotas."

The state fair this year was a great success. The many attractions drew large crowds. A feature were the horse races, coupling contests and parades of the fire companies. Other attractions were the war, scalp and other dances by a party of fifty Sioux from the Lower Brule Reservation. The display of creamery products was the best ever seen at a state fair in South Dakota. The DeSmet Creamery won first prize. Other features were the exhibit of Belgian hares, the trotting, pacing and running races, the poultry exhibit; the exhibits of needlework, embroidery, etc.; harvest home festival, sham battle by soldiers, bicycle parades, baseball, pony races and the parades of the Shriners.

The tenth annual meeting of the State Dairymens' Association was held at DeSmet early in November, 1900. Among the subjects discussed were "Breeding of Dairy Cattle," "Care of Milk," "Forage Plants," and as side issues "Hog Breeding and Feeding," "Management of Pigs," "Hog Marketing," etc.

The eleventh annual meeting of the State Dairymens' and Buttermakers' Association was held at DeSmet early in December, 1900, there being present a large delegation. There were shown twenty-six tubs of butter. DeSmet Creamery took first prize with a score of 98 $\frac{3}{4}$, then came Irene with 98 $\frac{1}{2}$, Alexandria with 98 $\frac{1}{4}$ and Hanson with 98. Only one tub scored below 90 and only four below 95. And all this was winter butter. It was recorded at this meeting that eleven years earlier a few dairymen had met in the same hall in DeSmet and organized the association, and that as late as 1895 the famous DeSmet Creamery had been established. In 1900 the latter received as high as 55,000 pounds of milk in one week and 1,500,000 pounds during the year. It was in a grade by itself and top prices were secured. Leland Griffin was their practical buttermaker—had won gold medals and was president of the association and vice president of the national association. Oliver Distad, also a gold medalist, was his assistant. Thus far the association held five gold medals for their products. At this meeting the following among other subjects were considered: "Feeding Dairy Cows," "Old and New Methods of Education," by President Heston of the Agricultural College; "Hogs as Followers of Cattle;" "Hog Pasture After Cows;" "Feeding Young Pigs with Skim Milk," "Dwarf Essex Rape for Hog Pasture." Doctor Haecker of the Minnesota Experiment Station addressed the meeting on the subject of "Feeding Dairy Cows." Among other things he said that as the cow of today was doing about three times as much as the Creator had intended, she must have a balanced ration and he showed on a blackboard how to compound several of such balanced rations. This meeting prepared a bill creating a dairy commissioner, to be presented to the Legislature. The new officers were Leland Griffin, president; C. P. Sherwood, secretary.

The census of 1900 gave the state a population of 401,750 as against 328,808 in 1890, 98,268 in 1880 and 11,776 in 1870, the latter two being estimated from

the returns for the whole territory. In 1890 there were 78 counties, and in 1901, 63. During the decade of the nineties the following counties decreased in population partly through changes in their boundaries: Armstrong, Aurora, Beadle, Brown, Brule, Custer, Fall River, Faulk, Hand, Hughes, Hyde, Jerauld, Pennington, Sanborn, Spink and Sully.

In 1901 it was shown in Congress that within two years the product of oleomargarine had increased 50,000,000 pounds. The Grout bill then pending was aimed to relieve this unfair discrimination against the products of the dairies. At this time Secretary of the Treasury Gage declared that farmers were selling their milk and buying oleomargarine, which statement was shown to be a fact here and there through the country. The reason for this step was because milk and butter were high and oleomargarine low in price. Generally, the farmers of the state demanded that the Legislature should create the office of State Dairy Commissioner.

Many pests were troublesome this year. Russian thistle, cockle burs, tumbling mustard, Canada thistle, etc., were annoying and expensive. The Hessian fly appeared in several counties, but did not become extended. Gray wolves on Bad River killed many cattle; this fact was a strong argument against the proposed repeal of the wolf bounty law in January, 1901. In July this year the Black Hills celebrated with much ceremony and splendor the twenty-fifth anniversary of the settlement there—a wonderful change. A notable fact this year was the vast increase in the number of sheep in the state. The country around Pierre was one of the best regions in the state for live stock and annually thousands of head were shipped from the station there—cattle, sheep and horses.

Land in South Dakota began to boom about 1899-1900, when there was little more Government land to be had and the waves of settlement began to roll back from the Pacific shore or the Rocky Mountains. The cry that "Uncle Sam is rich enough to give us all a farm" died out. But there was an abundance of good land yet to be had in this state. The so-called arid land that had for so long a period been passed by, the swamp land, richer than any other, the alkali land that had excellent possibilities, the hill slopes that in Europe are so productive—all were ready for the man intelligent enough to avoid the few impediments. Even the gumbo hills were expected to become the soil for necessary crops. All this tended to raise the price of all state land. And it went up by leaps and bounds. Farm lands worth two years before \$30 per acre were now \$40 and \$45. A serious handicap was the soda and potash in the drinking water of many wells and springs. Soon along the Missouri and other rivers and streams channel water began to take the place of the other for drinking and irrigating. Yankton admitted in 1901 that its only handicap was its inferior drinking water.

The Farmers' National Congress held at Sioux Falls in October, 1901, was large and important. George L. Flanders, of New York, was elected the new president. John Armstrong, of DeSmet, was chosen vice president for this state. At this time the latter was president of the State Board of Agriculture; he owned the Spirit Lake Stock Farm and was still the contributor of many valuable articles on scientific agriculture to the various state newspapers. This congress passed resolutions favoring congressional appropriations for rivers and harbors; calling the attention of Congress to the injuries inflicted on the public domain

by ranchmen; favoring the construction of the Nicaragua Canal; denouncing anarchy; advocating the teaching of scientific agriculture in the public schools; urging a tax on oleomargarine; protecting food products by compelling manufacturers to brand their goods; favoring reciprocity and free postal delivery and urging the destruction of the gypsy moth.

At the International Live Stock Show in Chicago, J. W. Reedy of Beresford, in 1901, won two second prizes: (1) a carload of fifteen grain-fed steers or heifers over two years and under three, and (2) a carload of steers and heifers one year old. It is not known that any other South Dakotan made exhibits at this show. This year there was a big falling off in cattle throughout the whole country. The number in this state was decreasing rapidly mainly because the ranges were being settled and fenced. Never was the state more prosperous than during this year. Several big crops in succession, better farming methods and good prices, placed the state in the lead as a producer in proportion to population. The leading products were: Wheat, \$20,000,000; corn, \$14,726,250; oats, \$5,831,100; barley, \$1,544,400; rye, \$40,000; flax, \$3,861,000; potatoes, \$1,620,000; hay and fodder, \$25,500,000; live stock, \$25,500,000; dairy and creamery, \$8,500,000; orchard and garden, \$5,000,000; wool and hides, \$2,500,000; minerals, \$12,500,000.

The census of 1900 showed this nativity of the foreign population in the state: Norway, 19,788; Germany, 17,873; Russia, 12,365; Sweden, 8,647; Canadian English, 5,906; Canadian French, 1,138; Denmark, 5,038; England, 3,862; Ireland, 3,298; Bohemia, 2,320; Holland, 1,566; Finland, 1,175; Scotland, 1,153; Austria, 926; Switzerland, 585; Wales, 549; Poland, 472; Hungary, 421; Italy, 360; twenty-two other countries, 1,034.

When the Legislature of 1901 failed to make an appropriation for the Louisiana Purchase Exposition at St. Louis, the people themselves began to make an effort to accomplish that result soon afterward. The Mining Men's Association of the Black Hills was one of the first to begin action. They asked for an extra session of the Legislature, if necessary, to raise the means and sent out a circular over the state calling for assistance. The circular said the state should be represented at the fair, because it was a portion of the tract sold to the United States in 1803 under the name of Louisiana.

The corn palace at Mitchell was a success as it ever had been. So were the state, district and county fairs. There was a better, a more confident and satisfied air among the ruralists than ever before. They had money to spare, if not to burn. This year there was a general demand for a state oil inspector, as the oil of the Standard Oil Company was both poor and high priced.

The third annual convention of the State Bee Keepers' Association was held at Yankton in February, 1902, with Thomas Chantry, of Meckling, in the chair. Many important problems were discussed. An important question was how to care for the bees over winter and another was how to increase and improve their feeding grounds. About thirty delegates were in attendance.

It was about this time that many towns and cities throughout the state took action to secure the donations of Andrew Carnegie for the construction of public libraries. Several cities organized and conducted strong and effective raids against gambling, drunkenness and other forms of vice. William Walpole was an authority on live stock at this date. It was at last admitted that "bonanza

farming" had seen its best and nearly its last days in South Dakota. People had come to imagine that it was practically out of the question to irrigate farms on a large scale as was done in California. Yankton and Mitchell were two of the first cities to secure a Carnegie library—\$10,000 each.

This was the year that the Department of Agriculture locked horns with the State Agricultural College and Experiment Station on the subject of macaroni or durum wheat. The former maintained that it was equal to any of the bread wheats, but this was disputed by the State College authorities who declared that it was the old goose wheat—was an old resident, not new; that there was little demand for it and that its claims to superiority were not yet supported by evidence. The Government further averred that it was certain to produce an abundant crop in dry weather—was in reality a drouth resistant. Time proved that the Government experts were right; they had tested, grown and analyzed the wheat.

The citizens of South Dakota were land crazy in 1902; land had suddenly, almost in a day, gone up in price from 25 to 50 per cent and threatened to go higher at any moment. At once the authorities aimed to bring to the state 200,000 immigrants if this could be done. Never before except once had this craze become so prevalent throughout the state. People in the '80s lost their crops because rains were insufficient; land then was very low—\$2 to \$5 an acre. In the '90s farmers began to irrigate and conserve their moisture and their crops were made both surer and larger. By 1901 the old drouth conditions and the hot winds were much modified in their devastating effects; crops were said to be as sure as in half of the other states. Accordingly land values bounded higher and higher. There was no great advance in land values until 1898 at which time raw land was valued at \$6 per acre; then the values arose thus: 1898, \$6; 1899, \$8; 1900, \$11; 1901, \$15. Cultivated land increased at a similar rate. Good cultivated land worth \$20 an acre in 1908 brought readily \$45 in 1901-02. Previous to 1898 a sale of 50,000 acres was large and unusual; then the sales became: 1898, 200,000 acres; 1899, 500,000 acres; 1900, 1,000,000 acres; 1901, 1,800,000.. In the '80s, owing to the unattractive conditions, the state lost thousands of settlers; there was a great exodus, due to some extent to misrepresentations of land and real estate agents and to the over-zealous "boosting" of immigration officials and companies. In 1901 no settlers left owing to trying or unsatisfactory conditions. Alladin's lamp had apparently been rubbed and had created the change almost in a night.

In the first five months of 1901 out of 131 creameries 57 paid \$482,464 for about 53,234,000 gallons of milk. Only a few years before there was not a dairy nor a cheese press in the state. Let it be recorded as a fact of history that the increase in the products caused the prosperity upheaval and that this prosperity, by an easy and natural process, was extended to the towns and cities. Agriculture—all branches—did it, nothing else, except the minerals of the Black Hills and the native grasses of the ranges—buffalo, alkali, sand, blue joint and grama. In early times South Dakota was not a certain wheat state, although two-thirds of its 23.5 inches of rain came in June, July and August; but by 1900 its crops were reasonably sure and its wheat production was ninth in the United States.

The Huron Driving Park Association conducted a meeting of fast stepping horses in 1902. Large prizes were paid and many visitors from other states were present as participants.

The Black Hills claimed to be the richest tract of the same size on the face of mother earth. It had a splendid soil even on the hill and mountain terraces, owned immense forests of pine, spruce, oak, elder, cottonwood, elm, fir, birch, aspen and chokecherry; and possessed an inexhaustible supply of valuable minerals and precious gems. It had hot springs and cold springs, warm climate and cold climate, valleys of rare and radiant loveliness and snowy peaks that wooed the fleeting and fickle clouds.

By 1901 a bulletin issued by Director Merriam of Washington, D. C., showed that the manufacturing industries of South Dakota had wonderfully increased within a comparatively short time. The total capital invested was stated to be \$12,229,489, an increase in one decade of over 115 per cent. There was also an increase of over 228 per cent in the number of manufacturing establishments.

In 1901 a bounty was offered by Brown County on gophers and the result surprised everybody. When the bounty offer came to an end on May 20, the total number which had been received at the auditor's office in Aberdeen was 309,885 on which a bounty of \$6,197.70 was paid. One large consignment sent by express was not received in time to be counted in the above figures but was counted soon after its arrival. The tails came in so thick and fast as nearly to swamp the working force of the office. On the last day over eighty thousand tails were received, counted and certificates were awarded.

During the discussion of the wolf bounty question what seemed to be a gigantic fraud committed against the state was disclosed. The records showed that four men secured nearly all the bounty paid on certificates turned over to the treasurers of Meade and Pennington counties. The amount thus paid was \$11,000. It was recorded that the wolves had been killed in these two counties. The certificates and affidavits disclosed that these four men killed nearly if not quite one thousand wolves. The certificates were assigned to the Meade County Bank and after the last \$5,000 became available that institution filed the certificates with the state auditor in large numbers. When the fund was exhausted no more certificates arrived. About this time one of the men was arrested and taken to Montana on a warrant from the governor of that state on the charge of perjury in connection with wolf bounty frauds. It was the theory that the scalps which were sold to South Dakota had filled after having been punched by Wyoming or Montana or both and that at least two or three of the states mentioned paid for wolves killed within their borders.

Enclosing the Hills like two loving arms were the two main branches of the Cheyenne River, the numerous affluents of which drank the water of the melting snow and then tumbled in rapids and cascades down through fragrant valleys past farms and villages and cities on their missions of usefulness or devastation. High above were the prairie or table lands torn by the waters of former ages. As a whole the Hills stood out a lofty plateau with a mean elevation of from five to six thousand feet above the sea, but really varying in height from three thousand five hundred to eight thousand four hundred feet. In delightful and picturesque confusion were ranged hand in hand mountains, hills, shining minerals, bursting waterfalls, natural parks, stately trees, beautiful and aromatic valleys and the everlasting and stately spirit of lovely nature that was always present and ever kind and sweet.

Fruit did well in the valleys and on the slopes and hills. Nine-tenths of the whole area was covered with the nutritious native grasses where thousands of cattle roamed and subsisted. Every year about this time saw from 2,500 to 3,000 carloads of cattle started to market. The Hills had and have the greatest range of diversified industry in the world—farming, grazing, lumbering, manufacturing and mining. Like the hills of Moab they seem ever to have over them the divine benediction of the sunshine and the storm.

From 1899 to 1902 the County of Lyman was infested with a large gang of cattle rustlers and horse thieves headed by the notorious Jack Sully and closely followed by dozens of others nearly as desperate as he. They were able for several years to elect men to office who were either part of their organization or men who did not have the courage to oppose them in "rustling" live stock from the settlers who were trying to make an honest living in that newly settled part of the state. The circuit judge was unable to secure convictions with a jury chosen by the sheriff and clerk of the courts who were influenced by Sully's gang of thieves, and affairs became so desperate by 1902 that an independent county ticket was elected and was composed of clean men who believed in the enforcement of the law and the protection of the settlers. Then it was that the circuit judge could get men on the jury who were not part of the organized group of thieves. The result was that within two years fully twenty men were sent to the penitentiary from that county, and Jack Sully was killed by Federal officers while trying to evade arrest.

The Black Hills Forest Reserve was considered one of the most important in the country. In 1901 there were in the United States fifty-four such reserves. This one contained 1,211,680 acres. In 1902, 1,121 acres were burned over. That year timber to the value of \$20,269.52 was sold. The agents granted 303 grazing permits. Up to this time the price received for the sale of timber was double the expense of caring for the reserve. Binger Hermann was commissioner at this time.

During the winter of 1901-02 over 12,000 head of cattle owned by white men were scattered on the Rosebud Indian Reservation, permission for which having been granted by the secretary of the interior. The cattle were permitted to remain until spring upon the payment of 50 cents per head to the Indians for the privilege. On other reservations large herds were also scattered, the rates being about the same.

During the summer of 1902 numerous meetings were held in all parts of the state to voice the demand of the people that South Dakota should be suitably represented at the Louisiana Purchase Exposition. It was not a pleading, but a demand, that the state should occupy a creditable place at the great fair. The Business Mens' Association of Huron passed tart resolutions demanding such representation. A movement under the leadership of Scotty Phillips had for its object a Sioux Indian exhibit and an exhibit of a herd of his buffalo at the fair.

At a big meeting on the grounds at Alexandria this fall sixteen fast horses contested for prizes; \$2,500 was paid for trotting, pacing and running races. The gate receipts amounted to over \$1,000. Prior to 1902 all of the state fairs were little or no better than district fairs and were inferior to many county fairs in other states. There was no general action by the citizens to make it represent the

products of the whole state. In 1902 a change seemed to come over the spirits of the good people. Prosperity had greeted them with loving hand-clasp and at last all seemed to feel the stimulus of pride in their noble state. For more than twenty years Sioux City had laughed and made faces at the attempts to hold a state fair in South Dakota, had declared it out of the question and had called upon all here to drop the farce and attend a real fair in that city. But now that wealth was abundant the people decided to take a step that would be a credit to all. Half a dozen cities prepared in 1902 to bid for the fair to be held in September, 1903. It was now demanded with due emphasis by the voters that the next Legislature must pass a bill carrying the necessary appropriation.

In December, 1902, Senator Gamble's bill in Congress provided for setting apart a tract of 9,000 acres near Hot Springs for the proposed Wind Cave National Park, which included Crystal Cave and other rare natural attractions. It was proposed that Capt. Seth Bullock be placed in charge of the park.

It was noted in 1902 that the cattle and horses raised and marketed in the Black Hills were almost as valuable as the mines. And the cattle were better than ever before, having Durham, Hereford or Aberdeen-Angus blood in their veins. Corbin Morse, representing the American Live Stock and Loan Company of Chicago, bought and sold 16,000 head of cattle this year in the Hills.

The crocus or anemone having been chosen generally as the state flower in 1893, it was proposed that the motto to go with it should be "I Lead." A newspaper suggested that it would be more appropriate to adopt the Russian thistle with the motto "I Roll." Five or six Carnegie libraries were established in 1902-03. A horse disease called "*maladie du soit*" afflicted the western part of the state in February. A lot of cattle with anthrax were quarantined at Huron at the same time. The wolf bounty was limited to \$4,000 in 1903, which made the hunting of those animals unprofitable and therefore hunters turned their attention to other game. A portion of the fund remained in the treasury.

The Legislature of 1903 seriously considered any and all plans that promised relief from the hot winds that dried up the crops so during the summers. They decided that more artesian wells and more lakes formed therefrom would assist to alleviate the scourge. Dipping tanks for sheep had long been in use in the state and now in 1903 the same for cattle were introduced under the law at all cattle centers. The design was to kill lice, ticks and various other skin parasites and skin diseases. A new iron bridge over the Cheyenne River at the mouth of Fall River was opened in April. Charles K. Howard was president of the Western South Dakota Stock Breeders' Association at this time; F. M. Stewart was secretary-treasurer and H. A. Dawson, vice president.

Cattle shippers had learned from sorry experience not to send cattle in large lots to Chicago at one time, because prices were reduced by the packers. The shrinkage continued to be large—over one hundred pounds to an animal. This fact caused the shippers to begin to send their cattle to Sioux City and to urge the establishment of packing plants at Sioux Falls.

During all the years before 1903 it was declared on all the ranges that "Grass is King." The cattle shipped in 1902 were valued at \$9,424,067, and all or nearly all were fattened on the native grasses of the ranges. The cattle shipped in 1891 were valued at \$4,998,420. During eleven years, from 1892 to 1903, there was spent \$11,977.57 for the prosecution of cattle frauds and cattle thieves. In

1902 12,440 cattle were recovered from men who were not their lawful owners. They were valued at \$503,532.02. In 1891 there were thus recovered 5,729 worth \$227,269.18. The lower Belle Fourche round-up was always an interesting and exciting event. Thousands of cattle were brought in and branded with the owners' marks. The best range riders of the state were here.

It was justly declared that the exhibit from Hughes County at the Huron fair was not grown there, but was obtained from other counties or perhaps from Nebraska or Kansas. Hughes County had taken the first prize there and the second prize at the state fair in Yankton. These statements and charges were ascribed to the capital contest between Pierre and Mitchell that was then raging over the whole state. Late in October the State Board of Agriculture at a meeting held in Watertown announced that Faulk County was entitled to first prize at the state fair, and gave Davison County second place and Hughes third place. The score was: Faulk, 707; Davison, 693; Hughes, 677. At this date for the first time in the history the best corn lands in the state were valued at \$100 per acre—sold for that sum. This year's potato crop was one of the greatest ever grown. In October this year there were recorded at the statehouse 4,916 private animal brands.

The passing of the cowboy, the rustler and the rancher had slowly come with the homesteader and the wire fence. The free plains, it was seen, were doomed at an early day. Nearly all the big and historic ranches were being closed. This year the Pure Food Commission sent out regularly circulars specifying what food stuffs were adulterated.

"There is little use of trying to grow potatoes in the drier sections of the Dakotas with any hope of a certain crop, if late varieties are planted. The late potato or the early one planted late is almost certain to be in that critical stage known as setting when the almost certain dry, hot spell comes on. If strong, vigorous seed is planted as soon as the ground is warmed up for it and that seed is of the standard early variety, a fair crop is almost certain to result if the land is rich and well prepared. Then everything should be done to force the plant along and nothing done (such as too deep cultivation or heaping the earth around the hills) to retard it."—Dakota Farmer, January, 1903.

The short courses at the agriculture college this year covered (1) live stock judging and feeding; (2) diseases of farm animals and treatment; (3) practical horticulture; (4) pests and diseases of farm crops, their eradication, etc.; (5) general agriculture, which included farm machinery, corn judging, grain cleaning and grading; also 12 weeks at commercial nursery work; 12 weeks at butter-making; 12 weeks at domestic science for young women; and 24 weeks at steam engineering. The president was scheduled to deliver twelve lectures on home reading and self culture.

During 1903 the creameries in the state were reduced from 153 to 130, owing to the lack of milk caused by the bad cow winter of 1902-03. Late in 1903 big gray wolves killed many young cattle within sixty miles of Pierre. The cattle men offered \$15 for each gray wolf scalp. This set the hunters at work and soon the pests were exterminated. The wealth production per capita in 1903 exceeded that of any other states of the Union. The American Prairie Dog Exterminating Company, with a capital of \$5,000, was organized with J. J. Jockley at its head. He stated that he had discovered a means to kill the animals on a large scale.

An important problem in 1903 was the re-grassing of the plains and prairies. Several years before this date, in an effort in this direction and in order to secure drought resistant grains, Prof. M. A. Carleton, of the Department of Agriculture, had visited Russia, where he secured samples of the macaroni or durum wheat which grew there under the same weather and climate conditions as prevailed in the Northwestern states. These samples were sent to all the experiment stations with instructions to test them. Two leading varieties—Kubanka and Velvet Don—he brought in considerable quantity, the former coming from Uralsky, a semi-arid region, and the latter from Ambrociarka, also a semi-arid region, of Russia. In the spring of 1902 Professor Sheppard received about forty bushels of these two varieties. He sowed $1\frac{1}{4}$ bushels to the acre and obtained a good crop. This proved to be the durum wheat that has since become so valuable and popular in South Dakota.

At the meeting of the Improved Live Stock Association at Mitchell in February, 1904, J. M. Erion, of Mitchell, officiated as president. The object of the association was to grow and develop all blooded live stock and poultry. There were shown Shorthorn, Hereford and Angus cattle; Duroc Jersey, Poland China and Chester White hogs; and Plymouth Rock, Wyandotte, Light Brahma, Cochin, Leghorn and Indian game chickens. It was declared that alfalfa was almost indispensable for all of these animals.

At the Mitchell Corn Palace Exposition in 1903 six varieties of corn from Lyman County were shown. Among them were splendid samples of Yellow Dent. The Ree corn exhibit attracted all observers. The latter crop, it was asserted, averaged eighty bushels to the acre and grew almost directly from the ground and not on tall stalks. That county also showed samples of the old sod-corn—the kind that had flourished twenty years before. In this exhibit, also, were Heyne's pedigree wheat, alkali grass, sugar cane nine feet high, etc. This was the fifth corn belt contest at Mitchell. The idea was originated in Sioux City in the early '80s and taken up by Mitchell in 1892. The building in 1893 was 100 by 140 feet and located in the heart of the city. It was of Moorish design, with nine towers and minarets, the decorations being Mosaic, Arabesque and Grecian. Corns, grains and grasses were used to decorate the exterior until the towers seemed to be solid grain—mostly corn; sugar cane was also used. The building was lighted with incandescent globes. In a popcorn room were shown all farm and farm-home products. The work of women and girls was shown in detail.

In 1903 silos began to make their appearance here and there throughout the state; they were especially welcomed and needed by the dairymen who wanted green feed for their cows during the winter months. Alfalfa was rapidly becoming popular. It was first brought from Chili to California in 1854 and then gradually spread eastward. It had been grown in Persia and Egypt for thousands of years. In the United States in early times were from eight hundred to nine hundred native grasses, many very nutritious. The most valuable wild grasses in South Dakota were buffalo, false buffalo, curly mesquite, blue joint, sand grass, alkali, grama, and others. Several had the characteristic of drying on the stem with all their nourishing qualities impaired. Such grasses furnished the winter feed for cattle under the deep snow despite intense cold. They possessed high fattening qualities, but were low in protein.

In 1903-04 there were many evidences that the great cattle ranges were fast disappearing. It was announced in December, 1903, that Harris Franklin, the Driskills, Connor Brothers and the Lake Toombs Company were closing out. Those who favored paying no bounty for wolf scalps maintained that dogs killed more domestic animals than wolves. Shepherd and Newfoundland dogs were declared to be the worst.

In January a party of hunters went from Pierre to the Scotty Phillips Ranch to shoot four buffalos known as the "outlaws," one of which could not be controlled or approached. Among the party were Governor Herried, Scotty Phillips, T. E. Phillips, R. H. Kellogg, E. H. Warner, Doctor Tilton, E. C. Jones, and others. A party of Indians went along as guides. The four were finally seen about sixty miles west of Forest City at 8 o'clock A. M. They were pursued till 3 o'clock P. M., before a shot was secured. The governor took the first shot, but the animal, though hit, did not fall, whereupon T. E. Phillips fired, after which the buffalo ran two miles and then fell. Both shots had taken effect behind the shoulder, but the big bull was so strong and hardy that he resisted the effects. His head and hide were brought to Pierre.

It should be noted that the tract of country between the Missouri River and the Black Hills remained untenanted so long for the following reasons: (1) The Indians held the land until recent years and continued to reside on reservations there after the bulk was opened to settlement and were not desirable neighbors for the white settlers; (2) that region had no railroads and hence farm products raised there could not be marketed at a profit except such as could market themselves, as cattle, horses and sheep; (3) the soil was presumably, in part at least, semi-arid and seemed uninviting to the man who wanted to grow large, sure crops and did not understand the soil nor the climatic conditions. It is now known that the lack of railroads was the only serious obstacle. Had the state at the start built two or three lines from the Missouri River to the Hills, or encouraged railway companies to do so, that portion of the state would have gained fifteen years in settlement. But the state was young and the times hard and it was deemed best to wait. But it has been questioned whether it was wise to surround the railway companies with restrictions and obstacles until they were unable to extend their lines and until they were forced to enter politics for their own protection.

This year great efforts to stamp out cattle mange were made. All cars which had contained mange cattle were required to be disinfected before being used again. All cattle yards were similarly treated. Companies that made dipping a special and perfect process were formed and passed from tank to tank to do the work at so much per head. The Department of Agriculture said the whole state was infected with scabies or Texas itch. This caused the authorities to double their efforts and precautions, until in the end the diseases or scourges were eradicated. Dipping was made compulsory during this period—two dippings for each animal ten or twelve days apart. Sanitation became the watchword in home and field. Dipping tanks for cattle with mange were erected through all the range country. In May fifty-four carloads of barbed wire came at one time for use on the ranges west of the Missouri. Ten came to Pine Ridge, twenty to Pierre and twenty-four to Chamberlain. Settlers and wire fences meant doom to the free ranges, it was declared. Lymian County received many settlers this



SOME OF THE SCOTTY PHILLIP BUFFALO

Those in the lower picture, taken about 1883 near Cheyenne River, were known as the Dupree herd and were the progenitors of the present famous herd

year. "Grass, Grain, Gold" was suggested as the state motto when the anemone or pasque flower was adopted as the state flower. The decline in cattle shipments was foretold early in 1904, because it was noted that the companies were not bringing in from other states so many young cattle as formerly. There was more home breeding of native cattle crossed with the standard breeds than ever before. All of this showed again the coming of the homesteader and the passing of the ranger.

The enormous wool output was an important industrial event this year. In the Belle Fourche district alone there were shipped, in 1900, 168,000 pounds; in 1903, 800,000 pounds; and in 1904, 1,500,000 pounds. A herdsman there who began in 1900 with 400 head had 2,200 head in 1904. Rapid City and Edgemont were also great wool and sheep centers.

"South Dakota should be known as the Sunshine State. It fits the case. It is attractive and appropriate. It is said that there is no state in the Union in which there are so many days of brilliant sunshine the year round. The people of the state have come to be proud of the name and it will live. But there must be a name by which to characterize those who dwell in the state and sunshine will not do it. In view of the names which have been saddled upon the people of other states, we would suggest that the governor withdraw his protest. We had rather be coyotes than bug-eaters, or craw-thumpers, or suckers, or buzzards. The coyote is swift, diligent, active and alert and those qualities will fit the dweller in the state of sunshine."—*Argus-Leader*, October, 1904.

A petrified tree weighing 16,000 pounds was found in the Black Hills. It was sent to the Louisiana Purchase Exposition. Rust appeared in many fields of wheat. Large quantities of durum or macaroni wheat were grown this year. The winter wheat acreage was also large. It was announced that alfalfa could be grown in all latitudes, on all soils and would resist all droughts in this country, after being properly rooted. All crops were fair, but cattle were above the standard, both in quality and weight. But the price of beef on the hoof was so low in the fall that cattle growers refused to ship. There was greater diversity in farm products than ever before. Rotation of crops was the slogan now. Excellent systems of rotation were prepared and recommended by the agricultural college and experiment stations. Already South Dakota was losing its reputation as a wheat producer, the yield having run down from twenty to ten bushels per acre, largely owing to soil exhaustion. Rotation with legumes was the remedy suggested. Thus wheat and cattle after the old methods were doomed unless the new conditions could be met.

At the legislative session of 1903 it was enacted that commencing with 1905 the state fair should be permanently located at Huron, and the agricultural board was authorized to secure grounds and buildings. This act in a large measure took the spirit out of the fairs for the years 1903 and 1904. But the Mitchell Corn Palace was as attractive as ever. In 1904 it was estimated that fully thirty-five thousand people attended this show. The state was well represented at the Louisiana Purchase Exposition.

In 1904 H. L. Loucks installed a milking machine which, it is said, would take the milk from fifteen cows simultaneously. It was the first machine of the kind introduced in the northeastern part of the state. In the fall of 1904 he had eighty-two head of milk cows and was making a great success as a dairy and a general farmer.

"The cattle raisers of South Dakota have had an unusually favorable season so far as natural conditions are concerned. The grass and hay crops are excellent, and people who have visited the country west of the Missouri River state conditions there could not be more favorable than they are at present. The cattle are fat as butter and in prime condition for market. But on account of the differences between a half dozen packers and a few thousand workingmen the cattlemen of the Northwest stand to lose millions of dollars and the meat consumers of the country will later on be compelled to pay many more millions in increased prices of meat to pay the cost of the quarrel of the packers and their workingmen. The situation is such as to cause the public to view a continuation of the strike with impatience and indignation. It is altogether unbearable."—Aberdeen Daily News, August 26, 1904. This article was called out by the report that General Sheafe had just lost \$8 per head on 520 cattle which he had shipped to Chicago from the ranges.

It was calculated that the number of cattle in 1903 was 1,284,877 and in 1904, 1,263,362, the decrease being due to the passing of the ranges. The number of sheep in 1903 was estimated at 509,267 head and in 1904 at 487,523, the decrease coming from the ranges. Secretary of Agriculture Wilson visited the Black Hills cattle regions this fall and inspected the cattle dipping arrangements. He did so to learn in part if two dippings were unnecessary, as was claimed by the cattlemen.

Much black rust spread over the wheat fields of the state in 1904; it became widely extended before steps to stop it were taken. The Forestry Bureau of the Government did excellent work at this date in South Dakota. The irrigation system on Box Elder Creek near Rapid City was well advanced this year. The Tri-State Grain Dealers' Association made important changes in their meeting at Mitchell in July. The Central South Dakota Fair at Huron was well attended and successful. Large quantities of fruit were grown in the Black Hills region.

At the Louisiana Purchase Exposition South Dakota received 83 awards—4 of gold, 26 of silver and 53 of bronze by October 19, with a few more to come. The Black Hills Reduction Plant was awarded first prize. The Spearfish Normal School took a silver medal. Fifteen counties of the state contested for medals. They exhibited rye, flax, wheat, corn, oats, popcorn, emmer, millet, butter, macaroni wheat, wheat products and general educational work. Pierre, Sioux Falls, Mitchell and Flandreau took a joint prize in the latter. Clay County received 20 awards, Sanborn 17 and Edmunds 11.

Late in 1904 there was much talk of soil bacteria, soil inoculation, rotation of crops, dry farming, water conservation, seed corn specials, imported herd leaders, farm management, sanitation, silos, automobiles, rural free delivery, telephones, alfalfa, diversified farming, scabies, weed pests, stock diseases, etc. In November this year Montana, North Dakota and South Dakota combined to get rid of the scabies. The meeting was held at Fargo, there being present Doctor Ramsey of the Bureau of Animal Industry. The legislatures of all states were asked to pass bills aimed to remove the evil.

During 1904 the state veterinarian traveled 1,719 miles by rail and 1,065 miles by team, killed fifty-five horses afflicted with glanders, doctored many cases of anthrax in cattle and inspected the many dipping vats in all parts of the state.

In January, 1905, A. C. Johnson of the Chicago & North-Western Railway, and Pres. James Chalmers of the agricultural college, called the attention of farmers to the great importance of seed improvement and at the same time prepared to run pure seed trains over the railways of the state. Farmers came twenty and thirty miles to meet these trains, realizing their importance. No wonder, because it had been announced that in 1904 the state had lost 25,000,000 bushels of wheat through impure seed. The Chicago, Milwaukee & St. Paul Railway did likewise. The Legislature listened to talks on grain seed of all kinds by Professors Wheeler and Chilcott of the agricultural college.

In January, 1905, E. K. Whitehead, secretary of the Colorado State Society for the Prevention of Cruelty to Animals, called the attention of the whole country to the awful conditions prevailing among the cattle on the ranges. On a single ranch in Texas over five hundred thousand dollars worth of cattle died of thirst, starvation and cold. On many ranches all over the West half were thus lost, or three-fourths, or nearly all. The few that survived went down to the very verge of death and suffered all its pain without its relief. The cattle were turned out all winter in the snow. If the winter was mild and open they did very well where they could get water. But in case of heavy snow and severe cold, they were forced to eat snow for water and paw for a scanty supply of grass. Thousands in this state died of thirst and starvation. The rich owners did not seriously concern themselves over these conditions, because "a dollar a year would keep a steer" and if half of their herd of 10,000 cattle perished the other half were mainly profit.

In February, 1905, the Live Stock Association in session at Mitchell was presided over by its president, James M. Erion. The organization was now two years old. They adopted a resolution asking the Legislature to provide them a permanent home costing \$5,000.

The suit of the Government against the cattle trust early in 1905 gave much encouragement to the cattlemen of the West who for so many years had been at the mercy of the packers. Often at Omaha and Chicago they were compelled to accept but one bid—no competition—by the concerted action of the buyers. The trust beat down the price to the consumer. So a change was warmly welcomed.

While the 640-acre homestead bill was under consideration the horticultural society passed a resolution asking Congress to so amend the law that homesteaders would be required to plant and maintain at least eight acres of forest. In February both houses of Congress reported in favor of the bill.

In the spring of 1905 an organization calling themselves the Wolf Fighting Association was effected in the southwest part of the state, the chief object being to kill off the big gray or timber wolves that were the terror of cattlemen. Each member was to receive from all the other members 25 cents for each coyote scalp and 50 cents for each gray wolf scalp killed in that district and turned in. This offer made the bounty large, because the membership was nearly two hundred.

At the Grain and Forest Convention, held at Huron in March, there was a large attendance, M. F. Greeley being the presiding officer. Grain seed was the chief subject of discussion. The convention warmly approved the special seed trains that were promised by the railways and the agricultural college.

The National Timber Culture Law was a failure in South Dakota, owing to the drought and the prairie fires. Another cause was that the trees were planted on the dry hills instead of in the low and wet waste places that could not be farmed.

In May a packing plant was established at Sioux Falls by Mr. Davenport of the board of trade, which organization sprang out of the former Men's Lunch Club. The capital of the concern was fixed at \$100,000.

The Government fish hatchery at Spearfish, which was established about 1898, was under the superintendence of D. C. Booth in 1905. About this time over four million fish eggs were distributed annually throughout the West. The original appropriation for the Spearfish hatchery was \$11,000. A large bulkhead was built to protect the works from the creek floods.

Early in 1905 there was a general movement all over the West for better transportation. Senator La Follette and President Roosevelt were spurring on the changes. By this date many automobiles were to be seen in the towns and cities and a few in the country districts. The commissioners of Brown County awarded the contract for five dipping tanks at \$200 each, to be located in different portions of the county under the new law, in the spring of 1905. It was stated at this time that although the dairy industry here was but eight years old, yet it brought \$5,000,000 to the state annually. The seed agitation gave the farmers this year better seed than ever before and larger crops. In April I. D. Smith, of Madison, was the richest exclusive farmer in the state; he was worth \$1,600,000 and owned ninety-four big South Dakota farms, besides 3,000 acres in Iowa and had large deposits in the banks.

About this time the letters of W. J. Ryan in the newspapers described the schemes of the grain buyers and the railways to secure and retain a monopoly in the business. The whole corrupt scheme was disclosed at the same time in the United States by Senator LaFollette. On April 17, 1905, Mr. Ryan said at DeSmet, "Grain dealers combine to throttle independent action of farmers. Railroads combine to save the terrible expense of opposition and competition. Laborers in cities form unions to be able to stand together as an army against unjust opposition of powerful employers. Capital has formed combinations which make their power felt around the world. Are farmers intelligent enough to learn the lessons placed before them? Are they independent enough and brave enough to accept the challenge which organized opposition has thrown in their faces? Can they do it as individuals or must the work of the hour be taken up by an army? Two million men do not make an army if each acts by himself. An army is organized. This, then, is the watchword. Organize!" Mr. Ryan described how farmers' organizations for cheaper transportation had been crushed by combines of grain buyers and railroads. Ten or fifteen years earlier H. H. Carr, then called the "farmers' friend," had struggled to induce farmers to engage directly in marketing their own products and thus save the buyers' profits of from one hundred to two hundred dollars annually on each farm. But the grain dealers' associations built a great wall against this action. They proceeded to crush the movement and succeeded until nearly all were driven out of existence. Now, in 1905, the conditions were as bad, and what were the farmers going to do about it? Back of all the actions of the farmers or the buyers was the railroad, the real autocrat and oppressor, the actual power to levy almost

any tribute on the farmer, the originator. Hence, all welcomed the railroad rate bill that was pending in Congress, because it promised relief from extortion and tribute. At last there was a concerted movement all over the state for better conditions. Mr. Ryan was vice president of the National Farmers' Association for South Dakota.

By June there were nearly five hundred automobiles in the state. Watertown had seventy-four—the highest number. Irrigation in the Belle Fourche district was well under way by mid-summer. It was planned that the canal would carry 1,635 cubic feet per second. The Government was pushing the work. It was planned to plant 50,000 trees in the Black Hills at this time to test their adaptability to the conditions. On July 1st the state had 249 free rural delivery mail routes—fifty-four more than in 1904.

The failure of the state fair during the years before 1905 was due to the fact that (1) it had no fixed place; (2) it was controlled by private individuals; (3) it was local and was not a state-wide event; (4) Sioux City tried to kill it by fixing its fair on the same date and thus drawing away the crowds; (5) the premiums offered were not attractive to exhibitors; (6) rivalry between the cities hurt the project. The big change arrived in 1905. In February the State Board of Agriculture located the state fair at Huron for ten years. Huron had made the best offer to secure the event by donating sixty acres near the city, but in a short time the Chicago & North-Western Railway Company deeded eighty-five acres there to the fair upon condition that it be established at Huron permanently. This was in reality the first state fair and great preparations to make it a really creditable event were made. Governor Elrod delivered the dedicatory address. Secretary of Agriculture Wilson spoke on the agricultural needs of the state and the purpose of the Department of Agriculture. He expressed surprise at the development in a few years of farming and live stock growing. Senator Kittredge and Congressman Burke were present and delivered addresses. Other prominent residents and nonresidents participated. On the third day 7,500 people were present, breaking all records thus far. The races and the live stock parade daily were two striking features. The exhibits of state cattle, horses, swine, sheep and poultry surpassed all previous records. The women's building was a hive of bees and a bower of beauty. On the best day, Thursday, there were present almost exactly ten thousand people. The buildings and grounds overflowed with humanity. Horticultural hall gave a superb display. The exhibit of the agricultural college attracted the attention and interest of all. The cattle barn was more than filled with native Herefords, Red Polled, Aberdeen Angus and Durhams. Iowa and Minnesota were well represented with live stock. The poultry exhibit was the greatest ever seen in the state. In the dairy department were thirty-five entries of butter. A herd of fifteen buffalo were in the northeast corner. Among the horse kind were Percherons, Normans, Clydes, Belgians, Shires, Morgans, coach horses, Shetland ponies, and an Andalusian jackass. The sheep were represented by Shropshires, South Downs and Merinos. The weather was ideal and the fair as a whole was all its most ardent friends had dared to hope. An attraction that drew all spectators was a village of Crow Creek Indians living in native costume and style in their wigwams roasting dogs and other meats in the open air. The total receipts were \$19,224.29—from all sources. All expenses and premiums were promptly paid and a handsome balance was left with which to prepare for 1906. George E. McEathron was secretary.

The corn palace show at Mitchell was excellent this year. A larger crowd than ever before attended and heard the speaking contests between high school students. The building was new, better than ever and was dedicated with great ceremony by Governor Elrod. One or more congressmen were present and spoke to large crowds. As a matter of fact the building was too small for the crowds of people who did not wish to miss any event. There were many attractions to rivet the attention.

It should not be forgotten nor overlooked that the great prosperity which had overtaken the whole country was due mainly to the advanced agriculture that within a dozen years had been put into effect more or less in every state by the Department of Agriculture, the agricultural colleges and the sixty to seventy experiment stations. Experts were solving the problem of intensive farming and the farmers were at last slowly but surely grasping the fine points of double production with the same labor and of preventing the great waste and losses of the past. This fall the Government established a branch experiment station at Bell Fourche, a most opportune and vital act. In November the prosperity was shown in a most striking way by the delinquent tax list from all the counties—the smallest in the history of the state. Verily, the days of bondage seemed past or almost past for the farmer. The shackles of poor methods, tributary conditions, the scoffing of standpatters, official and wealth oppression were at last heard to fall rattling forever to the ground, let it be hoped.

The enormous deposits in the banks revealed the prosperity. Seventeen banks in the Black Hills showed \$6,203,484 in deposits. The east half of the state could not show so much. The next year there were in the state 290 state banks, 13 banking corporations, 31 private banks; total 334. In two years the total bank deposits increased from \$22,523,481.46 in 1905 to \$32,186,209.89 in 1907.

SHOWING CHANGES IN CERTAIN STATE PRODUCTS IN FIVE YEARS—1900 TO 1905

Items	1905	1900
Farm Owners	30,322	40,640
Total Farms.....	52,376	51,270
Corn, acres.....	1,739,080	1,196,381
Wheat, acres	2,874,184	3,984,659
Oats, acres	1,210,156	691,167
Macaroni Wheat, bushels.....	662,714	.....
Flax Seed, bushels.....	1,468,792	2,452,528
Irish Potatoes, bushels.....	3,132,638	2,909,914
Vegetables, bushels.....	881,968	65,591
Total Hay, tons	2,787,945	2,378,392
Apples, bushels.....	217,880	17,121
Honey, pounds.....	161,583	49,320
Butter, pounds.....	20,545,549	17,400,970
Horses	399,801	513,026
Cattle	1,288,698	1,562,175
Sheep	514,670	775,664
Swine	947,949	832,283
Eggs, dozen	16,890,190	17,349,750
Wool, pounds.....	1,872,860	3,246,945

In 1870 the foreign born population of Dakota Territory was 31.7 per cent of the whole; in 1880 it was 34 per cent, but after that there was a slow decline until in 1900 it was 27.6 per cent and in 1905 it was 19.7 per cent. While the state had gained 10 per cent in population from 1900 to 1905 only 1 per cent of this gain was from the foreign born population. The census returns of 1905 showed that the state had 64,385 children six years of age and under, of these 55,549 were born in the state, 7,983 were born in other states and 849 were born in foreign lands. Of the total population of the state 175,072 were native born, that is, were natives of South Dakota.

By 1905 the growing of alfalfa throughout the state was quite general. Already many fields of this valuable forage crop could be seen on Rosebud and other Indian reservations of the state. Much of this improvement was due to information dispensed by the Dakota Farmer and Wallace's Farmer which were subscribed for and read widely throughout the reservation. The ranchmen as well as the more progressive Indians imbibed a great deal valuable information on all agricultural subjects from these valuable publications, and from the state and Government bulletins. Wherever the Indian had taken his allotment, built his home and resided, he became interested in advanced farming operations; and wherever he or any member of his family could read, they usually secured the agricultural papers. One of the first to start alfalfa growing on the Rosebud reservation was John Niess, who lived on Rock Creek. He began in the spring of 1903 with an eighteen-acre field. Owing to the dry season he had only fair success, the stand not being extra good. He was not discouraged but tried again the following year, sowing seed as early as June 14. This year he secured an excellent stand on the eighteen-acre tract and also on the six acres adjoining. Mr. Niess afterwards said that every time he mowed the field he was much tempted to gather the cuttings for hay, as the alfalfa and oats stood a foot high; but true to his farm paper teaching, he left all on the ground for mulch. This started the neighborhood generally to grow alfalfa. Mr. Charbonneau seeded a 30-acre field in 1903. He sowed the alfalfa seed broadcast on corn ground and without a nurse crop. The field was then disced, but before it could be harrowed a heavy rain prevented any further work for some time. The alfalfa did well and during the season two crops of hay were taken. In 1904, 150 hogs were pastured on the field and received no other feed than the alfalfa. In addition he took therefrom fifty tons of hay. Mr. Ramis also about the same time started a field of alfalfa on the Keyapaha and Mr. Courtis sowed ten acres north of the same creek and both succeeded in securing good stands. This was the start and thereafter the growing of alfalfa on the reservation rapidly expanded and became a valuable and fixed product.

The Government projects in the Black Hills early in January, 1906, were: (1) Irrigation in Butte County to cost \$2,600,000; (2) assay office; (3) a fish hatchery at Spearfish; (4) a forest reserve of 1,211,680 acres, partly in Wyoming; (5) construction of the National Sanitarium at Hot Springs for the old soldiers; (6) Indian school at Rapid City; (7) a proposed mining experiment station.

In the spring of 1906 the Independent Farmers Elevator Company was organized by residents of North Dakota, South Dakota and Minnesota. In a short time they had control of fifty elevators in the three states.

By this time the vast cattle indutry at Belle Fourche was threatened with subordination by the rapidly growing sheep and wool industry. In 1905 there were shipped from that point alone 998,600 pounds of wool. The number of sheep was increased faster proportionately than cattle.

In 1906 the Government sent out experts to examine the gumbo soil to see what crops, if any, it would grow best. A considerable tract at Belle Fourche was secured, on which to make the experiments. Already farmers and ranchers had learned that it was not worthless, but that much could be grown on it if the conditions were right. The crop experiments there were to be made in 1907. C. R. Volin wrote for the press articles on scientific farming—methods, utensils, chemicals, pests, diseases, etc. It was at this time that the Department of Agriculture sent forth the war cry that "There is no land that is worthless." It was uttered in connection with the gumbo and alkali soil investigations. Thus the Great American Desert was no longer great as a desert, but was to become great as a crop producer under suitable conditions and scientific methods.

The Western South Dakota Stock Growers' Association met at Rapid City on April 9, 1906, with Pres. C. K. Howard in the chair. There were three days of festivities during which \$1,500 was paid out for prizes, etc. Participating in the ceremonies were soldiers from Fort Meade, Indians from the reservations, cowboys from the ranges. There was a bucking broncho contest. On one day the Indians held up and captured a freight train, whereupon the Indians were captured by the cowboys. The following subjects were considered: Brand inspection; scab infection; transportation of cattle to market; time limit for unloading. The association at this time had a membership of about 800. To this meeting special trains ran from Chicago, Omaha and Sioux City scheduled to take in Rapid City, Belle Fourche, Sturgis, Deadwood, Lead and Hot Springs. This was the fourteenth annual assemblage of the society. At its conclusion the meeting adjourned to attend the fourth annual session of the Northwestern Stock Growers' Association at Belle Fourche, of which Russell Uhler was president.

It was at this time that the Government experts made a thorough investigation of the terrible loco disease that was playing such havoc among the horses. It was particularly prevalent and deadly in the vicinity of the Slim Buttes. Soon it was found to be due to a weed that when eaten poisoned the animals. Wild mustard, Russian thistle, cockleburrs, etc., were as troublesome as ever and apparently spreading.

The cooperative banking system was established at Woolsey by R. O. Richards and others in 1906. There was no limit to the stockholders, but the shares to be held by each limited to fifty. The bank was controlled by a board of directors. There was no limit to the stock to be issued; it was always on sale and nontransferable.

By 1906 the cattle tick of the ranges had almost wholly disappeared. Congress appropriated \$82,000 to fight the pest. This year there were numerous red squirrel crusades or hunts in the Black Hills to rid the forests of these animals so destructive to trees.

The state fair this year was as fine and successful as it had been the year before. There was really a larger attendance, except on two days when the weather was unfavorable. Red polled cattle were a feature. They were exhibited

by the State Reform School, the superintendent of which was S. E. Young. The corn palace show at Mitchell was also a success, with several new amusements, attractions and features. The corn exhibit was never better.

The state corn crop in 1906 was 77,414,351 bushels worth \$23,224,299. This year the Government put out an arid land alfalfa. The wheat crop was: white wheat, 37,553,880 bushels; durum wheat, 1,940,228 bushels; oats, 51,324,557; barley, 24,603,257 bushels; flax, 2,383,156 bushels; hay, 2,973,754 tons; speltz, 4,538,708 bushels. The state had passed through all the growing pains of childhood, had weathered the diseases of infancy and was now ready for the battle with red blood, clear eye, steady hand and fertile brain.

In 1906 from Texas to the Dakotas inclusive there was grown west of the 99th meridian a total in round numbers of 50,000,000 bushels of durum or macaroni wheat. Only six years before it had been brought to this country from Europe, Asia and Africa. Now it was being eaten in all the eastern cities of the country. The predictions of the Department of Agriculture that this wheat had a great future before it on this continent were rapidly becoming verified. Not only alfalfa, but clover and other legumes were found that would grow and thrive on the lean arid plains of the vanishing Great American Desert. At first there was much opposition to durum wheat, first by farmers who made fun of it and even by experienced grain growers. But it grew swiftly in favor until in 1907 about one-tenth of the wheat crop was durum.

In the spring of 1907 John S. Cole, agronomist, announced that only about one-third of the seed corn in the state was good and warned farmers to beware. He gave full instructions how to test the seed in trays or small beds. He secured several hundred samples from all portions of the state, made tests himself and showed that the average germinating power was only 36.5 per cent and that only two samples showed germinating power as high as 92 per cent. Dry experiment stations were talked of early this year. In June the green bug appeared in the wheat fields. The spring was very late and the weed pests were exceedingly troublesome—wild mustard, rag weed, Canada thistle, Russian thistle, wild morning glory, quack grass, cocklebur, yellow dock, smartweed, Spanish needles, etc.

It was estimated by A. E. Chamberlain, who conducted farmers' institutes over the state during the winter of 1906-07, that about 26,000 attended such gatherings. Mr. Chamberlain was indefatigable in his efforts and covered all of the leading and practical subjects of husbandry. He permitted farmers to ask questions and in this manner brought out what they wanted to know. It would be difficult to overestimate the good he accomplished.

About the year 1900 Scotty (James) Phillips bought the Fred Durkee buffalo herd—about 100—that had run wild on the Cheyenne ranges and increased them until by 1907 they numbered 160 full grown animals and 30 calves, all full blood. By this time they were valued at \$500 each. From time to time he sold small herds to the park boards of the country, occasionally slaughtered one, and often exhibited them at fairs and other large gatherings.

In the fall of 1907 both the state fair and the corn palace show at Mitchell were highly successful with many new and attractive programs and features and a large attendance. In September anthrax appeared in Union, Turner and Lincoln counties, but it was quarantined and finally suppressed; it had started at

Beresford. Later this year great damage was done to the live stock interests near Custer by the big grey or buffalo wolves which infested that region. State and private bounties to the amount of \$40 per scalp failed for many months to check their depredations. Howard Wicker, an expert trapper, was employed, and succeeded in catching several of them. J. F. Smith, superintendent of the Forest Reserve, was appealed to, but could give no effective aid.

During the stock panic in the fall of 1907 the banks of South Dakota remained sound and unshaken. However, all or nearly all used the precaution of restricting their loans and payments. This action was taken by the banks of several cities—Brookings, Sioux Falls and others—and was approved by meetings of the citizens. The bar association of Brookings endorsed this action of the local banking institutions.

The winter of 1907-08 was very favorable for the cattle on the ranges; lack of heavy snow left the grass free to be used all winter. At this time A. E. Chamberlain held scores of farmers' institutes and was the direct means of spreading the latest and best information of the Agricultural College, the Experiment Stations and the Department of Agriculture. He was doing more than any other person at this time to spread this information and put it into practice on farms. Gamble's bill for a Forestry Department of the Agricultural College was pending in Congress about this date. Alfalfa had grown so in popular favor that by 1908 it had become almost a mania; it was the talk of country and town and even drove out customary observations on the weather at greetings and social gatherings. Nor was its popularity confined to talk; it was already being grown by thousands of farmers. Not alone was its feeding value considered, but its value and availability as a soil renewer or fertilizer were duly admitted, appreciated and practiced. It had become very popular in the Black Hills region.

In 1908 the State Corn Growers' Association met at Sioux Falls; there was a large attendance and an excellent display. Boy corn growers made exhibits and were awarded prizes. The Food and Dairy Commission held an interesting session this year. There were eighty-four creameries and 538,661 cows in the state. The number of cows had increased, but the number of creameries was reduced by consolidation. Butte County had 25,722 milk cows and Stanley County, 18,877.

The growth of the banks in ten years was almost phenomenal and their growth revealed the march of prosperity in city and rural districts. The deposits are shown in this table:

STATE BANKS		
1898	164	\$ 5,467,000
1908	436	41,853,000
NATIONAL BANKS		
1898	26	\$ 4,246,000
1908	90	28,253,000
ALL BANKS		
1898	190	\$ 9,713,000
1908	526	70,106,000

The George H. Whiting Nursery Company of Yankton was capitalized for \$100,000 in 1909 and was doing a large business. Mr. Whiting came to Dakota Territory in 1879 and the next year began the nursery business on a small scale fifty or sixty miles north of Sioux Falls. In 1883, as the firm of Dewey &

Whiting, they began operations in Kingsbury County and the following year at Esmond were ruined by a terrible hailstorm, but began again and prospered. In 1889 they helped to organize the State Horticultural Society, of which they became useful and prominent members. Mr. Whiting was its first president. They kept a general nursery and sent orchard and forest trees to all parts of the territory east of the Missouri and later shipped large quantities to the western half. The good they did cannot be told in words nor measured in benefits. In 1890 Mr. Whiting moved to Yankton and there his great work has been done.

In 1909 the short courses of the Agricultural College for farmers were (1) two weeks in agriculture; (2) two weeks in dairying; (3) three months in dairying; (4) three months in horticulture; (5) five months in steam engineering. The large attendance showed the popularity and importance of these subjects. The courses were a god-send to thousands of farmers who could get this practical information in no other way owing to the great expense, loss of time and unfamiliarity with books.

Secretary of Agriculture Wilson said this year that the period from 1898 to 1909 inclusive had "paid off mortgages, established banks, made better homes, helped to make the farmer a citizen of the world, provided him with the means for improving his soil and made his land more productive." During those eleven years the agriculture products had advanced from \$4,417,000,000 in 1898 to \$8,760,000,000 in 1909.

In 1908 the state common wheat crop was 2,468,210 acres and 32,686,421 bushels; and its durum wheat crop was 162,384 acres and 3,081,359 bushels; in 1906 the bushels of durum wheat raised were 1,417,185 and the common wheat 37,967,090.

In 1909 Professor Chamberlain set September 10 as the day for gathering seed corn. Generally, it was ripe over most of the state by that time. He said that corn not ripe by that date should not be planted in South Dakota. Occasionally here corn was killed before September 10, though usually there were merely frosts that ripened the corn—checked and terminated growth. He said that the only safe way was to select only the best ears that were ripe by that time and so continued year after year. It was at this time that he urged again stronger than ever the establishment of farmers' institutes for women—domestic science, care of children, sanitation, social improvement, etc.

The year 1909 was excellent as a whole for the entire state. Belle Fourche shipped 2,558,000 pounds of wool and 1,600 carloads of cattle. The latter shipment was small owing to the passing of the ranges. This year saw great destruction of cattle and sheep by the big wolves of the foothills in the west. Hundreds if not thousands were destroyed by these pests.

The state fair of 1909 was the most successful in history. The total attendance closely estimated was in round numbers 44,000. All features and exhibits surpassed those of former years. Hanson County won first prize on county awards, and Clay County won first on horticulture. The live stock exhibit was excellent and the parades of splendid animals were notable daily events. Iowa and Minnesota were well represented. The large purses for trotting and pacing brought out the best horses in the country. The corn palace show at Mitchell was fully up to the usual high standard and the attendance was large.

This fall Governor Vessey at Chicago addressed the National Farm Land Congress on the subject, "The Call of the Farm." Government experts investigated the soil west of the Missouri River and their report issued in November held out the allurements that in time all would be cultivated with crops of one kind or another. James J. Hill in the *World's Work* published a series of articles on agriculture, that attracted general attention. One of his subjects was "What We Must Do to Be Fed." He maintained that the answer was the readjustment of agriculture and declared that the time would soon arrive when no man would be permitted to farm in slipshod and careless fashion.

The state had a very large foreign population, particularly German, Austrian, Swiss, Russian, Swedish, Norwegian and others. The Germans came largely from Russia where they were oppressed by the czar. By 1910 they and their children constituted a large fraction of the population. The state had Germans from Russia, Germany, Austria, Poland and Switzerland; Austrians from Austria; Poles from Poland; Russians of Polish stock, of Slav stock and of Cossack stock; Swiss from Switzerland and Italy. Thus there was a weird and wonderful commingling of racial blood in this state.

By this time there were several farmers mutual insurance associations doing business in the state. The attorney general ruled that they must use the standard form of insurance policies.

In 1900 the state made 2,043,000 tons of wild hay alone; in 1910 the amount reached about 3,000,000 tons, of which little or no account was kept and for which the state received no credit.

The army worm did considerable damage to the timothy fields this summer. Prof. C. Starring assisted in checking the insect. Gathering pine cones in the Black Hills was profitable. By this time the eastern and western parts of the state were nearer neighbors and were getting better acquainted than ever before. The railway extensions westward introduced the two sections to each other. In the fall Sioux Falls made preparations to open a real packing plant and to establish a "Packingtown." This goal has been the dream and aim of that city for thirty years. The high prices of cattle and hogs—in fact of all farm products—gave the state, which was already prosperous, such a flood of prosperity as had never been dreamed of by the oldest and most exacting resident before this date. Farmers everywhere began to drive automobiles, issue checks on banks, buy new houses and farms and sheds, buy victrolas and player pianos, visit their old homes in the East and send their sons and daughters to college. On many farms silos could be seen lifting their pagoda-like roofs above barns and other buildings. Comfort in great glee said farewell to hardship.

The census of 1910 gave the state a population of 583,888, an increase of 182,318 over 1900. This entitled the state to an additional congressman. The corn crop was 76,471,000 bushels, wheat 35,360,000 bushels, oats 41,287,000 bushels, barley 18,593,800 bushels, speltz 3,500,000 bushels, flax seed 4,000,000 bushels, rye 600,000 bushels, potatoes, vegetables and fruits worth \$3,000,000, hay 2,750,000 tons, dairy products worth \$8,750,000, poultry and eggs worth \$6,000,000, live stock worth \$49,137,000, wool and hides worth \$850,000; minerals and stone worth \$7,500,000. The decrease was due to the falling off in grains, fruit and potatoes. But there was a substantial gain in the bank deposits—individual \$6,941,859. The automobile licenses numbered 4,962.

The state fair this year surpassed all others. The total receipts amounted to \$24,687.30. On Thursday they amounted to \$9,451.25. The departments of poultry, dairy, horticulture, agriculture, women, machinery and live stock were better than ever. Among the horses were Percherons, Clydesdales, Shires, Belgians, Coach, Morgan, ponies, mules and asses. Among the cattle were Short-horns, Herefords, Aberdeen Angus, Galloways, Red Polled and Holstein-Friesian. Among the hogs were Duroc Jerseys, Poland Chinas, Large Yorkshires, Hampshires, Chester Whites, Berkshires and Tamworth. Among the sheep were Shropshires and Oxford Downs. The poultry were represented by all varieties of chickens, geese, ducks, turkeys, guineas, pheasants, pigeons. Rabbits or hares were also shown. There was a larger attendance of interested farmers than ever before. The third day was woman suffrage day, there being a large attendance of all favoring that movement. At last the state fair was becoming a credit to the citizens. Other important events this year were the Mitchell Corn Palace, the Gas Belt Exposition at Pierre and the Corn and Grain Growers meeting at Mitchell.

The citizens themselves could not do otherwise than marvel at the evidences of prosperity everywhere apparent. A delightful change had come over the spirit of their dreams—the full blush of the rosy morning of prosperity with scarcely a cloud to be seen and tinted with silver lining. At last they could proudly lift their heads from tear-stained pillows and open their eyes and hearts to the cheering salutations of success, to the warm hand clasp of loftier ideals. But the way had been long, muddy, and sorrow stricken.

Early in 1911 Governor Vessey appointed the Good Roads Commission and directed that they convene at Aberdeen on October 26th. This year, also, the Good Roads League was organized largely by Prof. A. E. Chamberlain. The Farmers Grain Dealers Association met at Aberdeen in February and passed resolutions favoring reciprocity with Canada, but objected to several of the proposed provisions. At the annual meeting of the State Live Stock Association held at Mitchell there was a large attendance. The membership was 407. A sale of pure blood stock was conducted and it was noted that the animals were 20 per cent better than ever before. The Swine Breeders' Association held a meeting at the same time—was recognized as a branch of the other.

By the summer of 1911 it was recognized that South Dakota was no longer a range state—that the homesteads of the farmers had at last pushed much of the sage tract farther toward the Rocky Mountains. This year the Legislature passed a bill repealing the old range law. Cattle were decreasing. Though the number of cattle was fewer, their value was 101 per cent higher than in 1901. This year the Legislature provided for testing alfalfa in every county of the state. It was admitted that land that would grow good alfalfa was worth \$100 per acre, and Professor Hanson declared that it was the intention to make it grow on every soil in the state. Great was the encouragement of this prospect.

This year in May the Morrell Packing plant at Sioux Falls opened formally for business, but had been thus occupied some time earlier. The good roads law was in operation July 1st. By July the crop prospects were poor, owing to the lack of rain. Early in the year the new woman's party organization in session at Pierre passed a resolution favoring better farming methods. A wave of scientific agricultural education swept the whole state as well as the whole country

at this time: it invaded all schools, homes and cities, and everywhere short courses gave practical up-to-date instruction in all branches of husbandry. There was a real loss to the state when in July Professor Chamberlain accepted the position of development commissioner for the Great Northern Railway. The heavy rains late in July and early in August did not wholly save the grain crops, but helped materially in other ways. It was announced that diamond or red willow made good fence posts.

All the fairs and shows were successful this year, though owing to poor crops they were not as elaborate in exhibits as in former years. Many corn contests were conducted not only among the men but among the boys. Such contests took place at Sioux Falls, Mitchell, Aberdeen, Yankton, Gregory, and elsewhere. At the National Dairy Show in Chicago in October, South Dakota Agricultural College was awarded the first prize in a stock judging contest with ten other agricultural colleges. Russell Jensen of this state won the first prize in the individual stock judging contest. He was one of the team of three to win third prize and a \$400 scholarship. The corn palace at Mitchell was better than ever if possible, and many thousands of people enjoyed the attractions, the exhibits and the stirring vacation. The state fair broke all records for attendance, there being present on the best day, it was estimated, twenty-three thousand people. In the county exhibits, Brookings took first prize, Kingsbury second and Sanborn third. Cromwell Dixon, the boy aviator, sailed around and over the grounds.

An extremely thorough test with alfalfa was made this year in every county and on all the distinctive soils—alkali, gumbo, rolling dry, good ordinary, valley sandy, clay, mountain and hill slopes, etc. It was ascertained that it would grow well on all except the alkali and gumbo and would grow on them under ascertained and stated conditions.

The law passed by the Legislature in 1911, cutting out the provision of free range from every portion of the state, caused much protest from cattlemen in several of the Black Hills counties the following spring. They claimed it would be impossible for them to graze cattle on the Forest Reserve under such a law. This dissatisfaction took concrete form in a number of counties west of the river and petitions for its repeal were circulated with the hope of deferring the operations of the law until after November, 1912, when the referendum on the subject was to be voted upon. The herd law as passed did not contain the emergency clause and consequently went into effect July 1st. The effort then on the part of the citizens west of the river was aimed to secure the referendum and would require, it was realized, many thousands of signatures. The stockmen, particularly those in Pennington, Meade and Butte counties, felt confident they could secure the necessary signatures. Later Harding and other counties took up the measure equally as active. Stockmen of those counties claimed that as they were the heaviest taxpayers there, even if they were in the minority of the population, they were entitled to this consideration. They claimed the herd law would work a hardship on them because they would lose heavily if they were compelled to sell their stock in the summer, or hunt a new location. They therefore were endeavoring to secure in addition eighteen months to two years in case the herd law was continued on the statute books. They tried to secure the cattle option plan for the herd law, but, failing in this movement, they made an effort to refer the whole question.



EARLY TRANSPORTATION IN THE DAKOTAS



SOUTH DAKOTA CATTLE SCENE

The process of reforestation was extensively pursued by the Government in the Black Hills in 1910-11. Up to February, 1911, about three thousand acres had been re-seeded in the Black Hills. The work had been commenced in 1905 under Supervisor Seth Bullock, who in 1911 was United States marshal. Tracts which had been swept by fires or insects had been replanted and a thrifty growth of young timber covered the devastated tracts. Supervisor Kelleter in the spring of 1911 re-seeded about five hundred acres in the vicinity of Dumont.

The Congress of 1910-11 located a new agricultural experiment station in Fall River County and appropriated \$10,000 for its development. This measure was secured largely through the efforts of Congressman Martin and was what the whole western region had been wanting for many years. It was planned to develop here all branches of semi-arid agriculture, or in short, dry farming. In fact it became known as the Dry Farming Experiment Station. Here it was planned to learn what crops were best adapted for the annual conditions existing west of the Missouri River. The law proposed that the county should furnish a tract of 160 acres, the soil of which should be representative of the whole county and the entire region west of the Missouri River as far as possible. The selection was to be made by representatives of the Agricultural Department. In the spring of 1911, local committees canvassed all the available sites, and having listed a number of the most desirable tracts, the representatives of the Agricultural Department were asked to inspect the same, select the tract desired and commence the erection of buildings. This was done speedily so that in 1912 great advance was made in getting started.

At this time Prof. N. E. Hansen of the Agricultural College stated that inasmuch as the late Legislature had made provision for a limited trial in every county of the state of the new varieties of alfalfa which he had recently brought from Russia and Siberia, as agricultural explorer for the United States Department of Agriculture in his last two trips to Siberia in 1906 and 1908, the seed had been widely scattered in small lots through many states from which some of the best new varieties of alfalfa had been started from a spoonful of seed, and that, while he had no seed to spare in 1911, he could furnish a few thousand one year old plants to be tested in the different counties of the state. A few plants had been sent out in 1910 from which a number of farmers had averaged one-half ounce of seed from each plant which had been set in good garden soil far enough apart to permit good cultivation. Professor Hansen said at this time that his present belief was (1) that a success could be made of alfalfa culture in every part of the state; (2) that the new varieties would be proof against winter killing; (3) that some of this alfalfa could be introduced as wild plants on stony, rolling lands too rough for cultivation. "Please remember that land upon which good alfalfa can be grown is worth \$100 and more per acre." He had recently offered through the state press to send ten plants free to the first ten applicants in each county, providing they would describe the character of their soil, and would state whether they wished the plant for hay or pasture. Many applications for these plants were received.

The first hog killed in the Morrell Packing Plant at Sioux Falls was slaughtered early in May, 1911. Soon thereafter the plant received large numbers of hogs and cattle for packing purposes. They started with 200 employes and gradually increased until they slaughtered from five hundred to eight hun-

dred hogs daily. The plant was large enough to accommodate 2,000 hogs a day after certain equipments had been added. The company before this had employed about fifty men in the old plant all of whom were retained for work in the larger establishment.

In the spring of 1911 the entire Black Hills region took extra precautions against loss of timber by fires. Preventive measures were taken everywhere and in this movement the railroads joined at a considerable expenditure. The company ordered a number of motor cars and planned to have men with tools on one of these cars follow each train on the Black Hills division during dry weather, for the purposes of extinguishing fires started by the engine. One car was sent to Edgmont and had a speed capacity of forty miles per hour. The forest service likewise took precautions by saving time and checking fires as soon as they were started. Signal stations were established at conspicuous points throughout the region so as to secure help with the least possible delay. At this time the Burlington road made Edgton a feeding station for the accommodation of shippers, and erected there stock yards to accommodate an entire train load of cattle and later increased the capacity.

Early in January, 1912, it was very cold, the mercury dropping to 30° below zero at Sioux Falls and to 39° below, at Aberdeen. Other places also showed intense cold, though the intense period was short. It was about this time that Sulzberger & Sons announced their intentions to build a packing plant at Sioux Falls and open the same about February 1st, and to erect an abattoir to cost \$1,000,000. Public meetings were held by the citizens to voice their delight at the prospect, because it was realized that this was another giant stride in industrial advance.

At the South Dakota Corn Show held at Mitchell in January, 1912, Ernest Sorenson, aged thirteen years, took the grand sweepstakes prize for corn growing, showing the best ten ears. He secured the seed from Mrs. K. M. French, county superintendent, at Elk Point. She obtained it from John Thompson, who lived three miles from that city.

This year (1912) seed train specials were run over all the railroads of the state. They bore samples of all the leading seeds—good and bad, had trays to show how to test seed and were managed by expert grain growers and seed specialists.

At this time there were pending in Congress field demonstration bills, one of which provided for an appropriation of \$3,000,000; this bill was favored by the State Bankers Association. At this time also Sears Roebuck & Co. of Chicago, donated \$1,000,000 to the cause of agriculture ostensibly but to boost its trade with the farmer actually. The International Harvester Co. had recently appropriated a like amount for similar business reasons. About this time South Dakota sent representatives to the Northwest Development Congress at Seattle "to plan a campaign and suggest legislation that would assist the northwestern states to a more rapid development and would stem the tide of emigration from the United States to Canada."

In June of this year the cow, College Belle Wayne, of the Agricultural College, produced 3,338.1 pounds of milk which yielded 116.55 pounds of butter fat; she was a five-year-old Holstein, and was claimed to be the second best in the world as a milk and butter producer. There was a great increase in the number

of silos built in the state. On nearly every farm where many milch cows and other cattle were kept, these structures were erected.

About this time attention was called to the fact that the farmers of the country wasted annually through the careless breakage of eggs more than forty-five million dollars, and that this was only one of the many avenues of waste. It was stated that the time was near at hand when no farmer would be allowed to hold more land than he could farm along intensive lines. While each farmer regarded his own waste as insignificant, it became startling when multiplied by that of all the farmers in the country. As a matter of fact it was the citation of this wastage and its detailed presentation by the authorities that caused better methods and assisted materially to promote the prosperity which all now enjoyed.

The lecture course on intensive farming for the benefit of farmers was extended and was very elaborate this fall. Every important subject was duly covered. The best experts of the state visited all leading localities and dispensed the latest and best methods of conducting farm operations. Perhaps the most important questions were conservation of soil fertility and of moisture, pure seed, legume crops, fertilization, dry farming, irrigation, drouth resistant plants, teaching of agriculture in the common schools, fruit growing, forestry, etc. Governor Vessey set apart September 10th and 11th on which to gather seed corn; he urged by special proclamation the importance of this step and generally it was observed by corn growers. This year gave the state one of the greatest corn crops ever produced and much of its success was rightfully ascribed to the good seed used. It was a good year for the farmer—abundant products and high prices.

At the big land show held in Minneapolis in November, 1912, South Dakota was well represented by both soil and products. Hogs were more plenty in the state than ever before, and many were packed at the plants in Sioux Falls. The army worm had threatened the fields in August, but had been eradicated by the standard pest killers. Black Hills frauds in wolf bounties were uncovered this fall. The International Harvester Company established several demonstration farms in the state—one at Aberdeen with J. G. Haney in charge.

The closing out of many of the Scotty Phillips herd of cattle in the fall of 1912 removed almost the last of the big cattle range farms. The shipment of forty carloads late in the fall from Kadoka was the closing act here. The leasing privileges on the reservation were no longer available; quitting was a necessity. The few large range herds left were on the Cheyenne River, on Pine Ridge Reservation and in the southwest corner of the state. These were bound to go soon owing to the rapid settlement.

The state fair in 1912 was a great and conspicuous success. The people were happy over the blessing of a bountiful harvest and were liberal in their expenditures and pleasures. A striking feature was the large number of traction engines for all farm purposes and operations. The live stock exhibit was never better—hogs, cattle, sheep, horses and poultry. The exhibition of the experiment station at Brookings and the substations at Highmore, Cottonwood and Eureka riveted the attention and admiration of all—soil fertility, cropping systems, weed removals, fruit samples and varieties of alfalfa and grain were noteworthy topics. The dairy exhibits were varied, large and excellent. Cream testing was a striking event every day. Silos and silage were well represented and duly inspected

and studied. The School of Mines made a fine display of fossils and minerals; it showed from the Bad Lands a fossil animal as large as an elephant—*Brontotherin*; also part of a fossilized three-toed horse, several fossil fish and several assays of state minerals. Present at this fair were Secretary of Agriculture Wilson, Governor Vessey and Governor Johnson of California, who was candidate for vice president on the progressive ticket.

Rapid City held a fair of its own this year. One of the attractions was an alfalfa palace of unique construction and rare beauty. There were exhibits of corn, sugar beets, peanuts from the Bad Lands, melons, pumpkins, squashes and sixty varieties of apples grown in the Hills. The alfalfa exhibits were eventful. This year Mitchell celebrated the twentieth anniversary of its corn palace; many now called it the Corn Belt Carnival. It was even more attractive, interesting and useful than usual; there were many unique and surprising features that kindled the applause of the vast crowds. There were several district and many county fairs this year, and all contributed to the better farming movement.

In December the Better Farming Association assembled at Aberdeen and gave fresh instruction in many live farm topics. More farmer institutes than ever before had been held in all sections of the state. The wonderful benefits of better farming methods were shown in all their striking results. The two notable events this year, it was shown, were great crops and great output of gold. Bulletin 139 of the agricultural college was studied by this meeting. It said that South Dakota's wasteful cropping system took from the soil in 1910 nitrogen and other plant food worth three times as much as the total gold output of the state—\$8,000,000. It was taken from the soil and not returned by the husbandmen, though partly returned by time and nature. Unless a still greater change was made in cropping methods great havoc would result in the annual products, it was declared. Professor Hume showed how the nitrogen could be returned to the soil by the legumes and by stable and barn manure. He said that the state should at once study soil conservation harder than ever or suffer unfigured damage and havoc. Two important steps were necessary: (1) To secure and distribute information on this subject and (2) to obtain more and better equipment for the teaching of scientific agriculture in the rural schools.

The products this year were—corn, 76,347,000 bushels, wheat, 52,185,000 bushels; barley, 23,062,000 bushels; rye, 312,000 bushels; oats, 52,390,000 bushels; flax seed, 5,323,000 bushels; potatoes, 6,510,000 tons; vegetables and fruit worth \$2,500,000; hay, 3,450,000 tons, worth \$17,250,000; dairy products worth \$7,700,000; poultry and eggs worth \$7,000,000; live stock worth \$51,026,000; wool and hides worth \$1,000,000; minerals and stone worth \$9,200,000.

TOTAL STATE PRODUCTS

1900.....	\$106,500,000	1908.....	\$185,434,000
1901.....	113,652,750	1909.....	202,362,000
1902.....	119,949,000	1910.....	181,188,000
1903.....	136,124,000	1911.....	139,281,000
1904.....	116,792,000	1912.....	199,237,000
1905.....	126,686,261	1913.....	190,991,000
1906.....	145,812,831	1914.....	212,423,000
1907.....	160,232,344		

One of the most unique business plans in the country in 1913 was the extraction of seeds from pine cones in the Black Hills. During the fall of 1912 Supervisor R. P. Imes, of the Black Hills Forest Reserve, purchased at Custer City and elsewhere an aggregate of 8,000 bushels of western yellow pine cones. From these cones about eleven thousand pounds of clean pine seed were obtained at an approximate cost of fifty cents a pint. The work of extracting the seed was continued day and night for about three months. The work required three shifts of men working in eight-hour shifts, inasmuch as the process required continuous care and attention. The work naturally divided itself into four distinct parts: (1) Opening the scale of the cones; (2) thrashing out the seed; (3) cutting the wings loosened from the seed; (4) separating the wings from the pulverized seed and from other debris.

In the spring of 1913 the South Dakota State Bankers' Association was formally incorporated at Pierre. The purpose of the organization was the mutual benefit of the bankers of the state. The organization had no capital stock. The incorporators were F. C. Danforth, J. A. Danforth, J. E. Plett and F. L. Clisby. The headquarters of the association were at Clark.

At the legislative session of 1913 there was tacked on the live stock sanitary bill, almost at the last minute, an amendment which made it compulsory for the Live Stock Sanitary Board to appoint as deputies largely non-graduates of live stock schools. At a meeting of the Veterinary Association of the State, held at Mitchell, it was decided not to lower the professional standard by placing its members on the same level with non-graduates; its members thereupon took action not to act as members of the Live Stock Sanitary Board or as deputies. This led in the end to the resignation of the state veterinarian, whereupon O. C. Selby was appointed to that position. The situation led to a skirmish between the governor and the veterinarians. It was learned about this time that breeders who designed to ship stock from South Dakota into other states met with the refusal from authorities there to accept certificates of health from South Dakota veterinarians who were not graduates of a recognized veterinarian school. A bill introduced into the State Legislature concerning this matter passed the House, but was defeated in the Senate. This bill favored non-graduate veterinarian delegates, and again the measure encountered the opposition of the State Veterinary Association which agreed again that no member of the association should act on the State Live Stock Sanitary Board or as a deputy. Owing to this attitude by the state authorities the live stock interests of the state were left in an unfortunate condition which would probably continue until the next sitting of the Legislature. At the same time stock men throughout the state were apprehensive of the disaster that would result under existing conditions should the foot and mouth disease secure a foothold in South Dakota.

There was a general demand throughout the state in the early part of 1913 that the Legislature should be liberal with all forms of agricultural advancement and that the agricultural college and the experiment stations should have charge of all progressive operations. Professor Hume addressed an open letter to President-elect Wilson requesting that the next secretary of agriculture should be one who would co-operate with the agricultural colleges and experiment stations for the removal of the agricultural education from the control and influence of capital and corporations. This letter was aimed particularly at the two big cor-

porations that recently had donated \$1,000,000 each to the cause of agricultural education. He intimated that those corporations merely desired to gain the good will and control of farmers in order to make customers out of them. At this time Professor Hume again called attention to the fearful impoverishment of the soil going on in the state—how millions of dollars' worth of nitrogen and other plant foods were being taken away by corn, wheat and oats, and but comparatively little was being returned. "Grow the legumes" was his prescribed remedy, the same to be used as a member of crop rotation schedules. It was at this session of the Legislature that Governor Byrne recommended a thorough revision of the laws relating to the practice of veterinary surgery; the old law was inefficient and odious.

Destructive fires in the Black Hills this year swept away many hundreds of acres of valuable timber and rendered many families homeless. Several townships near Custer were almost wholly devastated. The Missouri River at Pierre was the highest ever known early in April, 1913; the water stood at the sixteen-foot stage. Boats passed through the streets of Fort Pierre, which city resembled Venice with its gondolas. There was about a foot of wet snow on the ground.

The Western South Dakota Stock Growers Association held its twenty-second annual meeting at Rapid City, April 19, 1913. F. T. Craige, president, occupied the chair. He noted the great dearth of cattle, due to the passing of the range and to drouth conditions. He strongly urged farmers, owing to this fact, to engage in general agriculture—diversified farming. The resolutions adopted protested against placing meat and other agricultural products on the free list and favored federal control of the unappropriated grazing lands in semi-arid districts—a leasing system to be prepared similar to that in use in the national forest reserves. It was openly admitted at this session that profitable cattle raising in the future must come through diversified farming. Herds had so depreciated that profits therefrom had been reduced 40 per cent. Besides the price of breeders was higher than ever before—so high that cattlemen found it unprofitable to re-stock.

The great attraction of the second day of the meeting was an historic parade illustrating the growth and changes in South Dakota since the days when the Indian claimed the soil. Following a band came a party of forty Sioux chiefs dressed in all the splendor of savage paraphernalia, some on horseback and others on foot and all armed with bows and arrows or rifles and revolvers. A large band of Indian women came next dressed in equally savage feminine attire, leading horses hitched to teepee poles and lugging papooses and big bundles of camping outfit. Next came the settler in his prairie schooner, with his wife and children, driving a few head of cattle and sheep. The prospector followed with his juiney loaded down with mining tools and grub. Then came the cowboys representing the third era in Western South Dakota development. There were 100 of them, dressed in regulation style down to arms, lariats, Stetson hats and neck clothes. The homesteader occupied the next division and with him came all sorts of farm machinery and dairy utensils. Last came the students of the United States Indian schools, led by their own band, all neatly uniformed and marching with a precision that would be a credit to Uncle Sam's regular troops. It was a forceful illustration of the difference between the

Sioux savagery of the past and the white civilization of the present. At the head of the procession were the parents and grandparents of the Sioux, garbed in their barbaric finery, while at the rear were their sons and grandsons marching in the dress and order of civilization—all accomplished within a little less than a generation—a world of savagery and privation transformed into a new world of peace and comfort and transfigured with the hope of immortality.

The year 1913 was extremely favorable for alfalfa and corn, as well as other products. The Brown County boys better farming survey was a feature, the boys making a trip over the county and inspecting, comparing and studying crops, conditions and prospects. They did not neglect to have a joyous time while thus engaged. A successful movement to improve the dairy industry of the Black Hills district was made this year; new dairy herds were added to many farms under the stimulus. The new seed law, a very important measure, came into effect. The State Bankers' Association reported most excessive and gratifying prosperity.

The Legislature of 1913 memorialized Congress to amend the homestead entry laws so as to allow male minors of eighteen years and over to qualify for entry and a bill to that effect was introduced by Senator Sterling. This year the State Game and Fish Commission set aside \$10,000 from the game fund to establish a fish hatchery east of the Missouri River. At this time the Belle Fourche dam, reservoir and irrigation project was the admiration and pride of the whole state and served as a forceful illustration of what could be done elsewhere. At the meeting of the State Live Stock Sanitary Board in September an examination of veterinarians was held. This fall many Chinese pheasants were distributed in pairs over the state. The potato crop was excellent. The farmers' short courses in agriculture covered all the leading branches of farm industry and were an immense help in spreading a knowledge of new and improved methods and operations. There was a special course on alfalfa and a regular one on household science. A big fire at Hot Springs in September destroyed several million dollars worth of property and rendered nearly two thousand five hundred persons homeless.

The state fair was one of the best, if not the best, ever held thus far. The attendance was larger than ever before—broke all state records. From forty thousand to fifty thousand people were present on the best days. The displays of cattle, sheep, horses, hogs, poultry and bees were never larger nor better. Owing to the large and attractive purses offered the races brought here many of the fastest animals in the country. The fake attractions were numerous and expensive to all who "bucked the game." The exhibit of state products by counties surpassed that of all former years and was alone ample evidence of the progress that had been made in productive methods. The corn palace show at Mitchell was even more varied and beautiful than ever and the attendance met the expectations of the managers. Here was elaborated the movement to "keep the children on the farm."

In September it was estimated that 200,000 acres of alfalfa were grown in 1913 with an average yield of $1\frac{1}{2}$ tons per acre. This crop thus gave 300,000 tons, worth \$11 per ton or \$3,300,000, not counting the seed, which sold readily at 18 cents per pound. This was the estimate of the Better Farming Association of Aberdeen. This year T. E. Rushton, near Spearfish, made \$60

an acre on his crop of 25 acres of alfalfa, not counting the benefit to the soil. The first cutting gave him $2\frac{1}{2}$ tons per acre. He let the second crop go to seed and harvested four bushels to the acre, which were worth from \$10 to \$12 per bushel—all amounting to \$60 per acre or \$1,500 for the crop. Other growers made as high as \$125 per acre under favorable conditions.

For several years great efforts to check and prevent the ravages of hog cholera had been made and when the Department of Agriculture announced its double serum cure and said that 90 per cent of the animals treated were cured, it brought joy to all swine growers. The Legislature of 1913 promptly appropriated \$5,000 to be used by the agricultural college to make the serum and experts were placed in charge of the process, which was under way by October. Dr. C. C. Lipp conducted the manufacturing operations. About this time a commercial concern at Sioux Falls undertook to make the serum, but was not countenanced until its managers were approved by the Government.

In October the bankers of South Dakota met and appointed a delegation to visit Washington, D. C., to protest against the passage by Congress of the pending banking or currency bill. J. C. Bassett, president of the Aberdeen National Bank, and H. C. Jewett, wholesale grocer of the same city, appeared before the Senate committee, Senator Crawford being present. The delegates said that the bill did not meet the conditions in South Dakota and Mr. Bassett declared that his institution would probably become a state bank should the currency bill become a law. He expressed the belief that the original reserve banks could not make 5 per cent unless they went into the general banking business.

The South Dakota forest law was approved by the Forestry Bureau of the Government owing to its requirement that the persons making the heaps of brush should burn them and leave the land clear. Other states were advised to adopt similar measures through legislation. In this state this was one of the requirements of the land commissioner.

Complaint that the hog cholera serum was too slow in making its appearance came from all parts of the state late in 1913. Cholera in October was devastating nearly every county and the farmers were almost wild with excitement and dismay at the losses. In the absence of any real remedy they grabbed at straws by accepting the offers of fakers and they again were the losers. Later it was estimated that the state lost this year through cholera about forty-two thousand hogs. Dairy and alfalfa trains were run by the railroads to every important center of population.

The twenty-fifth annual meeting of the State Horticultural Society convened at Mitchell January 20, 1914. It was announced at this meeting that the fruit belt of the state was slowly being extended—that fruit trees were now doing well where but a few years before they could not have survived. Among the subjects considered were plant diseases, evergreens, potato diseases and all plant diseases and pests generally. For forests and windbreaks spruce, pine and red cedar were recommended.

The agricultural extension bill appropriating specific sums annually by the Government for the dissemination of scientific farm information by practical experiments and through publications came at an opportune time and was fully appreciated in this state; each state at the start was to receive \$20,000

per year. The total appropriation the first year was \$480,000; this was to be increased until \$3,000,000 was appropriated, after which the sum was to become permanent.

The State Improved Live Stock Breeders' Association met at Mitchell in January, 1914, there being present a large delegation. About the same time the State Poultry Association and the State Corn and Grain Growers' Association held their annual meetings. At these meetings alfalfa and sixty-day oats were important subjects of consideration. It was advised that these two crops should be sown together—ten pounds of alfalfa seed and twenty-four pounds of sixty-day oats to the acre. The oats would serve as a cover-crop for the alfalfa. The wonderful increase in the number of silos and a corresponding increase in the number of dairy cows were noted at this time. Silos had received their first big development in South Dakota in 1911, but they were now counted by the hundreds. Dr. N. N. Stoner conducted short courses in several counties during the early part of 1914; one was opened in Stanley County at Kadoka.

In March, 1914, a farmer of Bon Homme County sold three hogs and received in payment therefor a check for \$128.20. He said: "That just about pays my tax. Back in 1895 my tax was not nearly as much, but I tell you it took more than three pigs to pay it." This circumstance showed the vast change for the better.

At this time the second silo-dairy-alfalfa train left Brookings for a trip of instruction over the state. It stopped at Mitchell, Woonsocket, Tulare, Mellette, Aberdeen, Ipswich, Bowdle, Selby, McBride, McLaughlin, McIntosh, Morristown, Lemmon, Eagle Butte, Dupree, Faith, Timber Lake, Isabel and other points.

At the close of the fiscal year 1913-14 there were 86 dairies in the state. Of these 17 were owned by stock companies, 35 by individuals and 35 by co-operative organizations. The largest produced 1,972,678 pounds of butter and the smallest 5,714 pounds. There were shipped out of the state 28,417,319 pounds of cream. The total value of dairy products was \$9,152,697. Perhaps the most important question in 1914 was the control or prevention of hog cholera. By July the serum plant at the agricultural college was meeting the demands for that compound. The Sioux Falls Serum Company began to make it in the fall under a license and under the inspection of a Government veterinarian. For one year a short school course in the state had given special instruction on how to prevent or eradicate hog cholera and was under the management of the Government Bureau of Animal Industry. It was now planned to hold two more such sessions in 1914. This was decided upon after it became known how heavily the leading swine counties had suffered during the fall of 1913 and the spring of 1914. Lincoln County had lost approximately 10,707 head; Turner County, 8,499 head; Hutchinson County, 9,849 head, and many other counties smaller numbers. In the summer of 1914 Harding County owned 73,027 sheep; Perkins County, 56,300; Butte County, 48,960. Brown County owned the greatest number of horses—20,238. Stanley County had 35,147 cattle; Lyman County, 34,707; Minnehaha County, 33,507. Beadle, Charles Mix, Hand, Hutchinson, Lincoln and Union each owned over 25,000 head of cattle.

In 1904 commercial fertilizers costing \$12,940 were used in the state; in 1914 the quantity used cost \$11,294; it was used on 185 farms. All shipments of cattle were under the control of the State Live Stock Sanitary Board. In June the tuberculin test was made applicable to all cows and heifers brought to the state and there was a general inspection of all herds. A number of fields were inoculated for alfalfa this year, the experts from the agricultural college explaining the *modus operandi*. Good roads day was May 26th this year. The big drainage ditch near Vermillion, to cost \$160,000, was planned this year. The Holden alfalfa special train crossed the state on the Milwaukee lines in June; two hours were given each town by the able speakers. As early as April pedigreed South Dakota sugar beet seed was in great demand all over the state and was supplied by the agricultural college in large quantities; this seed had been produced by Prof. J. H. Shepard, who by Burbank methods, had increased materially the sugar content of the beets. Tenant farming began to be considered this year for almost the first time. The silo-dairy-alfalfa trains traversed the state in April and May. The swine breeders formed a new organization at Mitchell in June.

For twelve years ending with 1914 inclusive South Dakota produced more wealth per capita than any other state. No wonder the people were prosperous and therefore happy in spite of hot winds, lack of rain and dry plains. By September, 1914, the state had 77,644 farms. During the five growing months this year—April to August inclusive, South Dakota had an average rainfall of 17.47 inches, which was about the same as Ohio, Illinois, New York and other states. In 1898 the bank deposits were \$10,104,185; in 1913 they were \$93,341,935.

At the Mitchell corn palace show the management gave the public a new palace of concrete in 1914. It was aimed to make it large enough for the immense crowds that came to see the exhibit and the other attractions. The state fair at Huron was a great success this year. The Monday's attendance was the greatest for the first day in this history of the fair. On that day the automobile races were held on the half-mile track; the same races were continued on Tuesday and Wednesday, the prizes on the latter amounting to \$2,800. The next day nearly \$3,000 was paid. The live stock and agricultural products exhibits were larger than ever before. Spink County won first award for the best agricultural display; Ferauld won second prize. Wednesday was political day, when politicians blushed and blossomed and gladdened all hearts.

Owing to the just complaints of the Indians nearly all the rest of the range cattle in the state were shipped out in the fall of 1914. Roaming at large they had done great damage to the crops of the Indians. In August one company on the Cheyenne Reservation shipped out 119 cars of 21 head each for which they received \$110 per head in Chicago. Another Cheyenne company shipped 123 cars or 2,583 head; they received \$280,130 for the lot in Chicago.

In November, 1914, a general quarantine to prevent the importation of cattle infected with the foot and mouth disease into this state was ordered, to be enforced until further notice. The disease had not appeared here, but the step was ordered as a precaution.

In October, 1914, the agricultural college announced the following short courses: Cream testers' course, December 14th to 18th; farm and home short



A SOUTH DAKOTA AUTOMOBILE TURNING OVER $16\frac{1}{2}$ FEET OF VIRGIN SOIL



HEREFORD CATTLE

course, January 1st to 11th; traction engineering, January 12th to June 4th; three months' creamery course, January 12th to April 1st; automobile course, May 24th to June 1st. Under the farm and home course the schedule for men was—hog cholera, live stock, soils and crops, poultry culture, farm dairying, trees and fruits, conferences and lectures, and the schedule for women was—home problems, household dairying, floriculture and home gardening, poultry culture, demonstrations in cooking, sewing, conferences and lectures, home life day, etc.

The official report of the deposits in national and state banks in this state on September 12, 1914, was as follows:

Banks	Bank Deposits	Individ'l Dep'sts	Total
National Banks	\$6,031,946.53	\$32,931,327.24	\$38,963,273.77
State Banks	2,316,521.51	55,790,836.70	58,107,358.21
Total, 1914	\$8,348,468.04	\$88,722,163.94	\$97,070,631.98
Total, 1913	5,747,902.91	87,594,032.27	93,341,935.18
Increase, 1914	\$2,600,565.13	\$1,128,131.67	\$3,728,696.80

Notwithstanding the large cash reserve a spirit of extreme conservatism prevailed and the people were slow to undertake new enterprises.

The table of productions for 1914 below is, as far as the returns are provided by the Federal Department of Agriculture, the official figures of that department. The remainder are from the best available sources, compiled by the Department of History. The values are prices paid producers determined by the Department of Agriculture.

Wheat, 33,075,000 bushels.....	\$32,267,000
Corn, 75,504,000 bushels.....	47,567,000
Oats, 44,165,000 bushels.....	16,782,000
Barley, 20,723,000 bushels.....	10,154,000
Rye, 401,000 bushels.....	276,000
Flaxseed, 2,550,000 bushels.....	3,509,000
Potatoes, 5,580,000 bushels.....	4,838,000
Alfalfa and clover seed.....	1,218,000
Total reported by Department of Agriculture.....	\$116,611,000
Vegetables and fruits	\$ 2,000,000
Hay, 3,216,900 tons.....	19,623,000
Dairy products	6,925,000
Poultry products	7,630,000
Livestock	50,059,000
Wool and hides	1,125,000
Minerals	8,200,000
Total reported by Department of History.....	\$95,562,000
Grand total of soil and mine productions for 1914.....	\$212,173,000

The Scotty Phillip buffalo herd was sold in 1915 for the sum of over two hundred thousand dollars, of which \$10,000 was paid down. There were 400 head and the ranch lands went with the herd. They were taken by a company with headquarters at Minneapolis. Stafford B. Somers, of that city, and two St. Paul

men, with Herman Sonnenschein and Hazel Phillips, compose the list of incorporators.

"In 1881 I planted upon my ranch at the mouth of Redwater, in Butte County, the first alfalfa seed brought to the Territory of Dakota. I had observed the plant growing in Bear River Valley in Utah, where it was known as lucerne. I purchased the seed at Salt Lake City through Capt. Thomas Russell, of Deadwood, the agent of the Union Pacific Company. It came to Cheyenne on the Union Pacific, and from there to Deadwood by coach. It was planted in June and a seed crop was raised that year, some of which was kept on the ranch and the rest disposed of by giving it to any of the few settlers in the valleys who wished to test the plant on their places. It was some of this seed that Tom Jones of Big Bottom got. In 1882 we had three cuttings; in 1883 we also got three cuttings. In 1884 we again let the crop go to seed and had it threshed by Andrew Snyder, a well known farmer of the Belle Fourche Valley. We retained enough of the seed to put in thirty additional acres, giving the rest to anyone who wanted to get a start in alfalfa. This was the parent seed of the hardy alfalfa grown in the Deadwood and Belle Fourche valleys to this date. Many of the farmers have kept their fields intact since 1884 and 1885, as neither freezing nor drouth seemed to affect this strain of alfalfa. Anyone interested can see today on the Bullock Ranch at Belle Fourche a field that has produced not less than three cuttings a year since it was sown over thirty years ago."—(Capt. Seth Bullock, in press, 1915.)

Early in 1915 there came to the secretary of agriculture at Washington hundreds of letters from the wives and daughters of farmers all over the country complaining of the hardships and privations they were forced to endure. "From forty-four of the states," the department says, "came letters in which the writers expressed the belief that the lot of the farm women was made unnecessarily hard because men on the farm were thoughtless, uninformed, or stubborn about providing measures that will better the conditions of their wives and daughters. The burden of many of the letters dealing with men's duty is that the farmer is very ready to purchase modern field machinery or improvements which will make the farm home a pleasanter place of abode or a more convenient workshop for the women. Some seem to think that farm animals have more attention given to their needs than do the women. Others complain of the fact that they never handle any ready money and are allowed no freedom in purchases, and so are blocked from improving the conveniences, sanitation, and esthetic quality of their homes. Several note the fact of the close connection between the home and the business and seem to think that the need for money making or desire for money causes the home end of the farm to be slighted in expenditures. In practically all of these letters the suggestion is made that the men need education and information that will give them the point of view that home improvement is a necessity rather than a luxury, which may well be postponed indefinitely.

"On the other hand, in the section of this report which deals with financial conditions, many wives write that their husbands are entirely considerate and wish earnestly to lessen the drudgery of their wives and to provide them with comforts. They simply cannot make enough money, these women write, to do more than provide the necessities. This condition they attribute to high interest and the low price the farmer gets for what he raises.

"A Michigan woman writing on this subject, said: 'The farm is run for the benefit of the farm and not the family. Of what use is it to buy more land to raise more corn to feed more hogs to get more money to buy more land.'

"Many expressed the belief that, although the home and farm were really a part of the same business, the man did not feel that his wife as a worker was entitled to a share of the cash secured by the general farm operations. Some said that the women did not have the actual handling of the profits resulting from their own specialized work with chickens, in the garden, or in the handling of milk and butter. Several stated that there should be some definite system of division of income and urged that, if they had the spending of the money, they would use it for improvement of their homes and the installation of drudgery-saving devices.

"One hundred and seventy-two writers, representing forty states, urged that the department, through printed material, lectures, or a bureau especially established for the purpose, instruct the women on the farm how to care for their sick, prevent contagion, improve hygienic conditions, and introduce proper sanitary measures on the farm. Some of the mothers seem to envy their city sisters because they have ready access to the advice of physicians, charging small office fees, and can attend lectures given by trained nurses and educators on the care and rearing of children. Letters from all over the country dwell upon the importance of education in the common schools in agriculture and home economics. Under the present system, many writers say, the schools educate the young not for their life work, but away from it. There is, it is said, in many sections no vocational training, nothing to make the pupil interested in or contented with his or her life upon the farm. In particular the establishment of agricultural high schools in rural districts is generally urged."

A dairy, silo and hog cholera train was run by the South Dakota State College over the Chicago & North-Western and Chicago, Milwaukee & St. Paul railway lines in March, 1915. This train visited only those towns not reached by two former trains, and operated under the combined auspices of the state college, State Dairymen's Association, State Bureau of Immigration, and the two railroad companies. The train consisted of exhibit car, stock car, flat demonstration car, lecture car, and living car for the staff. Demonstrations and discussions covered dairying, milking machines and other utensils, silos and silage, hog cholera and the farmer's opportunity in South Dakota. Special speakers were Ellwood C. Perisho, president of the state college; C. Larsen, professor dairy husbandry, and Dr. C. C. Lipp, veterinarian, at state college; Prof. F. W. Merrill, of Fargo, N. D.; A. P. Ryger, secretary of State Dairymen's Association; and Charles McCaffree, state commissioner of immigration.

In the spring of 1915 many counties of the state prepared to take advantage of the new law on agricultural extension. The bill was introduced by Senator Lincoln and passed both houses with but three dissenting votes. The law accepts the appropriation of the Government; makes a state appropriation of \$25,000 and \$30,000 for the biennial period of 1915 to 1917 for carrying on the work in co-operation with the United States Department of Agriculture; provides for state and county organization and for short courses in the counties to take the place of farmers' institutes and makes full provision for conducting extension work under the supervision of the agricultural college. By May a score or more of counties were well organized under the law and were at work.

In the spring of 1915 the Board of Immigration decided to make an exhibit of South Dakota agricultural products at the exposition at San Francisco. A desirable section, comprising sixty feet of wall space between the east entrances of the Agricultural Building, was offered by the management. A shipment was made and the exhibit used by the Department of Immigration at other shows along with other new material to be collected was used. Grains were entered in the agricultural contest and the display was kept there during the remainder of the fair where visitors could see it and make their headquarters.

Sportsmen of Western South Dakota have found rabbit hunting on a large scale profitable as well as exciting. Tons of rabbits have been shipped by them to eastern markets where they commanded fair prices. It is estimated that five thousand rabbits were shipped from Owanka alone during the winter of 1914-15, and larger shipments were made from other towns. Single shipments of 1,000 rabbits are not unknown.

Farmers of South Dakota sowed a larger quantity of Marquis wheat in 1915 than ever before, the previous year having proved beyond all possible doubt that this is the hardiest wheat for this state that has yet come to light. Marquis wheat ranks with Blue Stem and Fife wheat on the market, being a hard wheat of excellent milling qualities. Farming experts declare it is the most profitable spring wheat for the farmer of South Dakota to raise. It matures from ten days to two weeks earlier than Blue Stem, a week earlier than Velvet Chaff and yields more than either of these varieties under good conditions or hardships. Besides, Marquis wheat has no beards. During the year 1914 it ran against blight in Iowa and withstood it better than Velvet Chaff. It experienced drouth in South Dakota and proved a better crop than Blue Stem. In North Dakota it encountered black rust, showing up better than Scotch Fife.

In the spring of 1915 ten or more South Dakota counties planned to take advantage of the funds available under the provisions of the agricultural extension bill introduced in the last Legislature by Sen. Isaac Lincoln of Brown County. Representatives from the following counties met at the state college to confer with President Perisho, W. A. Lloyd of the Department of Agriculture at Washington, and the county agents and other extension men already at work in this state: Brown, Butte, Davison, Day, Clark, Douglas, Hanson, Lyman, Minnehaha and Sanborn.

At the annual convention of the South Dakota Veterinarian Association, held in Sioux Falls in July, 1915, there was a large attendance from all parts of the state. Important action was taken concerning animal diseases, particularly with reference to the exclusion of animal epidemics from the state limits. The next place of meeting was selected as Sioux Falls. The following officers were elected for the coming year: President, Dr. H. A. Hartwick, Madison; vice president, Dr. J. F. Lindsay, Milbank; secretary-treasurer, Dr. A. W. Allen, Watertown.

In July, 1915, the Live Stock Sanitary Board issued a restrictive order prohibiting the sale of hog cholera virus by manufacturers or persons in the state to any but those who had legal permit to use it. The right of use depended upon their experience, study and training in the use of the virus. The serum, it was stated, was a comparatively small article to use but the virus was dangerous and once handled improperly would result in spreading the disease.

That South Dakota was the most prosperous state in the Union compared with the population was proved by the figures of 1915. There were within the state in round numbers eighty thousand farmers who owned an average of 300 acres each and had property amounting to more than sixteen thousand dollars each. This made the state the wealthiest in the Union per capita. This great progress was not alone due to agriculture. It contained vast tracts of prairie land which produced bountiful crops of corn, wheat, alfalfa and other grains, while the Hills and the mountains were rich with gold, silver, marble, coal and timber. The western half was unsurpassed as a grazing country, possessing as it did, immense areas covered with nutritious native grasses. The state never really began to prosper until the people took up diversified farming, which for many years before had been urged upon them by the agricultural college, the experiment stations and the United States Department of Agriculture. Corn and live stock were forced to the front by this pressure until they succeeded wheat, although this was near the center of the famous hard wheat belt. The official report of the production of grain, live stock, hay and minerals did not include coal, timber, vegetables, manufactures and various other items. The wheat product was valued at over \$35,000,000 in 1913; corn product at nearly \$39,000,000; live stock production at nearly \$54,000,000; hay surplus at over \$17,000,000; minerals and stone at \$8,500,000. Few states can show such rapid industrial advance as South Dakota did from 1897 to 1915. The growth of bank deposits were in round number \$10,000,000. In 1913 they were \$93,000,000. Such an advance in less than fifteen years was almost unprecedented. All this resulted from the natural resources.

By the middle of July, 1915, six progressive counties were duly organized for agricultural extension work, the counties and agents being as follows: Codington, A. W. Palm; Spink, E. W. Hall; Beadle, C. B. Gurslee; Clark, L. V. Ausman; Douglas, C. E. Bird; and Day, Samuel Sloan. At this time five or six more counties contemplated immediate organization. It was presumed that before they should be ready the limited funds appropriated for such extension work by the Legislature would have been exhausted.

For many years previous to a short time before 1915 the state at harvest time was nearly always short of help to harvest the crop. Often as much as five dollars per day had been paid for harvest hands. During those years the call would be sent out and hundreds of laborers would be brought to the state to help during harvest time. By 1913 an important change had been made in this practice. The farmers themselves, through organization and co-operative movements, assisted by a limited number of laborers from abroad, managed to harvest their own crops without serious loss or delay. In 1915 Commissioner Charles McCaffree stated that 5,000 additional laborers in the state would be sufficient to harvest the crop. Many had thought the state would require 25,000 additional helpers.

In 1915 farming conditions in South Dakota were unusually promising. General county agent work, short course work in counties not organized under the agricultural extension act, boys' and girls' clubs for competitive work in the home and on the farm; domestic science by the girls and crop growing by the boys, were never more active nor useful. The dairy and silo development at this time was very great even in the western part. Gordon Wrundlett, agent of the Government to carry out the provisions of the Smith-Lever act in South Dakota, was

sustained at Brookings and put in operation the new requirements. By July the counties of Lawrence, Codington, Day, Spink, Beadle, Douglas, Hughes and Clark had completed organizations and were entitled to a portion of the funds.

By the last of July, 1915, the following seventeen counties had applied for exhibit space at the state fair and exposition at Huron: Bennett, Davison, Fall River, Hyde, Haakon, Hand, Jerauld, Lawrence, Mellette, McCook, Minnehaha, Pennington, Stanley, Sully, Turner, Ziebach and Spink. This was the biggest early showing in the history of the fair. Spink County was barred from prizes, because it had won first honors the year before. Previous winners were Hanson County in 1907-8-9, Clark County in 1910, Brookings County in 1911-12, Kingsbury in 1913, and Spink County in 1914.

In the summer of 1915 the State Board of Agriculture purchased a large concrete exhibition building on the state fair grounds and laid plans to remodel the structure for a mammoth educational display building. The structure contained 3,600 square feet of floor space. The plans for the educational display at the exposition of 1915 at Huron were under the superintendence of B. E. Meyers, of Redfield.

In June, 1915, the Custer office of the National Forestry Service completed the largest task of reforestation ever undertaken in the Black Hills in one season. It succeeded in replanting an extensive area in the Roubais district, which had recently been swept by a destructive forest fire. The forestry service succeeded in covering approximately two thousand acres by direct seeding and in addition planted 85,000 trees.

The South Dakota exhibit at the Panama Pacific Exposition at San Francisco, 1915, was installed by Immigration Commissioner McCaffree and the exhibit was placed in charge of W. C. Lusk of Yankton. There was some delay in getting the exhibit placed, and the judging was completed before all the exhibits were located and united. On its showing of corn, grains and grasses, South Dakota was given a gold medal. The exhibitors were given certificates and their names were announced.

In July, 1915, Germany, then in the throes of the terrible war, announced that it was self-supporting as to food supplies. This was conceded at the time even by Great Britain, yet three-fourths of the German farms were less than twenty acres in extent and the population of the country was about sixty-five million. Only one farm in eight in the United States is less than twenty acres in size. Less than one-third of the population of the United States is engaged in tilling the soil. German agricultural efficiency showed how far this country is from land hunger and starvation, but Germany had intensive farming and this country had not. Not one farmer in ten in 1915 practiced intensive farming to any considerable extent. Instead of being reduced in size the farms apparently in the United States were being increased. Land holders secured more land and tenant farming was becoming astonishingly great in 1915. The time will come when, under the law, no man will be permitted to own more land than he can cultivate.

In July, 1915, the banks of South Dakota were in excellent condition. The deposits in the state banks amounted to \$57,909,277.63, and in the national banks to \$36,567,949.77. Of the total about \$3,000,000 was an increase over the deposits of March 4, 1915. The total of the deposits in the national banks in

round numbers was \$4,000,000 more than it was at the same time in 1914. The state banks showed a reserve of 29.26 per cent for the date of March 4th.

By July 1, 1915, the registration of automobiles in South Dakota numbered 22,700. This represented an expenditure of about \$1,000,000. In addition there were registered 1,500 motorcycles and 524 dealers had taken out licenses to sell these various vehicles. Beginning July 1st the annual license fee on automobiles was dropped from \$6 to \$3 and the fee on motorcycles was dropped to \$1.

In August, 1915, the South Dakota Packing & Shipping Company, with headquarters at Watertown, was incorporated by F. S. Lawrence of Minneapolis, John C. Stein, John R. Michaels and J. J. Purcell of Watertown. The capital stock was fixed at \$1,000,000. The company proposed to begin operations on a large scale within a short time.

Formerly the farmers' institutes were conducted under the superintendence of the State Agricultural College. Later each county had its special farmers' institute. In 1915 the work of the institutes was changed to a considerable extent, and became in effect a short course study. For the year ending June 30, 1916, the State Legislature appropriated \$25,000 for short course work, and \$30,000 for the following year. This sum was augmented by Government funds amounting to a little over \$16,000 annually. Under the law, organized counties received the salaries and actual expenses of a county agent. In July, 1915, six counties were thus organized and were employing county agents. For the purpose of conducting short courses in the unorganized counties the sum of \$13,500 was reserved. It had been found that the two and four-day courses were the most efficient and popular, and therefore it was planned by the Board of Regents and Professor Randlett, the state leader, to hold as many short courses as the funds would allow. F. W. Dwight, president of the Board of Regents, said in July, 1915: "The people having in charge the short courses would appreciate the assistance of the farmers' organizations, the commercial clubs and the various committees where these short courses will be held, in order that they may be successful and the largest amount of good possible may result therefrom." The work of the farmers' institutes was provided for under the head of agricultural courses. The law made it the duty of the state director of the agricultural extension work to require at least a four days better farming school or demonstration course; then any one, two, or three days meeting which he might deem necessary to be held every year in each county of the state where there was no county agricultural agent. He was authorized to draft from the county agents, subject to the approval of the United States Department of Agriculture, those needed to assist in conducting such agricultural courses. They were required to co-operate with any special experts provided by the state director. This work was designed to take the place of work heretofore conducted by farmers' institutes. In counties where no provision had been made for a county agriculture agent, the county commissioners thereof were authorized to appropriate any sum, not to exceed \$300, as might be needed for co-operation with the state director in the management of demonstration courses and other meetings conducted by him in such county.

CHAPTER XV

STATE DEPARTMENTS, COMMISSIONS, EXAMINERS, ETC.

The Legislature of 1891 vastly increased the duties of the public examiner who stated in his report of July, 1892, that it was a physical impossibility for one person to perform all of the requirements. In view of this fact he had directed his attention to three principal points: (1) Insuring the safety of the state and county funds; (2) enforcing a correct and uniform system of bookkeeping and accounting by officers having the custody of such funds; (3) protecting persons who deposited money with banks and moneyed corporations and extended them credit. He had examined all of the state officers' accounts and could discover no irregularity. He pointed out several weaknesses, one requiring a better system of accounting between the state treasurer and the state auditor so that each would have a check upon the other. This had been partially remedied by the previous Legislature.

The law concerning the old method of charging the various counties with a state tax was changed so that each county was charged with its actual state taxes as shown by the county auditors. This obviated confusion and variance between the accounts of the state and those of the counties. He had inaugurated also, under the law, a different method of collecting state funds from the various counties. The old method was less cumbersome, but there was no substantial check between the state treasurer and the state auditor. The last Legislature had attempted to provide for the adjustment and settlement of the delinquent state taxes for 1890 and previous years, but had only partially succeeded in accomplishing this result. One difficulty encountered was the lack of system in the counties. Local finances were in the hands of persons who did not understand bookkeeping and accordingly accounts were confused and mixed. The examiner suggested several reforms to remedy these defects. He said that the present system, so far as it related to the extension of taxes, footing, proving, recapitulating and keeping accounts, was satisfactory as a whole. He found the books of the state treasurer well kept and the accounts accurate; the same of the state auditor. He likewise found that the secretary of state had rendered full account of all moneys collected. Upon request of the governor and other state officials he assisted in reconciling discrepancies in several counties and in adjusting the amounts that should be remitted to the state treasury. In one county he was called upon to enforce a prompt remittance of state funds. The bonds of the state officers were found to be in regular form and sufficient as to sureties. The highest bond was for the state treasury, \$250,000. Other comparatively high ones were the treasurer of the board of trustees, agricultural college, \$30,000; superintendent of the insane hospital, \$25,000; public examiner, \$25,000; commissioner of lands, \$20,000; warden of the penitentiary, \$15,000.

He reported that he had endeavored to effect uniformity in the accounts of the various counties of the state. There had existed too much confusion and irregularity, and his object was so to blend all the duties of county officers that they would serve as checks upon one another. This result had been accomplished to a large extent by December, 1902. He emphasized the value of the duties of county auditor and suggested important changes concerning the management of his office. He made similar suggestions in regard to county superintendents, registers of deeds, clerks of courts and county officers' bonds. He suggested numerous improvements in the laws relating to the county commissioners. In a few instances he was called upon to make special examinations. The commissioners of Fall River County asked him to inspect the books and accounts of the treasurer there. He found the difficulty was with the local bank where the treasurer had deposited county funds. The treasurer's books were correct and in the end the money was accounted for. Similar special calls came from Brown, Campbell, Sanborn, Sully, Edmunds, and Faulk counties. He had likewise examined the books and accounts of various state institutions. The many new laws passed in 1891 had been duly considered, and put into effect with the result that many changes in public offices were instituted.

While thus engaged, the examiner ascertained the actual necessary expenditures of each state institution. This was reported with the expectation that the Legislature would thus have more specific information upon which to base their appropriations. The report of these expenses was elaborate and valuable. The state banks had received from him a thorough investigation. The law of the Legislature in 1891 sought to prohibit private banking and to confine the business exclusively to associations organized under the act. It was copied from the North Dakota law and in many ways resembled the national banking act. It was an attempt to prohibit private parties from carrying on the business of banking, but this step in due time was declared unconstitutional by the Supreme Court. The banking act really repealed all acts or parts of acts in conflict with it, because it was believed, in view of the decision of the Supreme Court, that such corporations then existing could continue to do business until the expiration of their charters in the absence of any further legislation. Under the state bank law of 1891, seventy-two banks had been organized by July, 1892. Of these forty were still doing business in December, 1892. All banks organized under this act were supervised by the public examiner. The same banks organized under the general law of the state. Private banks were under no supervision whatever and were subject to no limitations except those provided in the penal code.

The following were the principal features of the banking act and the only ones that placed any restriction upon their operation: (1) Fixing the capital stock in proportion to the size of the town or city as to population; (2) limiting its power to purchase and hold real estate; (3) providing that dividends should be declared only upon net profits after deducting losses and bad debts and providing for the creation of a surplus fund; (4) providing that each director should own at least ten shares of capital stock; (5) providing that each stockholder should be responsible to the extent of the amount of his stock at the par value thereof, in addition to the amount invested in and due on such shares; (7) prohibiting the bank from loaning on the security of its own stock and limiting the amount of loans to any one individual or firm to 15 per cent of its capital stock; (8) pro-

viding that each bank should have on hand at all times in available funds an amount equal to 20 per cent of its deposits, at least half of which should be in cash and the balance due from solvent banks; (9) providing that insolvent banks should not receive deposits.

The examiner recommended that the law should be amended so as to allow loans to be made on real estate security. For the year ending June 30, 1891, six private banks had failed. After that date until December, 1892, two private banks failed and also two state banks. The examiner said that many private banks were equally as good as the best national or state banks and that they needed no law for the protection of their patrons. He suggested, however, that the tendency to start up banks without adequate capital should be checked at once. The purpose of the law of 1891, he said, was not to cripple or discourage legitimate banking; just the reverse. His severest criticism against banking methods was the failure of many bankers to appreciate the importance of frequent verification of loans and discount, of keeping thorough records and of frequently checking up certificates of deposit. The law of 1891 made the public examiner the superintendent of all banks. It made him also executor of the law. He was required to put the law into force and effect. He could not, however, enforce any fines or penalties except by instituting proceedings in court. At this time T. E. Blanchard was public examiner.

In 1891 Governor Mellette announced that the bonded debt of the state was \$116,000 bearing 6 per cent interest, \$124,000 bearing 5 per cent interest, \$317,100 bearing $4\frac{1}{2}$ per cent interest, and \$302,500 bearing 4 per cent interest; besides the recent issue of \$160,000 in bonds at $3\frac{1}{2}$ per cent interest; total, \$1,019,600. On this sum the interest and sinking fund annually amounted to about \$54,000 which, together with a few other items, made the total debt in round numbers \$1,050,200. At this time he recommended a banking law which would require all institutions loaning money to take out articles of incorporation. By so doing he argued they would be placed under the supervision of the public examiner who had power to cancel their charters under certain conditions. He likewise recommended a reduction in the existing high legal rate of interest. In reference to the Legislature he expressed the opinion that the House should not consist of over sixty members, nor the Senate of more than thirty members, because such a reduction would lower the general expenses of the Assembly fully 50 per cent and would leave a representation abundantly able to care for the affairs of the state. He recommended, further, the immediate adoption of the Australian ballot.

During two years and eight months ending with November, 1892, there were created in this state, 675 corporations of which 200 were for religious, fraternal, benevolent or charitable purposes and 475 were for profit. A law of 1891 provided that the secretary of state should have supervision and control of the state capitol building and grounds together with the funds appropriated for the maintenance of the same. This appropriation in 1891 amounted to \$6,140. The secretary of state was also made ex-officio state librarian. When the library was received from Bismarck, that portion relating to laws and court was placed in the custody of the Supreme Court; the miscellaneous library was placed on the first floor of the state house in the room formerly occupied by the state treasury. This room was wholly inadequate for the proper care of the books, but the

Legislature had failed to make any improvement. The state printing and the Supreme Court reports were placed under the supervision of the secretary of state. The laws concerning corporations were very inadequate in 1892. Mr. Ringsrud recommended a complete revision of such laws in order to harmonize numerous conflicting positions and the creation of additional safeguards to protect the state. A well guarded law governing building and loan associations was urgently needed. A considerable number of such corporations in the state were doing a large business and were rapidly becoming financially strong.

The State Board of Dental Examiners in 1892 suggested the expediency of several new laws. The board asked for a yearly registration of dental practitioners with a small fee for clerk service, for the creation of a fund to meet the necessary expenses of enforcing the law, and for the preparation of a list of the practicing dentists of the state. There were at this time about seventy practicing dentists in South Dakota. For the fiscal year ending June 30, 1892, there were nine applications for licenses, five of whom were graduates who had been licensed on proof of their diplomas and three upon passing the required examination. One was rejected. At this time C. W. Stuteuruth was president of the state board.

In the spring of 1892 the South Dakota commission to determine the boundary between Nebraska and South Dakota, consisting of A. E. Lee, E. C. Ericson and E. H. Van Antwerp, met for the discharge of their duty. They succeeded in adjusting the boundary without any serious controversy with Nebraska. About the same time the dispute between North Dakota and South Dakota concerning the boundary line between them was considered and settled. Charles H. Bates, of Yankton, ran the line on the 7th parallel. The old line was irregular and had been extended by the Minnesota surveyors over a portion of the boundary. Regardless of the old line, Mr. Bates ran a new one according to the law wholly along the line of the 7th parallel.

The State Board of Pharmacy, in August, 1894, reported that they had held four regular meetings and one special meeting during the year for the examination of applicants for registration. C. F. Ayer was president of the board. At the meeting in October, 1893, seven applicants were examined and all were granted licenses. At the second meeting held at Parker, fourteen applicants successfully passed and in April, 1894, nineteen secured licenses. At the fourth regular meeting fifteen secured licenses. On the roll at the last annual report were 488 registered pharmacists. The highest standing in pharmacy was secured by G. S. Agersborg at Vermillion, who passed at 90 per cent. The board admitted that while it was true some incapable persons were found occupying the positions of dispensing pharmacists, the percentage of incompetents was being rapidly decreased under the regulations of the pharmacy law. The examinations were thorough, and none but competent and skilled pharmacists could secure license. At the regular meetings the order of the business was as follows: Applications for examination; organization and examination; communications; reports on violations of the pharmacy law; new business; unfinished business; reading minutes; adjournment. Applicants were examined in pharmacy proper; chemistry; identification of drugs; materia medica; and specimens for identification. In their report were published a full list of questions presented to applicants to answer. At the August meeting in 1894, a committee on trade interest, appointed at a

previous meeting, made a full and exhaustive report showing the condition of the pharmacy industry in South Dakota. There was discussed at this time the attitude of the pharmaceutical association towards physicians and their prescriptions. Several interesting essays were read at almost every session of the association. They covered every subject of interest to professional pharmacists. All were valuable contributions. They considered also what side lines were the most profitable for pharmacists to handle.

Early in January, 1895, at the meeting of the Legislature, it was learned amid intense excitement, that State Treasurer W. W. Taylor was short in his accounts, was a defaulter and had left the state and his whereabouts could not be learned. At first the shortage was stated to be \$200,000, but a little later the amount was fixed in round numbers at \$350,000. At once investigation was commenced.

Many prominent men of the state, including Ex-Governor Mellette and Speaker Howard, were on his bond. It was soon learned that he had been caught in a chain of national bank failures extending from Chicago through several banks both within and without this state. It was reported that he had lost \$20,000 in the bank at Milbank and \$10,000 in the bank at Gettysburg. These were a few of the rumors that swept the Legislature from its feet early in January. Taylor was a republican and his defalcation plunged the Legislature and the state officials in the depth of gloom. The democratic and populist papers made the most of their opportunity, many declaring that the entire administration of the state was corrupt, dishonest and should be investigated. There was great discord and confusion when the new state treasurer, Phillips, prepared to take possession of the state treasurer's office. A hurried count showed the shortage of \$375,000. When the defalcation was learned to be a certainty, bills offering from \$10,000 to \$20,000 for the arrest of Taylor were introduced. In the financial emergency thus created, the state auditor made an immediate demand upon the counties for all the tax in their possession due the state. Soon \$40,000 in cash was received from this source. It was thought best at first to issue funding warrants. The amount to be raised was about \$400,000, which would be sufficient until August. Then the State Board of Equalization could provide cash through a deficiency levy.

It was soon learned that Taylor's bondsmen had not been idle in this emergency. It was finally learned that Taylor and his friends had taken all available money of the state in order to be in a better position to compromise to their own advantage when the final settlement should come. At once the attorney general commenced suit against the bondsmen for an amount sufficient to cover the entire defalcation. It soon became known that Mr. Ruth, commissioner of school and public lands, had postponed the apportionment of school funds and that thereby about \$90,000 of school money was lost in the defalcation. As early as 1893 it was reported that Mr. Ruth had used state money outside of his office. It was at first thought that perhaps he had acted in concert with Taylor, whereupon the Legislature appointed a joint commission to investigate both the Taylor and the Ruth accounts. Thomas H. Ruth was a banker of DeSmet. A thorough investigation showed that while there were some irregularities in the official conduct of Colonel Ruth, he had not violated the law and consequently was exonerated by the legislative committee. It was shown that he had not violated the law in delaying the apportionment, and consequently could not be held



SIoux FALLS LUTHERAN HOSPITAL



McKENNA HOSPITAL, SIOUX FALLS

for the loss of the \$90,000 which had fallen into the hands of Taylor. No doubt the action of both Taylor and Ruth was due in a measure to the financial panic of 1893, which affected all banking institutions of this state more or less. The committee ascertained that Ruth had been absent from his office much of the time and had left the business to be performed by his deputy and clerks. He had been in the habit of signing vouchers in blank and leaving checks with his clerks so that he could leave Pierre and attend to his private business at his home town.

Another important feature of this transaction was the alleged conspiracy of Taylor, McCoy, Tenny and McChesney to clear Taylor and to affect a compromise with the state by withholding all the state funds that had been accumulated in order to protect the bondsmen and to secure easier terms of settlement for all concerned. C. T. McCoy was finally arrested for complicity in the Taylor defalcation. Mr. McCoy was Taylor's attorney. It was learned that Taylor had told McCoy of his shortage and that McCoy had recommended him to go to Chicago and consult Tenny, a prominent lawyer. McChesney, who was on Taylor's bond for \$50,000 and was his brother-in-law, was taken into the conference. Tenny and McChesney, it was reported, agreed to aid Taylor providing he would turn over every dollar to them to be placed in a bank in Chicago. In July the grand jury at Pierre indicted H. M. Benedict and C. T. McCoy for the alleged conspiracy. Taylor had lately conveyed to Benedict valuable property for the consideration of \$1. Mr. Benedict was arrested in Chicago and was investigated at Pierre. He was also a brother-in-law of Taylor. Attorney-General Crawford used every measure in his power to clear the matter and convict and punish the law breakers. The Legislature passed a bill placing extra safeguards around the state treasury to prevent future defalcations.

Among other revelations was the fact that Taylor had certified to a forgery before State Inspector Myers in April, 1894. There was then a shortage of \$130,000 in his Redfield bank, but he managed through his influence with Colonel Ruth and others to use \$130,000 of state school money to supply this deficiency when his bank was investigated by Myers. It was shown that Taylor had lost much money through loans to friends and through bad investments and that he had juggled the funds in his possession and all he could borrow in order to deceive Inspector Myers. In March, 1895, State Treasurer Kirk G. Phillips went East with \$98,000 in bonds to make good the permanent school fund deficit which had resulted from the Taylor defalcation.

Early in January Attorney-general Crawford was given full authority to hire the necessary detectives to trace Taylor and bring him back to Pierre. It was surmised that probably Taylor's lawyers and bondsmen were responsible for his disappearance and could produce him whenever they were offered the best terms of compromise by the state authorities. Taylor was finally arrested in the East and brought back in April. It was learned from him that he had lost much money in his private affairs and had used public money hoping to make good his losses, but had failed and as a last resort had turned over everything to his lawyer and bondsmen hoping to save himself as well as possible. He was put on trial and his case was finally argued in the Supreme Court in August on a demurrer. It was argued that embezzlement was only a statutory crime. Taylor was released on a bond of \$30,000 pending the result of the

appeal to the Supreme Court. The application for a writ of error to the Supreme Court was successful, the writ being granted by Justice Fuller. It had been shown that the indictment was defective and that the grand jury was improperly drawn. Taylor was finally sentenced on the retrial to the penitentiary for five years on August 14th by Judge Gaffey of the Circuit Court. The judge said that he considered the fact that Taylor had used the state funds for private purposes and had loaned the same to his friends as the lesser crime and that the worst crime was that of getting together the state funds and attempting to force a compromise with the state authorities after Taylor had fled from the jurisdiction of the state. Taylor's term in the penitentiary was fixed by the Supreme Court at two years. This was about October 13, 1895. The sentence was dated back to August 14th when sentence in the lower court had been pronounced. The court stated that justice had not been administered, but that the law was to blame and not the court. Taylor turned over to State Treasurer Phillips \$100,000 and deeds to all his real estate. The balance due the state was to be made good by Taylor's bondsmen through judgments that had already been secured by Crawford, the attorney-general. Ex-Governor Mellett, one of Taylor's bondsmen, voluntarily relinquished his property in the state to meet the obligation on his bond. Most of the bondsmen waited for executions after appraisers had fixed the valuation of Taylor's property, which was scattered in fully twenty counties of the state. A portion of Mellette's property was in Deadwood, there being fourteen lots or more there. He also owned Cripple Creek property worth \$4,000. By April 1, 1896, the state secured from Taylor and his bondsmen, a total of \$255,922.11. The judgment against Taylor and his bondsmen, including interest, amounted to \$351,225.17. There was thus yet to be secured, \$95,303.06.

The Superior Court of LaFayette, Ind., held that Taylor's bond was good for \$250,000 only and that the \$100,000 additional to cover the defalcation was void or not collectable. Several of Taylor's bondsmen lived at LaFayette. Early in 1898 W. W. Taylor was released from the penitentiary at Sioux Falls and soon afterward started in business at Chicago. He was burned out there and lost about \$8,000, on which there was \$5,000 insurance. Governor Mellette lost nearly everything he possessed, including his homestead, though the latter finally was transferred to his widow. When Kirk G. Phillips became state treasurer in 1895, the treasury had just been depleted by Taylor. There was outstanding a floating debt of \$225,000 and \$90,000 of the school fund was missing. He secured an extension of time on the floating debt, and in 1897 paid \$126,000 of the state debt.

The Legislature of 1895 generally blamed Public Examiner Myers for the Taylor defalcation. Many believed that he had failed to perform his duty, or had known of the defalcation before the public announcement of Taylor's disappearance had appeared. No sooner was the defalcation known throughout the state than many newspapers, as a measure of retrenchment in expenditure, advocated uniting the state university and the agricultural college and combining the State Normal schools. They declared that the hard times, state debt, high taxation, and labor troubles generally were sufficient to show the wisdom and to warrant the adoption of this course. The defalcation, of course, created a tremendous sensation in the Legislature. Many newspapers and numerous

prominent men throughout the state were thrown from their mental balance and in a delirium declared that the disaster was overwhelming and crushing. At first the wildest rumors prevailed that other state officials were involved, and events proved that several of them actually had hard work to escape the mesh of Taylor's corrupt net, but in the end all succeeded in substantially clearing themselves.

While it is true that the knowledge of the Taylor defalcation at first greatly depressed the state and particularly those having charge of state affairs, upon whom the responsibility of state management would fall, there came soon afterwards a stirring reaction when it was realized that although the defalcation might reach \$350,000 it would scarcely be felt and would not cause the slightest hardship generally in a state so prosperous and so wealthy as South Dakota. A press report issued February 1, 1895, said, "The reaction has come now and it is evident that the state has hardly felt the shock. The total loss means only about one dollar a head for the population. As a matter of fact, the state tax cuts practically no figure with the people and the loss of one year's tax will not affect them. There was a great deal of talk a week ago about closing some of the educational institutions and otherwise adopting a rigid economy. The appropriations committee and many of the legislators talked seriously of shutting up the State University, the Rapid City School of Mines and the Spearfish Normal School, but this talk has now practically died out." All realized that a little economy and considerable good management, together with a small special tax to meet the emergency, would remove any difficulties in the path of successful state management.

On July 1, 1895, the state treasurer reported that the amount which W. W. Taylor had failed to turn over to his successors was \$367,020.59. Much confusion had resulted from this defalcation to every department of state government. From January, 1895, to July 1st, of the same year, there was recovered of this sum, \$22,746.39. At the time of the defalcation the state was entirely without funds with which to meet current obligations or any other. There were outstanding warrants called funding warrants to the amount of \$220,000. This sum fell due January 1, 1895, a few days before the Taylor defalcation became known. The funds with which to pay these warrants had been dissipated by the treasurer, whereupon the new treasurer, Kirk G. Phillips, sought and succeeded in getting an extension of their time of payment for one year. Thence until July 1, 1895, \$100,000 of the warrants were redeemed from revenues collected and more could have been redeemed if the holders had been willing to surrender them. There thus remained of the warrants unpaid, \$120,000 which were due January 1, 1896. In order to meet the immediate requirements of the state, the Legislature authorized the state treasurer, with the advice and consent of the governor and auditor, to issue funding or revenue warrants based upon revenues assessed and not yet collected. Under this act the treasurer issued \$304,600 of such warrants of which sum \$204,600 fell due April 1, 1896, and the remainder April 1, 1897. All of these various obligations, the treasurer stated, could be easily met. It was the opinion of the treasurer at this time that this law had proved to be a very wise one in protecting the credit of the state and saving quite an amount in the difference of interest on floating warrants and funding or revenue warrants. He also believed that with a large amount of

uncollected taxes due the state, it would not be long before he would be able to dispense with the issuance of funding or revenue warrants which were the same as temporary loans. The Legislature of 1895 also provided for the issuance and sale of state bonds to the amount of \$98,000 to be applied to the payment of the loss to the permanent interest and income school fund occasioned by the defalcation of Mr. Taylor. These bonds were issued, were sold, bore $4\frac{1}{2}$ per cent interest and the proceeds were apportioned to the counties of the state as the school fund taken by Mr. Taylor would have been had it not been for the defalcation. The indebtedness of the state, therefore, on July 1, 1885, was as follows: Total bonds \$1,138,200, total funding warrants \$424,600, total indebtedness \$1,562,800.

The Legislature of 1895 passed an act requiring the treasurer, when moneys were deposited in banks, to see that the deposit was made in his name and further required him to keep a bank account book to be open at all times to the inspection of the governor or any person entitled to know the condition of the public funds. He was required further to make a sworn statement to the governor at the close of the last business day of each month, showing the condition of the funds in his possession, giving the names of each bank in which he had deposits, and showing the amount in each bank standing to the credit of the state. The act further made it the duty of each bank having state money on deposit to report to the governor showing the amount of public moneys received and the amounts withdrawn during the preceding month and the amount remaining to the credit of the state at the close of each month. All of these requirements effected a thorough checking of the accounts of the treasurer by the governor at the end of each month.

On November 1, 1896, the public examiner asked that a law be enacted giving him authority to take possession of the office of county treasurer in case of irregularities and shortages and to suspend the county treasurer from office if necessary for the protection of the public funds. As the law now existed the examiner could only report to the governor who could suspend the treasurer from office, but if the latter refused to obey the order nothing further could be done by the examiner. This left him with authority to locate irregularities and shortages, but with no power to correct the abuses or protect the public funds. During eighteen months ending June 30, 1896, four state and eleven private banks began business. During the same period there were eleven voluntary liquidations, four state and seven private banks. There had been one failure, a small private bank. On June 30, 1896, there were in operation eighty state and seventy-two private banks. The examiner suggested several changes in the banking law. Under the existing law there was no actual supervision.

It was a question whether the examiner could require private banks under the law to make reports. However all except one did so. As the law existed at this time, banks could begin business without authority from any state officer and without capital and could continue in business. As a matter of fact few without capital had commenced business, nearly all were well supplied with funds and doing a safe and conservative business. The percentage of bank failures in South Dakota during the last two years had been less than in any other state in the Union. The total loss to depositors had been less than \$10,000. In 1896 the treasurer complied with the law which required him to report monthly

to the governor the condition of the funds. As he had no authority over the state institutions, he could not make reports concerning their financial returns and conditions. At this time E. E. Hemingway was public examiner.

Thomas H. Ruth, commissioner of school and public lands, should have made an apportionment of about \$75,000 to the schools on July 1, 1893, but he did not do so. By August the amount had increased to \$96,744. These circumstances were not observed at the time, but when in January, 1895, Taylor default was disclosed, it was recollected that this money had been withheld by Mr. Ruth. In October, 1893, he appropriated \$83,760 out of \$123,329.69 on hand at that time. It was declared later that State Treasurer Taylor had asked Mr. Bowman, deputy commissioner, to hold up the apportionment as long as possible in order to aid the banks of the state during the panic of 1893. This statement was made to show the reason why the apportionment was not carried out in July, 1893. It was further claimed that other state officers advised Mr. Ruth to retain the cash in the treasury until the financial flurry had subsided—for six weeks or two months. Even State Treasurer Thorson told Mr. Bowman that if he were to pay the money in July it would be likely to cause runs on many small banks, owing to the fact that they would be called upon to settle their balances.

At the session of the Legislature in 1895 the state auditor made a number of important recommendations and suggestions. He stated that it would be necessary to pass an assessment law that would be clear and specific in its provisions concerning the listing of property, its classification, reports of assessment, etc. The reports should be mandatory and the auditor should have authority to enforce them. Abatements and refunds should not be allowed without the approval of the state auditor. He asked for authority to collect state taxes from county treasurers who were short in their accounts. He believed that the auditor should be empowered to visit recreant officials and compel them to comply with the law, and expressed the belief that the state auditor should have possession of all the records of the State Board of Assessment and Equalization. He said that the five years' history of the state thus far had shown that a two mill tax under the present valuation would not meet the necessary expenses. He stated that the sole object of the issuance of funding warrants was to prevent state warrants from being discounted by reason of lack of funds to redeem them upon presentation at the state treasury. In this manner the state authorities, through much difficulty, had maintained the credit of the state, and its warrants now were equivalent to cash. Every year there had been a deficiency, and every year funding warrants necessarily had been issued. This deficiency on June 30, 1893, was \$194,181. To meet this sum a two mill deficiency tax was levied, and there had been collected from this source by July 1, 1894, \$146,550. Furthermore the valuation of 1894 was \$8,000,000 less than it was in 1893. This reduced the receipts accordingly. He said that three methods of meeting the biennial deficiency presented themselves: (1) Cutting down appropriations to meet the receipts; (2) raising the valuation so that a three mill levy would be sufficient; (3) amending the constitution so as to permit a higher levy. Other methods suggested themselves. At this time there was a large amount of delinquent taxes due, over \$371,000 in July, 1894. He said again that the assessment of unorganized counties was a very perplexing one because the levy there still failed to meet the expenses of assessment.

By the Sundry Civil Act of August, 1895, an appropriation of \$20,000 was made for the survey of the boundary line between Nebraska and South Dakota. Joseph H. Jenkins, of Minnesota, was awarded the survey contract in May, 1893, at 11700. His returns were made in May, 1894.

In the summer and fall of 1897 the alleged shortage of Auditor Mayhew and Ex-Auditor Hipple was announced. This case created quite a flurry at the time, but in the end amounted to little because it was shown that the law permitted the auditor to take certain fees which on the face of facts did not seem to be due him. It required a long time to settle the matter. Maurice Taylor and Attorney-General Grigsby looked into the case on behalf of the state. It was claimed that Mr. Hipple was short over \$2,000 and Mayhew short about the same amount, but in the end these gentlemen were cleared of any wrong. The State Board of Equalization at this time consisted of Governor Lee, Attorney-General Grigsby, Auditor Mayhew and four others.

By the year 1896 insurance in South Dakota had become a subject of great importance. The matter of organizing home fire insurance companies had been given much consideration, but no prejudice was permitted to rule against outside companies desiring to do business in this state. At this time the laws which were in effect permitted companies to write fire insurance with the following capital: (1) Companies organized under the original territorial law authorizing the organization of the insurance companies with a stated capital, the articles of incorporation to state how much was paid in cash, how much secured and how much unsecured. There was no provision of how much should be paid in actual money. This kind of company did not prove satisfactory. (2) Companies organized under the territorial law which allowed them to do business when they had 20 per cent of their cash capital on hand and no liabilities. There were a few charters still alive under this law. (3) Companies organized under the laws of other states or countries which had \$100,000 cash capital. (4) Companies organized under the laws of this state with \$150,000 cash capital actually paid in, \$100,000 being in bonds deposited with the state treasurer. Up to 1896 no companies had been organized under this law. This was a discriminating law in favor of foreign corporations. It prevented the formation of stock companies unless they should comply with the act. (5) Mutual Companies which organized under the law of 1895. This law was denounced by the state auditor who called it a reckless measure. It provided that any number of persons, not less than twenty-five residing in the state, who collectively should own unincumbered personal property of not less than \$50,000 in value and also real estate to the amount of \$50,000 over and above all incumbrances, might form themselves into an association to write policies of insurance. There was no provision that the organizers should satisfy the authorities that they owned anything and a man who did own property could associate himself with twenty-four others who did not own anything and still the law would be complied with. Most of the companies were required to prove the amount of property they subscribed. One company refused, were threatened with mandamus proceedings, whereupon the attorney general decided that it could not be required to justify. The law possessed other serious faults. The state auditor asked the Legislature to provide ample safeguards in case this class of companies was permitted to do business in South Dakota. All stock companies, it was argued, should be placed on an equal footing and no discrimination should be made as to capital of home or foreign companies.

It was a question at this time whether policies should be paid in full or only for the amount of the actual loss. Many favored the enactment of a valued policy law, but the state auditor opposed such a step. He pointed out that no state which had adopted such a law had ever secured satisfactory results, and in nearly every instance the moral hazard increased the rate of insurance and the number of fires. The valued policy law was based on the theory that if an insurer puts a policy of insurance on a building or stock of goods of a certain valuation and the building or stock is destroyed, he ought to pay the whole amount, since he received premiums on the whole face of the policy. The opposite view was that the premium was regulated by the cost of doing the insurance business, and if the companies were required to pay the face of policies their rates must be increased. The state auditor stated that in Wisconsin the valued policy law had raised the rate and increased the number of fires, because it invited carelessness and was a temptation to dishonest persons. Fire insurance companies were not blameless, had invited much of the opposition and created the popular prejudice against the other side. At this time there were thirty-seven foreign fire insurance companies operating in South Dakota, and the business of 1895 was above the general average. Several of the companies had paid fire losses exceeding 100 per cent of their income, exclusive of 35 per cent required for operating expenses.

It was learned by 1896 that neither state, mutual nor stock companies could meet the demand of the whole insuring public and that therefore farmers' mutual companies were frequently a wise expediency if not a necessity. The Legislature of 1895 passed laws providing for the organization of county mutual insurance companies. Their solidity and effectiveness generally were made to rest upon the upright character of the membership. The state auditor had no authority nor jurisdiction over them. He recommended that these companies should be placed under the supervision of the state insurance department and be required to make annual reports and pay moderate fees. He believed that the publication of the success of mutual companies would serve to eradicate much of the false sentiment for valued policy legislation which was then being agitated.

Life insurance at this time had grown to such importance that there was a strong demand for it in many parts of the state. This condition required careful investigation of the surroundings of such insurance. It was demanded that the insurance authorities should investigate the solvency of the companies patronized, and that honest agents should be secured to handle the business.

Assessment insurance also had greatly increased within a few years, due to the fact probably that the hard times caused many investors in tontine insurance to limit their expenditures. Life policy provisions were satisfactory to the policy holders, yet complaints arose over the failure of the companies to perform all the obligations incurred. An investigation showed that generally policy holders did not understand their contracts. The auditor declared that the policy contracts issued by the life insurance companies operating in South Dakota could be relied upon to the letter. He pointed out that the majority of people plunged blindly into insurance and did not understand the nature of their policies. As this was a money-making age it was necessary to employ business principles in the matter of insurance. The auditor warned the people throughout the state to gain a better knowledge of the comparative value of the different forms of policies

and to learn more of the merits and demerits of the insurance companies. The fault was not with the insurance companies, he declared, but with the patron who carelessly from the start obtained a wrong idea of the policy and its obligations. The auditor recommended that all persons who attempted to do fraudulent business should be promptly and duly punished. The insurance department had turned into the treasury from \$21,000 to \$29,000 during the years from 1890 to 1896. The auditor insisted that the Legislature should give the insurance department that attention and consideration demanded by the importance of the business in this state.

For the fiscal year ending June 30, 1896, the state auditor reported many important changes in the methods of his office. He said that the universal experience of all people was that the disbursement of public funds was a subject which needed the closest attention and demanded direct legislative restriction. He further stated that the last Legislature had endeavored to limit the matter of expenditures to the extent that no funds should be paid out except for appropriations in specific amounts which had first been sanctioned by the Legislature. The auditor, following this direction, refused to approve bills against the state, except such as were provided by the Legislature of 1895 and such specific appropriations by former sessions as had not been repealed. As a result he was served with two writs of mandamus by fire departments of the state and the Supreme Court decided that the warrants should be issued. These suits placed the office of state auditor in an unsatisfactory position. Accordingly that official insisted that the Legislature should enact laws which would limit the period of any appropriation (1) for not more than two years; (2) for a period of time after the close of the fiscal year when warrants might be drawn on unexpended appropriations. He suggested that every institution should have a disbursing officer. There were at this time, quite a number of uncanceled warrants in the state auditor's office. There were also outstanding a number of the Yankton asylum claims.

On July 1, 1897, Kirk G. Phillips, state treasurer, reported that at the commencement of that fiscal year the state had outstanding in unpaid revenue and funding warrants the sum of \$250,000, which constituted the entire floating indebtedness. This showed a large reduction in the state debt, besides which the expenses of the Legislature of 1897 had been paid. At this time the state treasurer noted almost for the first time how promptly and fully the revenues came to the treasury from all parts of the state. This betokened a vast improvement in the financial condition of all the counties. It was the belief of the treasurer that the state would not be compelled in the future to issue any more funding warrants and that it would be in a condition in a short time not to need any more temporary loans. The law which authorized the issue of revenue funding or emergency warrants to protect the credit of the state and which was passed to meet the necessity occasioned by the defalcation of W. W. Taylor, had proved to be a wise one and had fully accomplished all for which it was intended. During this fiscal year the bonded indebtedness had been reduced by \$126,600, leaving a net balance bonded indebtedness of \$1,011,600. Of this remaining bonded indebtedness \$99,000 bore interest at the rate of 5 per cent and all the remainder bore interest much lower, down as low as 3½ per cent. It was the policy of the treasurer to continue the reduction of the bonded debt as fast as funds accumulated for the purpose. At this time there were uncollected taxes due the state

from the counties amounting to \$411,220. This seemed a large sum in view of the excellent financial condition of the state, but was due more to inefficiency in collection methods than to any defect in the law or lack of prosperity. However the revenue laws were not perfect and permitted this slackness in the collection of taxes. The Legislature of 1897 provided for a revenue commissioner and the settlement of such questions was within their province. The revenue derived from licenses to dealers in intoxicating liquors amounted this year to about fifty thousand dollars. The state treasurer in 1897 commended the law which provided for the safekeeping of the public funds and for monthly settlements with the governor. All banks had been prompt in obeying the law by making full and comprehensive certified statements to the governor direct, concerning all of their transactions.

Mr. Phillips, in July, 1898, stated in his report that the financial condition of the state had shown such marked improvement that he deemed it wise to review the management of state funds. His report embraced the following facts: The liabilities of the state on January 8, 1895, consisted of a bonded debt, a floating debt and a large deficiency in the trust funds. The bonded debt amounted to \$1,040,200; floating debt, \$220,000; deficiency in the permanent school fund, \$45,520; deficiency in the interest and income common school lands fund, \$52,324; deficiency in the interest and income endowment school lands fund, \$610, all making total liability of \$1,358,654. From this amount was to be deducted from the Taylor shortage \$138,765, leaving the net debt \$1,219,889. In the meantime, from 1895 to 1898, there had been issued bonds to the amount of \$98,000 and had been paid bonds to the amount of \$276,600. The floating debt had been liquidated, the school funds had been replaced and the bonded debt was now only \$861,600. Thus there was a reduction in the state indebtedness from January 8, 1895, to July 1, 1898, of \$358,289. Besides there was in the treasury belonging to the bond interest and sinking fund and the special sinking funds a total of \$141,283. There was also in the treasury available with which to pay current expenses \$136,975. Thus, all items considered, the condition of the finances during the above period had been improved to the total amount of \$636,547. The treasurer earnestly recommended that the policy of reducing the state indebtedness be continued as rapidly and quickly as possible without the effort becoming a burden to the people. He recommended legislation that would permit a portion of the permanent school fund to be invested in the public indebtedness of the state, thereby giving the best security to such fund, in order that the people of the state might have the benefit of the annual interest paid on the indebtedness.

The law of 1897 constituted the governor, secretary of state, state auditor, state treasurer, superintendent of public instruction, commissioner of school and public lands and the attorney general as the State Board of Assessment and Equalization. The same law provided that the board each year should fix the valuation of all railroad, telegraph, telephone, sleeping car and express companies doing business in the state, and that the board should fix the rate of levy for state purposes on all other classes of property. The law also provided that in making the assessment of railroads, the board should take into consideration the gross and net earnings per mile of each division thereof, for the year ending the 30th day of April preceding. The treasurer expressed the belief that this law was inadequate, for the reason that the board had been unable to receive

any information relative to the gross and net earnings of the railroads, except such as had been furnished by the companies in their annual statements. As these statements quite often showed that the roads had been operated at a loss instead of at a profit, some system of ascertaining the net earnings should be adopted. The only reliable information the board had been able to obtain was from the railroad commissioner and from the decision of Judge Carland of the United States Court in an action against the Milwaukee Railroad. The treasurer asked that the next Legislature make provision by law for the better guidance of the board in arriving at the correct valuation of railroad property. All of the above statement applied with equal force to the assessment of telegraph, telephone, sleeping car and express companies. The treasurer congratulated the people on the reduction of taxes for state purposes and called particular attention to the levy of 3 mills made in 1898. The law of 1897 made the state treasurer assume the duties of the treasurer of the regents of education.

The Legislature of 1897 passed a joint resolution empowering the governor to transfer to Mrs. Margaret Mellette the Mellette homestead property in Watertown; but the governor refused to act in the matter, whereupon the commissioner of school and public lands demanded rent from the persons occupying the property. They refused to pay on the ground that they were turning the rent over to Mrs. Mellette. The commissioner thereupon instructed the attorney general to commence ejection proceedings, but that official decided it was best for him to wait for additional instruction or authority from the next Legislature. In the meantime other tracts of land owned by Taylor's bondsmen had been sold on execution. Every effort to transfer the property to third parties before the state could secure a hold had been made by the owners. It was a question at this time whether the state would not gain more by a compromise and settlement with the Taylor bondsmen than by commencing a general course of litigation. The commissioner recommended that the Legislature provide for such a settlement for an appropriation to pay the mortgages against such lands.

The constitution prohibited the auditor from drawing warrants except on deficits and specified appropriations already made. This being true, that official at every session asked the Legislature to appropriate all the money to be paid out by him before another session. There were other laws more or less ambiguous that were relied upon to meet some of the necessary requirements. This was a source of perplexity to the auditor, because of the confusion which resulted. The method or lack of method caused dissatisfaction, invited litigation and opened the door to improper expenditures. The auditor urged the Legislature to cut off every appropriation except those which were explicitly made at each session, and he insisted that all unexpended balances revert to the treasury at the end of each biennial period.

By December, 1897, radical changes had been made in the general policy of conducting the state auditing department. One of the measures introduced was the rule requiring sub-vouchers or receipts from disbursing officers and boards for all moneys paid out by them. This rule was adopted in the interest of economy and better service. Its legality was tested before the Supreme Court and the rule was sustained. Owing to conflicting laws the early auditors had declined to issue warrants on several funds that were created for special purposes, because they were not specifically authorized to do so by the Legislature.

This procedure rendered unavailable considerable sums of money, but as the Legislature took no action there was no remedy and the old custom continued to be followed. To settle matters the board of regents brought a test case before the Supreme Court, whereupon the court directed warrants to be issued on a certain class of cases without specific appropriations. This suit removed all embarrassment of that nature.

The plan of issuing emergency warrants was much criticized during 1896 and 1897. People objected to the custom of providing for current expenses as occasion required in such an irregular manner. However, the Legislature did not remedy matters and the authorities were compelled to continue such issue. In March, 1897, \$75,000 of such warrants were issued, and provision for their payment when due was made. The financial condition of the state at this time was improving so fast that little thought was given to the cry of hard times and economy. The crops were excellent, the state was settling rapidly and the people felt safe at last. In 1897, for the first time, the auditor printed a full record of the proceedings of the State Board of Assessment and Equalization. The law seemed to contemplate this step, but state auditors before H. E. Mayhew had not published such records. The auditor in 1897 stated that as many of the wealthy corporations doing business in the state were not bearing their proportionate share of taxation, steps to assess railroad, sleeping car, express, telegraph and telephone companies should be taken by the State Board of Assessment and Equalization. The reports of the corporations did not furnish satisfactory material to estimate correct valuations.

In 1897 the board appointed a committee to procure additional information which was contained in the reports now published for the first time, but the committee had no legal standing and therefore no power to obtain from the corporations information necessary before they could be adequately assessed. The auditor therefore recommended that the board be empowered by the Legislature to inquire into the affairs of all corporations to the extent necessary to enable them to make a just assessment of their property. The law directed the board to consider the earnings of railroads as well as their value in making these assessments. This provision did not apply to any other property and compelled the board to make a lower assessment of railroad property in some cases than they deemed just.

In June, 1898, the state auditor congratulated the people upon the improved condition of the finances of the state. The large indebtedness and an empty treasury left by Taylor in 1895 had been almost wholly corrected and the recovery therefrom was complete. The bonded debt had been increased by \$98,000 to make good the deficiency in the school fund; but the floating debt had been reduced to \$100,000 and there was on hand in cash, over and above the school fund and other trust funds more than \$255,000 showing a total net indebtedness of about \$983,000 thus indicating improvement in state finances since January, 1895, of over \$277,000. On July 1, 1898, the bonded debt was \$879,600 and the floating debt had all been paid. In the treasury was \$315,581. Thus the net indebtedness of the state on the above date was \$564,018. The only legislation that had materially affected the revenues or expenses up to this time was that concerning the liquor traffic enacted in 1897. From this source the state derived \$60,000. The improved condition of the finances was mainly due to the policy

adopted in 1896 by the State Board of Assessment and Equalization to materially increase the levy in order to provide for the payment of the outstanding bonds. After that time the levies necessary to meet these expenses and the steadily maturing obligations, were agreed upon by the treasurer and auditor, the two financial agents of the state. The levy of 1896 was maintained for 1897, but in 1898 the total levy for state purposes was reduced from four mills to three mills, and there was still found to be enough revenue to pay current expenses and meet all bonds at maturity. It was believed at this time that with reasonable economy and no misfortune, it would never again be necessary to levy more than three mills for state purposes. The plan of increasing the bond levy beyond the two mill limit of the constitution was severely criticised at the time it was proposed and put in operation, but time proved that the policy was wise and that though the act itself was condemned its results were applauded. During 1895-96 much of the floating debt was reduced, but during 1897 and the first half of 1898, when the fruits of the new policy began to be realized, all the balance of the floating debt was promptly paid and the total bonded indebtedness was reduced by more than \$276,000. In addition there was in the treasury nearly \$160,000 to be applied on future payments of bonds. None of the unpaid bonds were due, but at the option of the state many were called in and liquidated.

In 1898 the state auditor announced that he had endeavored to put into effect the following reforms connected with his office: (1) To require from parties seeking reimbursement for expenditures proof that the money had actually been paid out; (2) to require of the various state institutions that their several appropriations be used only in accordance with the purposes for which they were made; (3) to require outgoing officers to leave the personal expenses and emoluments of the auditor. These were not all the reforms needed and desired, but he stated that they in part had been put into effect.

"With the average state official drawing \$1,800 a year and devoting most of his time to his own affairs; the public examiner filling two offices and drawing two salaries and no doubt using two expense funds; the governor getting \$2,500 a year salary and in office only a part of his time, it seems very pertinent to inquire why the members of the Supreme Court who are at their post of duty all the time should be favored with only \$2,500 a year and be precluded from giving their active attention to private business and be completely shut off from the traditional expense fund and even hampered in the appropriation for the necessary law books that justice demands and the needs of the court require. The Register believes the court should declare in an agreed case that the salary of all judges of the state was increased by the last Legislature, the veto of the governor to the contrary notwithstanding."—State Register, December, 1899.

In regard to insurance in South Dakota, Governor Lee in 1899 made the following observations: "I am satisfied that our only refuge from the extortion and difficulties of the present insurance system is the adoption of state insurance, and I renew my recommendation of two years ago to that effect. During the last ten years foreign fire and life insurance companies have written risks in South Dakota aggregating \$287,760,810.04, for which they have charged premiums amounting to \$9,014,947.59. They have paid back in losses \$3,759,263.81, or about \$1 for every \$2.50 received in premiums. Allowing them 50 per cent for expenses, they have made about 100 per cent profit. This had been

a tax of at least \$12 per capita on the people of the state in support of a business purely predatory in character."

State Treasurer-Elect Schamber in 1899 was unable to secure the necessary bondsmen at Pierre; he thereupon returned to his home town, visited the neighbors, farmers and business men and secured the signatures of ninety-three of them to his bond. All of the signers qualified for a total of \$600,000, his bond being for \$300,000. It was promptly approved by the governor and the chief justice. In May he had on hand sufficient of the bond interest and sinking fund to warrant retiring \$38,000 normal school bonds of 1902, providing the holders would surrender them before they were due; they refused unless a premium was paid them for so doing. He endeavored to retire the \$30,000 constitutional bond issue also.

In 1901-2 a thorough investigation and study of the affairs of all state departments was conducted by the governor and assistants, with the result that many leakages were found and removed and many improvements and reforms were instituted, greatly to the financial advantage of the state. Among other things it was learned that a few years earlier the postoffice department at Washington, D. C., was paying \$1.34 for the same dozen quarts of ink that the Government printing office paid \$4.32 for. In the other departments the price varied from \$2.50 to \$4. Mucilage cost the Government all the way from \$1.65 to \$3.83 per dozen quarts. Blotting paper cost from \$4 to \$7.74 per ream. Careless business methods were the cause of these variations, which it was found extended to all purchases by the Government. These points came out during the state investigation from 1901 to 1904. Many similar instances were noted in the management of public affairs in South Dakota. The result was an efficient elimination of many such mistakes and errors in the management of the various state departments. In all several thousand dollars was saved thereafter annually by this crusade against unjust charges and loose business methods.

The statute forbade the state auditor from allowing warrants for the expenses of state officers and state boards at meetings called at the same time and place as a political convention or any general state gathering. This statute was defeated in the Circuit Court by A. E. Hitchcock, a member of the state board of regents, but the Supreme Court upon appeal decided in favor of the state.

In May, 1901, the finances of the state were in excellent condition. There was on hand \$650,260.36. There was also on hand of school funds \$294,832.68. Much of this money was deposited in the Illinois Trust and Savings Bank of Chicago; \$90,000 was in the banks at Pierre.

At a meeting of the State Historical Society held in the State House at Pierre in January, 1901, for the purpose of organizing the department of history, there was a large attendance. Lieutenant-Governor Snow served as president and Doane Robinson as secretary. Addresses were made by Dr. T. N. Shanefelt, Prof. R. F. Kerr, Charles M. Daly, Dr. H. K. Warren, T. L. Riggs, C. E. Deland, Doane Robinson and others. Every speaker was enthusiastic in his support of the movement thus to establish the State Historical Society on a permanent basis and for the appointment of a state historian. A committee was appointed to select a board of eleven directors. They reported as follows: F. G. Oehsenreiter, Hans Myron, Seth M. Bullock, T. L. Riggs, D. W. Robinson, C. E. Deland, R. F. Kerr, B. A. Cummins, C. M. Daly, John Hays, and T. M.

Shanafelt. These directors met at the close of the meeting and elected T. L. Riggs for the first president, T. M. Shanafelt for vice president, and Doane Robinson for secretary.

The report of the food and dairy commissioner in 1902 showed satisfactory progress in this department. Like nearly all the other department heads of the state government, the commissioner of this department found that he did not have a sufficient amount of funds with which to suitably and properly conduct the affairs of his office. To maintain a well equipped food and dairy department and carry on the work of inspection, enforcement and promotion required a much larger appropriation than was placed at his command. However, already the department was established on a firm foundation and was getting excellent results. Numerous articles sold by retail merchants had already been examined and proper labels were insisted upon. At this time there were in the state 153 licensed creameries and ten licensed cheese factories. There had been licensed, also, 194 butter makers upon written statement of their education and experience, accompanied with suitable recommendations. The department sent out numerous circulars showing what the law demanded and insisting on a compliance with all health requirements. The department really conducted a bureau of information on a small scale, listing creameries wishing buttermakers and likewise conducting something of an employment bureau. The dairymen wanted an official inspector, provided by law and authorized to devote all his time to their interest and had asked for such legislation by resolutions passed at the State Dairy and Buttermakers' Association. This state had not yet suffered much from the presence of oleomargarine, because there yet was no general use for this product in South Dakota. Besides the laws of the United States already controlled the sale of oleomargarine. The food and dairy commissioner said that the cheese manufactured in the state was generally of excellent quality. There were ten cheese factories, all located away from the railroad in communities where there were not enough cows to support a creamery. He stated that the dairy industry was steadily improving in the state at this time. More cows were milked than ever before. There was an increase throughout the state within a short time of about sixty-five thousand head of milch cows. In several counties the hand separator was utilized and the cream was shipped to churning plants or creameries. The high price of butter had stimulated the dairy business, because the farmer found that at the end of the year the sale of milk and butter yielded him a handsome and satisfactory revenue.

The inspection and analysis of store goods used for food was well advanced at this time in South Dakota. The state chemist, Professor Shepard, made scores of analyses of all these products and numerous adulterations were found. All such goods were promptly excluded from the market. The commissioner recommended a few amendments to the existing law concerning food and dairy supplies. He suggested that a state analyst be appointed, and that a laboratory be established at the agricultural college with a sufficient appropriation for its maintenance. The penalties for the violations of the pure food law were too high, the commissioner contended, because they compelled the starting of every case in the Circuit Court. In other states such cases were started before justices. He recommended that the maximum penalty be \$100 fine, with commitment until the fine was paid. He further recommended that the law concerning in-

toxicating liquor should require a certain standard of purity, so that the state chemist would have a basis upon which to work.

In September, 1902, Prof. J. E. Todd, state geologist, reported what he had accomplished during the biennial period. The last Legislature had passed a more liberal appropriation in order that he might examine more fully the resources of the state. This program included the study of the fauna as well as the flora. He was given two assistants, one in zoology and the other in botany. Dr. D. A. Saunders, of the agricultural college, became his assistant in charge of botany and Prof. C. P. Lommen, of the state university, assistant in charge of zoology. In addition, Dr. C. C. O'Hara was given the task of examining the mines of the Black Hills and preparing a report on the metalliferous resources of that region. The state geologist was asked to collect data concerning the non-metallic resources of the whole state. During the summer of 1901 all parties visited the localities assigned them and made a thorough investigation of the natural resources. During this time the state geologist, Professor Todd, filled an engagement on the United States Geological Survey, and also served as delegate to the International Gold Mining Congress, which met in Idaho. However, on his way back from the West, he inspected the quarries and mineral deposits in the Black Hills region and later visited the gas wells of Sully County. The article prepared by Professor O'Hara on the mines of the Black Hills was read before the Mining Congress, which met in Idaho and received prominent mention in mining journals and favorable consideration from speakers and writers. In the work he was assisted by the School of Mines, which issued his article as a special bulletin.

An investigation and study of the water resources of the state was regarded equally important as the other natural resources. Methods of securing a better and more certain and steady supply of artesian water were studied and considered. Plans to measure the flow in a simple way and to distribute the water were duly considered. A tabulated list of nearly all the artesian wells in the state was prepared, and the department endeavored to keep in communication with all portions of the state so that the rapidly increasing number of wells could be very closely approximated at any time.

The study of the mineral resources involved an examination of the coal deposits of the state; also the oil and gas. An attempt to explore the north-western part of the state was planned in 1901, but was stopped by an outbreak of smallpox in the Indian reservation. In 1902, however, the plan was carried out. Professor Todd accompanied by R. W. Ellis, Henry Ramsey, Sheridan R. Jones, Clyde King, and A. B. Collins, interpreter, explored and examined a considerable portion of the state west of Pierre. Several hundred pounds of specimens were gathered on this trip. Frequent stops were made and numerous short side trips were taken to examine certain localities. Special examinations for lignite were made and many inquiries were propounded to residents and natives concerning this substance. Much of this region had been visited in 1885 by a party of United States geological surveyors to ascertain where the workable beds of coal existed in that region. This report was used by Professor Todd and his party to aid them in ascertaining the condition of lignite mines and beds in this portion of the state. The result of the season's work by this party was summed up by Professor Todd under eight headings as follows:

(1) No traces of oil or gas were found except of the latter in wells already known near the Missouri River; (2) no trace of coal or lignite nor any sign of its possible occurrence was found in the Fox Hills formation; (3) workable beds of good lignite, but of no pure coal, were found at various points in the Laramie strata. In 1895 the state geologist reported beds of pure lignite in the Cave Hills and Slim Buttes and eastward along Grand River, which he stated attained a thickness in some cases of five, seven and eleven feet. Professor Todd's party confirmed or corroborated in the main the report made by the United States Survey in 1885, on the regions farther east. Along the northern line of the state, beds of lignite occurred at several horizons as far east as the Missouri River, but the quantity greatly increased to the southward and eastward. It was found developed only in quite limited and occasional areas. In some cases where a bed of lignite three or four feet in thickness was found, it was replaced within a short distance by shale or nodules of iron ore. In many cases the beds had suffered from spontaneous combustion, so that the carbonaceous matter had been burned entirely out, leaving the clay the color of brick or slag. Occasionally specimens of good lignite were found on the Laramie strata, but no beds capable of being worked were found further south than a line drawn from the south end of Slim Buttes to township 17 north, range 23 east, nor further east than a line drawn northwest from the latter point to the place where Dakota Creek enters the state. The localities where lignite was used to a considerable extent for local purposes were as follows: On Black Horse Creek from Coil Spring to its mouth; at Coal Spring, where there was a bed $4\frac{1}{2}$ feet thick; on or near section 31, township 20 north, range 20 east; on Black Horse Creek a bed variously reported at from twelve to twenty feet in thickness was found to have only about one foot of good lignite; a few localities along Cottonwood Creek, one bed being about six feet in thickness with about two feet in the middle of shale; at the head of Firesteel Creek, where there was a bed of about five feet in thickness of good quality; about seven miles northwest of the sub-agency on Rock Creek, a few other small outcrops were known to exist; (4) valuable observations concerning geological formations, the number and height of various river terraces and other topographical features, including character of soils, were made; (5) a valuable collection of birds and mammals and of insects and fishes of this section was made; (6) numerous photographs to illustrate the characteristic features of the country and the crops raised in different localities there and other points of geological interest were taken; (7) a valuable collection of fossils from the Fox Hills and Laramie formations was made.

Professor Todd suggested as a plan of future investigation, that the artesian supply be again investigated in order to learn the depth and the pressure of the wells, the minerals contained in the water, boundaries of the artesian basin, and the sources of the artesian water supply, etc. Already much was known concerning these points. Up to this time South Dakota had made only small appropriations, so that little research could thus far be made, but the state geologist had been employed by the United States Survey to study and work out some of the problems connected with the state geology. All that was lacking for a thorough investigation of these resources was a larger state appropriation, which sum would no doubt be supplemented by the United States Government. At this time the Government was giving substantial proof of its intention to make



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the most of irrigation and the most of the waters in the semi-arid region fit for that purpose. Already the Government had determined on a course of reservoir construction over a considerable portion of Western South Dakota and was likewise planning irrigation systems on a large scale particularly at Belle Fourche. During investigations by government agents at the head waters of the Grand, Moreau, Bad and White rivers and the tributaries of the Cheyenne and the upper Missouri rivers, they had learned that much of the water there could be utilized to reclaim vast tracts of fertile lands.

The state geologist at this time, in view of his studies and investigations, made the following recommendations: (1) That there should be issued a bulletin concerning the water resources of the state, going into details showing the dangers of wastefulness, the values of reservoirs and how to supply the water; (2) that all of the state be examined and the natural resources be investigated; (3) that the collection of specimens of every description which was only well begun, be steadily pushed and continued at all times, as new specimens came to light and be kept in school museums for the benefit of the students. He thought that \$2,000 should be spent to maintain these recommendations during each of the subsequent biennial periods.

In October, 1902, the state auditor made a report to the governor with many recommendations of great moment. His report showed that for the fiscal year ending June 30, 1902, warrants to the amount of \$722,141 were issued and that this sum represented the cost of maintaining the state government for that year as compared with \$559,368 required for the preceding year. The total expenditures for the biennial period ending June 30, 1902, amounted to \$1,281,510. This was an increase of over \$175,000 over the preceding two years. The increase was due to appropriation made for the erection of new buildings at the various state institutions. For this purpose the Legislature of 1901 had set aside about \$200,000, which became available July 1, 1901. The cost of maintaining the several state institutions was gradually increasing from year to year, while the revenues to meet this increasing cost showed little change and were raised by deficiency levies. As the revenues for 1903 and 1904 would not be more than enough to meet the ordinary expenses of the state, it was clear that recourse must be had to another deficiency levy of from $1\frac{1}{2}$ to 2 mills. Thus it seemed necessary for the Legislature, not only to use the greatest economy in making appropriations for the support of the state, but also to devise ways and means to increase the revenues so as to meet its expenses. In addition to the expenditures above mentioned there was paid out of the local and endowment funds of the various state institutions about \$60,000, which was received from the lease of endowment lands and receipts from all local sources. Up to this time these moneys had been disbursed by each local institution, but under the recent law they were now collected and paid into the state treasury the same as other state funds.

In June, 1902, the state bonds outstanding amounted to \$427,500. This was a reduction in five years of \$710,700. The payment of this large amount of bonds had saved to the state in interest charges more than \$260,000. This large amount would have been paid out for interest had the bonds been permitted to run to maturity. By levying a small additional tax each year this result had been effected without making the additional tax burdensome and had resulted in

reducing the annual interest charges from \$59,000 down to less than \$10,000. The state auditor noted that his office was in receipt of many inquiries relative to the agricultural resources of South Dakota, but stated that he had no information other than that found in the returns of the assessors.

The law of the state placed in charge of the public examiner supervision of the state institutions, county banks, and building associations. In 1902 it was shown that the state institutions were never in better condition financially. The boards having control seemed to be in perfect harmony with schools, hospitals and penal and charitable institutions. It is probably true that at this time no state could show institutions of this kind in better condition proportionately than those of South Dakota.

During the previous year 23 counties of the state had no bonded indebtedness whatever; 33 had no outstanding warrants; 17 had neither bonded indebtedness nor outstanding warrants. The total valuation of county and state property as equalized by county and state boards in 1902 was \$173,915,207. The total bonded indebtedness of 53 counties at the same time was \$1,931,835. At this time there were in the state 157 state banks and 74 private banks, over which the public examiner exercised supervision. The total number in 1900 was 179; in two years there had been but one bank failure. The department, however, was entirely without the right of supervision over the preliminary arrangements in the organization of the banks. The public examiner asked for authority for checking abuses of over-loans, of poor securities, of acquiring and holding too much real estate, and the absolute right to take charge of banks which were not authorized by law and of banks which were insolvent. When all arrangements should have been complied with by new banks the public examiner was then to issue a certificate of authorization to commence business. The growth of the state was now so rapid and all other departments had become so large, that legislation should meet all necessary requirements in order to prevent placing a check upon growth and development. The public examiner recommended that an appropriation sufficient to provide for deputies, clerks and expenses should be given. He further recommended that every bank under his supervision be required to pay an annual fee of \$15 if the capital stock should amount to \$25,000 or less and \$25 if the capital stock should exceed \$25,000. At this time the total number of state and private banks was 196. Their total resources amounted to \$15,157,678. The capital stock amounted to \$2,341,918. The deposits subject to check amounted to \$5,776,126 and the certificates of deposit amounted to \$5,527,161.

In June, 1902, the secretary of state made several important recommendations concerning the operations of domestic and foreign corporations. There was required a charter fee of \$10 from all corporations organized for profit, but this law, he declared, was inadequate and unjust. Corporations established with a small authorized capital stock, incorporated by residents of the state for legitimate business, whereby they developed the state's resources and added property to the assessment rolls, were required to pay the same charter fee as the concerns of immense capitalization from outside which, with few exceptions, did not transact their official business within the state nor bring any property here that could be assessed for taxation. He recommended that the law should be so amended as to establish a graduated charter fee to be granted upon the

authorized capital stock provided in the articles of incorporation; that there should be greater restrictions as to the kind of business which could be transacted by a single corporation, or that the law should be made plainer on this subject and on many others which vitally concerned corporations; that a corporation should not be allowed to own the capital stock of other corporations organized for like purposes; that the law should provide a penalty for the violation of, or non-compliance with, the law under which a corporation operated; that inasmuch as under the present law a large number of the corporations organized in the state and during the territorial period had been organized for a period of twenty years, and in many cases such period having nearly expired, a law should be enacted whereby legitimate corporations could renew or extend the time of their existence; that the law should compel the record of business transactions of corporations to be kept at the main office or at their principal place of business within this state; that several apparently conflicting provisions of the corporation law should be remedied by the next Legislature, especially the law providing for amending the articles of incorporation and the appointment of agent with the register of deeds of each county in which such corporation intended to transact business; and that such copies be certified by the secretary of state. The secretary further called the attention of the governor and the Legislature to the fact that while insurance protection to the amount of \$578,333 was carried on the various state buildings and institutions, the law made no provision in case of destruction of property or damage by fire as to how the insurance money secured from such loss should be spent. The law should provide how such insurance money should be used for purposes of re-building or repairing, he insisted. He called attention, also, to the dangerous surroundings of the public and Supreme Court libraries, of their great use and value, and insisted that such valuable property should not be left to become the prey of fires.

Commissioner of School and Public Lands D. Eastman, in June, 1902, recommended the repeal of the free range or fence law, which was then in force in that part of the state lying west of the Missouri River. To enforce and illustrate his recommendation he exhibited several tables showing the number of acres of common school and endowment lands located in the respective counties of the state; the number of acres of each class of lands under lease; the leasing price, and the amounts leased. The governor inquired why he asked for the repeal of the law. The commissioner reviewed the condition of the sales and leases since the admission of the state in 1889. At first the lands west of the river were unsurveyed and consequently school sections in unsurveyed townships, because they had not been located, could not be offered for lease; but by 1896 practically all of the lands outside of the reservations had been surveyed, and therefore the school lands could be selected. The commissioner estimated that the loss which resulted from the free range law to the common school and endowment funds from October, 1892, to the close of the fiscal year 1897, amounted to about \$192,595 on an aggregate of 1,088,950 acres, upon which leasing fees could have been secured had the free range law not been in existence; and had such lands been selected, which could have been done if the law had not been in existence or had been repealed. If these lands had been paid for at the minimum leasing rate of from 2 cents to 5 cents per acre per year, the common school and endowment funds would have been increased during

those six years by the above amount. If they had been leased at the five-year rate the amount would have reached \$329,030.34. This, he maintained, was nearer the correct amount which the school fund had lost through the operations of the free range law. Thus the common school and endowment funds, he declared, had contributed to the stockmen west of the Missouri River for the past six years the following amounts.

1897	\$55,585.04
1898	52,053.66
1899	51,702.06
1900	55,686.12
1901	59,679.46
1902	54,324.00
Total	\$329,030.34

The commissioner insisted that the school land should not be required to fatten the enormous number of stock that ranged over that region. Hundreds of train loads of live stock were shipped every year from Pierre, Chamberlain, Belle Fourche, and Rapid City; and all were fattened for nothing largely on the school land under the sanction of the free range law. The quantity of leasing lands generally had advanced each year, and county leasing had also advanced. This fact proved that the price asked was not excessive, and further proved the great loss to the educational fund. The western part of the state, barring Gregory County and the mining region of the Black Hills, was at this time regarded as almost exclusively a grazing region. It was officially stated that a section of land when fenced would winter-pasture fifty head of cattle. The Hot Springs Star considered 7 cents an acre an exorbitant price for a five-year lease; yet admitted that 640 acres would winter-pasture fifty head of cattle. The pasture at 7 cents an acre for a five-year rate in Fall River County would cost \$44.80 or about 90 cents for wintering each head of stock. This amount was a little less than the leasing price of \$11.24 for the use of 160 acres, or was about the amount which would be levied in taxes against the land if owned fee simple. The repeal of the fence law would not, in the opinion of the commissioner, destroy the free range. All residents of the range country were interested in having their stock run at large, and would individually or through the stock association pay their pro rata amount when leasing the school and endowment lands, and would let their stock run at large the same as at the present time. The commissioner admitted that the residents of this favored region could not be blamed for taking advantage of the generous law which practically made it unnecessary for them to pay for the land over which their stock could range at will; and that having enjoyed this privilege since 1885, and for the past thirteen years at the expense of the state, it would seem that they had been sufficiently subsidized, and that in the interest of the educational funds and in behalf of common equity and justice, some law should be enacted by which payment for the use of the land wherever located might be secured. The commissioner could conceive of no enactment meeting the case other than a provision for fencing the school lands and thus in effect preventing stock from running at large over the same unless the lands should be first leased.

In January, 1903, Attorney General Hall complained that his salary was not sufficient for his office, because it did not enable him to maintain himself and at the same time pay the necessary expenses required by his duties. He accordingly asked the Legislature to increase his salary and his request was seconded by the governor. At this time his salary was the lowest of any of the state officers—\$1,000 a year—and his official expenses among the greatest. The attorney general expressed the opinion that the salary raise granted by the Legislature of 1903 was legal because nearly all the officers affected were not constitutional officers. Among those who were entitled to an increase were secretary of the historical society, adjutant general, deputy superintendent of public instruction, state veterinarian, secretary to the governor, and State Board of Regents.

In May, 1903, the State Board of Pharmacy held its first session at Aberdeen and on that occasion passed twenty-five registered pharmacists and nine assistants. The next regular meeting was called to be held at Mitchell and the next at Deadwood.

The Legislature of 1903 provided for the appointment of a commission to settle the boundary dispute between South Dakota and Nebraska. This act was necessitated by the formation of a new bed in the Missouri River between the two states. Their work was completed by February, 1904. They conceded small tracts to each state. The commission consisted of S. H. Dickson, E. C. Ericson and John L. Jolly for South Dakota, and F. O. Robinson, C. J. Swanson and E. A. Lundberg for Nebraska. The commission met at the Mondamin Hotel, Sioux City, and perfected its organization by electing Mr. Ericson for president and Mr. Lundberg for secretary. The territory over which the commission was required to extend its work was from the junction of the Sioux and the Missouri rivers near Sioux City, up to the site of old Fort Randall in South Dakota. Above Fort Randall the river ran between hills which came close to its banks so that it had little or no chance to change its course. So much trouble had resulted to both states concerning the ownership of land along the river and in other matters resulting from the change of the river bed, that the legislators took action to establish, if possible, a permanent boundary over this course. While the middle of the river was supposed to be the line between the two states, the real boundary, as a matter of fact, was the line that marked the middle of the river at the time the original survey was made. Since that survey the river had so changed its course that it no longer coincided with the original channel except in a very few places. The work of the commission was limited to twenty days. The object of the commission was to settle the dispute amicably regardless of whether small fractions of land were thrown in Nebraska or South Dakota. As a whole the State of Nebraska won most of the soil under the finding of this commission. In previous settlements South Dakota had won more land than Nebraska. The county surveyors along the line to be adjusted were employed to help the commission settle the boundary. Upon the completion of their report the commission turned it over to the legislatures of their respective states.

By 1903 the State Board of Health was making satisfactory progress in its duties. Three of the most eminent physicians of the state had been recently added to the board, namely: D. W. Robinson, H. E. McNutt and C. B. Alford. The board consisted of five members and the term of service of each was five

years; the last year each member served entitled him to occupy the president's chair.

The Legislature of 1899 passed a pure food law which remained wholly inoperative until the next Legislature, in order to effect its enforcement and regulation, created the office of food and dairy commissioner. The governor in this connection said in 1903, "The time has now arrived when the sale of adulterated goods should be treated as a serious crime against the people of the state and offenders be prosecuted to the full extent of the law."

The question of organizing life insurance companies on the basis of old line insurance companies was agitated in South Dakota in 1904. The purpose was to retain within the state premiums which heretofore had gone to outside companies. There was good reason for this demand as revealed by the report of the state insurance commissioner. He showed that the risks written and renewed for 1903 reached \$8,789,270.08, on which premiums to the amount of over \$1,021,000 were paid. The losses paid in the state amounted to over \$207,000, leaving a balance to the companies, less their expenses, of more than \$814,000. Besides the old line life business, fraternal insurance was unusually well patronized in South Dakota, there being in force, late in 1904, policies amounting to \$72,596,300. Assessments paid on these policies for 1904 aggregated over \$494,000, and losses amounting to over \$364,000 were paid. Notwithstanding the stringent laws against foreign fire insurance companies, they continued to do well, however, in this state in 1904. They wrote risks amounting to nearly \$40,000,000, upon which the premiums paid were over \$677,000 and losses paid over \$251,000. The state mutual companies wrote risks amounting to \$13,789,487, and paid losses of over \$111,000. The total amount of premiums paid by the people of the state during 1903 for insurance of all classes—life, fire, accident and miscellaneous—amounted to \$2,622,438. "Why not keep the money in the state?" it was asked.

For the year ending June 30, 1905, the state veterinarian reported that he had destroyed forty-seven head of horses affected with the glanders. The object was to prevent the spread of the disease. The owners were entitled to indemnity from the state. Generally, glanders did not appear in epidemic form but usually in isolated cases. Occasionally owners lost several head, and with proper precaution the disease was usually confined. During the previous five years horses affected with glanders were destroyed in every county east of the Missouri River, with the exception of Beadle and Hanson. One man during the year contracted glanders. His case was reported to the State Board of Health, but he died after an illness of about two weeks. Three of his horses were found affected, and from them no doubt he contracted the disease.

The horse disease known as *maladie du coit* had prevailed for several years on Pine Ridge and Rosebud Indian reservations. Later it was found in Custer, Fall River, Pennington, Lyman and Stanley counties. The United States Bureau of Animal Industry in 1905 was engaged in examining this disease and in checking its spread.

Anthrax prevailed to an alarming extent in the state during the fall of 1901. The disease extended from Sully County on the north to Charles Mix County on the south and included Sully, Hyde, Hughes, Buffalo, Brule and Charles Mix counties. The losses sustained by owners were high, amounting to seventy head

in three days. As this disease could be controlled by vaccination, several thousand head were thus treated soon after the outbreak. The state veterinarian cautioned people to destroy thoroughly carcasses of all animals that died of anthrax, and warned all persons that the disease was contagious and was communicable to men.

Tuberculosis among cattle was found in four cases in the state in 1905. As this disease was certain to become more prevalent, it was advised that cattle should be more generally stabled and kept for dairy purposes. The state veterinarian cautioned cattle owners to be particularly on their guard. The animal disease called Ophthalmia or pink eye was prevalent in certain portions of the state and affected horses particularly. The disease ran its course in a few weeks and nearly always ended in a complete recovery, but was distressing while it lasted. Mange or Texas itch was another disease which had come into the state, probably from Texas. The cases were found on the increase. For the purpose of suppressing this disease, the Legislature, at its ninth session, passed an act entitled "An Act to create a State Live Stock Commission, defining its duties, providing for county cattle inspectors and for the eradication of contagious, infectious and communicable diseases among domestic animals," and appropriated money for the purpose of enforcing the provisions of the act. The commission was appointed immediately after the act had been passed, the members being as follows: President, F. M. Stewart; vice president, D. R. Jones; secretary, C. L. Eakin; and F. C. Huss and D. J. Stafford. The work performed by this commission was extremely important and effective. Although they encountered many perplexing problems, they performed their duty effectively and with ability. In a few instances drastic measures were necessary. Particularly was Mr. Eakin active and enthusiastic in his work. He labored without intermission, even neglected his own business and spent considerable time in the interest of the commission. J. E. Scott, who served as clerk of the commission, performed a large amount of labor in keeping the records of fifty-three organized counties and issuing 7,235 certificates for dipping, ranging from 1 to 3,400 head on each certificate.

Other diseases which occurred in the state were black leg, which caused very little loss and hog cholera, which was confined in the southern part of the state, but had appeared in the northern part and was reported from several counties.

In 1905 suit was brought by the State Dental Board to restrain two dentists from operating and conducting dental parlors in South Dakota. The defendants were restrained and were compelled to pay a fine of \$50 and costs. Dr. G. W. Collins, of Vermillion, was summoned as a witness in this case, which was tried at Sioux Falls. He was secretary of the State Dental Board. He announced publicly that all infringers of the dental law of South Dakota would thereafter be punished.

At the meeting of the State Board of Railroad Commissioners at Sioux Falls, 1905, questions of much importance were considered. The commissioners discussed the application of a number of independent oil companies for a change in the freight rates of oil shipments of less than carload lots. At that time oil was rated as third class freight and the petition asked that it be changed to fourth class. At the same date the railroad commissioners of Iowa and Minnesota were considering the same problem. At this meeting the commissioners

received notice from the Chicago & Northwestern and the Chicago, Milwaukee & St. Paul Railroad companies that they had decided to grant the application which had been pending before the board for some time for the construction of a track connecting the lines of the two companies at Elrod. At this meeting the commissioners considered the complaint of the Aberdeen National Bank against the United States Express Company, which was recently filed with the board. The bank people asked for better service in the matter of shipping currency. The express company had refused to receive money for shipment except just prior to the departure of a train. As the Aberdeen bank supplied many smaller banks throughout the northern part of the state with currency, they asked that the express company be compelled to receive the money at any time during business hours.

The Legislature of 1905 devoted more attention to fish than to wild game. The law relating to large game was amended to allow only two deer in any one year to each hunter. Each hunter was required to procure a license in the county where he intended to hunt and to pay therefor \$2.50. The old law allowed three deer to a hunter during the hunting season of November and December, but under the new law both time and the number of animals were reduced. November was set as the only time when deer could be killed. Another amendment to the game law repealed the provision which protected beaver until January, 1911, and instead provided an open season from September 1st to May 1st in which beaver might be killed or trapped. The general game law in regard to chicken shooting was left unchanged, the license being \$10 and the season extending from September 1st to January 1st. One of the fish laws passed provided for concurrent jurisdiction of the officers of South Dakota and the officers of Minnesota and Iowa to suppress illegal fishing in any of the boundary waters of the states; and allowed control of illegal fishermen who dodged from one state to another to escape the officers. Another fish law amended the old law by rating carp as an outlaw and removing from it all protection. The provision of the old law which limited fishing to not more than two hooks was cut out, and the line fisher was allowed to cast as many hooks as he desired. Seining and netting were allowed after due notice had been filed with the county auditor as to the time and place where such fishing was to be done. They were placed under the supervision of the fish warden or sheriff of the county, such officers to receive \$3 per day for the time spent in inspecting such fishing. Under the old law all fish under six inches in length were returned to the water when taken out with a seine, and no fishing in that manner was allowed, except for the purpose of securing fish for propagation. Under the new law there were no provisions for placing them back in the water, and fishing under official supervision for any purpose was allowable with either seines or nets.

During its session at Aberdeen early in 1905, the State Board of Medical Examiners thoroughly investigated the affairs of the Kroeger Institute at Epiphany, and thereby made a number of startling discoveries. The institute was founded by Father Kroeger, who died in the fall of 1904. Under him the institute had prospered greatly until, in January, 1905, the entire property was estimated to be worth about \$150,000 and its scope of business had been extended to many parts of the United States and even to portions of Europe. Patients flocked here from great distances to become cured of their afflictions. The diploma of Father Kroeger was found to be a small sized document, pen-written

and purporting to be from a medical college that, as far as the board could learn, never had an existence. It bore no seal except that of the State Board of Health of South Dakota. It was dated at Cincinnati in 1871. The singular fact was that on this so-called diploma, Father Kroeger had succeeded in obtaining a license to practice in the state beginning January, 1896. It bore the signature of the superintendent of the State Board of Health who was in office at that time and who alone was authorized to issue such licenses. The state board also learned of many peculiar if not startling methods which had been employed at the institute. The woman who was the partner of Father Kroeger in the business was present at this meeting of the board. She explained that it was Father Kroeger's wish to have the institute continued after his death along the same lines as it had been before. It was learned that the only diploma which she possessed was given to her by Father Kroeger, and the board at once determined that this should not be recognized. She pleaded hard with the board for permission to continue the work of the institute and finally handed them a letter tendering the sum of \$1,000 in cash for a license permitting her to manage the institute. Of course it was not accepted.

In 1905 the state bonded debt amounted to \$237,000, but the sinking fund on hand aggregated \$255,000. "The current revenues for ordinary expenses of the state continue in the wretched condition which has characterized our affairs for several years. At this date there are outstanding \$400,000 of emergency warrants and \$550,000 of registered warrants. The funds available from tax collections during the ensuing quarter will reduce this floating indebtedness to about \$400,000, which it will be necessary to carry until the Legislature makes some practical laws relating to state revenues. The vast resources of the state under any rational system of taxation should provide ample revenue for every requirement." Historical Collections, Volume III.

It was disclosed in January, 1905, that not one company had left the state owing to the existence and operation of the valued policy and anti-compact law of insurance. Corporations and business men took greater care concerning their policies of insurance. As a matter of fact insurance rates were decreased under the law during the years 1903-4.

The report of the State Horticultural Society in the summer of 1905, by Prof. N. E. Hansen, secretary, was elaborate, interesting and valuable. The first annual report of the reorganized horticultural society had been made in 1904. That date marked the beginning of the dissemination of knowledge throughout the state concerning available trees, fruits, shrubs, vegetables and flowers. The secretary declared that many thousands of dollars could be saved annually by a better knowledge of these varieties of trees and shrubs and the methods that should be adopted for their care and propagation. The members of the society received no salary and paid their own traveling expenses. The secretary believed that a small appropriation should be made for the general expenses of the society. At this date the society announced the twelve districts into which the state had been divided and the fruit and berries which were adapted to these particular localities.

DISTRICT BOUNDARIES

District No. 1. All that portion of the state west of the Missouri River except the Black Hills.

District No. 2. Counties of Campbell, McPherson, Brown, Edmunds and Walworth.

District No. 3. Counties of Marshall, Roberts, Grant and Day.

District No. 4. Counties of Clark, Codington, Deuel and Hamlin.

District No. 5. Counties of Kingsbury, Brookings, Moody, Lake, Miner, Hanson and McCook.

District No. 6. Counties of Lincoln, Minnehaha, Turner and Hutchinson, and north part of counties in District No. 7.

District No. 7. Strip of country about fifteen miles wide, along the Missouri River, extending through the counties of Bon Homme, Yankton, Clay, and Union.

District No. 8. Counties of Brule, Aurora, Davison, Douglas and Charles Mix.

District No. 9. Counties of Sanborn, Jerauld and Buffalo.

District No. 10. Counties of Spink and Beadle.

District No. 11. Counties of Potter, Faulk, Hand, Hyde, Hughes and Sully.

District No. 12. All the counties comprising the Black Hills.

APPLES

District No. 1. For each part of this district, the varieties recommended for the district next east are recommended for trial under irrigation.

Districts Nos. 2, 3 and 4. For trial: Hiberna, Duchess, Charlamoff, Wealthy.

Districts Nos. 5 and 9. Of first degree of hardiness: Hiberna, Duchess, Charlamoff. Of second degree of hardiness: Wealthy, Tetofsky. For trial: Anisim, Patten Greening, Repka Malenka, Yellow Sweet.

District No. 6. Hiberna, Duchess, Charlamoff, Wealthy, Anisim, Patten Greening, Repka Malenka, Yellow Sweet, Longfield. For trial: Christmas, Cross, Northwestern Greening, Malinda, Plumb Cider.

District No. 7. Duchess, Charlamoff, Wealthy, Hiberna, Haas, Patten Greening, Longfield. Winter apples: Walbridge, Ben Davis, Iowa Blush, Malinda, Northwestern Greening. For trial: Plumb Cider, Willow Twig, Sheriff, Price's Sweet.

District No. 8. Hiberna, Duchess, Charlamoff, Wealthy, Tetofsky, Anisim, Patten Greening, Repka Malenka, Yellow Sweet, Malinda, Northwestern Greening.

District Nos. 10 and 11. For trial: Hiberna, Duchess, Charlamoff.

District No. 12. Duchess, Tetofsky, Wealthy, Ralls Genet, Price's Sweet, Patten Greening, Northwestern Greening.

CRABS AND HYBRIDS

For all districts: Martha, Virginia, Whitney, Sweet Russet. For trial: Lyman Prolific, Brier Sweet, Mary.

PLUMS

Districts Nos. 2, 3, 4, 5, 10 and 11. On northern native plum roots: DeSoto, Wyant, Wolf, Forest Garden Odegard. For trial: Aitkin.

Districts Nos. 6, 8, 9 and 12. On northern native plum roots: DeSoto, Wyant, Odegard, Hawkeye, Wolf, Forest Garden. For trial: Olson, Aitkin.

District No. 7. On northern native plum roots: DeSoto, Miner, Hawkeye, Wolf, Wyant, Odegard. For trial: Olson, Stoddard.

CHERRIES

Districts Nos. 6, 7, 8 and south tier of counties of District No. 5. Early Richmond, Wragg, English Morello, Ostheim.

NATIVE FRUITS

Promising for trial: Sand Cherry, Juneberry, Buffaloberry, Choke Cherry, Gooseberry. All selected plants.

RASPBERRIES

Districts Nos. 2, 3, 4, 5, 10, 11 and 12. With winter protection. Reds: Loudon, Turner, Cuthbert. Black Caps: Older, Palmer, Nemaha. For trial: Columbian.

District No. 7. With winter protection. Reds: Loudon, Turner, Cuthbert. For trial: Miller, Philadelphia. Black Caps: Gregg, Older, Palmer, Nemaha, Kansas, Columbia.

BLACKBERRIES

District No. 7. With winter protection: Snyder.

CURRANTS

All districts. Red: Victoria, Red Dutch. White: White Grape.

GOOSEBERRIES

For all districts. Houghton. For trial: Champion, Pearl.

STRAWBERRIES

For all districts. Varieties with imperfect blossoms: Warfield, Crescent. With perfect blossoms: Bederwood. For trial—with perfect blossoms: Lovett, Woolverton, Brandywine.

GRAPES

Districts Nos. 6, 7, 8 and 12. Concord, Worden, Janesville.

Districts Nos. 1, 2, 3, 4, 5, 9, 10 and 11. For trial: Janesville, Beta.

The office of food and dairy commissioner, June 30, 1905, was one of the most important departments of the state government. Previous to the creation

of the law in 1901, the state was a "dumping ground" for large quantities of adulterated goods of every description, which had been brought from other states. After 1901, owing to the stringency of the law and the active exertion of the commissioner, all this had been notably changed.

During the year ending June 30, 1905, the work of the department embraced the examination of wholesale and retail grocery stocks; inspection of dairy, creamery and bottling works; analysis of 256 samples of products coming under the law and the distribution of bulletins concerning the same. Prof. James H. Shepard had charge of the chemical branch of this department. Owing to the advent of the new liquor law he had made numerous experiments to test the purity of liquors and had succeeded in his task beyond his expectations, although no provision to pay him had been made. During 1905 the department was engaged in inspecting creameries in the northern part of the state, particularly in Roberts, Grant, Marshall, Codington, Day and Brown counties. Generally they were found in excellent condition as regards cleanliness. A few sanitary improvements were recommended. One hundred and three factories secured licenses. A number of creameries had been closed as factories and were now being operated as skimming or cream buying stations as factors of a centrally located plant. The loss in the number of factories was more than overcome by the number of additional creameries in the newer portions of the state. There seemed to be a decadence in the cooperative system and the reestablishment of the original methods.

The commissioner made a thorough and protracted investigation of the goods handled by all grocers of the state, to whom were mailed copies of the new law and the rulings of the department in order to familiarize them with their requirements. The law and the rules applied both to retail and wholesale dealers of the state. Similar circulars were sent to butchers, dispensers of linseed oil, and other dealers reached by the law. The determination of the department at this time was to put an end to the work of the "poisoner for dividends." The commissioner noted that the new law of South Dakota on the subject of pure food was attracting particular attention throughout the country and that many inquiries relative to its provisions and the interpretation given by the department had reached the state office.

As a rule the wholesale liquor law pleased the wholesale liquor dealers, who promised compliance with it in every respect, because they believed it would drive out of business all low grade concerns and build up their own trade.

Another conspicuous feature of the new law was the friendly attitude of the retail trade of all kinds toward the commission. There was shown generally a disposition to consult the department relative to questions arising from the sale of food products and relative to merchants who were often willing to take a chance by substituting a cheap and inferior article for a pure one. By this time the worst adulterations had been driven from the state, but the department had yet to combat the ingenuity of the unscrupulous manufacturers who were still active and were partly successful in escaping the vigilance and the vengeance of the chemist and the inspector.

Professor Shepard analyzed during the year 256 different food products, among which were the following: Vinegar, soft drinks, catsup, baking powder, lemon extract, vanilla extract, canned goods, colors, sorghum, coffee and spices,

honey, maple syrup, summer sausage, mincemeat, lard, cream, flour, beverages, intoxicating liquors, etc.

The State Board of Agriculture, on January 16, 1906, made a full report to the governor concerning the proceedings of the Twenty-first Annual State Fair held at Huron. The board stated that the Northwestern Railway Company had provided cattle chutes and switching grounds adjoining the fair property. The location was within a few minutes' walk of the center of the city, and the grounds contained ample space for many years. Previous to this date the Central South Dakota Fair Association had occupied a portion of the grounds. The Legislature provided the following appropriations at the session of 1905: Agricultural and horticultural hall, \$5,000; cattle barn, \$4,000; sheep and swine pens, \$1,500; grand stand, \$1,500; artesian well, \$500; trees, \$200; paint and repairs, \$300; total, \$13,000. The horticultural and agricultural hall was constructed in the shape of a maltese cross, 125 feet each way, was surmounted with a cupola and was given a fine cement floor for a foundation. The cattle barn was 70 by 150 feet and had stalls for 250 head. The grand-stand appropriation was seen to be wholly inadequate to accommodate the public, whereupon the old grand stand at Yankton was purchased, removed to Huron and arranged to seat 4,000 people. The appropriation for sheep and swine pens was likewise wholly inadequate, but the board was equal to the emergency and constructed pens large enough and sufficient in number to meet the requirements and placed over them a temporary roof. In order to secure a horse-barn, for which no appropriation had been made, the board tore down the old cattle-barn standing on the ground at Yankton, intending to use the lumber for the construction of a horse-barn 40 by 150 feet with fifty stalls; but as this was seen to be entirely insufficient, they were compelled to countermand the shipment thereof. The horse-sheds that had been used for trotting horses had no suitable roofing, but the board secured for temporary purposes the cheapest patent roofing obtainable. The grounds were only partly enclosed, so the board built additional fence, made suitable gates and erected a small ticket office. The old building known as Agricultural Hall was improved and transformed into a woman's building. Other old buildings standing were repaired and used for poultry, hogs, etc. The artesian well was dug, and a beautiful lake was formed on the ground with the surplus water and the water was piped to the different buildings.

At this first State Fair the people of South Dakota were well represented and were earnest and enthusiastic supporters both as exhibitors and visitors. Previous to this time, with few exceptions, the State Fair had no general nor particular attraction for the people; but now at last the citizens were proud of the effort made and of the fact that South Dakota at last had a State Fair that was worth seeing and patronizing.

The agricultural and horticultural exhibits were the finest ever made in the state and among the finest ever made in the Northwest. Splendid exhibits were made, particularly by the counties of Sanborn, Brookings, Hand, Hyde, Hughes, Sully, Faulk and Beadle. The exhibits were admired by endless throngs that swarmed the grounds every day. Among the exhibits in which everyone took pride were corn, wheat, oats, rye, speltz, pop-corn, broom-corn, fruits, etc. The exhibits of horses, cattle, sheep and poultry were excellent. The horticultural exhibit surpassed every other. The fruits came from the southern counties and

were the pride of every person present. The dairy exhibit was likewise of the first quality. On the largest day the attendance was about ten thousand. At this time the State Board were F. H. Smith; C. C. Moulton, H. S. Fletcher, J. H. King and G. H. Whiting. This first State Fair was a conspicuous success.

For the biennial period ending July 1, 1906, ninety-seven banks organized and thirty banks liquidated. At the beginning of this biennial period there were, all told, 264 banks in the state. Of the number organized during this biennial period, 10 became national, 12 were changed from private to state banks and 8 discontinued the banking business. There was a net increase of 70 after deducting those that had nationalized and liquidated. On July 1, 1906, there were 200 state banks, 13 banking corporations organized under the old corporation act, and 31 private banks, making a total number of 344 banks under the supervision of the public examiner. No trust companies were organized under the new trust company law. The volume of banking business increased at a wonderful rate. The resources and liabilities advanced from \$22,000,000 to over thirty-two million dollars. Four of the banks that liquidated did so without loss to depositors. One bank which had not reported to the department since June, 1904, was found to have an impaired bank capital and to have made an assessment of 100 per cent, which was avoided, the bank liquidating rather than raise that amount. The depositors were all satisfied however. The county treasurers, commissioner of school and public land, secretary of state, state treasurer, and all the charitable, penal and educational institutions except the Aberdeen Normal, were examined and all were found regular. The department was required in 1906 to make 788 examinations each year, but it would have been found impossible to accomplish this result without additional help. The public examiner, F. L. Bramble, called for a deputy. He made several recommendations among which were the following: That a bank could not open for business until the department had made an examination to ascertain if the capital stock had been paid in cash; to prohibit the loaning of money to the officers or directors of a bank without good collateral or a responsible endorser; to require banks to incorporate before starting in business and to prohibit the use of the word "bank" until this law should be complied with; to make the law more stringent regarding the purchase of real estate by banking institutions; to give the department full power to take charge of the treasury in case of irregularities and to suspend the treasurer if necessary for the protection of the public fund.

The report of the Department of Insurance on June 30, 1907, emphasized the importance of its work in South Dakota. The total amount collected by the various insurance companies doing business in the state during the fiscal year reached the immense aggregate of \$3,311,699.49. For losses during the year they paid out \$1,512,031.50. Their expenses were \$125,591.47. The commissioner dwelt upon the importance of certain remedial legislation bearing upon different lines of insurance, but concluded to defer making recommendations until the next session of the Legislature. He noted that the state had been defrauded out of several thousand dollars that should be received under the law which levied a tax on the premium receipts of various companies, because of the methods pursued by those who wrote insurance throughout the state without authority under the law. The commissioner was in doubt as to his legal attitude and duties in regard to the 40 per cent insurance reserve demanded of all fire



VIEW OF THE CEMETERY AT SIOUX FALLS

insurance companies that collected cash premiums in advance. He believed that the office was far more important and dealt with much more intricate propositions than the public or even the legislators apprehended. He called attention to the fact that insurance was the second most important interest in the complicated commercial life of the state. He stated that railway trade occupied the first position. Both of these interests, if taken together, far overbalanced all other commercial interests.

The report of the Vital Statistics Division of the Department of History in 1907 showed that for the fiscal year of 1906 the six most important and fatal diseases were as follows: Heart failure and disease, pneumonia, tuberculosis, enteritis (intestinal diseases), cancer and typhoid fever. The deaths from each one of these diseases in 1906 were as follows: Heart trouble, 322; pneumonia, 295; tuberculosis, 270; enteritis, 126; cancer, 130; typhoid, 175. The deaths from the same diseases in 1907 were as follows: Heart trouble, 366; pneumonia, 396; tuberculosis, 266; enteritis, 237; cancer, 175; typhoid fever, 80. Although small pox was epidemic in several sections of the state during both years, but few deaths resulted therefrom. There were 34 deaths from whooping cough, 23 from measles and 17 from scarlet fever. The deaths among the Indians of the reservations from various diseases were in some respects appalling. The death rate varied from 14.7 per thousand among the civilized Sisseton to 50.1 per thousand among the Brules at Rosebud. At the latter reservation the death rate was greatly increased by an epidemic of whooping cough among the children and adolescents. The following was the population of these reservations except Standing Rock, which was not given under the census of 1905. Crow Creek, 1,075; Cheyenne River, 2,633; Lower Brule, 512; Pine Ridge, 7,476, Rosebud, 5,141; Sisseton, 1,900; Yankton and Standing Rock not given. The death rate per thousand was as follows: Crow Creek, 26.1; Cheyenne River, 23.1; Lower Brule, 33.2; Pine Ridge, 37.2; Rosebud, 50.1; Sisseton, 14.7. In all of the seven reservations, Crow Creek, Cheyenne River, Lower Brule, Pine Ridge, Rosebud, Sisseton and Yankton, the number of deaths from tuberculosis was 194, pneumonia 75, enteritis 89, whooping-cough 82. There were in the Rosebud Reservation 54 deaths from whooping-cough. Total deaths among the Indians from all causes, 767.

The report of the food and dairy commissioner in June, 1907, showed advancement in this department. The last Legislature, that of 1907, passed many amendments to the food and dairy law, particularly concerning drugs, stock foods and cream. An investigation by the commissioner showed that many forbidden preservatives such as benzoate of soda, boracic acid and sulphuric acid were being used with codfish, canned and dried meats, fruits, syrups, etc. However, many dealers were alive to the importance of better products, and there was a general improvement in the goods placed on the market. The dealers generally were aware of the importance of obeying the laws, and evading the publicity which the commission was effecting through the newspapers, circulars, and otherwise. Important improvements in soft beverages and in all dairy products were features of this year's work. All stock foods were thoroughly examined, many thrown out and others improved. Under the drugs act great advance was made. The coloring of food was thoroughly investigated. The chemist reported examinations of vinegars, pickles, coloring

matters, extracts, beverages, catsups, spices, dessert foods, jams, jellies and canned fruits, canned peas, beans and corn, fish, meat products, dairy products, sugars, syrups and candies. The chemistry department was under Prof. J. H. Shepard. The commissioners expressed the belief that there was no protection afforded by the drug and food laws more imperative and essential than the law controlling the sale of drugs and medicines. Next came the laws concerning the adulteration of foods of all kinds, and the use of the so-called preservatives of foods. One of the greatest frauds not controlled by law, was the sale of the so-called patent medicines. Intoxicating liquors were often found to be impure and even dangerous. Imitation liquors of all kinds were manufactured and put on the market to make money, even at the expense of the health of the drinker. Milk and cream products of all kinds were likewise more or less adulterated, imitated and rendered unsafe. This condition of things caused the state commissioner to recommend far more stringent laws and to insist that such laws should be extended to embrace articles covered by other State Boards of Health and by the National Commission. The commission stated that, while the laws of the state were more strict in some respects than in other states and even more exacting than the national law, they were still vitally weak in several important particulars and should be revised and amended. He opposed any law that would allow by technical defects the spurious compounding of drugs to evade its provision and the perversion of its intent or purpose, and thus thrust upon the public an inferior article by the mingling of products or the ingenious manipulation of labels used to mark the goods. We wanted everything stated in simple terms and then to have all provisions enforced. He recommended an amendment for the protection of local creameries; for a thorough revision of the food law; for compounders of foods and beverages to label their goods correctly, and for the adoption of a general drug law which would in fact regulate and control the sale of drugs and medicines.

. During the year ending June, 1908, several meetings of the State Board of Embalmers were held, and all measures necessary for carrying out the laws were considered. One meeting this year was held at Lead. It was the second held in that portion of the state since the establishment of the board. The meeting was well attended and ten undertakers were examined. Since the organization up to date 212 licenses had been issued. Reciprocal relations with several of the neighboring states had been established. The board seemed to be well pleased with the existing laws concerning embalming. Several important questions came before the board this year and were settled satisfactorily. The annual meeting of 1909 was held at Watertown.

For the year ending June 30, 1908, the commissioner of immigration reported that he had made satisfactory progress. The office was new, the duties were not clearly defined, and hard work had not made the task easy. What he lacked particularly, he announced, was satisfactory statistics upon which he could base his future operations. In North Dakota the law required the assessors to gather the same information now needed in South Dakota. It was somewhat different here. No one authority was required to report all the details necessary to be used as a basis for conclusions and efforts concerning immigration. It was likewise hard to present indefinite statistics to people in the East who wanted definite information. However, he spent two months in preparation and then issued a

pamphlet descriptive of the resources of the state, showing in detail its products both mineral and agricultural with cuts of public buildings, etc. He also prepared an up to date map of the state, and at the same time called attention to a strip of land, approximating seven or eight townships, located between Tripp and Meyer counties which apparently had been left out of consideration and was not a part of any county. This tract was marked "No County" on his map.

The commissioner used the State Fair as a basis to advertise South Dakota as a profitable and desirable region in which to live. He sent out over twenty thousand pamphlets, and from all directions came letters from individuals and concerns asking for further information. Clearly many people wanted homes, but apparently were not willing to come here until they understood the conditions. So great was the demand for this pamphlet that the commissioner ordered another edition of 20,000, the office retaining 5,000 and the other 15,000 being sold to large real estate firms which used them for advertising purposes. The advertising which the state received from these pamphlets as well as the write-ups resulting therefrom in newspapers and magazines in the East, vastly increased the correspondence of the department and served to awaken great interest in the state among homeseekers.

The state oil inspector in June, 1908, reported that the oil generally was distributed over the state in one barrel lots and that all was duly inspected. He showed that it was difficult and expensive thus to inspect independent barrel lots, but the system was not objected to because it seemed necessary. Pennsylvania oil came in tanks and carload lots to Aberdeen, Watertown and Huron, but the majority of state merchants reported that they were handling Kansas oil which had been investigated several years before and was found to be as safe and valuable a product practically as the Pennsylvania oil. Merchants were required to clean their tanks often, and every precaution for safety was enjoined by the inspector.

In June, 1908, the state veterinarian reported that glanders and farcy were apparently becoming more prevalent each year. Thirty-eight counties reported glanders during the previous six months, and in thirty-one counties unmistakable symptoms existed. The disease was considered incurable, and consequently the animals afflicted were killed and destroyed or were thoroughly quarantined. Mange among horses, a contagious skin disease caused by a specific parasite, was prevalent, but responded to treatment which consisted in local applications for the destruction of the parasites. Dipping in lime and sulphur was the treatment recommended. In June, 1908, it was prevalent in Hughes and Sully counties, and this too in spite of the fact that health officers and county stock inspectors had been doing their utmost to stamp out the disease or check its ravages. Until a few years before 1908, anthrax was comparatively unknown here as an epidemic, but in 1906-07-08 it appeared and spread rapidly until stockmen became alarmed. In the counties of Clay, Yankton, Turner, Union, Pennington, Custer, Fall River and Butte, there were numerous outbreaks of this disease, principally among cattle. Early in 1908 a case was reported from Clay County where twenty animals died of this disease on one farm within a few days. Soon practically the whole county was infected and the loss was very great. Vaccine was used as a preventive. This year, also, an outbreak of rabies was reported in Potter County. Among several dairy herds in the state symptoms of tuberculosis appeared, principally

in Grant and Minnehaha counties. It was known to exist in other counties, but little had been done thus far for its eradication. During 1908 the state was remarkably free from hog cholera. However, one serious outbreak occurred in Brown County. At this time Thomas H. Hicks was state veterinary surgeon. His deputies and their location were as follows: Drs. G. E. Arnold, Britton; L. E. Barber, Tyndall; L. P. Brewster, Vermillion; S. D. Brunihall, Redfield; J. P. Foster, Huron; J. A. Graham, Sioux Falls; R. G. Lawton, Watertown; G. A. Lester, Deadwood; G. A. McDowell, Watertown; E. L. Moore, Brookings; S. M. Smith, Mitchell; C. A. Tuttle, Canton; E. J. Ellison, Aberdeen; C. Allen, Watertown; C. Williams, Waubay; A. H. Byron, Bristol; C. E. Trotter, Beresford; J. Halverson, Yankton.

The legislative reference division of the department of history was created by the Legislature in 1907, the law becoming effective on the following July 1. In this division a special library of state documents was assembled, and all books and documents were definitely located and indexed so as to be available at the call of the Legislature. Material relating to every topic that probably would be considered by the Assembly was here collected and classified. Previous to the establishment of this division, the department of history had voluntarily collected and supplied this material, for which at each session there was daily and urgent demand. So convenient and valuable was this matter that the Legislature ordered the establishment of the division as aforesaid, and a special clerk was assigned to the department to assist in drafting bills and in collecting material for the immediate use of the session. There was made available the historic debates at the time the state constitution was adopted. All the statistics and information which had been collected by the State Historical Society were thus placed at the prompt convenience of the members. A special force was assigned to assemble the census material that likewise was valuable to the legislative sessions and to collectors of data concerning South Dakota. The state library was amplified and was made an auxiliary of the legislative division. It had been specialized along several lines. There were the South Dakota publications; the products of South Dakota writers; everything written concerning South Dakotans; and everything written exclusively about South Dakota. There were a total of about two thousand publications, all of which were thoroughly classified. An important feature was the collection of everything possible relating to the Sioux Indians, so that South Dakota had the most complete library relating to this nation of any in the country. Many of the books were rare and out of print and had been secured from book-shops and old libraries. The important features of the library were the museum, the gallery of portraiture, the record of deceased members; the provision for assistants, the rooms in the capitol, the state exchanges, and the bureau of information.

In 1908 the pharmacy laws of the state, though rigid, were not exactly to the suiting of the pharmaceutical association. At the meetings of this organization, numerous recommendations were offered. The laws did not grant any discretionary powers to the board of pharmacy which in a measure was thus powerless to act. In many states four years' practical experience was required before the applicant was granted a full registration. In Dakota the law required but three years practical experience. South Dakota in reality was one of the first states to advocate reciprocity in granting full registration. The association, in order to

comply with the laws, required a full four years' high school course, or its equivalent in any good academy or preparatory school as a condition precedent to secure registration. The preparatory course at the State Agricultural College contained a complete line of study for pharmaceutical work. In addition the course prescribed sufficient incidental education to place a pharmacist among the well informed classes of any community. The state board at this time did not apply too strong a technical test of educational qualifications, but merely asked that the studies should be in conformity with the aim of the national association. This demanded that all who commenced the study of pharmacy and its allied branches, should first equip themselves with a good education, in order that the standard of intelligence among pharmacists might compare favorably with that of other pursuits and professions. All pharmacists demanded this educational qualification. The state board asked the Legislature to require that all persons who applied for registration should have attained the age of twenty-one years, owing to the fact that unless they were that old they could not be held by law to a full and complete accountability as pharmacists. The board stated that the law which was passed by the last Legislature relating to drugs and medicines and which later was declared invalid by the Supreme Court, was detrimental to the druggists in many of its features and of no practical value to the public. The law was aimed to effect a reform under the pure food propaganda. The druggists of the state warmly endorsed pure food and drug legislation, but wanted such laws to follow natural lines. Such legislation was a great necessity to the pharmacists of South Dakota, and a law that was constitutional and valid and that would restrict and protect the business in this regard was requested and needed. The board at this time asked that, inasmuch as the Black Hills was now connected by two lines of railroad with the eastern and central parts of the state, that region should be given membership on the State Board of Pharmacy. All provisions of the pharmacy law, it was announced, were at this time well enforced in the eastern part of the state. There were a few points west of the Missouri River, however, that now merited and demanded the earnest consideration of the board. The development had been so rapid and the growth of towns so fast that the board had been unable to meet all the conditions enjoined upon them. At this time there were very few infractions of the pharmacy laws throughout the state. The board was making earnest efforts to improve the drug traffic so that it would be safe to the public and abundantly efficient in time of need.

Connected with the Pharmaceutical Association were two auxiliary organizations, one of the Commercial Travelers and the other of the Ladies Auxiliary. Both were fully organized, had officers and met regularly for their mutual benefit. In 1908 R. T. Wincott was president of the Commercial Travelers Auxiliary. The officers of the Ladies Auxiliary in 1908 were as follows: President, Mrs. W. F. Michel; vice president, Mrs. S. E. Seallin; secretary, Mrs. O. H. Collins. At the annual meeting of the Ladies Auxiliary in August, 1908, there was a large attendance and an interesting program. Among the exercises were the following: The History and Advancement of our Auxiliary, by Mrs. E. M. Jones. After the reading of this paper, Mrs. Jones was elected historian of the auxiliary. A paper entitled "What can be done by our members to promote growth and stimulate interest in our auxiliary?" was read by Mrs. O. H. Collins. The records showed that the Ladies Auxiliary was organized in 1902. At the request of a

number of ladies and through the influence of the pharmaceutical association, the object was to promote acquaintance among the wives, sisters and daughters of members and to advance their social interests. The committee appointed to effect the organization were, Mr. I. A. Keith, Mrs. E. C. Bent, Mrs. D. F. Jones, Mrs. F. C. Smith, and Mrs. W. A. Ney. The organization was formed at Flandreau, on which occasion Mr. Keith served as chairman. There were twelve charter members and the first officers elected were as follows: Mrs. W. A. Simpson, president; Mrs. D. F. Jones, vice president; Mrs. W. A. Nye, secretary, and Mrs. E. C. Bent, treasurer. Soon after this event the treasurer's office was abolished, because the pharmaceutical association offered to defray the expenses of the auxiliary. From this time forward the organization met regularly and was in prosperous condition. Their exercises consisted of literary entertainments, banquets and social programs of various kinds.

In the spring of 1909, upon the organization of the State Veterinarian Board, Dr. J. P. Foster, of Huron, was elected president; Dr. J. C. Trotter, of Beresford, vice president; and F. L. Moore, of Brookings, secretary-treasurer. Later the board held meetings to examine applicants for admission to practice.

The inspector of apiaries in the summer of 1910 reported that bee diseases had swept sections of the state and caused much damage, but that the disease was practically under control by the middle of the summer. He believed that within a few years the inspector would be able to control the disease wholly and remove it from the state. Already the Legislature had recognized the industry and had passed laws for the control of bee diseases. The crop of honey west of the Missouri River averaged about fifty pounds to the colony during the year 1909-10. The increase in the number of colonies was about one-third. The inspector declared that people needed instruction in apiculture. This could be secured in the state schools and also at the experiment stations. The state inspector suggested that a few colonies should be established at each experiment station in the state. He likewise recommended that the state should have a colony under the immediate direction and control of the state inspector. The area where apiaries would thrive was being rapidly extended owing to the introduction of clover, alfalfa and other heavily flowered plants.

The state treasurer, in July, 1910, reported that he had encountered much difficulty in securing the prompt payment of taxes assessed against telephone companies doing business in the state, and that in a few instances it had been impossible to collect any of such taxes. He recommended that a law be passed to enforce the payment of such taxes and suggested that the states' attorneys of the several counties be required to institute proceedings to extinguish the franchise and revoke the charter of such companies. He also recommended that the tax assessed by the state board against telephone, telegraph, express and sleeping car companies, be collected by the different counties where the companies did business, in the same manner that railroad taxes were then being collected. At this time the duties of the state treasurer had been greatly extended by the Legislature of 1909. He said, "The era of progress, prosperity and plenty that had spread her mantle over our fair state, bringing healthful vigor to all lines of business, is being equally enjoyed by the farmer, laborer, merchant, banker and manufacturer and reflects a glowing promise for increased revenue to the state. This will be especially noticeable during the coming year, for the reason that sev-

eral hundred miles of railroad now under construction within the borders of the state will be completed and become taxable. This will necessitate the building of many new towns."

In July, 1906, the treasurer reported that the finances of the state were in excellent condition. The general and unexpected prosperity was reflected in the treasurer's office. At the beginning of this fiscal year the bonded indebtedness including revenue warrants, amounted to \$637,000. By July 1, 1906, this sum had been reduced to \$462,000. During the year \$400,000 of former revenue warrants had been redeemed and only \$250,000 of new warrants had been issued. The interest saved to the state on bonds thus redeemed before becoming due was \$2,300. In the few previous years State Treasurer C. B. Collins had succeeded in securing the surrender of \$92,500 in bonds long before they were due, thus saving to the state over \$30,000 in interest. The surrender of bonds before they were due was not an easy accomplishment at this time, because South Dakota securities were everywhere considered gilt-edged.

The report of the secretary of state June 30, 1906, showed great prosperity. Nearly all domestic corporations were doing exceptionally well. The secretary suggested important improvements in the laws governing domestic corporations. He expressed the belief that the secretary of state should have charge of a long list of fees from many sources, and should have authority to collect the same in advance. He recommended that the secretary be given power for examining, filing and recording amended articles of incorporation; articles of incorporation of religious, charitable, benevolent and fraternal associations; annual statements of domestic building and loan associations; the annual statements of foreign building and loan associations; annual statement of foreign surety associations; any instrument or paper required by law to be filed in his office; transcripts of any record, instrument or paper on file in his office; official bonds, etc.; each commission, requisition, extradition, passport or other documents signed by the governor and bearing the great seal of the state; appointments, etc., of commissioners of deeds; applications, bonds, etc., of notary publics; official certificates, attestations and impressions of the great seal; the records of his office for non-residents. These were among the fees he believed should be under the control of the secretary of state.

During the biennial period ending July 1, 1906, 106 state banks with a capital of \$927,000 were incorporated. Two thousand and eight domestic corporations with capital stock ranging from \$300,000,000 to \$700,000,000 were incorporated. During the same time there were incorporated 139 educational, religious and social organizations. One hundred and sixty-two foreign corporations had entered the state to do business. Eleven hundred and fifty-one persons were appointed and commissioned as notaries public. At this time D. D. Wipf was secretary of state.

The state auditor in September, 1906, reported his department in flourishing condition. The bonded debt had been reduced to less than one hundred thousand dollars, and there were funds in the treasury to take up the remaining bonds as soon as the holders could be induced to surrender them. The wealth of the state was rapidly increasing, the assessable property was rising fast, and the aggregate valuation would be so great soon that the constitutional levy of 2 mills for state purposes would be ample for necessary expenses. He stated that the

best method to be employed to get all taxable property on the tax rolls was still unsolved and would remain unsolved until the taxing system should be radically changed. He asserted what was well known to be true, that millions of dollars in money, credits and personal property escaped taxation every year. He admitted that the act of the Legislature of 1905 providing for a meeting of the county auditors and the State Board of Assessment and Equalization, was a step in the right direction. So far as getting more uniform returns from the counties was concerned, the results under the act thus far had been satisfactory. This was the second year that the law had been in force. Returns from nearly every county in the state had been received, and the result of this unification greatly simplified the law and made satisfactory the work of assessors, boards of county commissioners, county auditors, State Board of Assessment and Equalization and the state auditor. The law was designed to aid in placing on the tax books property which had escaped the assessors, and to give to either the Board of County Commissioners or the State Board of Assessment certain and definite powers to bring about this result. While the law was admittedly a good one, it had not been suitably taken advantage of by local officials. Through an oversight, perhaps, no appropriation to carry the law into effect had been made. The act authorized the State Board of Assessment "to ascertain, discover and place upon the proper assessment rolls a list of taxable property in any county omitted from such assessment * * * and in their official capacity to employ such aid and assistance as they should deem necessary and proper and fix the compensation of all persons so employed by them, but the same Legislature neglected to appropriate funds from which to meet this expense. This rendered the state board powerless and rendered the law nugatory. The total assessed valuation of the state in 1902 was \$187,531,381. In 1906 it was \$222,426,469. This was an average gain of nearly nine million dollars per annum. The increase in the construction of railroads, the advance in value of all real estate, the rapid development of cities and the widespread settlement of country districts, give promise at this time that the increase in assessed valuation would soon climb to a much higher figure.

In 1910, W. F. Bancroft, state game warden, reported his intention was to secure 200 or 300 pairs of Chinese ring-neck pheasants in 1911 to be used in stocking the state with these desirable fowl. Many farmers had already expressed their willingness to take pairs in order to raise broods to be turned loose when they should become large enough to support themselves. He had also considered the advisability of securing Hungarian partridges for distribution and propagation in the state. He asked that additional laws covering these projects be passed. At this time the trapping and killing of fur-bearing animals in South Dakota was becoming quite remunerative during the winter season, but the laws were not sufficiently protective to increase the number of such animals. The warden recommended that the trapping season be changed so as to extend from December 1st to March 1st of each year, and that spearing and shooting muskrats and other fur bearing animals be wholly prohibited. Owners of lands containing streams or lakes, he believed, should be allowed to take muskrats in any manner during the open season. The time was now ripe to establish a state fish hatchery at a suitable point. No doubt sufficient funds would

accumulate from the license system properly to equip and maintain a fish hatchery without the appropriation of additional funds from the state treasury. The stocking of the lake and streams, the warden said, was very important at this time. During the past year he had endorsed twenty applications for fish fry from the Government hatcheries. The fish laws were far from being satisfactory. He recommended that seining should be absolutely prohibited, except under the supervision and authority of the state game warden, who should be permitted to make rules and regulations governing this practice. The open fishing season should be made to conform as nearly as possible to the laws of adjoining states. The number of certain kinds of fish which any person could legally take with a hook and line in one day should be limited. Generally fishing was good in Lakes Kampeska, Big Stone and Andes and in smaller bodies of water. Trout fishing in the Black Hills, especially in Pennington County, was usually good during the spring months. Lake Poinsett also was soon to be numbered as one of the fine bodies of water for fishing. The warden had ordered this lake seined for non-game fish, so that it could be stocked during the summer with fish fry. There was no reason, he declared, why South Dakota should not build up its fishing industry so as to make it not only a pleasant sport but a profitable business as well. During the year the warden made seventy-five arrests and twenty-seven seizures for violations of the law regulating hunting and fishing. He recommended that licenses for seins be placed at \$5 and a general license for fishing at \$2 for each fish-house used during the closed winter months. He further recommended that the general non-resident license be raised from \$15 to \$25 for small game, the same as for large game, and that the resident license for hunting large game be put back to where it formerly was, \$2.50. He expressed the opinion that the existing system of appointing game wardens had proved to be wrong. He believed they should be made either elective in the county or appointive by the state game warden, because boards of county commissioners as a rule were insufficiently interested in the enforcement of the game law to make the intent of its provisions effective. Generally throughout the state there existed considerable irritation and antagonism against the game laws. County game wardens should be allowed to appoint deputies, and all should be paid in accordance with their duties. As it was impossible for the state game warden to cover the entire state, he asked that six state deputies, each with a salary not to exceed \$75 per month and necessary traveling expenses, be provided.

The county game wardens of the state met at Mitchell, September 30, 1909. There were present twenty-four from as many different counties, representing all sections of the state. Many questions of interest to this department were discussed, and the merits and demerits of the game and fish laws were revealed. At this meeting the following resolutions were passed: That to assist in the proper enforcement of the game and fish laws of our state, all county, game and fish wardens should be empowered to appoint deputy county game and fish wardens according to the area in charge; that each county game and fish warden be authorized to issue over his own signature hunting and fishing licenses to both residents and non-residents, and that the non-resident license fee for small game be raised to \$25.

The twenty-sixth annual report of the State Board of Dental Examiners was made in November, 1910. During the previous year thirty-seven candidates were examined, of whom twenty-two were granted licenses and fifteen were refused licenses. During the year there were three cases of prosecution. One man was convicted of practicing dentistry without a license and was fined \$75. Another was convicted, but took the case to the Supreme Court. The same man was convicted before a Justice Court for a second offense. The board concluded to prosecute practitioners who entered the state and established themselves in business before satisfactorily passing examinations for license, as there were no temporary permits granted nor were there any reciprocal relations yet established with the boards of other states. The annual registration fee was \$2. Anyone who failed to register violated the law, and, if he continued to practice after a certain date, he was liable to a severe penalty for every operation performed.

The state railroad commissioners reported a busy year ending in November, 1910. Numerous important matters had been before them continuously. Meetings were held at more than twenty cities in the state. Besides the regular meetings, extra and called sessions were held, the latter mainly to investigate accidents, damages, etc. During the year there were filed with the commissioner 147 complaints, ten against express companies, fourteen against telephone companies and 123 against railroad companies. These cases were disposed of as follows: Eighty-four were satisfied, thirty-one were still pending, fourteen were dismissed for want of jurisdiction, and the others were in various stages of procedure.

In May, 1909, the railroad commissioners opened negotiations with the different express companies in reference to putting in force tariffs or rates which had been previously adopted. The Wells-Fargo Company contended that, as it had not transacted business in the state prior to May 1, 1909, and had no schedule of rates in force here on January 1, 1909, the act did not apply to that company. At this time the express companies went into the United States Circuit Court and filed bills in equity, alleging that the board of railroad commissioners not only had no jurisdiction to make a complete schedule of express rates, but that the tariff of rates promulgated was so low that if put into effect it would amount practically to confiscation of the property of the express companies. Judge Carland rendered the opinion of the Federal Court. Similar cases equally complex, perplexing and difficult were heard over railroad, telephone and telegraph rates and operations.

The law of 1909 gave the board of railroad commissioners jurisdiction and control of telephone companies, and required that such companies, within sixty days after the act went into effect, should file with the state board copies of all franchises, contracts and agreements, together with schedules of rates and charges for rental of telephones. Few companies complied with these requirements. Accordingly a circular letter demanding complaint action was sent to all the telephone companies that were known to exist in the state. This letter brought the desired responses from nearly all. The rural lines throughout the state had increased to an enormous extent. There were more than one hundred different organizations operating telephone lines. Many of the lines were short and small in area and were built for the personal convenience and business

advantage of groups of farmers. Often they were connected with exchanges in the nearest towns. The railroad commissioners at this time recommended many changes in the laws governing telephone companies. Legislation on this subject was comparatively new, and owing to the sudden and rapid development of the lines which were difficult to locate and ascertain, what laws were needed by the companies and were necessary for their control by the state board could not at once be forecast. An important recommendation was that all who refused to comply with the provisions of the law should be subject to a fine of not less than \$200 nor more than \$1,000 at the discretion of the court. The law provided that the company itself was liable, but did not provide that the officers and agents should be punished for participation in the infractions of the law.

The department of history was established in January, 1901. Ten years later the department was placed under the direct control and management of the governor. The secretary of the department of history was chosen by the executive committee of the State Historical Society. Doane Robinson, who had occupied that position since the foundation of the department, was continued in that office. By January, 1911, the department had five branches: (1) historical society; (2) state library; (3) state census; (4) vital statistics; (5) legislative reference. The appropriations for the department from year to year were as follows: 1901, \$500; 1902, \$500, 1903, \$2,700; 1904, \$2,900; 1905, \$3,520; 1906, \$3,520; 1907, \$5,620; 1908, \$5,620; 1909, \$6,360. The intention of the authorities in 1911 was to make the department one of the regular branches of the state government, giving the governor authority to appoint the secretary and giving the state government power to manage the department. Previous to this time the state authorities had no power over the management of the department after making the necessary appropriations. The historical society was similar to that in Wisconsin and Minnesota and was satisfactory to the people of the state. It had made valuable collections of books and relics, and had gathered an important reference library including many newspaper files and the records of many societies and other organizations throughout the state. An important and enlarged feature were the vital statistics which were kept up to date and were thorough and elaborate.

In 1911 the new bureau of immigration undertook among other tasks to secure more teachers for the public schools. There was a great shortage of competent instructors. The bureau sent inquiries to all parts of the state and succeeded in the end in filling over one hundred vacancies by a little judicious advertising. It also undertook to advertise thoroughly the products of the state at the State Fair. The year 1911 was extremely bad in most parts of the state. The crops were cut down notably by drouth and other causes, but the bureau succeeded in gathering from all parts of the state enough products to make a most creditable display. Particularly from the southeastern part of the state came exhibits that compared favorably with those of any state in the Union. All counties prepared to make much larger and better exhibits in 1912.

Before this date the bureau contracted for space in the United States Land and Irrigation Exposition at Chicago and in the Northwestern Land Products Exposition at St. Paul. This necessitated hard work and great effort and skill on the part of the bureau to make a display that would compare well with all the other western states. As the year 1911 gave the poorest crops in history, the

task of securing a creditable exhibit was very difficult but after hard work and much diligence, a splendid exhibit was secured for both shows. When the Chicago show ended the St. Paul show began, and the products exhibited at Chicago were the same as those exhibited at St. Paul. It took quick work to pack up and make both points, but this was accomplished satisfactorily and both exhibits were highly creditable. At Chicago over three hundred and twenty thousand people passed through the gates and at St. Paul about ninety-three thousand. The bureau during these displays secured the names and addresses of thousands of people who desired to know more about South Dakota, its climate, and its products.

Succeeding these displays, another method of advertising the state was put into execution, but had been designed before. It was to run a train in conjunction with six other northwestern states through the eastern states and to take along demonstrators and special car exhibits. The cost to South Dakota was \$1,500, and no provision had been made for this expense, but the bureau did not hesitate. It called upon the business houses, public institutions, and commercial clubs and all responded liberally and enabled South Dakota to be represented in this "Governor's Special Train." Aberdeen headed the subscription with \$500. The train left St. Paul November 27 and returned on December 14, after passing through eastern states which had a population of 20,000,000. Prof. J. T. Sarvis, of the Agricultural College, accompanied the exhibit as demonstrator, and Gov. R. S. Vessey was present to address the audiences. On this trip about ninety-one thousand people visited the train and examined the exhibits. Thousands of additional names of people who wished to learn more of South Dakota were secured.

During the land shows at Chicago and St. Paul, the state commissioner delivered daily lectures of forty minutes duration regarding the state and its resources. He had colored and uncolored slides to illustrate his addresses, and more than ten thousand people saw the pictures and listened to the remarks. At these shows the bureau distributed 100,000 pieces of advertising matter which explained the desirability of residence in South Dakota and described its products. It can be said with truth that the exhibit of South Dakota at Chicago, St. Paul and on the Governor's Special Train, was fully up to the standard of the other states represented. The names received numbered over seven thousand six hundred. They were classified and special literature was sent to each class. Among them were bankers, agriculturalists, horticulturalists, merchants, manufacturers and professional men. The importance of this method of advertising was the exhibit of actual products and the explanations and pictures which illustrated fully all the good qualities of South Dakota and of the other western states. From this time forward the commissioner kept a comprehensive and thorough grasp upon all measures that would assist in advertising to the world what South Dakota could produce. He found upon investigation that there was no cohesion between the different business pursuits of the state for the purpose of advertising the products or of uniting in securing the best results in production. To overcome this objection a large meeting was held at Aberdeen in March, 1912. It was called the State Builders' Meeting. So thoroughly was this meeting advertised that there were present nearly one thousand delegates representing almost every part of the state and every business pursuit. Sectional meetings for each interest

were held in the forenoons, and all united at the sessions in the afternoons and evenings. Mutual interests were discussed, and all were asked to make concessions and assist in a concerted movement to build up the state. This meeting resulted in the organization of the State Development Association, composed of the varied industries of the state, each of which was represented on the executive committee of the organization. The state was subdivided into districts and in each was organized a district subdevelopment association. At first this result was effected in seven districts, and the meeting showed excellent work and results. The object of the association was to take charge of all movements that seemed likely to assist in building up the state. Among the special movements were those to stimulate better farming, to secure new industries, to foster good roads, to prepare for better exhibits at state and county fairs, and, in short, to aid and encourage every effort to increase the population and build up the business interests of the state. Steps to secure funds with which to make outside exhibits were taken.

With the spring of 1912 came redoubled efforts. One of the first was to assist in securing good seed of all kinds. West of the Missouri River the important problem was to secure any good seed at all, because the crops of the previous year had been nearly a failure. East of the river the problem was to secure such seed as would germinate and make a good crop. The bureau communicated with commercial clubs, boards of county commissioners, newspapers, railroad officials and settlers in all parts of the state to learn their wants, facilities and desires concerning good seed. The result was that all portions of the state were supplied through the efforts of the bureau mainly with an abundance of good seed for all products that could be grown here. This work alone by the bureau was worth to the state far more than had been appropriated by the Legislature for the maintenance of the department. At this time also the bureau began a systematic study and an intelligent method of advertising through newspapers and other periodicals, and the circulation of pamphlets outside where they would do the most good. The prospects for good crops in the spring of 1912 were excellent. Accordingly the bureau redoubled its efforts to represent the state properly before the country. Thousands of names were secured, letters and circulars were sent out and many replies were received, showing that homeseekers were interested in changing locations. The result was a considerable increase in land sales and prices throughout the entire state.

During the early part of 1912 the commissioner attended and addressed forty-two celebrations and gatherings in different parts of the state, on all branches of South Dakota industry. The burden of his speech was "Better and Greater South Dakota." As the summer progressed the attention of the bureau was directed to the harvesting operations. There had ever been much trouble to secure harvest hands and afterwards to market the crop promptly owing to lack of cars. The bureau took up these problems and assisted in solving them to the satisfaction of all concerned. Fifteen thousand men were required in the harvest fields to save the crop. The bureau did much to supply these men. The commissioner said: "I sincerely believe that instead of great army and navy academies, the Federal Government should establish and maintain in each state national schools of agriculture. We should have our boys taught the best systems of agriculture, by the best men that money can secure. Our State Col-

lege of Agriculture and Mechanic Arts is doing a valuable work, but their efforts should be supplemented and enlarged by a national school of agriculture. If it is important to do this, they should support the state college with competent men and money, and thus so equip our state schools that they can take up and make practical the most difficult problems of agriculture. This is not a local matter. It is nation wide in its scope. The high cost of living is proof of this. If we were able to make two blades of grass grow where one grew before, we would be able to double our production and do it with practically the same amount of labor we now perform. It is a question of scientific tillage of the soil, storing and transferring products, and manufacturing them into foodstuffs. By doing this the Federal Government will be assisting in solving the problem of high cost of living. It will assist each state in developing its own powers and resources. People who are now eking out an existence in the overcrowded cities will be seeking farm homes. The untilled lands of the great western states will be occupied and each commonwealth will be a more valuable member of the state sisterhood. South Dakota is capable of supporting treble the population they now have and still be uncrowded. When we are able to show immigrants that they can live in this state in greater prosperity than elsewhere, we will prove to be the magnet of greater power. Many prospective settlers through their timidity hesitate to come into a new country, but if we can tell them that assistance in the way of instruction in the best methods of handling their lands will be given them, they will be willing to make the effort and our state will get the benefit from the incoming new settlers."

The bureau called to the attention of the public the inspection system employed by the land department of the Government. The bureau declared that the system of inspection did not accomplish what it should. The prime object of the inspector was to see that no homesteader was able to prove up on his land without conforming to the rules and regulations of the interior department. The commissioner insisted that instead of this system of espionage, there should be encouraged a system of assistance for the homesteader. Instead of trying to find flaws in the homesteader's efforts, he should be aided in perfecting his claim. It would be better to aid and encourage him rather than find fault and discourage him. As it was the inspectors paid little attention to the difficulties encountered by homesteaders, all of which militated against their efforts to prove up the claims and perfect their homestead rights.

The bureau in all its movements took special pains to show up the mineral wealth of the state. The precious metals, valuable clays, building stones, artesian system, and health resorts were advertised to the public on all occasions. The national forests, the wild game and the beautiful scenery were also dwelt upon with much emphasis. Thus the Bureau of Immigration of South Dakota by the fall of 1912 had accomplished a great deal for the upbuilding of the commonwealth, and had repaid the state ten times more than it had cost thus far.

For the biennial period ending June 30, 1912, the department of game and fish was exceedingly prosperous and promising. In June, 1912, the third annual report of the warden was submitted to Governor Vessey. The report pointed out that the laws were more or less inadequate to meet the designs of the department; that hunting during the past season, owing to the great drouth, was not satisfactory; and that little had been done in the way of propagating

game other than putting out 200 pairs of Chinese ring-neck pheasants in 1911. The license law was sufficient and really protected the game intended. A fish hatcher was needed in the eastern part of the state. The total receipts of the department for the fiscal year ending June 30th were \$36,375. The disbursements were \$4,650. This left a large surplus in the treasury. The fund was increasing at the rate of about twenty thousand dollars a year. The warden estimated at this time that by January 1, 1913, there would be at least forty thousand dollars of the state game fund in the treasury. The department pointed out that this money could be wisely used in the propagation of game and fish and in taking care of them. At this time there were in operation county game warden systems which were not altogether satisfactory in enforcing the game and fish laws. Too much local politics entered into this office, and too many evasions or violations of the law were manifest. Numerous recommendations for new laws or amendments of old ones were now made to the Legislature by the department. As a whole the department was prosperous. Among the recommendations were the following: County boards to name suitable candidates for county game wardens; issuance of resident and non-resident hunting licenses and fishing licenses; an increase in the wages of county game wardens; improvement in the law relating to the size of fish that might be caught at different seasons; concerning seines and fish traps and licenses for their use; appropriating the state game fund for the improvement of the system of protecting and propagating game; provisions for proper game reserves on public land; game parks or seclusions; fish hatcheries, etc.

In December, 1912, the first annual report of the state executive accountant was made to Governor Vessey. The wisdom of the Legislature in creating the department was justified by the results shown in the first report. There were many perplexing and embarrassing duties, and the law thus far was more or less experimental and insufficient. The department was really a state detective bureau. It was regarded as the people's instrument whereby, through the accountant, the public could see exactly what was transpiring in all the state departments. He was required to examine the accounts of all state officers, departments, boards, and commissions, including the penal and charitable and the educational institutions. It was possible, also, under the law to require him to examine and audit the accounts and books of all county officers. Many questions arising in this department at the start were submitted to the attorney general for his opinion. The report showed that the accountant had been afforded every facility and courtesy for the execution of his duties. Every institution placed under his inspection willingly and freely gave full accounts as required by law. Through an oversight in the preparation of the law, no fund was provided to bear the expense of certain portions of the work. It was recommended that work done in counties should be paid for from money raised in such localities. Other recommendations were as follows: To require the accountant and his assistants to give bonds; to make mandatory on all departments, institutions, boards, commissions and county officials the use of all books, forms and blanks furnished by the accountant or his assistants in order to secure perfect harmony and uniformity throughout the entire state; to authorize the accountant to examine the books and accounts of city, town and village school district officers; to secure still further uniformity and to cover a wider field; to keep on file for examination and

inspection copies of all reports; to authorize the accountant to issue subpoenas and compulsory process to secure the attendance of witnesses and the production of books and papers; to prescribe the duties of the proper legal officer in instituting civil action on behalf of the state or taxing districts for the recovery of fees or public funds misappropriated; to increase the annual appropriation, it being only four hundred dollars from the last Legislature for the incidental expenses covering two years.

The accountant showed how insufficient had been the appropriation of \$400 even to start him on his duties. He was compelled to secure the loan of a discarded typewriter with which to do his own office work, and to do all his own typewriting when he should have been engaged in checking the records of some department or state institution. He reported it a physical impossibility for one person, single handed, to comply with the law and make an examination of all officers, departments, boards, commissions, penal, charitable and educational institutions. The first year occasioned the hardest work, because the accountant was compelled to go back over the years and lay a proper foundation for future operations. He asked for increased appropriations to meet necessary expenditures. There was no uniform system of accounting in force in the state penal, charitable and educational institutions. The accountant worked out a system to be installed in these institutions to create uniformity and facilitate checking operations. He made many recommendations in addition to the above. He had examined the records and accounts of all the state offices, the state departments and all the state institutions with few exceptions and these were on the way. In addition he had examined several of the counties, but for lack of funds had not been able to continue. He pointed out numerous small discrepancies here and there which should be corrected by special legislation. In several institutions crude systems of bookkeeping were in vogue. The first accountant was J. E. Trurand. As a whole his work was highly satisfactory to the people of the state.

In 1915 an important Supreme Court decision concerning hunters and fishermen was handed down, Judge J. H. McCoy rendering the decision. The effect of this decision was to abrogate the custom of leasing the best shooting ground in the state to men of large means to the exclusion of sportsmen of limited incomes who were unable through lack of money to lease private game preserves during the hunting season. For several years it had been the practice of wealthy men both from within and without to lease the best duck passes in the state. This decision served to prevent such inroads by outsiders.

In the spring of 1915 \$300,000 worth of state revenue warrants similar to those which had been issued almost annually for many years past, were offered for sale by the state authorities, and were taken up partly by the bankers of this state. In 1914 the amount of warrants thus sold was \$500,000, all of which were taken up by the First National Bank of Chicago which bid $4\frac{1}{2}$ per cent. The best offer from a South Dakota bank was 4.37 per cent. Many banks of the state would have been willing to pay as much as the First National Bank of Chicago, but did not put in bids because they believed the rate would be higher.

In May, 1915, South Dakota was seventeenth of all the states in the number of automobiles owned, as shown by the Government bulletin. The state had at the end of 1914 20,929 out of a total of 1,666,984 in the whole country. New York had the greatest number, over one hundred and fifty thousand; Illinois

was second with over one hundred and thirty thousand. South Dakota licenses brought the state about one hundred and twenty-five thousand dollars.

In June, 1915, the cash on hand in the state treasury of all kinds amounted to \$1,111,670. The largest portion belonged to the common school income fund which carried \$524,801, which sum, it was planned, would be distributed among the schools in July. There was also on hand over one hundred thousand dollars in the school loan fund. The general fund carried \$131,434. The twine plant revolving fund was \$84,678, and the game fund \$33,648.

In July there was on hand in the state treasury, in cash, \$790,835. Of this sum \$241,300 belonged to the general fund. The twine fund carried \$83,192, the game fund \$34,364 and the common school income \$108,110. It was pointed out at this time that the levies for the year had left no deficiency and that the state had retired in revenue warrants \$110,000.

In July the state legal department ruled that the levies of county road funds must be equal all over the county. A case from McCook County was in point. Several of its townships had made local road levies as high as five mills while others had levied only two mills. This caused a desire on the part of many to have the levies equalized so that the road burden would be placed equitably upon all townships of each county.

In July the state legal department decided that a county board of health had no jurisdiction over unorganized counties attached for judicial purposes. This case came up from Jackson County. The ruling was that the only health supervision of such territory was vested in the State Board of Health and that any desired action must come through that body.

In July the state legal department adjudged that mileage for the transportation of school children in consolidated or smaller districts must be measured over the shortest possible road, in a case that went up from Brookings County. The issue was whether children living within two and one-half miles distance of a school, but compelled on account of an impassable road to travel three miles, might draw money for the three-mile transportation. The legal department held that they could.

In August the Kansas City Commercial Club called a meeting of the states for a Missouri River protest conference in that city, in order to declare against the abandonment of the customary improvements of the Missouri River, as had been recommended by Lieut. Col. Herbert Deakyn, a war department engineer. Twelve states including both the Dakotas, Minnesota, Illinois, Iowa, Nebraska, Kansas and others bordering on the Missouri River were represented by delegates. In discussing the report of the war department engineer, Congressman W. P. Borland of Kansas City said: "A crisis has come for the industries of the Missouri Valley. If this section of the country is to derive any benefit from the Panama Canal, the improvement of the Missouri River is instantly apparent. The Mississippi River presents an annual outlet into the Gulf of Mexico for South American trade. If this is taken advantage of, especially by our grain shippers, additional profit can be secured through the elimination of the middlemen known as the 'English jobbers.' As the situation now stands, we ship raw wheat to England, chiefly to Liverpool, where it is turned into a finished product and sent in English bags to South American trade. English labor benefits and

the by-products are lost to us in the transaction. With the establishment of the hydro-electric plants in the Missouri Valley, and there are many fine points where they are available, the middleman is cut out and additional profit is put into the pocket of the grower." Thus were shown the wonderful possibilities of developing the unrivaled water resources of South Dakota.

CHAPTER XVI

STATE INSTITUTIONS

When Dakota Territory was divided in 1889, and the states of North Dakota and South Dakota were formed therefrom, each state, of course, assumed ownership of the territorial or state institutions falling within its borders; and as South Dakota thus received nine out of twelve of such institutions, it was required to pay North Dakota a proportionate sum for the advantage thus acquired. The nine state institutions thus obtained were the state university, agricultural college, school of mines, Madison Normal and Springfield Normal, considered as educational institutions, and the penitentiary, insane asylum, reform school and school for deaf mutes, considered as penal or charitable institutions. The first legislature at once placed the five educational institutions in charge of the board of regents of education, and the four penal or charitable institutions in charge of the board of charities and corrections. At the start, in 1890, all were in fair condition, but the usefulness of all was hampered more or less by the want of means to advance and expand. The soldiers' home was being built by South Dakota at this time and was thus not taken into consideration when the territory was divided.

In 1890 Governor Mellette stated to the Legislature that the state university had recently met with a serious loss in the death of its president, Edward Olson. Of this prominent educator, he said: "Doctor Olson had strongly impressed himself upon the state, and his rugged honesty, pure morals and enthusiastic devotion to his profession, have left an enduring monument to his fair name in our educational annals. His successors in office can safely emulate his example for all time." He submitted at this session the reports of the state university, normal schools at Madison and Spearfish, agricultural college and school of mines, and stated that the reports and investigations which had been made showed all to be in fairly prosperous condition. He said concerning the state institutions: "It is suggested as a matter of serious inquiry by the Legislature whether these institutions are not being maintained at a cost beyond what is warranted by the resources and needs of the new state. While it is impossible to estimate too highly the advantages to accrue from the higher departments of education, it must be remembered that the child must walk before it can run, and that South Dakota, with all her wondrous development, cannot hope to accomplish in a decade what has been the work of a century to the older states. In view of the fact that some years must elapse before the state can realize to any great extent upon her lands set apart for educational and endowment purposes, and that she cannot afford to reduce the efficiency of the common schools, it is suggested that a decided reduction of expenditures for the institutions devoted to higher education might be safely made for the relief of our overburdened taxpayers and still preserve their substantial benefits to the state."

The governor further stated that the board of regents under the Constitution had charge of the state university, agricultural college, normal schools and the school of mines, and that it was their duty to appoint a board of five trustees for each of such institutions, such trustees to be under their control and to serve for actual expenses. In this connection he said: "The Constitution partially explains the relations and duties of these two boards and the Legislature should define them thoroughly. It was evidently the intent and object to make the board of regents the agency responsible to the state for the proper conduct of these institutions. The trustees are mere sub-agents subject to their control. It is the duty of the Legislature to fix the compensation of each of these two boards and it is urgently recommended that the pay be not such as to be the attraction for the position. It is believed that good and efficient business and educational men may be obtained to serve the state for brief terms in these positions because of the duty each citizen owes the state, and for the honor of such service, rather than for the emoluments. In fact, it is believed that there should be no pecuniary compensation whatever to the regents of education, in order to prevent the suspicion that the sacred trust is being discharged for other than the highest consideration of honor and citizenship. These boards (educational and corrective) are nominated by the executive and confirmed by the Senate, and it is desirable that the legislation pertaining to their duties and compensation be had prior to their nomination. Their sphere is preeminently higher than person and place, being for the care of the state's criminals and unfortunates on the one hand, and for the higher education of her sons and daughters on the other. Administration of these trusts should merit a distinction of the highest honor, and then prostitution to selfish or corrupt purposes would be visited with condemnation and punishment."

He further said, "The people of the state have made gratifying progress in education under the territorial constitution. There is, however, special need of a complete revision of the system in the interest of simplicity and economy. It is in the common schools that the state's educational interest is centered; they constitute the people's department of education. It is only as aids to the development and efficiency of the common schools and other public interests that the state can logically maintain higher institutions of learning, as the most of the people who are taxed for their support do not patronize them. Next to the common school and in popular importance stands the academic course, and this may naturally be engrafted into the system by provision for such education in counties or districts desiring to undertake its maintenance with such support as the state may afford."

He recommended that the proposed state academy should be made to take the place of the college preparatory department, and should be managed so as to furnish a constant supply of students to the freshman classes of the colleges. He said, "It is to be hoped, at least, that the common school system will be placed upon the highest standard developed by experience and thus give to every child of the state a substantial education fitting it for the duties of citizenship and usefulness before turning it adrift in life. To this end compulsory acceptances of the advantages, freely furnished at public expense, is recommended, and also free use of necessary books where the child or its parents are unable through poverty to provide them." He recommended "uniform text books which

should be purchased by the state at the lowest prices attainable, and furnished at cost to all who are able to purchase."

Concerning the school fund, Governor Mellette said, "No more sacred trust devolves upon this body than the legislation necessary to faithfully protect and increase to its greatest possible limit, the common school fund as provided by the Constitution. The law has outlined your duties and it remains for you to enforce its provision under proper penalties and to provide any further safeguards you may deem necessary. It should be accounted no ordinary crime to engage in any attempt to despoil this fund of a single dollar. Special provisions should be made charging proper officials with the defense of the state's title to her lands before the department of the interior, and the courts if necessary, as it may be confidently expected that there will be a constant raid upon the most valuable of these lands until their final sale."

It was well known from the start by the citizens generally, that the location of the state institutions had not been selected because of the benefits that might result therefrom to the state twenty, fifty, or a hundred years hence, but in reality had been located arbitrarily under the influence or dictum of politics, favoritism, a division of spoils, or legislative log-rolling or trade. Accordingly, those towns and cities which had failed to secure, during territorial days, such institutions, now became clamorous for such benefits, honors and distinctions. There was introduced at the legislative session of 1890, a measure which was called the "Omnibus Bill," which had in contemplation the establishment at some future time in the northern part of the state of certain additional charitable and educational institutions and which provided also that a certain portion of the lands granted by the government to the state for such purposes should be set aside as an endowment for the proposed additional institutions. It was a fact that every member of the legislature who came from a locality where there was already a state institution, strenuously and vehemently opposed the passage of this bill. Accordingly, a battle royal was waged. Many openly called the movement a land steal and denounced the men who supported the movement as scoundrels and other degenerate creatures. Much bad blood was engendered. This was a striking example of the narrow views, unfair methods, and contemptible selfishness of the average member of the Legislature, as well as of the average member of humanity generally.

In March, 1890, the Legislature, just before its adjournment, made the following appropriations: state university, \$25,000; Madison Normal School, \$11,700; Springfield Normal School, \$12,000; reform school, \$15,600; agricultural colleges, \$18,000; school of mines, \$8,000; deaf mute school, \$14,800; penitentiary, \$31,311; insane hospital, \$64,690; soldiers' home, \$10,500; for the bonded debt, \$47,448; committee on immigration, \$7,700; railroad commission, \$6,000; public examiner, \$2,250; state militia, \$4,000; state veterinary surgeon, \$1,700; eight judges of the circuit courts, \$16,000; three judges of the Supreme Court, \$7,500; governor, \$2,500; state auditor, \$5,160; expenses of the Legislature, \$84,207.

In speaking of the fight the friends of the university had made to secure the \$25,000 appropriation, Colonel Jolley, of Vermillion, who had been one of the leaders, made the following statement to a public meeting in Vermillion: "The University of Dakota still remains at Vermillion. The revenue of 86,000 acres

of land still remains for the use of this institution. South Dakota tenders you \$25,000 for the expenses of the current year. The struggle that was waged against us for the past eight weeks was not ended until 1 o'clock in the morning. Your anxiety concerning affairs at Pierre was great; ours was a thousand times greater. You had friends who encouraged you by their sympathy. We stood alone. During the past week we have had no more than two to three hours of sleep each day. The session of last evening continued until 4 o'clock this morning. The fight began with the assembling of the Legislature. At first Aberdeen threatened to take the university; then they were willing to compromise by allowing us 46,000 acres of land and placing the other 40,000 at the disposal of a university to be located in the northern part of the state. The fight was not carried on in the halls of the Senate, where argument could be met with argument and logic with logic. We went out to meet the enemy. Ever the hostile forces seemed vanquished, but anon we met the enemy and seemed to be theirs. But when the great contest came we were on the field and no enemy was in sight! (Applause.) When the house bill came before the Senate, I made the speech of my life. I don't know what I said; Mr. Fry was there; he can tell you all about it. I spoke in my usual pleasing and gentlemanly style. (Laughter.) I proposed that the bill be amended by striking out the \$24,000 and substituting \$25,000. There was no opposition. Other appropriations were treated similarly until at last the hostile bill fell of its own weight. The rights of the university were recognized by all, but the total amount of available resources of the state amounted to less than \$350,000. Besides the Legislature and state officers, all the institutions of the state were compelled to look for support to that sum. The crisis is past; the danger only temporary. The state board were given power to raise the assessment. In the nature of things a struggle like the one of the past eight weeks can never happen again. We did our best. We promised you we would do this when you sent us there. It was the most and the least we could do."

In January, 1891, the Sioux Falls Argus Leader made the following extraordinary suggestion concerning retrenchment in the expenditures of the state: "The state university at Vermillion, the normal schools at Madison and Spearfish, the agricultural college at Brookings, the school of mines at Rapid City, and the board of regents have cost, during the past year, more than \$83,000. This sum should be saved to the state." The Sioux City Journal made the following reply: "There should be retrenchment in order to keep the treasury within its income, but the greatest extravagance of which South Dakota could be guilty would be to shut up the educational institutions as the Argus Leader suggests. The sum of \$83,000 could not have been saved during the past year by closing these institutions. To shut off the funds would be to close up these educational plants, to paralyze the splendid activity which characterized them, to throw away many times the value of \$83,000. It would be inconceivable excess and folly from a purely financial standpoint. Retrenchment and economy are needed in South Dakota, but the very last places to feel the knife should be the educational institutions. There are many offices and commissions and boards involving big expenses for salaries, mileage and incidentals, which are either useless or of very little importance. Blot off these, cut off expenses mercilessly, make any sacrifice, but keep hands off the schools of learning. South Dakota has made

a good start. It has the beginning of a grand system of educational institutions. They have already cost a great deal of money. They are now in their most critical stage. To withdraw support from them would be to strike a blow from which they would not recover for many years. It would not pay. It would be a confession which South Dakota could not afford to make before the world for millions of dollars. It would be an advertisement which would warn the best people away from the state. It is not to be thought of for a moment."

The appropriations for the state institutions in 1891 were as follows: state university, \$40,000; Madison Normal, \$17,400; Spearfish Normal, \$21,200; agricultural college, \$12,000; school of mines, \$16,000; deaf mute school, \$25,000; reform school, \$29,000; penitentiary, \$50,000; insane hospital, \$120,000; soldiers' home, \$29,000; commissioner of labor, \$2,500; state militia, \$8,000.

This year there were five state institutions in charge of the state board of charities and corrections as follows: The penitentiary at Sioux Falls, the deaf mute school at Sioux Falls, the insane hospital at Yankton, the reform school at Plankinton and the blind asylum, which was yet under consideration. The members of the state board of charities and corrections were as follows: J. M. Talcott, Elk Point; G. A. Aldine, Dell Rapids; Z. Richey, Yankton; C. M. Howe, Mellette; and R. W. Hare, Aberdeen. They reported that the penitentiary under Warden T. D. Kanouse was in prosperous condition. The parole system, which had been adopted by the Legislature, was warmly commended by the board. It had been put in operation and thus far had proved even more satisfactory than had been expected or hoped. They recommended that the institution should be given an appropriation of \$29,693 for each of the next two years. In November, 1889, the inmates numbered eighty-seven; but in January, 1891, they had increased to 103. There had been a considerable cut in the salaries of officers. At the suggestion of the warden, the board recommended that light manufacturing be established in the institution.

In the biennial report of the regents of education, December 1, 1892, were many important suggestions and recommendations. The board looked upon the state university as the "crowning institution of the educational system." They said, "Its duty is to furnish, as fully as its means will allow, to every ambitious young man or woman in the state, an opportunity for the highest mental discipline. It must be for the state the center of activity and interest in science, literature, language and the arts." It should be so equipped and sustained that all ambitious young men and women of the state could secure here a useful and liberal education. The two normal schools had their peculiar and special work, which was to prepare teachers for all public schools. The work of the school of mines was distinctly technical, its functions being simply to give instruction in mining, mining engineering, prospecting, assaying, and reducing ores. The work of the agricultural college was broadened by the assistance of the national endowment. Its function was to give instruction in the productive and manual industries. Its studies, the regents said, should bend distinctly toward a helpful preparation for the pursuits of agriculture, the mechanic arts, and the domestic industries. In addition, it should give a good English education, with every possible advantage afforded for the mastery of the sciences. It should be scientific and still practical.

The university primarily offered the usual college course of four years, known here as the college of arts and sciences. Students graduating from this course or college, received the degree of bachelor of arts. This course was the central idea of the university and imparted a general or liberal education. It was, in fact, the fine old humanities course adapted to modern conditions, seeking those culture values that characterize true scholarship. Its mutual discipline and broad learning made it the best possible foundation for success in specialized education, and prepared the student for public and semi-public life. It is still the educational basis of the university.

Military work was made a part of the university curriculum in 1891 by the state authorities. All able-bodied students between the ages of fifteen and twenty-four years were required to take part in the military exercises.

The state board of charities and corrections, late in 1894, showed that the institutions under their care were generally in good condition. Under this board were the penitentiary, school for deaf mutes, reform school, and hospital for the insane. In August, 1891, there were in the insane hospital at Yankton, 163 male and 120 female inmates; twenty-five were from Lawrence County. Their condition was ascribed to troubles over politics, mining and property rights in the Black Hills. There were present nineteen inmates from Minnehaha County; to divorce complications were ascribed the condition of several of these inmates. The average number of inmates from July, 1892, to July, 1894, was 318. During the latter year it ran up as high as 338. This was a larger number than it had been estimated. Accordingly, the appropriations were scarcely sufficient to meet the expenditures. The board recommended increased appropriations and additional buildings and repairs. They recommended that the institution should not be divided until it became too unwieldy. This recommendation was made in view of the fact that a number of persons throughout the state thought an additional hospital should be built. At this time L. C. Mead, M. D., was superintendent of the asylum.

The report of 1892 showed that the penitentiary had been well conducted by I. S. Spooner, deceased, and N. E. Phillips, wardens. Already the work of reforming the inmates in order to make them fit for life's duties was in progress. The management opposed the system of punishment and vengeance and put in force that of forgiveness, kindness and instruction; but the institution was still greatly restricted because the laws did not permit the amplification of humanitarian methods. The board asked the Legislature for permission to use the inmates in the quarries and in other industrial institutions of the state. The Legislature of 1890 enacted a parole law, but the Legislature of 1893 repealed it. This was regarded by the board and by many citizens throughout the state as a step backward. Accordingly, in 1895, they asked for its re-enactment. They gave many excellent reasons why this course should be taken.

The state reform school under the care of C. W. Ainsworth, superintendent, and his wife as matron, was in prosperous condition in 1894. Already this institution was regarded as one of great importance. An examination by the board showed that no serious fault could be found with the management. The motto of this institution was "An ounce of prevention is worth a pound of cure," also "Just as the twig is bent the tree's inclined." The previous Legislature had appropriated \$8,000 for a shop building. This was already up and in use. At

first the farm here consisted of eighty acres, but just previous to statehood 160 acres additional were secured, which tract was paid for by the different legislative appropriations. Although the farm now consisted of 320 acres it was not sufficient with modern machinery for the use of the school. The inmates of this institution were able bodied, healthy and capable of performing great physical tasks. They were mostly city boys and had to be taught how to work on the farm. Already plans to rent additional lands or to purchase more were considered. In the school on June 30, 1894, were eighty-seven children, sixty-five boys and twenty-two girls. Of these children eighty came from twenty-six counties in South Dakota, and seven from North Dakota. Regular reports were received by the superintendent from children sent out on their own account. As a whole the reports were good.

The school for deaf mutes was in charge of Prof. James Simpson, in 1894. There were at this time forty-five pupils in attendance. They had necessary instructors and were doing well. This institution was established in the fall of 1880, under the title of the Dakota School for Deaf Mutes. Mrs. D. F. Mingus, formerly Miss Jennie Wright, took the first steps toward the establishment of the school. She came to Sioux Falls from Burlington, Iowa. Important buildings were erected in 1881, and from this time forward, the school began to prosper. By 1894 the institution was divided into many departments, the study system was excellent and the instructors competent and active.

In January, 1895, the City of Gary agreed to maintain the blind school free for a few years, in case its offer was accepted. As the state at this time felt too poor to accept the offer, action was postponed, but in the end the proposition was accepted.

The orphan's home at Sioux Falls, under Superintendent Sherrard, was reported in prosperous condition in January, 1895. In 1895 the inmates of the reform school at Plankinton put in crops 1,200 acres, of which 400 acres were in wheat, 250, oats; 200, barley; 250, corn; 100 millet; 35, potatoes; 15, beans; and 10, garden truck. On the farm were thirty-five horses, about the same number of cows and the state owned here 640 acres, the remainder was rented. There were seventy inmates at this time.

Early in 1897, Governor Lee appointed as regents of education, Messrs. Blair, Hough, Haire, Herreid and Spafford, under the recent act of the Legislature. But the old board refused to be removed, and at once there arose a contest, which was taken to the courts, as to which board was legally entitled to serve and as to the right of the governor to remove such officials. The old board maintained that Governor Lee had no power to remove the board of regents, while the governor insisted that he possessed such power, therefore had acted accordingly. The old board served notice on all heads of educational institutions to pay no attention to any authority except themselves. The whole question passed on up to the Supreme Court. Treasurer David Williams, of the old board of regents, should have had at this time \$14,000 on hand, but really possessed only \$4,000 to turn over to the new board of regents. He stated that he had been directed to spend the other \$10,000 by the old board of regents. He was defended by Hugh J. Campbell.

At the end of the fiscal year 1897-8, the hospital for the insane at Yankton, was generally in excellent condition. The institution was crowded and consid-

erably cramped for operations, but as a whole, all were receiving proper attention. For several years its facilities had been overtaxed. The Legislature had failed for several sessions to provide money enough to enlarge the capacity for the wants of the rapidly increasing number of inmates. In order to meet the growing demand for room, many shifts and changes were made to utilize temporarily portions of other buildings. The condition finally became serious, because proper attention could not be given the patients. Little help could be furnished where the buildings and rooms were over-crowded. Due to this condition at the state institution was the fact that insane people were often permitted to remain in county jails throughout the state, for considerable length of time, or to be guarded in their home while a menace to the peace and security of others, because they could not be accommodated with suitable rooms, space and attention at the asylum. The board believed that the Legislature looked upon the overcrowding as only a temporary inconvenience, but when session after session passed and no adequate relief was secured, they began to offer serious and emphatic remonstrances. At all times the superintendent was prepared with plans for additions to buildings or for new structures to meet the demand. Up to this time no tax had been levied upon the people of the state for the maintenance of the insane asylum. The funds needed were provided by special assessment upon the counties in proportion to the number of insane persons from each county. A county without insane patients was required to pay no insane tax. The amount collectible from all counties represented among the insane at the hospital on November 1, 1898, was \$88,300, there being 460 patients present. The amount appropriated by the Legislature for the fiscal year was \$72,200. This left a deficiency in face of the fact that the number of patients was rapidly increasing and that additional tax should be levied upon the counties for their support. At this time the superintendent asked for a rear central building, and his recommendation was seconded by the state board. The institution at this time needed also additional funds to meet current expenses. It was estimated that for the year ending June 30, 1900, there would be collected throughout the state a total insane tax of \$96,000, and for the following fiscal year the sum of \$100,000. The board recommended that these sums be apportioned in accordance with the recommendation of the hospital superintendent. During the fiscal year ending June, 1898, one maniac killed another in the hospital. The superintendent and attendants were released from any culpability.

As a matter of fact, up to this time, no state institution was complete in buildings and equipment, all were in need of more or less important improvements and additions to keep up with the growing demands. The inmates of the insane hospital were nearly double those of all the other penal and charitable institutions combined. As there was no definite limit to the confinement of an insane patient, no estimate could be made when an inmate would be discharged nor could it be foretold certainly what the expense of the institution would be. Inasmuch as the institution was certain to grow rapidly the state board asked the Legislature to provide in advance for the accommodations that were sure to be demanded. They asked at this time that the capacity be increased at once or soon to accommodate 1,000 persons, because it was certain that figure would be reached within a few years. A new steam-plant and boiler-house was needed. The management at the hospital received the approval of the state board in June, 1898.

In 1898 the penitentiary farm and garden were an important feature of that institution. It afforded an excellent opportunity to test and expand the parol system and to keep unruly and restless inmates busy. Great advance in moral improvement and in systems calculated to reform the inmates had recently been made. Many within the penitentiary, it was realized, were not criminals by nature or habit, but had been guilty in a single instance through sudden passion or some resistless emergency. These people needed only to be surrounded with the right influence to become again good citizens when they were turned from the prison doors. The warden asked that the number of guards and other employes be increased in order properly to guard and maintain restriction and order within the walls. The state board declared that nothing more surely tended to the demoralization of personal discipline than a feeling of certainty among prisoners that they were not securely confined and guarded. Inasmuch as the penitentiary was located in the center of an immense rock or building stone deposit, he asked that the prisoners be given an opportunity for employment therein. Many temporary structures built at considerable expense had already been erected but many others were needed. Within three or four years a large proportion of the output had been used in constructing the magnificent and serviceable walls surrounding the penitentiary. It was said to be at the time the finest and most substantial of any penitentiary walls in the United States. Steady work was maintained. All were employed at healthful labor, had an abundance of substantial food, were assigned to well selected duties, and attended regular Sunday chapel services.

In June, 1898, the State Reform School was in charge of C. W. Ainsworth, superintendent, and Mrs. C. W. Ainsworth, matron. A full report concerning the care and reformation of the young people who had been sent here for improvement was made by the superintendent. On the night of October 5, 1897, the girl's dormitory which had been erected in 1893 at a cost of about fifteen thousand dollars, was burned to the ground. One teacher and six pupils perished in the flames. The origin of the fire was not ascertained. Owing to the inflammable character of the buildings, a similar calamity was liable to happen again at any time. The superintendent and the state board asked that future buildings of any and every kind be made fire proof. The destruction of the dormitory just at the approach of winter, made it necessary to provide a temporary abiding place for the unfortunate girls who were thus deprived of shelter. The Board of Charities and Corrections were prohibited by law from contracting any debt for which an appropriation had not been made, and from making any engagement that should involve the state in debt. This fact compelled the board to provide temporary quarters for the houseless and homeless girls. The public spirited citizens of Plankinton promptly offered to build a temporary structure that would furnish suitable accommodations during the approaching winter and depend for their remuneration upon the next Legislature. The edifice was hurriedly erected at a cost of about three thousand five hundred dollars. This structure was merely temporary and was inflammable. Soon afterward the board entertained from the citizens a proposition to erect a substantial fire-proof structure to take its place. The citizens agreed to furnish the funds and await for the Legislature to remunerate them. This building was erected and the board accordingly asked the Legislature to settle with the citizens for the cost. A steam plant was at

this time added to the school. The boys' dormitory was prepared for steam heating and electric lighting, and thus the use of about thirty kerosene stoves was dispensed with. This expense was borne by a business man of Traer, Iowa, who depended upon the Legislature to reimburse him for the outlay. The state board sanctioned these various improvements. The stone used in constructing the girl's dormitory and the boiler-house was furnished by the penitentiary at Sioux Falls. An additional expense was incurred in furnishing the girl's dormitory. Legislatures for four years had failed to appropriate sufficient money to defray the current expenses of the school. This left a deficiency in 1898 of about ten thousand dollars. The Legislature was asked to make this amount good. The board commended the entire system, management and discipline of the school, and urged that more liberal appropriations should be made.

In 1898 the School for Deaf Mutes was well managed and parents and guardians who had entrusted their children thereto and had kept posted were well pleased with the elevating influences and christian care given the unfortunates. This institution reflected the highest credit upon the benevolent system of the state. Its object was to care for and educate the class of unfortunates, who, when properly instructed and educated, were about as well equipped for self support as the average educated man or woman. A new heating plant was recommended by the state board. They also asked for a separate building for hospital purposes, because contagious diseases had already threatened the students and might reappear with deadly effect at any moment unless proper preventive measures were employed. Although the institution had been visited by contagion, the disease was prevented from obtaining a foothold, because temporary hospital accommodations were provided in a building remote from the school and wholly equipped for hospital purposes. It was believed that a suitable structure could be constructed at a cost not to exceed \$3,500.

In 1898 the State Board of Regents noted particularly the great increase in attendance at all the educational institutions. The records showed that all contained about 20 per cent greater attendance than they did the year before. Never before had there existed such perfect harmony and good feeling among all of the educational institutions as was manifest this year. The board noted particularly that the masses of people throughout the state took greater interest in the advancement and prosperity of these institutions than ever before. This meant in the end larger attendance, and far greater extensions in usefulness. As the funds for the support of the state schools came directly from the people and directly from the state school funds which belonged to the people, the success and prosperity of the institutions depended upon the feeling entertained toward the schools by the citizens. Thus far the educational institutions, as a whole, had been only fairly well equipped and supported. When it was absolutely certain that an institution would suffer seriously without a certain specific appropriation, the Legislature sometimes came to the relief unless there was some plausible reason against such action. The people generally throughout the state at this time desired that the state educational institutions should be made equal in usefulness to similar institutions in other states. It began to be realized that as the schools were compelled to depend for their support upon the biennial appropriations from the Legislature, there could be no definite and effective plan adopted for their enlargement or management. In other states a definite tax levy



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was provided. It was now believed that in South Dakota a tax levy of one mill would be sufficient, if made regularly, to place the educational institutions of the state on a permanent basis of prosperity and advancement. The state board noted that other states had fixed annual levies for the support of their educational institutions. Because of this fact the regents perceived that, while in 1888 the total enrollment of students in the State University, the Agricultural College and the two normal schools was nearly equal to that of similar institutions in either Minnesota, Iowa, or Nebraska, the enrollment today in South Dakota institutions was no greater than it was in 1888, while in the institutions of the other states named the enrollment had quadrupled. Previous to 1888 the Territorial Legislature was comparatively liberal in providing for these educational institutions and had given them an adequate support. From 1888 to 1898 little or no increase in these facilities had even been attempted. In several of the states above named, \$1,000,000 or more had been spent on new buildings, libraries and other equipments, besides giving them a fixed and liberal annual support. This condition in the neighboring states and the reverse condition in South Dakota had induced hundreds of young people to seek in the other states the higher education not offered here. This was an evil of great magnitude, one that could not well be measured. Experience had already shown that students who left South Dakota to secure an education did not usually return again to become permanent citizens. It was presumed that the public spirit and enterprise of the citizens in the other states had inspired the South Dakota students with the fires of intellectual advancement to such a degree that they were unwilling to return to a state where the citizens themselves showed no concern for advanced education and were unwilling to support institutions so essential to the development and greatness of any commonwealth. It was a fact that the state lost in this way many of its most desirable young men and women.

The regents of education made a comparative investigation of the educational institutions of the neighboring states and of South Dakota. This investigation revealed several important features to which they specifically called the attention of the citizens. First, they compared the cost of maintenance of the same institutions in the different states. The number of faculty employed in South Dakota University was 16; the same institution in North Dakota, 19; Wyoming, 14; Colorado, 70; Minnesota, 168; Nebraska, 85. The average salaries paid professors were as follows: South Dakota, \$1,400; North Dakota, \$2,000; Wyoming, \$1,600; Colorado, \$2,000; Minnesota, \$2,400; Nebraska, \$2,000. Other items of expense were compared and the same differences were shown to exist. In regard to material, equipment and other expenses, the contrast was equally marked. Particular attention was called to the salaries paid, because in South Dakota there was considerable complaint that salaries paid the faculty were too high. It was known that the supply of men and women thoroughly equipped for professional work was limited, that the demand was rapidly increasing, and that if South Dakota paid much the smallest average salary it would secure none but the weakest and least efficient faculty members. As the state was not yet burdened with the support of too many educational institutions, and as the cost of their maintenance was much less comparatively than in adjacent states, the regents urged all in their power that the state institutions should be granted much larger and better buildings and far better equipment; that the faculties should

be paid higher wages; that normal training should be recognized for what it was really worth, and that a general uplift of the educational institutions should at once be made if South Dakota desired to increase its population by new settlers and additional capital. Particularly was efficient normal school instruction demanded.

The people of the state had recently amended their constitution by giving the management of the State University, the Agricultural College, the three normal schools and the School of Mines to a single educational board of five members, which was evidence that they had determined there should be no further rivalry or conflict in the management or purposes of those institutions. The single board now devoted its sole attention to administering the institutions for the benefit of the whole state without reference to local or sectional interests. The regents in 1898 called attention to the fact that the State University had been without a president for a year, mainly because there were no funds available for his salary. They asked that such officer should be selected as soon as possible, because the State University was generally recognized as the head of the educational system. They said that Dr. Edward Olson on one occasion had remarked, "It requires only three B's to make a great university, Bricks, Books and Brains, but unfortunately it takes money to get either." It had cost other states large sums to build up their institutions of higher learning, and now the time had arrived when South Dakota should not hesitate but should meet the requirements and advance abreast with the other states.

During the previous year the School of Mines had suffered an unfortunate experience due to the resignation of all the faculty except one. The resignations were not the result of any conflict in the institution or disagreement over the management, but simply were due to the fact that they were offered much larger salaries by other institutions. This called up the question at once whether it paid the state to support the School of Mines. The regents promptly took the position that it did, because the mineral regions occupied such a prominent field in the resources of the state that it could not be neglected; that the enormous wealth added each year to the state from the mines was alone sufficient to warrant the maintenance of such an institution. The state had already provided all the requisites for teaching, therefore the school should continue. They said that too much weight should not be given to the criticism of the School of Mines in the neighborhood where it was located. Its existence affected the whole state and the latter alone should determine whether the school should be continued. They said, "What the state needs is honest investigation in regard to her resources. Fictitious advertising always ends in discredit to the state and injury to the people. All that was necessary was to pay large enough salaries to secure men competent to conduct the institution."

The people of the state generally did not understand at the commencement the objects for which the agricultural college was established in this state with a liberal endowment. It required many years before even the faculty itself of that institution had fully encompassed the object and before the college was started on the right path toward its industrial destination. Many people thought the same as did the faculty at first that the institution was designed for any sort of an education and it required many years before this view could be overthrown. An examination of the act creating the Agricultural College showed its object

clearly and showed how the Morrill and Hatch funds were to be expended. As time passed and as the necessity for a distinctive institution for the farming and engineering community became manifest, the college was at last turned in the direction intended by Congress. The funds of the Government were to be applied for a specific purpose only. Accordingly, it became necessary for the State Legislature to supplement the needs of the college, particularly in regard to the construction of buildings, the payment of salaries and the running expenses. In 1897-98 the Legislature provided \$2,000 per annum for the advancement of the department entitled "Student Labor and Employees." This sum was used mainly in furnishing employment to a considerable number of students who were paid a small amount and were thus enabled to continue their studies. It began to be realized in 1898 how important to South Dakota was proper advancement in the science of agriculture. Accordingly the Regents of Education urged the Legislature to make every effort necessary to place the college among the leaders of its kind in the United States. The experiment stations, the Department of Agriculture and the agricultural colleges were doing a grand work at this time, and already in every community could be seen the excellent results of improved methods in progressive farming. At this time no one except the Legislature was slow in the state. As usual it held back support for the Agricultural College and other educational institutions until public demand forced it to supply the funds wanted.

For four years ending with 1898, the Legislature appropriated annually \$1,000 for the support of farmers' institutes, irrigation, etc. This sum was so ridiculously small that it was impossible to accomplish much, and accordingly the institutes were conducted largely at the expense of the farmers themselves, the faculty of the Agricultural College and other progressive and up-to-date scientific agriculturalists. The farmers' institutes were rightly regarded as the adult farmers' schools. Here could be learned by all the farmers the principles underlying the art of agriculture, and here could be learned from successful farmers the best methods of applying these principles. Thus the scientists and the more successful farmers were brought in contact where in actual practice the needs of the farmer could be ascertained and the falseness of theories and deductions made by experiments could be disclosed. The views of both farmer and experimenter were thus cemented and broadened with excellent results. This was true in South Dakota as in every other state of the Union. Owing to lack of funds from the state the farmers' institutes were conducted under various auspices and were supported in different ways, but there was considerable enthusiasm and great interest and a vast amount of good accomplished. The regents asked that \$5,000 be appropriated for maintaining farmers' institutes in 1899, and stated that this amount was barely large enough to enable the institutes to do effective work. As the national authorities did not permit any expenditures of the Hatch Fund for the erection of any permanent sub-station, the regents recommended that the state should appropriate whatever was necessary to carry into effect the work of the experiment stations. They asked also for \$5,000 to be expended at the college in erecting farm buildings, animal sheds, fences and the purchase of pure-blood stock. The regents further recommended appropriations of \$7,500 for a creamery and its necessary machinery; \$5,000 for a girl's cottage; \$5,000 for the enlargement of the greenhouse and repairs thereto; \$20,000 for an administration

building; and \$3,500 for a gymnasium and drill hall. Thus in 1898 the Agricultural College asked for \$45,000. In 1896-7 the total attendance was 320, of whom 231 were males. In 1897-9 the total attendance was 405 and the number of males 267.

In 1898 the Board of Regents inquired particularly into the management and condition of the State University. They noted that the funds required to erect the present buildings were furnished by Clay County, the City of Vermillion and by individual donations, but the amount, about \$50,000, was not sufficient to complete the new building and its unfinished condition was a great detriment to the school in many ways. The chemical and physical laboratories had not been furnished with any new apparatus since the main building was burned, and, as many valuable and necessary articles had then been destroyed, they should be replaced without any further delay. An insufficiency of class rooms was another serious detriment.

The bill to locate an additional normal school at Aberdeen was reported on favorably in each House of the Legislature early in February, 1899. All members at this time seemed in favor of adequate appropriations for all of the state institutions.

"The agitation arising over the election of a new president for the State University which for the space of about twenty days threatened to convulse this commonwealth from center to circumference, owing to the fury of the Argus-Leader in a vehement but abortive attempt to frustrate the action of the Board of Regents and freeze out its choice, has subsided and a condition of calmness once more prevails. The election of Professor Droppers was not the result of a star-chamber procedure nor was it a snap-caucus affair. For fifteen months correspondence has been going on between the board and numerous parties in relation to the vacancy. Presidents of other colleges have been consulted and several prospective candidates have visited Vermillion to look over the situation and meet members of the board. Indeed there have been no less than twenty-one applicants."—*Dakota Republican*, January 26, 1899.

Early in 1899 the Insane Hospital at Yankton was destroyed by fire and seventeen inmates were burned to death. The night was exceedingly cold, which increased the suffering and prevented any effective effort to fight the flames. Amid the confusion several other inmates were severely burned or otherwise injured. The structure was the laundry building which was being used temporarily as a dormitory until other quarters could be furnished. This building was erected in 1894 and the total loss was about \$25,000. The inmates burned were seventeen females who had been crowded into the building. The newspapers of the state openly charged the Legislature with the responsibility for this loss. They had not provided suitable buildings and were therefore the responsible parties, so it was said. According to the best evidences the fire was caused by the lint on the steam pipes catching fire. Up to this time the state had lost in twelve years by fire, \$168,000 worth of buildings; and during the last year, up to February 17, 1899, had lost about seventy-five thousand dollars worth of property and twenty-four lives. There was no night watchman in the building, because the institution could not secure such a person, as no money was provided for his wages. No doubt, the parsimony of the Legislature was due in large measure to politics, which continually boasted of its superior economy. Such campaign

buncomb enabled them to keep solid with the farmers and to be able to solicit their support and vote. The coroner's jury found no one criminally responsible for this loss, which was the severest in the history of the state. At this date not a single state institution except the capitol building at Pierre carried a dollar's worth of insurance. At the time of the fire the temperature was 22° Fahr. below zero. Immediately thereafter the Legislature passed a bill appropriating \$70,000 for the construction of a new building at the insane asylum to take the place of the one destroyed. The newspapers declared that the Legislature was locking the barn door after the horse had been stolen. It was shown by the investigation that the asylum had really cared for seventy-five more patients than it could accommodate with comfort. On March 1, 1899, there were in the asylum about four hundred and seventy-five.

Late in November, 1899, the main building of the Insane Asylum at Yankton came near burning down. At this time there existed an annoying conflict between the authorities concerning the management of the institution. There was a serious struggle for place and power. Doctor Mead was superintendent before the populists came in power. He was superseded by Doctor Ross, who was appointed by the populists. Doctor Mead resisted because he was charged with a serious offense. It required a year or more before this contest was finally adjusted. In December, 1899, the troubles there seemed to be increasing rather than diminishing and seemed to be due to factional strife as well as to a general dislike of the management.

The agreement between South Dakota and North Dakota concerning the disposal of the public institutions was to the effect that each state was to take the institutions already established within its borders, and pay all debts, etc., of the same. Inasmuch as the majority of such institutions were in South Dakota, the latter, it was agreed, should pay to the former \$42,500, to balance the excess of the territorial appropriations for improvements of these institutions. The two states bid to see which should receive the territorial library. South Dakota bid \$4,000 and secured it.

In the summer of 1899 the state institutions were in excellent condition considering the lack of funds. The Legislature of 1899 provided for a state library building. Up to this time it had none. The fire-proof vaults were small and were located in the various state offices. The records were even kept in sheds and cellars. Thus the public records were insecure and liable to be destroyed at any time by fire caused by lightning or defective flues. At this session of the Legislature there was a general demand that provision should be made to gather the state's statistics and keep the same regularly on file after their publication.

In regard to the Reform School in 1900-01, Governor Lee in his message said, "The management of the Reform School under C. W. Ainsworth lacks in business sense or common honesty, or both. His methods of discipline were better adapted to the sixteenth century than to modern times. The young people have had no reason to complain of their treatment by Superintendent Tompkins, whose management of the institution has been exemplary. His discipline is perfect but kind. The children enjoy nineteenth century privileges and are treated as if they were human beings without price and with an even chance in the world for honorable fame. Mr. Tompkins returned \$1,262.59 to the state treasury from his maintenance fund, and during his first year he saved \$3,150 from his maintenance and cash funds."

Governor Lee said in his message of 1901 that the management of the penitentiary, while satisfactory as a whole, was corrupt from the standpoint of civic virtue; that the minor funds had been misapplied; that the public examiner had made several incriminating disclosures, and that this was true of nearly all the other state institutions. He said the School of Deaf Mutes was well and honestly managed and conducted, with an attendance of fifty-two, and that under Superintendent Simpson not a single irregularity was discovered. He asked for an appropriation for a new building for this institution.

"The penal and charitable institutions of the state are in better condition than they have ever been. The institutions were received by the present board of charities from the former officials during the spring and summer of 1899. At the hospital for the insane everything possible was done to delay the transfer and subsequently, through intriguing employes, to embarrass the new superintendent and his chiefs. In this institution it had not been the policy to keep an accurate set of books, the public examiner being compelled to rely in making his investigations upon vouchers on file. It was found that excessive prices had been paid for almost everything bought, but there was nowhere any evidence of discounts having been credited to the state. It is by official collusion with favored bidders that the state pays high prices on its purchases, and public officers are afforded an opportunity to share in profits made by those who supply the merchandise required by the institution. During the past two years the hospital has undergone many necessary improvements. The large central building for which the last Legislature made an appropriation of \$35,000 is well under way. While the Legislature appropriated only \$35,000 for this building, the plans drawn by the architect and accepted by the board are for a building to cost \$65,000, and this estimate was evidently without including plumbing and fittings. One peculiar feature of the contracts for the construction of these buildings is that they were all let to be built during one season. It seems that the old governing board was anxious to let all the contracts and expend as much of the money as possible before their successors in office should enter upon their duties. Why they should do so can better be surmised than explained. The present population of the institution is 515, an increase of thirty during the last two years. Applications which tax its capacity to the utmost limit are constantly being made. In this connection it seems to me that money levied for insane purposes upon the various counties having inmates should be appropriated for the insane and that the Legislature does a wrong in withholding it or employing the funds for any other purpose. If the present per capita charges are too high the counties should be given the benefit of a reduction."

The report of the board of regents concerning the state university in 1901 was one of much importance. H. H. Blair, president of the board, prepared the report. He found generally that the recent enlargements authorized by the Legislature had greatly improved the facilities of the university. However, he pointed to the fact that the buildings then existing were not sufficiently large to accommodate the students in attendance nor meet the material wants of the university. The institution, owing to its recent growth, required greatly enlarged facilities. Nearly all of the buildings were too small; the class rooms were overcrowded; the instructors were overworked; and more students from all parts of the state were demanding admittance. These conditions, he noted, caused many

students to leave the state to secure the education which South Dakota did not seem able or inclined to furnish. He dwelt at considerable length on the seriousness of the situation and urged that the institution should at once be so enlarged that instead of being compelled to turn away students, it could receive young men and women from other states. He pointed out that one of the disadvantages of allowing the state university to remain in a backward and undeveloped condition caused many people who were looking for permanent homes in the state and who would make the most desirable citizens, to hesitate upon moving here owing to the lack of suitable educational facilities. He said that the state university was regarded in every state as the head of the educational system, and that if such institution was weak, inefficient and dilapidated, the result would be disastrous and humiliating. He said it was a fact which could not be denied that the university had not grown and prospered as similar institutions had developed in neighboring states, but declared the reason for this fact was manifest. He stated that within the past twelve years the states of Minnesota, Iowa and Nebraska had expended more than one million dollars in new buildings and other permanent improvements for their universities, while in South Dakota the sum of \$7,500 appropriated by the Legislature of 1899 was all that had been provided to expand or improve the facilities of the University since 1888. At this time there were present about four hundred earnest students all eager and ambitious to advance.

In 1901 the Legislature established a department of history and made it the duty of the historian to collect, preserve, exhibit, and publish the materials for the study of South Dakota history as well as the history and development of the adjacent states. The state administration was at first given charge of the historical department, but it was finally conferred upon the State Historical Society. The department was duly organized January 23, 1901. It was provided that any organized historical society of the state could become an auxiliary member. Immediately after this time Doane Robinson, the historian, began making annual reports of the progress, development, and history of South Dakota. These reports have been one of the most important and interesting publications of the state since that date. Subsequent history will be based largely upon the statistics thus collected.

During the contest between the two rival boards of charities and corrections appointed by Governors Lee and Herreid, the state auditor refused to allow the per diem and expenses of the members of the board that had been appointed by ex-Governor Lee. He refused to pay their expenses until the Supreme Court should decide which was the legal board.

In 1901 the Legislature appropriated \$10,000 for a building to be used principally for a dormitory at the blind school in Gary. Bids were called for and as all exceeded the appropriation they were rejected. After a few changes the contract was awarded to Hess & Rau of Watertown. The new building was completed and accepted by the board in April, 1902, and afforded at once great relief to the already overcrowded school. The old frame building which had been donated to the state by the citizens was permitted to stand between the two brick buildings in order that its rooms might be utilized for school purposes. Soon after this date the central brick building was planned. The state at first owned only four acres where the buildings stood. The board notified the citizens

of Gary that they would not begin the construction of the new building unless they would donate ten acres adjoining the state land on the north. Promptly the City of Gary purchased this tract and deeded it to the state. At the same time the board asked the Chicago & Northwestern Railroad Company for a strip of six acres adjoining the state's land, and were at once given a deed for the tract by the company. All realized at this time the importance of the work being done by the school. Its situation was somewhat inaccessible, but otherwise the institution was well located and at this time it was well conducted. Miss Donald was superintendent of the school in 1901.- Upon her recommendation the board advised the Legislature to change the name of the school from South Dakota Blind Asylum to South Dakota School for the Blind. This change was made.

An important topic before the Legislature in 1901 was the bad report concerning the special funds which accumulated at the various state institutions. It appeared that few officials had thus far escaped charges of malfeasance in handling these funds. The farm fund at the reform school, the hide fund at the penitentiary, and the amusement fund at the insane asylum were pointed out as illustrations of this irregularity. It was shown that they were drawn upon continually by the institution officers for incidental expenses not provided for in the general appropriation bill. In January, 1901, the Legislature passed a bill providing that all of these funds should be paid regularly into the state treasury. It was believed that such a law would save much annoyance, prevent irregularities and establish a system of business most desirable.

The Legislature of 1901 appropriated \$3,500 for the erection of a hospital at the school for deaf mutes. The contract was awarded to F. C. Marson of Sioux Falls, at \$3,375. The institution at this time was in prosperous condition. Some controversy was had over the kind of a building that should be constructed, but the amount appropriated was so small that it was concluded finally that it did not make much difference. The board at this time considered the school a model institution, in which the people could take pride.

The Legislature of 1901 appropriated \$28,000 for the newly established Northern Normal and Industrial School at Aberdeen, to be used in the construction of a building which was planned to be ready for use in September, 1902. When near completion the structure was destroyed by fire, the severe loss falling upon the contractors, Franzen & Bros. The regents thereupon made new and satisfactory arrangements with them and they immediately reconstructed the building. In January, 1902, the regents selected a faculty for this institution and prepared to open school the first week in September, 1903. By January, 1905, the school had 130 students and was in flourishing condition.

After ten years of effort to secure a suitable Science Hall at the university, the faculty were finally successful in 1901, when the Legislature appropriated \$40,000 for that purpose. Strange as it may seem, several members who fought this appropriation asserted that the institution was a local one and that such a waste of money was uncalled for and out of place. However, much of the opposition came from the friends of the denominational schools throughout the state. They realized that should the university be made much stronger the result would be to decrease their roll of students and curtail their usefulness. Others in the Legislature opposed the appropriation because they, themselves, were unable to see any great advantage in education. The new law authorized the establishment of a law school and the construction of a Science Hall.

In his message to the Legislature in 1901, Governor Herreid reviewed the condition of state schools of all kinds, taking up each one in succession and noting their wants, management and success. He demanded that the young women and young men of the state should be provided at home with every facility for securing higher education along any line desired. If such provision were not made the young people would continue to leave the state, perhaps permanently, as they had been leaving in the past. In this connection he said: "The practice by the board of regents of holding long distance meetings, by passing motions through the mails to one another cannot be too severely condemned. It is a fraud upon the public service. Officials who find their work unremunerative or incompatible may always find refuge in private life. Another practice which deserves the severest condemnation is that of assigning to each member of the board one school over which he has absolute control. The recommendations made by each member in regard to the school of which he has charge are almost invariably accepted as final; whether they are for the best interests of the institution is not given serious consideration. This practice should be prohibited and no business be transacted without a majority of the board being present. The favoritism practiced by one member of the board who uses his position to give employment to his relatives, likewise deserves a reprimand. It is not a question whether the relatives are competent. Nepotism has always brought abuse, and is justly unpopular in any branch of government."

The reform school in 1901 contained from 90 to 100 boys and girls. A number had been committed for light offences, and in a few cases several had been sent there to prevent their association with evil companions by changing their environment, and to place them where they might be instructed in morality, useful industry and the courses of a common school education. Thorough disciplining was maintained, because the great object and effort of the school was to direct the children in the paths of virtue and good habits, and to develop them into respectable and industrious men and women. In September, 1901, S. E. Young succeeded W. H. Tompkins as superintendent of the reform school, and soon instituted many improvements. Mrs. Young, wife of the superintendent, although not on the pay roll, was constantly associated with the boys and girls, advising and encouraging them and teaching them lessons of industry, neatness and morality. The superintendent asked that the farm to a large extent be devoted to dairy and stock interests, and this recommendation received the hearty approval of the board. It was believed that this step would make the school self-supporting, as the surplus butter not required would find ready sale at a good price at other state institutions. Mr. Young also prepared to engage extensively in raising poultry and eggs. The board had previously expressed the opinion that actual operations would be more profitable if confined to the raising of live stock, horses, cattle and poultry, and the manufacture of creamery butter.

In 1902 the Board of Charities and Corrections passed the following resolution: "That it is the sense and conviction of this board that it would be greatly to the interest of the various institutions under its control, as well as to the interests of the people of this state, if in the future no relative or member of the family of the chief officer of any institution, be employed in such institution or placed on the pay roll thereof; and that the secretary of this board be instructed to forward a copy of this resolution to the head of each institution under the

control of this board." As a matter of fact this resolution had early been enforced in every one of the state institutions up to that time, all the authorities acknowledging the justice and wisdom of the requirements.

The Legislature of 1901 had authorized the board to construct new buildings at several of the penal and charitable institutions, to sink artesian wells, etc. Another act of this Legislature was to prohibit the creation of a deficit in any of these institutions. Owing in 1901 to the partial failure of the crops on the farms of the state institutions, several thousand dollars were taken from the maintenance fund for the purchase of necessary products which would not have been done had the usual crops been raised. In spite of this emergency all of these institutions were kept within the amounts appropriated for their maintenance. The board desired insurance placed upon the state institutions and applied to the secretary of state for the necessary funds, but was told that the Legislature had not authorized such a procedure. The board rather than run the risk, had the dormitory building at Gary insured and paid the expense out of the cash funds of the institution. During the year there were small fires both in the asylum at Yankton and in the carpenter shop at the penitentiary. Upon request Attorney General A. W. Burt, expressed the opinion that under the law, all moneys collected on fire insurance must revert to the general fund of the state. Action to have this money placed to the credit of the institution sustaining the loss to be used for the benefit of such state institutions was taken. The board recommended that their body should be constituted similar to the boards of Iowa and Minnesota and should consist of three members who were required to devote their entire time to their work. At this time there were five members of the board. The reduction would mean a considerable saving and the board would be just as efficient, it was believed. The members expressed their opinion that the Soldiers' Home at Hot Springs should be placed under their control. They believed each member of the board should be paid \$2,500, that a secretary at a salary of \$1,200 should be provided and that \$1,000 additional should be appropriated for expenses.

By June, 1902, the insane hospital at Yankton was filled with inmates. The rear center building had just been completed, the appropriation therefor amounting to \$30,000 with \$5,000 for furnishing, but this proved insufficient and the building was necessarily left in an unfinished condition. However, by exercising good judgment and practicing the most rigid economy and utilizing as far as possible the labor of the inmates, the building was completed according to plans and specifications largely under the direction of the superintendent, Dr. L. C. Mead. While the building was in process of erection, reports were sent out over the state that the structure was unsafe and that the money being spent therefor was being squandered. These reports induced the board to inspect the construction, which was done by experts. They reported that the work indicated prudence and good judgment and that no serious consequence need be anticipated. In April, 1901, Dr. V. W. Roth had resigned as superintendent of the insane asylum and Dr. L. C. Mead had been appointed in his place. At this time a thorough examination and inspection of the asylum was made, several improvements were commenced and the institution as a whole was reported in good condition. During the first year of this biennium 105 patients were admitted, 28 were discharged recovered, and a total of 626 were treated. At the end of that year there were 527 inmates. During the second year 132 patients were admitted,

39 were discharged recovered, and 666 were treated. At the close of the second year there remained in the hospital 564 inmates. The walls of the new rear center were of Sioux Falls granite with Kasota limestone trimmings. The building was well constructed, and was 63 by 123 feet and three stories high. In the basement were the kitchen, bakeshop, refrigerator, etc. In the first story was the dining room with a seating capacity of 700. In the second story was an amusement hall, a stage and entrances, and an auditorium. Above was a gallery seating 300 persons. The building was dedicated March 18, 1902, by the presentation of *Othello* by the William Owen Dramatic Company. The Paul vacuum system of heating was installed at a cost of \$2,300.

The completion of this rear central building was an important event in the history of the asylum, because it relieved at once the congestion which had prevailed for a long time. However, the number of inmates increased so rapidly immediately afterward that it was realized additional room would have to be provided before many years. Many improvements and additions were asked in 1902. The board believed that the herd of cattle ought to be enlarged. They thought that 100 cows should be added to the herd already there; and that if this number was purchased that fire-proofing for the main building should be provided and that the wooden floors should be treated with some incombustible material. The cost of these estimated changes reached about fifty thousand dollars. Without delay a new sewage disposal plant should be provided. As it was the sewage from the hospital was poured into a ravine about 100 yards from the main building. Important changes concerning this system were suggested. In the usual course of events the number of inmates to be cared for during the coming year would not be less than 610 and for the second year not less than 640. This number would bring into the treasury from the counties the first year \$117,120 and the second year \$122,880. From these amounts it could easily be figured how much additional appropriation would be needed. It was estimated that the maintenance of the insane paid for by the counties was about sixteen dollars per capita per month. As a whole the institution at this time was in excellent condition. However, like all large institutions of this kind where the inmates were rapidly increasing and where improvements were constantly being made, great care was necessary in order that everything advanced harmoniously, and that the whole institution should be efficient, comfortable and satisfactory. In the summer of 1902 the board asked for special appropriations of \$68,000 for 1903 and \$55,000 for 1904. These special appropriations were for a cottage, barns, cows, sewage disposal plant, fire-proofing and repairing the main building. The regular appropriation covered the salary of officers, wages of employes, fuel and light, and maintenance.

The so-called Northern Hospital for the Insane was opened for the admission of the feeble-minded on February 1, 1902. Delay had been experienced because the artesian well was not finished and the furniture was not in place. The pipe for the well had been ordered in June, 1901, but strikes in the steel mills in the East delayed the delivery of the material at the hospital. About four months after the well had been completed and accepted the flow of water decreased from 150 gallons per minute to 15 gallons per minute. After a delay of over two months, a well digging outfit was secured, the well was dug deeper and when finally the water was turned on full head there was obtained a little over seven

hundred gallons per minute of clear soft water. It was announced as one of the best wells in the state. During these delays a number of the employes were given work in making changes and alterations in the interior of the building where such were found necessary. At first it was the intention to run the electric dynamo by water power from the well, but a little later it was determined to purchase a gasoline engine with which to furnish the power. A large frame ice-house was constructed; and an eight-inch tiled-sewer about three thousand feet in length was laid. A 500 barrel cistern was built. In October, 1901, Dr. J. K. Kutnewsky, of Redfield, became superintendent and entered at once upon an intelligent and successful management of the hospital. The board, realizing that more land would be needed, purchased eighty acres adjoining for \$1,200. They also secured a strip of land containing seven acres along the Chicago & Northwestern right of way at a cost of \$115. The board recommended the purchase of section 36 for the purpose of a dairy and grain farm, where the inmates, as far as practicable, could be given employment. This was deemed indispensable for the future welfare of the institution. The board also asked for the erection of two new buildings for inmates whose confinement was necessary.

In July, 1902, the State Penitentiary was in a prosperous condition. The reports of the warden and of the state board showed that the institution had been for the previous two years unusually active and progressive. The number of prisoners in confinement July 1, 1900, was 134. During the next year 97 were received and during the second year 99, making the whole number confined during the biennial period ending in 1902, 330. For the first year of this period 72 were discharged and for the second year 98, leaving the number in confinement June 30, 1902, 160. The cost of maintenance per capita excluding farm products and including prison and citizen clothes, cash aid, transportation, fuel and light, officer's salary and board for the first year of this biennial period, was \$22.02 per month and the cost per year \$267.91. The same cost per month for the second year of this biennial period was \$17.70. These figures did not include repairs. The health of the inmates was good and the discipline was better than ever before. Only a comparatively few punishments were inflicted. Generally a firm but kind and humane treatment was maintained. As a whole the prisoners were cheerful and obedient. One prisoner escaped and was still at large. Two chapel services were held every Sunday, one by the Protestants and the other by the Catholics. An average of about one hundred and thirty attended these services. Clergymen of the different denominations in the city conducted the services. The library consisted of 2,300 volumes of well selected books. The gate receipts really belonged to the library fund, but owing to the small appropriation, a portion of this fund had been used for other purposes. In fourteen months the gate receipts amounted to \$626.35. This was a large gain over the previous fourteen months. During this biennial period officials found that counterfeit silver dollars were in circulation among the prisoners, and that efforts to pass this money through "trusties" on the outside had been made. The United States authorities were notified and were given the freedom of the institution. They soon learned all the facts connected with the counterfeit work and the manufacture of spurious coins was effectually stopped. The man who tried to pass this coin was re-arrested as soon as he was discharged, was tried in the United States court and sentenced again to the penitentiary. During this biennial period a large quantity

of stone was taken out and shipped to the various state institutions. The cutting and dressing of the stone had reached a satisfactory stage and on hand was a large quantity of cut stone for state building purposes. A small price was paid by the state institutions to which the stone was shipped in order to secure means to pay the quarry expense. The products raised on the penitentiary farm were about the only return which the institution could bring to the state. More land was called for at this time. It was believed that no investment of greater profit could be made. In 1900 the horses of the place were old and worn out, their ages ranging from twelve to eighteen years, while the age of one driving horse was twenty-four years. Additional younger animals were called for. The financial condition occasioned much worry as the management was hampered by lack of funds at all times. The warden found much fault with the "penny wise" and "pound foolish" policy of the state. Notwithstanding that the most rigid economy was practiced the great increase in the prison population carried the demands far beyond the appropriations every year. In spite of this fact, the appropriations were constantly being reduced instead of being increased as they should be with the increase in the number of inmates. The following statistics show the prison population and the appropriations for the same years beginning with the year 1891.

APPROPRIATION EXCEPT REPAIR

1891 and 1892	\$55,900
1893 and 1894	60,500
1895 and 1896	63,700
1897 and 1898	56,000
1899 and 1900	55,500
1901 and 1902	55,500

AVERAGE POPULATION

1891 and 1892	71
1893 and 1894	91
1895 and 1896	124
1897 and 1898	135
1899 and 1900	133
1901 and 1902	155

As a matter of fact the cash available at all times was not sufficient to pay actual expenses. The bare necessities only could be purchased by the most skillful management and rigid economy. This condition of affairs was absolutely inexcusable in a Legislature which had already made itself conspicuous by its alleged economy. The opening of the east wing of the institution adds considerable expense, as it necessitated more guards at an expense of \$1,300 per year and added one-third more to the fuel and light expense, amounting to \$1,200. In addition the expense on account of increasing population was \$2,500. Other items ran the total shortage up to \$8,000 per year. Within a short time this shortage was certain to be \$19,000 unless a change was instituted. Repairs to the East Cell Hall cost \$6,000. Every dollar of the money except \$150 for plumbing and guard help was used for material while the work was in progress. Several

necessary improvements were made during 1901-02. All roofs inside the walls were repaired and painted. East Cell Hall was repaired and furnished; improvements to the dining room and the ovens were made; the bakery, refrigerator for milk and butter, storm sheds and doors, new closets, cement floors, water pipe, flues, ice-house, water power, bank, store-room for groceries, cell bunks, ranges in the prison kitchen, dump cart, beds, bedding, curtains, shades, etc., cost in the aggregate a large sum. Nothing was added that was not absolutely needed to replace old and worn out articles. In addition many other repairs were necessary, not only for comfort, but to save losses on the principle that "a stitch in time saves nine." The warden recommended that, inasmuch as the time had arrived when it was absolutely necessary for the good of the inmates that some employment be furnished inside the walls of the institution, the Legislature should establish some industry within the walls. The number of prisoners that could not be worked outside was constantly on the increase. In order to maintain health and discipline plenty of work seemed absolutely necessary. What was needed was an appropriation for building machinery, and power to operate some kind of a manufacturing plant. The warden believed that the most satisfactory and successful would be a binder-twine factory similar to the one in the Minnesota penitentiary.

Another important recommendation was the construction of a house on the penitentiary grounds for the use of the deputy warden and his family. This officer or the warden himself, it was maintained, should always be at the prison. This was impracticable unless the deputy should reside upon the penitentiary ground. More cell-room was needed at this time and the cells needed enlargement as the small ones where they were forced to contain two inmates were injurious to health. Discipline and health demanded these improvements. The warden complained that the salaries paid the officials and employes were too small, owing to the fact that the cost of living had advanced materially in the last two years. House rent, wearing apparel and groceries had advanced in price about 30 per cent. He said that no one could keep a family on \$40 a month, the salary which the guards were then receiving. A high grade of service was demanded in an institution of this kind, and the best could not be secured where such diminutive wages were paid. The problem of prison reform was well advanced at this time considering the neglect the institution had received at the hands of the Legislature. The aim was to make every man a useful member of society at the time he had finished his term of sentence. The most critical time in the life of a convict was the day he left the penitentiary walls handicapped, and started out again for a new career. Many of such men had no home to go to, nor friends to encourage them and aid them. It was difficult for an ex-convict to secure employment, as every man's hand apparently was against him. Thus many fellows with the right intentions were rendered desperate soon after leaving prison, with the result that offenses to secure means to live were again committed and they were sent back. The warden believed that something should be done by the state to help a man who left the penitentiary to overcome some of the difficulties that confronted him when he was discharged. He believed that there should be an officer whose special duty it was to secure employment for these men and start them in the right path when they left the penitentiary. Such officer during his spare time could be employed as a school teacher to instruct

those inmates who lacked education. An evening school among the convicts would be of great benefit. Such an officer would thus have an opportunity to become well acquainted with the inmates and to learn of their tendencies and probable temptations when they left the prison. Thus the warden pointed out the reforms which he had undertaken to establish, and thus he made recommendations aimed to carry into effect his plans of improvement.

He further recommended the establishment of a graded merit system within the institution. He believed there was nothing so conducive to good discipline as such a system. Separate dining-rooms would be needed for the first and second grades; third grade men should receive their meals in their cells. The first grade men should be dressed in gray, all wool, the second grade in checks, all wool, and the third grade in stripes, all wool. The warden noted that in other penitentiaries where this system was in vogue the third grade men did not exceed 3 per cent of the prison population, and that the punishment of solitary confinement was 75 per cent less than under the old system. The warden asked for an appropriation of \$44,300 for the fiscal year 1903-04 and \$41,500 for the fiscal year 1904-05. The items were for salaries, maintenance, fuel and light, water tanks, roofs, engine, dynamo and general repairs. The prison physician stated that with the exception of a mild epidemic of influenza or la grippe, the institution had been fairly free from acute diseases. Good Shot, an Indian of the Lower Brule Agency, died of glandular tuberculosis, not contracted in confinement. The physician reported that personal observation of over twenty years, led him to the conclusion that about 30 per cent of the Indians had tuberculosis, and that confinement merely hastened the development of the disease. One of the inmates was transferred to the insane hospital as he had become violently insane.

For the biennial period ending June 30, 1902, the average attendance of the School for Deaf Mutes was twenty-six males and twenty-eight females. Many deaf mutes throughout the state, owing to the restrictions and limitations of the institution, were not in attendance at the school. Regular notices were published in the newspaper and otherwise, asking parents and guardians to send their children to the school. At first parents hesitated, not knowing what to expect, but later, when their children narrated the benefits and pleasures of the school, they changed their minds, because education enlightened and brightened the children far more than it would others who had a greater variety of pleasures. The method of instruction employed was called the combined system. Signs and the manual alphabet were used in teaching all children, and articulation was taught to those only whose vocal organs had not been sufficiently impaired to render them incapable of utterance. A thorough investigation and test of the capacity of each pupil was made at the outset, in order to enable them to advance to the best advantage according to their infirmities. The sign language was used in the school room as a means of instruction. It reached the mind through the eye. It was admitted that if all the deaf could read the lips, or could understand spoken language by watching the motions of the lips, or could understand spoken language by watching the motions of the lips of the speaker, then schools could discard the signs and use wholly the lip language. Sign language, however, was easily seen and readily understood by all deaf mutes, so that comparatively few were given other methods of instruction. While it was true that the ability of a deaf child to speak a few words was very gratifying to parents, the real improve-

ment was through sign language. It was believed a useless and wasteful expenditure of time and money to teach children to speak a few words which could not be of general practical use in ordinary conversation. These were the ideas of the superintendent, James Simpson. The object of the school was to teach the children how to obtain a livelihood and to remove as far as possible the handicap of deafness. The boys were taught farming, gardening, care of live stock and dairying. They did nearly all the repairing at the institution. The girls were instructed in sewing, household work, elements of domestic economy, etc. These employments did not interfere with their regular school work. The health of the pupils was duly and properly considered. In June, 1901, Miss Marion E. Finch succeeded Mrs. A. L. Simpson on the teaching force. Miss Ida M. Donald occupied the position at the head of the articulation department and also conducted a class in the combined department.

Since territorial days the institution had not received a larger appropriation for building purposes than the two sums of \$3,500 each. The first \$3,500 was used in the erection of a building having one story above the basement and known as the boiler house. The next appropriation of the same amount was used to erect a stone building which was used as a dormitory for the girls and as a dining-room and kitchen. This building had been urgently needed and had been demanded for eight years. The superintendent said: "As we look back to these years, we wonder how we ever got along." Previous to this time the sleeping quarters were overcrowded, and it was difficult to maintain sanitary conditions. Also, owing to lack of dormitory rooms, many had been refused admittance. However, at this time, 1902, the institution was prepared to receive any probable number of applications. The school needed a chapel, however; also a bathroom in the hospital building with proper sewer connections; also apparatus such as desks, maps, globes, etc. The amounts needed for the biennial period beginning July 1, 1903, were \$21,700 for the first year and \$17,500 for the second.

For the biennial period ending June 30, 1902, the reform school suffered for lack of finances, but was as a whole prosperous and successful. Up to this time county courts had exercised concurrent jurisdiction with the circuit courts in the power of commitment to the reform school, but at this time the question whether the county courts had such authority was raised. In the fourth judicial district it was held that county courts had no power to commit to the reform school, except in the counties of Minnehaha and Lawrence, where the county courts had been given such special powers by the statute. After this decision no further commitments were made by county courts except from those two counties. The purposes of commitment were fully defined by the statutes. Reformation and instruction were the primary objects, therefore the management of the children at the school was based upon these lines of improvement. Facts thus far showed that 50 per cent of the commitments were on the charges of disorder and incorrigibility, and that the cases mostly were of unfortunate boys without any homes or without homes that were helpful. The superintendent said: "In fact, it may be said of all the inmates, boys and girls, that they are unfortunates who need help." While restraint and rigid discipline were necessary, they alone were not sufficient. It was believed that children should be given the benefits and attractive pleasures of home life in order that their improper tendencies could be more effectively directed. This policy had been carried out by the superin-



THE EVANS HOTEL, HOT SPRINGS



VIEW OF MAIN STREET AND NATIONAL SANITARIUM, HOT SPRINGS

tendent with good results. A system of credits for good behavior and improvement, together with a system of pages to mark the standing, was used with excellent results. Promotions under this system were eagerly sought and struggled for by the scholars. The girls were under the instruction of the lady overseer of the girls' cottage. The boys' schoolroom was in the main building. The work of the teacher was directed in ages, education and tendencies. All were given instruction in music, ordinary studies, painting, military drill, farming, stock raising, dairying, and were required to attend religious services. In 1902 the stock farm included sixty-five head of cows and young cattle, fourteen horses, two mules and forty-four hogs. The farm consisted of 640 acres in one body where the buildings were located, and a quarter section two miles to the southward. The use of this quarter section was exchanged for the use of a quarter section adjoining the school lands. Thus the institution had a farm of 800 acres to cultivate. They raised large crops of oats, barley, millet, corn, fodder, hay, etc. The garden embraced sixteen acres where, in 1902, they raised eight acres of onions. The farm had excellent pasture land, and much hay was cut from the meadow. A new sewerage and draining system, which had been planned previously and was greatly needed, had not yet been constructed. As a whole, the health of the inmates was good. Not a death had occurred during two years' period. Previous to the installation of the existing system of sewerage and drainage, there had been numerous cases of sore throat and mild fevers, but these disappeared with the improvements. A semi-monthly paper was issued by the students and was called *Reform School Item*. The regular issue was 700 copies, sent out gratis mostly. At this time an effort to build up a library was being made, but this was a difficult task although a number of donations had been received. Several improvements were recommended at this time.

For the biennial period ending June 30, 1902, the school for the blind fully demonstrated the need of such an institution in this state. Persons deprived of sight were debarred from public schools, and it was necessary to provide special instruction for them. The course of study adopted was identical with public school work, touch taking the place of sight, thus giving the blind child equal opportunity with a seeing child to secure the advantage of education. The citizens of Gary had donated twenty acres of land, of which six were given by the Chicago & Northwestern Railway Company. With these grounds the citizens donated a frame building, formerly used as a courthouse, and erected a substantial brick building two stories and basement high. The state of South Dakota provided a smaller building in 1900 and 1901. The institution was divided into three departments: literary, musical and household. The pupils were classified into two grades, corresponding with the courses, of the seven grades in the public schools. Text-books used in the public schools had been printed in the Braille system which enabled the students to read by touch. Writing was effected in the same way by means of Braille typewriters or Braille slates. Simple and practical devices were used in all mathematical work. Relief maps and relief globes were of valuable assistance in the study of geography. The rapid advancement of the students proved the efficiency of the system. The musical department was not only well attended, but was enthusiastic and joyous. To the blind music afforded supreme enjoyment, one of the greatest pleasures of their darkened lives. It introduced them to the world of sound and to all the subtleties

and mysteries of harmony, melody and tone expression. It was found that musical instruction immensely aided every other branch of improvement. All were given an opportunity to test their capacity to acquire and render music both vocal and instrumental. The household department constituted the home life of the students. Many who came here had thus far been neglected in this regard. Home life surroundings were thus fully appreciated by the boys and girls. All were now given an opportunity to share as far as possible in the pleasures of home influences and comforts. Public entertainments were given on holidays, and often public recitals by the students were attended by the people of the town and neighborhood. Several important improvements were needed and were requested from the Legislature. At this time there were twenty pupils from South Dakota and nine from North Dakota.

On July 1, 1902, the Northern Hospital for the Insane, which had recently been founded, was doing well, considering the difficulties it had to surmount. J. K. Kutnewsky, M. D., was superintendent. He succeeded H. P. Packard, on October 7, 1901. A barn, artesian well, electric light, plumbing and heating plants and sewerage system were being constructed. These improvements were nearly completed. An artesian well with a flow of 150 gallons per minute was struck at a depth of 956 feet. On February 1, 1902, the institution, with a capacity of forty-eight, was first opened for the admission of inmates. Forty-five were received up to June 30th. They came from more than twenty-five counties of the state. At this time there was still much confusion, because the institution was new and everything was being put in operating order. The school department was under Miss Winona Ashley. The state thus far had made no provision for epileptics. However, they were entitled to favorable consideration, and steps to care for them according to the colony plan were taken. This plan required the separation of the epileptics from the other inmates, owing to the demoralizing effects produced on the latter by seeing persons having an epileptic fit. It was suggested at this time that near the institution, on a separate tract of school land, the epileptic colony should be located. It was about 1½ miles east of the hospital. It was urged that such provisions should at once be made. At this time statistics showed that there were in the state about six hundred epileptics. Already numerous requests for their care had been received. It was thus considered imperative that the state should take immediate action. The superintendent suggested a change in the name of the institution from the Northern Hospital for the Insane to the South Dakota School for Feeble Minded or South Dakota Institute for Feeble Minded. This would remove the objections which parents and friends had when sending their unfortunate family members to a hospital for the insane, when perhaps they were not really insane. Already the inmates were at work upon the farm. At this time the live stock on hand consisted of four horses, nine cows, six spring calves, two sows, ten shoats. The superintendent asked for at least thirty cows, and said that the land was better adapted to stock raising than farming and should be stocked to the limit. The milk and butter were needed by the inmates. The statistics at this time showed that in the state were 285 feeble minded children, exclusive of epileptics. This being true, the state board recommended the construction of buildings with a capacity of not less than sixty patients at the start for the "custodial persons," and another building, with a capacity of sixty, to be known as "epileptic build-

ing." In addition there was wanted a heating, power and light plant, a barn and laundry addition, and an engine room. The original site of the institution embraced only one hundred and sixty acres, which tract was donated to the state by the citizens of Redfield for the purposes for which it was then used. More land was needed. The board therefore recommended the purchase of additional tracts adjoining or nearby, so as to increase the farm to about two hundred and fifty acres.

For the biennial period ending June 30, 1902, South Dakota enjoyed such a degree of prosperity that all institutions of the state made wonderful advancement. Nowhere was the progress more marked than with the state educational institutions. The state superintendent showed an increased number of students, larger and better equipped facilities, and better organization for work. At this time all authorities determined that there should be no retrograde movement in education during this progressive era. The regents of education after due consideration with the heads of departments and authorities of all state institutions, laid a foundation that has served as a basis upon which the present splendid institutions have been built. There had been no time since the organization of the state when so much interest was taken in higher education than at this date. This observation was applicable to agricultural instruction and to manual and industrial training. The board of regents noted particularly that throughout the state, all the students in the higher institutions of learning were brought in closer touch with the more practical and industrial lines of education. The board said, "Years ago in our Eastern States, there was a marked tendency to ridicule students taking such courses. Today, such a tendency no longer exists. Many of our brightest young men and women are taking these courses. A high standard of work and general excellence is maintained, both in our agricultural college and university, and though of necessity the requirements for admission are not as high in the former as in the latter, the work accomplished is entirely good. In fact all of our schools are maintaining the highest standard possible. The normal schools are rapidly finding themselves unable to supply the demand which is made upon them for competent teachers, not only from this state, but from all others in the Northwest. We would therefore earnestly call attention of the Legislature to the actual conditions that exist and urge the necessity of increased facilities."

The agricultural college, in 1902, under John W. Heston, president, had already acquired distinction throughout the Northwest for the efficiency of its methods of instruction and for the ability and teaching capacity of its faculty. The activities of the institution were of two varieties: (1) instructional; (2) agricultural investigation. Connected with the first were highly educated men and women, and connected with the latter were scientific experts busily engaged in agricultural investigations and advancement. The instructional work covered the wide field of abstract and applied science, and was conducted under twenty different departments, all supervised by the president, who in turn, was responsible only to the regents of education. The following four-year courses were being pursued: Scientific agriculture, scientific horticulture, domestic science, mechanical engineering, civil and agricultural engineering, electric engineering and pharmacy. The completion of either of these courses gave the student the bachelor's degree, according to one of three general study schemes called groups A,

B and C. Through these groups the work of the college was adapted not only to this class of students, but to individual students themselves, owing to the demand for term or short courses. Under each group certain subjects called "required courses" were taken by students who desired definite instruction. The remaining courses were called electives, and could be chosen to suit the students themselves. The college offered two degrees: Bachelor of Agriculture and Master of Science. To secure one of these degrees the student was required to complete in a satisfactory manner the work of one of the study schemes, each of which included not less than forty-three studies above the sub-freshman year. The degree of Master of Science was conferred upon the students who already held the Bachelor's degree, and who had completed an additional amount of work equal to fourteen courses to be chosen from two departments, in each of which credit for six collegiate courses had already been obtained, the advanced work being done as prescribed by the faculty. There were other requirements necessary before this degree could be conferred. The nine electives of groups A and B were to be chosen according to definite general rules. Some of the courses were called majors and some minors. A certain proficiency was required and a certain number of merit marks secured to entitle the student to a degree under the electives. Majors were chosen from the departments of agriculture, horticulture, botany, chemistry, zoology, veterinary medicine, pharmacy, English, history, economics, mathematics, physics, mechanical, civil and electrical engineering, and domestic science. Minors could be chosen in the same departments as majors and also in foreign languages, art and music. General electives could be chosen from those courses which were offered as major and minor subjects, such as the following: two years' work in pharmacy, one year's work in business branches; one year's work in amanuensis branches; one year's work in steam engineering; one year's work in agriculture; one year's work in horticulture; one year's work in dairy science; one term's work in domestic science; special work in vocal and instrumental music; special work in art.

The requirements of admission to the college fixed the minimum age of the student entering at fourteen years and stated that he must be of good moral character. Students were admitted to the collegiate department as follows: (1) Those who had satisfactorily completed the work of the preparatory and sub-freshman years as resident students; (2) those who had passed examination in this work in the college; (3) those who had properly completed this work in any other reputable institution. Students who applied for entrance to the preparatory department were requested to present evidence that they had completed the work of the public schools as far as the ninth grade. Before entering upon any college work students were required to give evidence that they had completed the pre-requisites to such college work. The requirements were liberal. The student upon entering was simply expected to be ready for the studies of the department he intended to enter.

At this time the experiment work of the institution was well advanced. Already numerous discoveries in scientific agriculture and in progressive farming had resulted from the efforts of the experiment station. Experiments in soil analysis, crop rotation, testing grain, propagation and distribution of new and superior varieties, and the growing of winter and the new macaroni wheats had been conducted. In the horticulture department experiments with vegetables and

other garden plants and certain experiments requiring several years to complete were being conducted. To the latter class was extended the work of plant breeding. At this time there were standing on the place the following seedlings: Sand cherry trees, 8,400; plum trees, 4,000; grape vines, 5,000; wild strawberry plants, crossed with tame, 5,000; pure native strawberry plants, 1,000; pin buffalo berry plants, 25; gooseberry plants, 425; wild raspberry plants, crossed with tame, 200; and 40 pure nature raspberry plants. In addition there were on hand 650 seedlings from choice varieties of apples, and 500 seedlings from combined hedge and fruit plants imported from Siberia.

During the year 1900-1901 there were in attendance in all classes and courses a total of 506 resident students; and during the year 1901-2 there were in attendance 580 resident students. These figures showed a steady growth in the institution. Proportionately it was growing faster than any other educational institution of the state, owing no doubt to the rapidly increasing demand for instruction in scientific agriculture. During the previous year the college had done little or nothing with farmers' institute work. There had come to the authorities many inquiries and requests, but all were rejected because the last Legislature had made no provision for the payment of expenses. The college was developing a plan of home reading clubs, so that after the farmers of a community had read sufficiently, they would be sent a lecturer who would bring instruction of all kinds directly to their homes.

The sub-station at Highmore was well advanced and at this time could make an excellent exhibit of results. Several hundred annuals had been tested there. Efforts to develop plants suitable for this portion of the state were made by this sub-station. Millet, corn and the sorghums suitable to this locality were being developed. Special forage plants and cereals were under investigation. In many other departments of farming experiments were being made, and useful results were being reached. Several hundred perennial plants had been tested and a few had proven of great value to that region. Several hundred annuals were tested there. Experiments in range renewals were in progress; the feeding value of the annuals and perennials and the caring power of an acre of each were being investigated; feeding experiments with native grasses were in progress. The chemist here had analyzed many of the soils in this portion of the state. He had also analyzed many samples of products sent in by farmers and others. This station had also installed an experiment milling plant to determine the value of new grains in producing flour and feed. Particularly was the value of shrunken grain investigated. The chemist learned that shrunken wheat as compared with normal grain carried an unusually high per cent of protein. The veterinarian department was investigating the parasitic disease of sheep and rendering aid to farmers whose herds had been attacked. As all these experiments and investigations were extremely valuable and important, the attention of the state authorities was called to the fact that their continuance and advancement required considerable appropriations.

At this time there was a wide misconception of the purpose and domain of the agricultural college. It was emphasized that the leading object was to teach such branches of learning as were related to agriculture and the mechanic arts in order to promote the liberal and practical education of the industrial classes in their respective pursuits. This view was much different from the popular one

concerning agricultural colleges. It contemplated the institution of broad educational opportunities. A chief feature was to emphasize those studies and sciences which favored the advancement and development of the agriculturist and the artisan, but did not include classical studies nor military tactics. Its object was so to attract the intellect and heart of the students to the matchless attractions of rural and industrial life that they would devote themselves to its labors and consecrate their future to the information and skill thus acquired. It was planned that the education secured at the agricultural college should create in the minds of students, the love of home, of farm life, and of agricultural or mechanical pursuits. President Heston said in regard to the appropriations for running expenses which he placed at a total of \$45,000 per year: "I itemize these expenses only because such has been the custom of the Legislature. I am satisfied it will be better to put all of this fund in one item, namely that of state support, to be used for such maintenance purposes as the regents may deem best. Better than all this, would it be to have a permanent tax levy for the support of all state educational institutions to be used at the discretion of the institutions. I trust such a law may be enacted by the Legislature." President Heston at this time pointed out what was needed to make the institution meet the requirements of the state and the times. They needed a heating plant; an agricultural building to cost \$50,000; enlargement of the old mechanical laboratory making thereof a science hall; enlargement of the creamery; enlargement of the veterinarian building; additional farm buildings such as barns, sheds, etc.; additional land for experiment purposes, all aggregating \$121,000. They likewise needed a new chapel or auditorium and girls' dormitory, furniture for the engineering and physics building, and a special appropriation for the equipment and furniture of such building.

Important experiment work was reported in progress at the Brookings Experiment Station in 1902. Crop rotation had been in progress for five years. There were twenty-two different rotation schemes being carried out and two more were added in 1902 made twenty-four rotation schemes being developed. Rotations ranged from continuous croppings to six-year rotations. The plats used for the experiments contained one-tenth of an acre and were permanently marked with iron stakes driven in at the corners. As many plats were used for each rotation as there were years in the rotation scheme so that each crop in the rotation was presented every year. There were eighty-one of these one-tenth acre plats used for the twenty-four rotation programs. At this time the rotation work was in progress so that no report had yet been made. To be thoroughly reliable, a valuable rotation scheme required many years for development.

Other experiments in the conservation of soil moisture by means of tillage were in progress and had been for six years. A preliminary bulletin with early results was published in 1898. Since that time a large amount of data had been collected and was being analyzed and made ready for publication.

During the winter of 1901-2 important experiments in sheep feeding were conducted. The original object was to test the relative value of barley and speltz for feeding sheep. Eight lots of sheep each containing eight or sixty-four head in all, were used in the experiment. Interesting results were obtained, but were not wholly conclusive or satisfactory and so publication was postponed until

further experiment could be made. The object was to supply the farmers of the state with correct information concerning the feeding of these animals.

Other experiments were being made with cereal adaptation. The object was to ascertain what cereals were best adapted to the soil and climate of South Dakota. Important co-operation work was being carried on. In addition there were on the way a large number of different varieties of wheat, several grades of corn, several kinds of grasses, three varieties or strains of Turkestan alfalfa, all of which had been experimented with for several years. Much work was being done in crossing, selecting and breeding individual plants, all under the general supervision of Prof. D. A. Saunders, botanist of the station. This work included numerous experiments which macaroni and bread wheats, both spring and winter; barleys, oats, emmer, winter ryes, speltz, millets and others. First a preliminary trial of the plant was made, the object being to obtain first class seed and secure plants adapted to the soil and climate. The next step was to learn what varieties warranted further trial at the station. The third, or field test, included all those which could be used in large quantity by almost any farmer.

At the Mellette Station improved adaptation work was in progress. Twenty-four varieties of macaroni wheat were seeded at the station the previous year, and were sown again in 1902 in quantities sufficient for eight-tenths of an acre. Twenty-nine varieties were sown in one-tenth acre plats. Twenty-five varieties of barley were sown in one-tenth acre plats; four varieties of emmer produced good seed; one variety of oats was sown on one-tenth acre plat. At Mellette Station the work was under the practical supervision of Sylvester Balz. About five hundred bushels of macaroni wheat of four different varieties were received from the bureau of plant industry for sale and distribution in South Dakota. Four hundred eighty and one-half bushels was sold at \$1.50 per bushel to ninety co-operators located in twenty-nine counties. The balance was used for seed at the station. Two hundred sixty-eight bushels of oats—Tobilsck, Swedish Select and Sixty-Day—were sold at 25 cents a bushel to thirty-five co-operators located in twenty-one counties. Blue stem wheat to the amount of twenty-eight bushels was sold to five co-operators in five counties. Brome grass was supplied by Mellette Station to the farmers of the state for nine years. Seed was sent to every county in the state east of the Missouri River and many west of the river. E. C. Chilcott was director of Mellette Station at this date.

The horticultural department of the agricultural college in 1902 was doing important development work. This department realized that it could do no better work for the farmers of the states than to produce new varieties of fruits adapted to the climate. With this end in view, hundreds of seedlings were produced each year until by 1902 there were on the farm over one hundred thousand seedlings, nearly all of native fruits, growing on the station grounds. The object of the experiment of growing so many seedlings was to secure varieties adapted to this climate. Much experimentation with the native sand cherry was carried out. About five hundred of the second generation bore fruit in July and August, 1902. Several bore fruit fully three-fourths of an inch in diameter and of good quality. These plants were two years old from seed. Forty varieties were selected and put on wild plum stocks and specimens were sent out to propagators in different parts of the state.

The last Legislature had made an appropriation for a plant-breeding house. This was already utilized in the various experiments above mentioned. In the greenhouse were conducted many cross-breeding experiments with the sand cherry and other fruits. Nearly one thousand plants of the hybrid strawberry were started for testing purposes. The greenhouse was used also for grafting experiments with the apple. This year about two hundred strawberry plants were selected from the experiment tracts as worthy of propagation. They needed further tests before final adoption. Similar tests were made with raspberries, shrubs, grapes, cherries, crabapples, apples, etc.

The chemical department of the college was at this time doing important work in analyzing and testing the value of grains and crops of all kinds in order to prove which was the most valuable. From the experiment milling-plant flour and feed were produced from the grain raised and were then tested for their comparative values. Upwards of two hundred samples of grains had been analyzed and their constituent elements had been determined. Digestion experiments were planned at this time.

The biennial period ending June, 1902, was one of the most eventful and important in the history of the state university. A short time before this period the old board of trustees was abolished and the institution was placed in the sole charge of the Board of Regents. After a year or more of investigation they finally, in January, 1899, elected Dr. Garrett Droppers to the presidency of the university. Within one year thereafter there was a marked change for the better in every department and function of the institution. The courses of study were vastly improved—expanded, strengthened and made more definite and thorough. Likewise the semester system took the place of the old term system that had been in vogue since the university was first opened. The great improvements were justly attributed in the main to the exceptional ability and broad scholarship of Doctor Droppers, though he received much assistance from the deans and from the faculty members generally. At last the institution was a correctly classified and regulated university. Soon the institution embraced the following colleges, schools and departments: (1) College of Arts and Sciences, including (a) the School of Commerce, (b) Department of Education, (c) Department of Art; (2) College of Law; (3) College of Engineering; (4) College of Medicine; (5) College of Music.

Owing to the fact, probably, that the institution was growing rapidly there was no appreciable diminution in the number of students attending the university after it had adopted the new course of study and the semester system. For the year 1898-99 the total registration was 345; the next, 384; the next, 398 and for 1901-02 the number was 406. This proved a steady growth year by year in spite of the elimination of one-term students during the winter seasons. In addition the regular college students were increasing in number more rapidly than ever before. In fact, they had grown out of proportion to the increase in the number of students in the preparatory department. The university authorities had been criticised in the past for the large number of preparatory students admitted, and for the great attention that had been paid to them by the faculty of the university. However, the criticism was not well grounded, because the conditions prevailing in the high schools were such that the university would not have had so many

students had it not adopted the preparatory department as a feeder or supporter of the university proper.

The introduction of a preparatory department was a necessary step in the early development of the universities in all the states. It was the transition period from the day of opening until the number of students with full courses would be sufficient to warrant large enough appropriations and a strong enough faculty to make the institution one of great worth and credit. Not yet was the university ready to extinguish the preparatory department. However, much greater attention than ever before could now be given to strictly collegiate instruction. Thus everything indicated that the university had begun a new and propitious era in its history. At the end of the school year 1901-02 the number of regular college students was about 150 per cent larger than five years before, while the number of preparatory and irregular students remained almost stationary or had diminished slightly. During this period also the number of high schools in the state had wonderfully increased, but not yet did this fact result in any noticeable advantage to the university, because they did not yet possess a satisfactory course of study. However, by 1902 a considerable portion of the students entering the university came from accredited high schools, where they were prepared fully for entrance to the freshman class of the university. It was believed at this time that the large number of high school graduates being sent out annually would within a few years cause the university to abandon its preparatory department wholly and give its exclusive attention to the development and expansion of university work proper.

The Legislature of 1901 authorized the establishment of a college of law at the State University. During the succeeding summer the school was made ready and at the end of August, Hon. Thomas Sterling, of Redfield, was chosen dean. Soon afterwards he assumed his duties at the university. The conclusion to open the law school was reached so late that the number of students the first year was restricted, there being only eight. The next year the number advanced to twenty-five or more. It was now necessary to appoint an assistant instructor, and in addition several eminent lawyers of the state were engaged to give the students lectures on specific law subjects when the classes should be ready for such instruction. At the end of the first year, therefore, the outlook of the law department was promising.

In June, 1901, the regents of education under authority granted them by the Legislature, established a department of civil and mechanical engineering at the university. The first class was organized for work in September, 1901. There were at first twelve students under Dr. Alexander Pell. The department lacked equipment, but there was much enthusiasm and steady work resulted. The demand for civil engineers was rapidly growing throughout the state. Prof. R. M. Meyers was employed to assist Doctor Pell. The department was given a new building.

Within two or three years ending with June, 1902, the College of Music had shown a satisfactory growth. It occupied the entire third floor of the main building. The chorus and band were well organized, and already an efficient orchestra was planned for the near future. The department had the use of ten pianos.

During the two years the material additions to the university had been large and highly important. At last the Legislature had come to realize that it should

either shut up the institution wholly or supply it with adequate facilities for advancement. Science Hall was accordingly built, and was 150 feet long, 65 feet wide, and three stories high. It was built of Omaha pressed brick. On the first floor were placed the physical and chemical laboratories. On the second floor were the geological and biological laboratories with their classrooms. On the third floor were the museum and the engineering department. The construction of this building was an important event in the history of the university. It supplied a want that had been continuously and oppressively felt since the institution had been founded back in the '80s. The construction and occupation of this building left vacant for other uses much room in other structures. It may truthfully be said that the construction of this building alone almost doubled the capacity of the university.

It must be admitted that Doctor Droppers was doing a great work for the university. He called attention to the recent growth of the institution and to the fact that it could now be sustained naturally without placing any additional burden on the taxpayers of the state. The valuation of property had been greatly increased, assessments were higher and therefore taxes aggregated a larger amount. At the session of the Legislature of 1899 several members made an attempt to pass a law providing that the finances of the state institutions should be largely independent of the State Legislature and the exigencies of political changes. The unwise limitation of the funds and thus the practical death of the plan, caused the governor to veto the bill. However, all agreed that the bill as originally intended was excellent and that it should have become a law without amendment. This bill or one similar to it would remove the educational institutions from political fields and thus render them educational in fact as well as in name. The president showed at this time that where other states had passed similar bills there was no complaint whatever from increased taxation or other burden. North Dakota had such a law which provided about \$50,000 a year. In Iowa there was a permanent appropriation of similar nature which netted \$160,000 per year for maintenance alone. Wisconsin and Minnesota had similar tax levy systems for the support of state institutions.

Military instruction was conducted under unfavorable circumstances, owing to the lack of a suitable military instructor, all prominent military officials having been required to serve in the war with Spain. However, recently a graduate of West Point, Capt. M. M. Maxon, had been sent here to take charge of this department. Already the military department was almost as strong as it had been at the time the Spanish war broke out. Instruction in military tactics and field practice was given three times a week. Connected with this work were given gymnasium exercises. It was noted that a year's training in this department vastly improved the stature and posture of the students who took the course.

At this time the grounds at the university had been greatly improved. The trees had become large and the campus and buildings were far more attractive. The little City of Vermillion was an advantageous place for the university. The surroundings were attractive, the soil productive, the residences better and more modern, and the inhabitants better informed and appreciative.

In 1902 the School of Mines was in prosperous condition. Robert L. Slagle was then president. During the previous two years very little change was made in the mining, engineering and preparatory courses. By 1902 the school had

these three regular courses well under way and had made considerable progress in the systematic arrangement of students in regular classes. Additions to the faculty were A. D. Humbart, instructor in commercial studies, and Mark Ehle, Jr., instructor in surveying and mechanical drawing. A department of engineering was absolutely essential to a school of mines, and was duly established in 1901 under Professor Ehle. There were classes in laboratory work in every branch of the three courses of study adopted by the regents. The most marked event during this biennial period was the decision to confer the degree of Bachelor of Science in Mining Engineering upon regular graduates of the institution. They were the first students thus graduated with a degree since the opening of the institution in 1887. All graduates at this time held responsible positions at good salaries. The annual appropriation of \$500 for the library enabled the school to secure much needed books and scientific journals filled with up-to-date and technical information. The school up to this time had experienced great difficulty in securing boarding and lodging for the students. A boarding club was established in 1901 with Miss Anna Browne as matron. This was in the central part of the town and the students secured lodging in private dwellings and business blocks. The great growth of Rapid City during the two years rendered it impossible for students to secure cheap rooms. Accordingly President Slagle rented the Oak Park Hotel and converted it into a dormitory and boarding house. The students paid the rental for the building and in addition furnished everything for their rooms. In 1902 a new building was erected to meet this emergency, but the quarters were still too small, the money appropriated being less than necessary for the erection of a scientific building. The \$2,000 appropriated for furniture was wholly inadequate. During the previous year, Charles H. Fulton, professor of metallurgy, issued a bulletin on the Cyanide Process in the Black Hills, and Dr. C. C. O'Harra, of the department of mineralogy and geology, issued another on the Mineral Wealth of the Black Hills. Both publications were reviewed very favorably by various mining journals throughout the country. President Slagle at this time believed that a mining experiment station should be established in connection with the school owing to the numerous requests for analysis and advice concerning the treatment of ores that arrived almost every day. At this time they were making assays, analyses and practical tests of ores. He called attention to the fact that stability in the teaching force was requisite for the successful operation of a school of this character. The knowledge was technical and expert, and professors who taught what was necessarily required here commanded high salaries. The Legislature failed to take into consideration this fact and the additional one that living in the Black Hills was more expensive than in the eastern part of the state. In mining regions living expenses were always higher than in agricultural sections. President Slagle compared the salaries received at the School of Mines with the salaries paid by similar schools in other parts of the country. It was shown that South Dakota paid much less than was paid elsewhere.

The State Normal at Madison in September, 1902, was in prosperous condition. In 1901 the sum of \$11,470 was appropriated by the Legislature to complete, equip and furnish a new dormitory; to repay the City of Madison for money expended by the city in procuring and cutting stone used in the building; and to pay the balance due the contractor. This sum enabled the authorities to

complete the building as originally designed. The new dormitory was quickly filled with students. There was a steady increase of students from year to year, and the labor of the teachers was correspondingly on the increase. Two teachers in the school had received no increase in salary for six years. Their salaries remained at \$1,300 each. The president recommended that the sum of \$400 be appropriated from the local fund of the institution and that \$100 be added to the salary of each of these teachers in January and a similar amount in June. The graduating class in January, 1902, numbered nineteen or twenty. This was three times as large as any class graduated at this season during any year for the past five years. Already one of this class had secured a position at Big Stone, S. D., and all looked forward to immediate employment after graduation. Nearly all students here who would graduate were considered competent teachers. W. W. Girton was acting president at this time. During the year Pres. W. H. H. Beadle was absent on leave owing to ill health. He soon returned, however, greatly improved and resumed his duties. Fault was found at this time by Mr. Girton that graduates of normal schools were discriminated against by the state law which provided that a graduate of a college which did not teach pedagogy was entitled to a certificate while graduates of the normal school which made the training of teachers its chief end and sole business were required to pass an examination. The institution needed an electric plant at this time. The music department had grown rapidly. The regents of education had authorized the faculty to grant diplomas to those who should complete the musical course. The manual training department was the only enlargement during the past year. Although it was in a poorly lighted room in the basement, the students took great interest in the work, and the exhibit at the end of the year proved the value of the department. Students experienced much difficulty in securing suitable boarding places; so much so in fact that this element retarded the growth of the school and continued to do so until the dormitory was built. In 1902 a house was rented where a few of the students could be accommodated, but nearly all were compelled to find private boarding places. A dormitory was sadly needed. The natural increase in the number of classes and in the equipment of library and the scientific departments required larger expenditures in the future. This institution, like all others, had barely sufficient means to make a creditable showing.

The Springfield State Normal made a creditable showing in 1902. A new main building was completed during the year, and was a fine stone structure consisting of three stories and basement, steam heated. The wing to which this building was attached was heated with stoves. The secretary asked that the steam plant be extended to this wing, the cost being about six hundred dollars. The wing or first building, though solid and substantial and built of Sioux Falls granite, had soft pine floors and the extra wear had worn them down so that it was necessary to replace them now with harder wood at a cost of about four hundred dollars. The increasing attendance required larger and better quarters and facilities of every kind. The assembly room, one of the finest in the state, was fitted with opera chairs, and the class rooms were supplied with modern furniture; and in addition the library, gymnasium and scientific departments had received up-to-date and necessary equipment. The artesian well was another recent acquisition. A lake was formed and ornamented. The model school was limited to five grades, and at this time took in all grades below those enrolled in

the normal department. A manual training department was added and was completely equipped with benches and tools. The music department embraced a full course of study in musical theory and vocal and piano instruction. The normal department proper offered two courses of study of three years each and an advanced course of one year of post graduate work.

The Northern Normal and Industrial School at Aberdeen was opened September 9, 1902, with an enrollment of sixty-nine students on the first day. By September 24th the enrollment had reached eighty-three; and in the Model School, which embraced the first four grades, there were enrolled eighty-five. Three courses of study were adopted at the commencement: a Latin course of four years, an English course of three years, and a course of one year for graduates of accredited high schools. Connected with the institution from the start was a preparatory course of one year for students who planned to enter the Latin or English courses, but who were not sufficiently well advanced in the fundamental studies. Interesting features of the school at this time were: The industrial demonstrations; a school garden; the laboratories; the physical culture and athletic facilities; the library and reading room; and the faculty, at the head of which was Charles F. Hohler. Great difficulty in securing boarding and rooms at reasonable rates was experienced. The citizens of Aberdeen were willing and anxious to assist but could not overcome conditions where no suitable quarters could be secured. The city was growing rapidly, the houses were all full, and very few places were for rent. It was at once demanded that there should be built a ladies' dormitory and boarding hall at an expense of from thirty-five thousand to forty thousand dollars and should be spent \$3,000 additional for equipment. An artesian well was needed also.

The Spearfish Normal School was likewise well attended and doing a work that was greatly needed. The graduating class of 1901 numbered thirteen; that of 1902 numbered seventeen. The number of graduates as compared with the enrollment was small, owing to the fact that the course of study was unusually long and thorough. An important event in recent years was the erection of the Woman's Hall, which was used for the first time during 1901-02. It furnished a delightful and refined home for a large number of young women. The total normal enrollment for the year 1901-02 in all departments was 342. They completely filled all the available buildings.

In 1903 there were graduated from the State University 44 pupils; Agricultural College, 31; Madison Normal, 26; Northern Normal and Industrial School, 9; Springfield Normal, 7; Spearfish Normal, 10; Rapid City School of Mines, 6; making a total of 133. The whole number of graduates from the state educational institutions up to and including 1903 was as follows: State University, 289; Agricultural College, 283; Madison Normal, 361; Springfield Normal, 64; Northern Normal and Industrial School, 9; School of Mines, 19; Spearfish Normal, 75, thus making the total number of graduates since the organization of the respective institutions, 1,100. During the year 1902-03 the attendance at the institutions was as follows: State University, 411; Agricultural College, 490; Madison Normal, 346; Springfield Normal, 245; Northern Normal and Industrial School, 176; Rapid City School of Mines, 126; Spearfish Normal, 225; making the total of 2,019. In addition there were thousands who took partial courses and had gone out into the world to put the knowledge thus acquired into practice.

The faculties of the seven state educational centers numbered about ninety skilled and trained instructors who were paid an aggregate salary of about eighty-five thousand dollars. The classic and scientific courses were represented in six of the seven state colleges and schools; professional teaching in four; mining and metallurgy in one; civil engineering in three; law in one; music and fine arts in all.

Concerning the Board of Charities and Corrections the governor said in his message of January, 1903, "Never before since the establishment of these institutions have they been in charge of officials possessing such pre-eminent qualifications and so complete by the confidence of the people. Never before have these institutions been so effectively under the control of the state board in fact as well as in name. Never before have these institutions been managed so strictly in accordance with business principles so well recognized among successful business men. Today these institutions are distinctly state institutions managed by the state and in the interests of the state. Every institution has made a record during the past two years, which is very gratifying to the board and to the executive." He noted that recently large sums of money had been judiciously and economically spent for new buildings at several of the state institutions, particularly at the insane asylum at Yankton.

He seconded the recommendation of the warden of the penitentiary for the establishment of a twine plant within that institution. He called attention to the fact that as far back as 1893 the Legislature had favored such a factory within the penitentiary, but that nothing had been done because that body did not at the same time provide funds for the purpose nor take other action with that object in view. In this connection he remarked, "The sentimental objection to convict labor is unreasonable and not worthy of serious consideration. The law-breaker is sentenced to a term at hard labor, but is kept idle at the expense of law-abiding citizens. Has it ever occurred to those who raised this objection that the enforced idleness of convicts is demoralizing to them physically, mentally and morally, besides adding another burden to those who are forced to labor for the support of the prison population? The plan for some profitable employment for state prisoners is in consonance with the instincts of humanity and common sense."

The governor in 1903 described how prosperous was the Soldiers' Home and how comfortable were the inmates. He recommended an appropriation in accordance with the estimate of the Home board. He said, "Heretofore the commandant has performed the functions of a Probate Court in distributing the assets of deceased members of the Home. This practice has been abolished. In attempting to deposit trust funds of the Home in the state treasury for temporary safe keeping it was discovered that there was no law authorizing the same. I recommend the enactment of a law making the state treasurer the custodian of funds pending probate proceedings establishing lawful claims upon moneys or effects left by the inmates of the Home. I recommend that the commandant of the Home be required by law to give bond to be approved by commissioners. The shortage of \$1,037.75 from the former state administration is receiving the attention of the legal department." He stated that the National Guard of the state should be adequately maintained and called attention to the fact that the Legislature of 1901 had appropriated \$6,000 for two years, but as this was manifestly inadequate he advised a much larger appropriation.

In 1904 the north half of South Dakota east of the Missouri had a greater population than the south half. Why, then, it was asked, should the people vote for capital removal to Mitchell, which was situated in the south half? Already that half had a large majority of the state institutions. This question was asked by the Watertown Public Opinion in May.

In September, 1904, it was a public and political question whether the Board of Charities and Corrections should close most of the avenues of labor to the inmates of the State Reform School and deny them work, and deny also the inmates of the penitentiary an opportunity to work.

From 1889 to November 20, 1904, the state institutions had received the following amounts from sales of the land endowments given them by the Government:

State University	\$18,241.23
Agricultural College	48,404.04
School for the Deaf.....	9,873.69
Reform School	9,204.74
Madison Normal	8,134.62
Springfield Normal	11,044.62
Spearfish Normal	8,134.73
School of Mines	5,949.22
Aberdeen Normal	7,531.89
Northern Hospital	5,293.54
School for the Blind.....	1,786.86

The quantity of land donated for public buildings was about eighty-two thousand acres. This acreage could be disposed of and the fund could be used for the new capitol building which was projected immediately after the capital contest of 1904 had located the permanent capital at Pierre. These public building lands were divided among the counties as follows:

Butte	18,258 acres	Hyde	8,726 acres
Edmunds	8,797 acres	McPherson	8,658 acres
Fall River	9,703 acres	Meade	13,263 acres
Faulk	7,190 acres	Pennington	4,320 acres
Hand	480 acres	Potter	2,400 acres

In his message to the Legislature in January, 1905, Governor Elrod said: "There is too much Latin taught at Brookings and too much mechanical engineering taught at Vermillion. There is room and work for both of these splendid institutions, but neither should trespass on the rights of the other." He expressed the belief that the engineering school should be removed from Vermillion to Brookings, owing to the fact in part that comparatively few students at Brookings took the agricultural course, but really wanted something else. The governor maintained that the Morrill Act of Congress was a theory that had not been carried out in the so-called agricultural colleges of any of the states. He further observed "Not very many students in this young state can take mechanical engineering. The general government under the Morrill Act sends the agricultural college \$25,000 a year with which to pay for teaching along the two lines specified in the act of Congress establishing the land grant colleges. The name given by

Congress to these institutions is "Colleges of Agriculture and Mechanic Arts." The Department of the Interior has made a ruling indicating what subjects may be taught in agriculture and mechanic arts. There are nine of these subjects in agriculture and eight in mechanic arts, the latter named by the Department of Interior as follows: (1) Mechanical engineering; (2) civil engineering; (3) electrical engineering; (4) irrigation engineering; (5) mining engineering; (6) marine engineering; (7) railway engineering and (8) experimental engineering. Thus you will see that the Agricultural College receives perpetually from the Government \$25,000 a year with which to pay for teaching agriculture and engineering. Engineering is well known to be exceedingly expensive both for teaching and equipment. The state has to pay professors who teach mechanical engineering at the State University. It seems to me that it is unwise to attempt to teach mechanical engineering at the State University, when we take into consideration our financial condition and the splendid facilities we have for teaching mechanical engineering at the Agricultural College. The university has scores and multitudes of subjects—all the groups of the professional schools. We would not in any way injure the State University to build up the Agricultural College or the reverse."

In January, 1905, S. E. Young, superintendent of the Plankinton Reform School, reported fifty-seven inmates with nine out on parole. Of the fifty-seven inmates there were fourteen girls. The superintendent declared that the children were not incorrigible, but were so full of spirit that they were mischievous. Two-thirds of the inmates were regularly treated as trustees after they had been there a short time and had become familiar with their surroundings. Not one was held down as a prisoner, though a few it was admitted needed watching. Nearly all of the inmates were contented, few attempted to escape and the moral tone of the school as a whole had been greatly improved within a few years.

In August, 1905, the warden of the penitentiary reported that seventy dozen shirts per day were being manufactured in the new shirt factory which had just been established within that institution. The inmates seemed pleased at the change. At this time quite a number of the convicts were working in the state quarries, while others were still employed in hauling the stone to the grounds near the buildings which were being erected for the proposed new binder twine plant.

In August, 1906, South Dakota had sixteen state institutions which had cost a total in round numbers of \$2,000,000. There was no debt to settle, because on January 1, 1907, all had been paid for. At this time the state had about five million dollars of permanent school fund, the notes drawing 5 per cent interest. The last eight years had been exceedingly prosperous for the state. Thousands of mortgages had been paid from the natural resources.

The State Women's Committee of Investigation in 1908 were as follows: President, Mrs. L. R. Eastwood, Mrs. Carrie M. Cleveland and Miss Emmer M. Cook, the latter being the secretary. In their report of the condition of the state institutions from the standpoint of the board, they were unanimous that adequate fire protection should be provided at once for the school for the blind. The existing condition of things in case of fire would mean great loss of life. The furnace and coal bins were in the basement of the building and no night watchman was employed. There was not sufficient room for hospital, gymnasium,



DEAF MUTE SCHOOL, SIOUX FALLS



CHILDREN'S HOME, SIOUX FALLS

industrial work and manual training. The prevalence of contagious diseases among the children demanded ample hospital accommodation. A modern building and power house was needed. At this time there were only forty-four pupils enrolled, although there were 100 of school age in the state. It was a fact at this time that parents hesitated to send their children to this institution for fear that they would not receive proper protection and consideration. The possibilities of the educated blind were great, and the helplessness of the blind who were untrained and uneducated was both pitiful and unnecessary. In June, 1908, four blind children, well equipped for specific labor, were graduated from this institution. Mrs. Dora E. Humbart was superintendent.

The Women's Committee further reported that the penitentiary under Warden H. T. Parmley was in an unusually prosperous condition. All departments were moving satisfactorily. The shirt factory was in full operation where many men were given regular employment and this change was appreciated by the inmates. The results in improved physical and moral conditions were shown throughout the institution. By thus controlling the labor and time of the inmates, the management more easily encompassed and controlled all other movements of the inmates. There was at this time imperative need for improvement in hospital conditions. This want had been felt for a long time, but had not been wholly remedied. Over the laundry were the tubercular patients, mostly Indians, and their exposure without proper provision for isolation tended to spread the diseases to other sections of the institution. A new woman's ward was needed, and great changes in the prisoners' dining-room where the ventilation was poor, the light insufficient and the seating capacity inadequate were demanded. However the food supply was plentiful, clean and well cooked. As a whole, the convicts were in good health.

The committee reported that the hospital for the insane was doing excellent work. Perhaps better system was shown here than in any other state institution except the penitentiary. Patients received better care, consideration and treatment than could be given them at any home in the state. The new buildings furnished every facility for the treatment of acute cases, and every comfort was given the unfortunate inmates. Here the buildings were fire-proof. The women's hospital was nearly completed under the superintendency of Dr. L. C. Meade. At this time 725 patients were being cared for. Several assistant physicians were in daily attendance to relieve the unfortunate patients as much as possible from their sufferings.

The women's committee noted particularly the important improvements which had been made at the deaf mute school during the past three years. They particularly noted the girls' dormitory where the danger from fire had been removed. The enlarged kitchen and the capacious dining-room, together with improved kitchen work and a new bakery oven, were other improvements that had been made. At this time the industrial work taught was elaborate and practical. The girls in the sewing and cooking classes were extremely proficient. This result was due to the patience, skill and ability of the instructors. All of their time was devoted to the pupils and the systematic work of the institution. All contributed to the moral and physical development of the inmates. The ladies recommended an increase in salary for the instructors who labored here so hard and accomplished so much. They further recommended a library and the subscrip-

tion for current literature. Better light and ventilation were needed in the rooms. Superintendent McLaughlin and a competent corps of teachers and employes managed the institution with credit.

The committee reported that the State Training School appealed to them as one of the most important of the state institutions. To carry out the object and purpose of the institution meant much to the state. To take derelict boys and girls and so restrain, instruct and direct them that they should be educated along upright lines and established on a more substantial foundation of good conduct was a task of no small proportion. Respect for moral obligations and the rights of others, obedience to domestic, social and business customs, and a correct view of life and its duties meant a great deal to boys and girls who did not know any better than to violate the usual laws of society. All this improvement meant a thorough mastery of human motives by those in charge of the training school. There was necessary constant personal effort and the separation of individuals so that personal peculiarities, weaknesses and characteristics could be perceived, encompassed and controlled. In this institution as in but few others, all employes necessarily were required to possess and maintain a high degree of perfection in their specialties. Superintendent Young at this time had under him a most efficient corps of practical instructors and trainers. All inmates were not only required to observe all proper habits and customs, but were given instruction that would fit them for useful and profitable pursuits after they left the institution. The cheerful, faithful work of both boys and girls was one of the striking features of the institution at this time. The girls' cottage was in charge of Miss Marion Holland who was especially fitted by qualities and training for the responsible duty of giving the young girls the right ideas of life. The committee recommended the establishment of better library facilities and the purchase of current magazines and literature. All on Sabbath attended preaching and Sunday school. They said there was needed a piano for the girls' cottage. The committee further recommended that the next Legislature should provide for a woman state agent who should have charge of unfortunate girls on journeys from county jails to the training school in order that they should not be kept in jail longer than necessary and then should be given the right to consideration and turned over safely to the training school.

The women's committee expressed the opinion that the name of the Northern Hospital for the Insane was a misnomer, because the object of the institution was to furnish a home for the feeble minded of the state, those who were incompetent to care for and protect themselves and not because they were mentally deranged. They expressed the belief that it should be the permanent abode of all the feeble minded of the state, thus relieving society from the burden of this class of unfortunates and placing them in a situation where in many cases they could greatly improve and perhaps later be turned upon the world able to take care of themselves. The necessity of early training for the feeble minded was fully recognized by the committee. They believed that all who showed capacity for improvement should not be kept down by those whose condition made it impossible for them to advance. Occupation among the brighter pupils was desirable. Lack of room and other facilities hampered and restricted the operations of the instructors. The facilities for cooking, for laundry work and for sanitation were good. Already the inmates and others had greatly beautified the

grounds. Doctor Kutnewsky and his wife, supported by a number of faithful assistants, had control of the institution. Mrs. Francis was matron. As a whole the committee commended the management of this institution. They recommended that this and other state institutions be wholly separated from politics.

In July, 1908, the Soldiers' Home was unusually prosperous and well managed. By this time much better system prevailed than was seen at the home in early years. All members were neat and clean in person, loyal and obedient, never profane or vulgar, and all were neat and sanitary in their quarters. A new hospital had recently been erected and furnished with all modern conveniences and its capacity was between forty and fifty patients. At this time Dr. H. H. Wilcox was in charge and Mrs. H. H. Wilcox was steward. There was present a sufficient corps of trained nurses. The quartermaster department was in charge of W. H. Reed and was well supplied with necessities for the health and comfort of the members. There had recently been erected six new cottages which were occupied by comrades and their wives, making in all eighteen on the home grounds. All were occupied and at this time there were applicants waiting. While the death rate among the old soldiers was high, as a whole they were well and healthy. The total number cared for in the hospital for nineteen months in 1907-08 was 107. Eleven died in 1907 and seventeen died in 1908 in the hospital. The total number of members of the home present on June 30, 1908, was 181, members on furlough eighty-one, wives present twenty. Sometimes during the summer months as many as 100 men were absent on furlough. The appropriations of 1907-08 were insufficient to carry out the objects for which they had been intended and had been asked. During the winter months the old building and the old hospital were crowded to their greatest capacity and were thus in a measure unsanitary. Thirty died in 1907-08, a mortality before unknown in the history of the home. Work was suspended on the new hospital owing to the lack of funds. As the statute forbade the making of a contract for the erection or completion of any public work unless a provision had been made to cover the cost of same, work could not continue. However, members of the home themselves contributed \$500 to assist in the completion of the work. The cottages contained two rooms which were occupied by veterans and their wives. Almost every mail during the year brought in applications for admission. The commandant in 1908, stated that there were needed at least thirty additional cottages to cost about five hundred dollars each. A few veterans who were unable to secure cottages bought houses or built homes near the institution. The report of the surgeon, H. H. Wilcox, showed that the home at times was unsanitary and that he was compelled to invoke methods of fumigation and cleansing and thereafter had kept the institution in better condition except when it was overcrowded. With two new buildings having a capacity of about one hundred and fifty, great improvement in sanitation, comfort, etc., could be attained. The Women's Relief Corps throughout the state was doing much for the comfort of the old soldiers and their wives at this time. The kitchen was in excellent condition and the food was palatable and nourishing. There was constant call for physicians and occasionally it was necessary to perform an operation. The prevailing disorders in the home were as follows: Rheumatism, la grippe, bad colds, constipation, indigestion, general debility, bronchitis, trauma, conjunctivitis, deafness, influenza, and vertigo. About 90 per cent of the entire enrollment at the home received

medical attention and treatment during the year. At this date there were about thirty women, mostly wives of the soldiers in and about the home, who likewise received medical attention at the hands of the surgeon.

In the fall of 1909 the State Board of Charities and Corrections selected the site for a tuberculosis hospital in the Black Hills region. They desired 1,000 acres of land and enough means for the erection of the buildings. They asked for \$15,000 for buildings, and \$5,000 annually for maintenance.

TOTAL STUDENTS

Institution	1906	1909
Spearfish Normal	146	249
Madison Normal	363	668
Aberdeen Normal	327	715
Spearfish Normal	148	249
Agricultural College	571	728
State University	381	454
Total	1,936	3,003

TOTAL INMATES

Charitable Institution	1906	1909
Deaf Mute School	52	82
School for the Blind.....	27	35
School for Feeble-minded	96	155
Penitentiary	178	202
Reform School	68	90
Insane Hospital	644	782
Total	1,065	1,346

In July, 1910, the Women's Committee of Investigation reported the state institutions in fair condition. They stated that all children of the state were entitled to an education and that blind children particularly should be given every facility so they would not continue to be helpless. Special teachers were necessary for their instruction. In every way the blind child should come in contact with active school life, in the school room, in the fields and in the streets. This gave them confidence and independence. There were thirty-seven pupils in the School for the Blind at this time, and the line of industrial work was limited to broom-making, cane work and hammock weaving. No instructor was employed and the few boys who could perform the work were the ones who received the attention. Instruction in vocal music and piano playing was given by Miss Whittlesey. She likewise instructed classes in physical training and typewriting. The teacher of violin music had been dispensed with. Mrs. Lela Curl was superintendent and teacher of the high grade pupils in 1910. New buildings were planned and greatly enlarged work had been already scheduled and outlined. Another teacher was necessary in the kitchen and in new lines of manual training.

They found that the School for the Feeble Minded was being steadily improved. The public had begun to place a higher value on this institution. The question was how best to serve the unfortunates. This institution was both a

school and a home. The results accomplished by the skillful work of the superintendent and assistant teachers was pronounced almost marvelous by the women's committee. In June, 1910, there were 176 inmates. About 110 attended chapel service and about seventy-five received schooling. Miss Van Sick had charge of the school work and physical culture and gymnasium classes. She had so much work to do that the women's committee noted she was overworked and even then could not do justice to all her classes. The crowded condition of the school was a handicap to industrial and educational work. Miss Howard who had charge of the industrial work gave instruction in lace making, embroidery, hammock and net weaving, basketry and Irish crochet. Other lines of industrial work were needed. An assistant superintendent seemed absolutely necessary owing to the size of the institution. A physician and surgeon was constantly in attendance, but was unable to do more than half what should be done. He was expected to give medical attention to over two hundred feeble minded, crippled, epileptic children, many of them hospital cases, demanding calls day and night. Connected with the institution was a large farm and dairy, a new general building under course of construction, and numerous other accessories to look after. All this was placed in charge of the physician who was not furnished an assistant and received only a salary usually paid to the superintendent of an ordinary school with less than one hundred pupils and they in normal health, and with no farm to cultivate, no special training needed and short and regular hours for labor. All of this task was thrown on Doctor Kutnewsky and his wife who aided materially in the school rooms and on social and public occasions. The separation of high grade children from those of the lower grade was demanded by the women's committee.

In the summer of 1910, the School for the Deaf had seventy-six pupils. A short while before it had been quarantined for a short time for scarlet fever. The teachers were specially instructed and qualified and were thoroughly trained for the positions they occupied. Teachers in schools of this kind were usually selected for their qualifications and not for their politics or influence. The law required that the superintendent of this institution should be able to use the sign language. His duties therefore were limited to schools for the deaf. Ordinary teachers or superintendents could secure positions anywhere in the United States or the world for that matter. The women's committee insisted that the most successful method for the training of character was the method of personality. "Character forms character through close relations, hence the necessity of daily fellowship with a personality that shall mold and fashion the child's life into a beautiful unfolding that shall increase in value and usefulness as the years go by. This is especially true of the deaf child who must depend entirely on signs and expression from contact with those over them."

In the summer of 1910 the state penitentiary contained 207 male and six female prisoners. Among the males were twenty-seven with life sentences and twenty-two were under twenty-one years of age. The institution thus contained a large percentage of comparatively young men. The women's committee suggested that this subject would be investigated and that steps to surround young men with better influences should be taken. It was believed that the indeterminate sentence and the grading and parole systems were helpful in this institution. Already it had been introduced and the reports indicated that it was progressing

satisfactorily. The indeterminate sentence was made possible by the Legislature in 1908. It gave the convict an opportunity to redeem himself, but extended to the professional criminal no encouragement. In the penitentiary the inmates were surrounded with good influence. Religious services were held regularly and were well attended. Music was furnished by a double quartette of prisoners. They sang a song called "God Praise My Boy Tonight" at a public performance and there were few dry eyes in the audience. A night school was in operation also and was well attended. The twine plant was being run to its full capacity giving employment to sixty-five men and in the shirt factory were seventy-five, but a large number were also employed in the kitchen, bakery, laundry and about the farm. All men who were physically able were given employment. All of this accompanied with humane treatment had an excellent effect on the inmates. An electric light had been placed in each cell which was regarded as a great improvement and appreciated by the prisoners as each could read at ease by his own light. There was a pressing need at this time for a hospital prisoners' dining-room and cottage for women prisoners. Mrs. Flanagan was matron and had charge of the women prisoners. They were given work in sewing and other lines which they understood. Since the law had gone into effect, seventeen prisoners had been parolled.

In the summer of 1910 there were sixty boys and thirty girls at the State Training School; sixteen of the boys were between eight and thirteen years. An investigation by the women's committee showed that the parents of one-third of the boy inmates were divorced, one-third had stepfathers or stepmothers and the remaining one-third had come from homes where the influence was bad and the children had been neglected and turned out in the streets. No wonder they were incorrigible. The time of the boys outside of the school room was spent largely at work in the fields on the large farm taking care of stock, assisting in the dairy and bakery, doing chores in the kitchen and dining-room, caring for dormitories and halls which they swept and scrubbed. They were very busy and seemed to like their work. One boy of fourteen took care of sixty gallons of milk per day and made the butter. The dairy facilities were not the best, but in spite of that the results were satisfactory. The utensils for handling the milk and butter were out of date. There was need here of a much wider range for industrial training. The committee suggested that sloyd work, carpentering, cabinet making and similar industries should be introduced. A few of the boys were out on parole and had good positions with the farmers, were paid and gave satisfaction. The institution was in charge of Superintendent and Mrs. Young. The girls' cottage had been considerably improved, particularly its sanitary surroundings. The housework was done by the girls. This included cooking, care of the dining-room, care of dormitories and general cleaning. They did the mending for the institution, also the sewing, also their own underclothes, particularly their own dresses, all under the direction of the matron. The pupils were divided into two grades each receiving one-half its school training during the school year. The conditions were not good for the girls to receive their quota of outdoor life and fresh air. The committee recommended the removal of the girls' school to some other locality and the adoption of the cottage plan which had proved so satisfactory elsewhere. The committee dwelt particularly on the importance of making home life attractive for young girls. To do this the girls sent to this institution

should be surrounded with the best of influences. The committee did not approve of dormitories for these girls. It was better not to have them herded together they said. Generally the girls here ranged from eleven to sixteen years, were unfortunate and had been the victims of their surroundings. It was believed that they were making a great effort to reform. Miss White had charge of the girls' cottage.

In the summer of 1910 there were at the Hospital for the Insane 520 men and 313 women. A number had been recently returned to their homes cured, but new patients were coming all the time, and the aggregate was steadily increasing. Every department required a large force of men and women attendants. Even the cooking required to feed this enormous number of people was a great undertaking and at times the expense of food was very high. The dairy department supplied 130 quarts of milk per day, and the committee believed that the dairy should be increased in size and usefulness. The new hospital for the women was already occupied and was a great benefit to the unfortunate women. The committee believed that environment had much to do with the successful treatment of mental disease. The new building was planned particularly for this result. It was a quiet and beautiful place, surrounded with elevating influences. Improvements in every department were constantly going on, made necessary by so large an institution. The new laundry building was nearing completion. Great care in furnishing proper food and looking after sanitary conditions was exercised.

It was the duty of the women's committee to examine the conditions that affected the lives and welfare of the inmates of the state charitable and penal institutions. This they did with much care; intelligence and fairness. It was necessary for them to have high ideals, yet all should be practical. It was necessary for them to be broadminded, humane, just and advanced on all lines of human progress. This was the women's committee of 1910. They were Lydia R. Eastwood, president; Emmer M. Cook, secretary; and Carrie W. Cleveland.

The Soldiers' Home Investigating Committee of the Legislature in 1911 made not only an investigation, but likewise reached mature conclusions and made important recommendations. Their report was long and embraced the following points: (1) That the action of the home authorities in dismissing certain old soldiers was harsh, vindictive, unjustifiable and not in keeping with the spirit and purpose of the institution and that they should be reinstated; (2) that the action of the home authorities in discharging two other persons was warranted by the facts disclosed, but on the other hand they asked for their readmission; (3) that certain others who had asked for admission and had been denied it, were deemed worthy of becoming members of the home; (4) that the treatment of certain others considering their condition should not be complained of; (5) that the suspension of certain others was warranted by existing rules which provided for suspension of habitual drunkards, but in the opinion of the committee some other method of treating this unfortunate class of individuals should be devised; (6) that no blame should in any way attach to anyone connected with the home for the condition surrounding their cases; (7) that the action of the commandant in ordering another member to vacate the room occupied by him as a barber shop was without any just cause and wholly unwarranted; (8) that the expenditure of the sum of \$5,670.48 of the money appropriated for repairs to sewerage was wholly unwarranted, unauthorized and illegal; (9) that the members of the home

generally had been well treated, were comfortably quartered, were furnished with a sufficient quantity and variety of wholesome food, had been given due necessary medical attendance, and appeared to be satisfied with the home; (10) that the many improvements which had been made to the buildings and grounds entitled the commandant to high commendation; (11) that in the opinion of the committee the unpleasant conditions which had existed at the home were due to a combination of circumstances, a few of which were as follows: (a) That as the present law required that the members of the board of commissioners and the commandant of the home should be veterans of the Civil war, the selection of these men was necessarily confined to a class who averaged seventy-two years, and that it was desirable that younger and more active men should be thus chosen; (b) that because the members of the home were considered residents and voters of the City of Hot Springs and were permitted to participate in all municipal elections, formed no small factor in bringing about conditions detrimental to the welfare of the home; (c) that the existing rule which permitted the suspension of members for periods ranging from 30 to 90 days should be changed, because they thus became public charges on the City of Hot Springs and Fall River County and therefore gave the citizens residing there just cause for complaint; (d) that inasmuch as the local government of the home was military in character and as military rules and tactics prevailed to a large extent, these conditions were apt to lead to a severer and more arbitrary discipline than was intended for a home where the comfort of old men must be taken into consideration; (e) because the subordinate positions in the home were mainly filled by men selected from the membership, the condition was conducive to a feeling of rivalry, jealousy and discontent among the members. In conclusion, the committee recommended the enactment of such legislation as would change these unwise conditions.

This report was considered at length and in detail by the Legislature. On the whole it was deemed wise, because it was not drastic and was aimed to smooth all matters over at the home and place conditions in more satisfactory shape. The expenditure of the sum mentioned was a different matter. Over that question the Legislature fought for some time. Previous to the construction of the sewer system at the home the City of Hot Springs had notified the board that such system was a nuisance and a menace to the health and would sooner or later have to be condemned as it would cost about \$17,000 to construct a new system over the distance of a mile and a quarter. The city made the proposition that for the consideration of \$5,000 paid by the state, the sewer system of the home would be connected with that of the city and kept in repair as long as the institution was maintained. Attorney-General Clark approved of this plan at the time and upon his recommendation the board accepted the city's offer and the deal was carried through. This was the action that was called unauthorized and illegal by the investigating committee.

In August, 1911, the Soldiers' Home contained the largest number of members it ever did during any summer. There were present 371 persons while the capacity was only 300. This number included all who were quartered here, officers and help as well as members. In view of the overcrowding, the board of managers notified every county auditor in the state that after August 1st, no applicant would be received except when there should be a vacancy. Each application was numbered and was considered in its turn. This action was imperative.

in order to do justice to those who had been admitted. Under the administration of Colonel Orr the home at this time was popular and its affairs were being managed smoothly and satisfactorily.

While the Legislature was in session in 1911 and immediately after the investigating committee had been to the home, the old soldiers there began to write and send telegrams to the members protesting against the bills in the House and Senate which sought to reorganize the board of control of the Soldiers' Home. They asked to have cut out the provision which required that the board and the commandant be not old soldiers, but be displaced with younger men, to eliminate the article which placed the home in control of a superintendent instead of a commandant. They claimed that this was their own institution, the only one they had in the state, and that therefore any movement which had for its object to take the control of the home away from the old soldiers should be abandoned.

The twelfth biennial report of the Board of Charities and Corrections was made in September, 1912, and presented a thorough exposition of the condition of the state institutions at that time. Additional work was placed upon the board during this biennial period. The Sanitarium for Tuberculosis at Custer was placed under their charge. Inasmuch as the institution was new, much attention was given it by the board. The first superintendent was Dr. R. E. Woodworth of Sioux Falls. While the institution was started as an experiment to some extent, still there was felt even at the start a real need for such an establishment in the state. In South Dakota as in other states, tuberculosis was on the increase and particularly was this true of the Indian tribes.

The law of 1911 provided that all buildings used for dormitory or custodial purposes for the charitable and penal institutions should be rendered absolutely fire-proof. The buildings already constructed at the Northern Hospital for the Insane at Redfield included a new infirmary and custodial building having a total capacity of 212 persons. In September, 1912, there were present 221 inmates. There was thus need for additional room at once. The board asked for a main building to cost not less than one hundred and fifty thousand dollars, half to be made available in 1913 and the other half in 1914. They asked that work should be rushed in order to relieve the overcrowded condition at the institution, and suggested that the main building be erected first and the wings added later.

The board asked for additional improvements at the State Training School at Plankinton. They needed, also, apparatus for the department of domestic science and should have an additional teacher in that department. At this time the boys on the farm were rapidly learning how to take care of crops and care for live stock. They were engaged in farm work, garden work, the care of horses, cattle, hogs, poultry and dairying, in addition to the regular school work.

On July 1, 1912, the penitentiary had a population ranging from 239 to 192. During the previous biennial period there had been a total of 525 inmates of whom 313 were discharged, leaving therein June 30, 1912, 212. Nineteen were out on parole. The cost of maintenance per capita per day was a little over eighty cents. This seemed too high, but was mainly due to the unusually high cost of food stuffs, all of which had to be purchased. Another element which added to the per capita cost was the large number of prisoners who were sentenced here for short terms. During this period 126 prisoners with terms of one year and less had been received. The warden said: "It is not within my province

to criticise the courts of our state on account of this, but it seems hard to brand a man with the disgrace of having served a prison sentence of three, four and six months or for periods of less than one year. Aside from the injustice and disgrace to the man himself, we must bear in mind the expenses to the state." He pointed out that the cost of bringing the prisoner to the penitentiary, his care there, the expense of setting him at liberty, greatly increased proportionately the per capita cost. At the time he was set free he was given a new suit of clothes, \$5 in cash and transportation back to the point of sentence. All of this added to the per capita cost. A careful account kept of the food used by the prisoners showed a trifle less than fifteen cents' worth per day and the food of each guard averaged about forty cents per day. The difference between the actual cost per capita for sustenance and the actual cost of maintenance was charged to all expenses necessarily incurred in the upkeep of the entire institution. The penitentiary sold more than one thousand dollars' worth of garden products over and above what was required by the institution. The health of the inmates was good and was the result of constant watchfulness over the sanitary conditions. The discipline was never better, very few punishments being needed. The rules of the grading system were readily adhered to, and the honor system was used with excellent effect. Only one prisoner had escaped during the two years. The library was steadily growing from the sale of visitors' admission tickets. During the two years, a total of \$3,570 was thus obtained and used for the purchase of books, magazines, etc. Regular religious services were held. Often the prisoners were provided with musical entertainments. On December 4, 1911, an evening school was established to aid those who lacked a knowledge of the rudimentary branches. The school was a success from the start. Three sessions were held each week. It was continued until April 9, 1912, when a vacation was taken. Sixty-one sessions were held and three classes were taught at each session. The average attendance for the year was thirty. The teachers were chosen from the inmates and were successful in their methods. Not a single pupil was reported for misconduct or inattention to studies or to teachers. The pupils were mainly those who had practically no knowledge of the "three Rs," and in most cases were men well advanced in years. The expenses of the school were small compared to the excellent returns.

During this biennial period a large addition to the twine warehouse was built from the local endowment funds at a cost of about nine thousand dollars. The east cell hall was renovated, repaired and furnished. This building contained fifty-six cells, and its construction was necessary in order to permit the segregation of prisoners. Young prisoners were separated from old offenders. Several of the old buildings formerly used for farm purposes were sold and the proceeds placed to the credit of the local and endowment fund. The shirt factory was a source of large revenue to the state. The average number of employes therein for the period was ninety. The total net earnings for this department in two years was \$20,653.11, or an average net earning of \$229.47 for each man employed. In the twine factory there was on hand July 1, 1910, twine valued at \$95,279.38. During the biennial period there was purchased fiber amounting to \$141,919.85; twine, oil and degreas, \$5,233.41; bags, \$5,820.43; tags, \$157.39; total, \$153,131.08. The net twine sales for the biennial period ending June 30, 1912, was \$117,454.64.

Owing to the severe crop conditions in 1910-11 the twine department was not as prosperous as it would have been under other circumstances. During 1911 it was necessary to close the factory for several months and another start was not made until January 1, 1912. This shutting down was due to the fact that the management did not care to manufacture a large stock of twine which could not be sold. When the plant was first started there were less than five hundred thousand pounds of twine manufactured for the season of 1909, as the plant did not begin operation until March 17th of that year; then the expense of getting started and the delays cut down the profits for the first year. However, from the time the plant was started until June 30, 1912, the twine factory had paid a profit of \$42,189.18, which was added to the twine plant revolving fund. The plant was established, not with the object of making a large profit to the state for the manufacture of twine, but with the idea that the farmers might reap the benefit of the industry and the inmates might be given an opportunity to work and earn something for the state. When the management ascertained that a large amount of the twine would be left on hand unsold, they determined to install a rope factory and to use the twine in the construction of ropes. Large quantities of this product were made and were placed on the market. This was the condition in the spring of 1912. During the summer farming operations were so successful throughout the state that every pound of twine was sold from the institution by August 15th, and the plant was working at its full capacity in order to keep up the small orders which came in every mail. It was estimated that this factory had saved to the farmers over fifty thousand dollars as the difference in price between the twine manufactured here and that supplied by the twine companies.

During the two years fifty-three prisoners were paroled from the penitentiary with results that were very satisfactory. With a few exceptions, all the paroled prisoners reported regularly and had done well. Many complied faithfully with the terms of their parole until the end of their prison term and were then discharged. In August, 1912, there were on parole nineteen prisoners, all of whom reported regularly and were prosperous. Two men out on parole violated their paroles, escaped and were still at large. During this biennial period the indeterminate sentence was placed in operation. Eleven prisoners had been discharged and one paroled under the provision of this law. The law suited the penitentiary authorities, who believed that it would accomplish all its framers expected. At this date O. S. Swenson was warden.

The Hospital for the Insane at Yankton was well managed and prosperous during the biennial period ending June 30, 1912. The notable and melancholy feature about this institution was the rapid and steady increase in the number of insane people who desired care and treatment. More people were received, more died, more were discharged recovered than during any other biennial period. For the first year of this period, nearly 32 per cent of the number admitted were discharged as recovered. For the second year 34½ per cent of the number were discharged recovered. During the first year 8.7 per cent of all people under treatment died and during the second year 5.2 per cent died. At the end of the biennium seventy-two more people were in the institution than at the beginning. This increase was not as great as had been expected. During this period the building known as the barracks was completed. Here were cared for eighty of the more restless of the more mildly demented patients. During

this period also the new well was completed and the reservoir and water plant with a capacity of 700,000 gallons were finished. Over this was erected the Industrial Building, where there were rooms for forty-four employees. In every department improvements for the safety, convenience and happiness of the unfortunate inmates had been made. The state was doing its full duty at this time to care for these helpless people. They were surrounded with every influence to make their lives endurable. The great increase in the cost of living required the utmost economy on the part of the management, but the institution kept faithfully and rigidly within the limit of its appropriations. During this period the per capita allowance of \$16 per month had been sufficient, but owing to the increased care and the advance in prices of all kinds, the superintendent asked that the limit be increased to \$17 per month. He also asked for an addition to the hospital farm, as the land already owned was not sufficient for the labor of the inmates. The superintendent secured option on a quarter section of land lying directly south of the hospital, the purchase price being \$20,000. In 1911 the Legislature, although requested to do so, did not purchase this property; no one questioned the wisdom of doing so. Now, in 1912, it was more urgent than ever that this tract should be purchased. Unless the growth of the institution was in some way checked, the purchase of more land would be absolutely necessary within a comparatively short time. Two years before, the superintendent had recommended the improvement of the section of land owned by the state near Watertown and the speedy erection there of a Hospital for the Insane to supplement the institution at Yankton. This had not been done and accordingly, in 1912, the superintendent again urged this step with emphasis. This was urged unless the Yankton institution should be greatly enlarged, so that from two thousand to three thousand persons could be cared for. Since the latter was not done, it was only a question of a short time when a new institution would have to be built or the insane throughout the state could not be given the proper care. He recommended that the new institution at Watertown should be prepared with a capacity of 1,200 inmates and that not less than two hundred thousand dollars should be devoted to setting that institution in operation. The superintendent stated that he had no doubt that within twenty years, at the present rate of growth, three insane institutions as large as the one at Yankton would be needed. He further suggested that one such institution should be located in the Black Hills region. He thought it should be placed near Rapid City where irrigated farming could be secured. The Insane Hospital at Yankton recognized the importance of fire-proof buildings, and the superintendent expressed gratification over the passage of the law by the last Legislature requiring and making compulsory the construction of fire-proof structures. He called particular attention to the development and growth of the herd of dairy cattle belonging to the institution. At this time they had fifty-five pure bred registered Holstein cattle. He thought the herd should be increased until in a short time they would have 150 cows, so that the institution could not only supply itself with the milk needed, but could make its own butter. He called attention to the economy of this course, when it was considered that the proper ration of butter was one pound per capita per week. With a population of 1,200 people and butter at 25 cents per pound, the expenditure of the hospital for butter was in one year \$15,600. In view of this fact it would be much better and cheaper to increase the herd and increase the size of the farm rather than to buy the butter, particularly in view of the fact

that the number of inmates was increasing rapidly. But all this necessitated additional improvements to barns, sheds and other buildings. In short, the superintendent emphasized that the institution was certain to grow rapidly, and that therefore the Legislature was in duty bound to anticipate this growth and provide the necessary means for its proper control. For the year 1913 there were 1,000 patients. For the year 1914, 1,050 patients. The total cost of maintenance, wages, repairs, furnishings, power plant, barn and land in 1913 was \$264,000. In 1914 it was \$256,200. As compared with other states, the insane population of South Dakota was only about one-half, and all were cared for at the one state hospital. No one was in an alms-house or jail, or but very few. At this time Dr. L. C. Meade was superintendent.

For the biennial period ending June 30, 1912, the South Dakota Training School was fairly prosperous and was meeting the expectations of the state authorities. A new well had been drilled and the water was pumped with a gasoline engine. It was 250 feet deep and the supply of water seemed unlimited. The cost of the well was about one thousand two hundred dollars. A hot water heater and tank had been secured, and the institution was lighted by the city electric light plant at a flat rate of \$50 per month. A greenhouse and a root cellar were projected in 1914. The products of the farm and garden were large during this biennial period. The institution was well equipped to teach the children many trades. The tailor shop had been abandoned. In the carpenter shop many boys were employed and all were enthusiastic. They did much work at repairing, worked in the engine room, were busy around the barns, and all worked more or less on the farm and in the garden. Several boys showed exceptional skill in the care of live stock. The garden was large and productive and all work was done under the supervision of an expert. Here the small boys were employed where they could be under the eye of the instructor at all times.

The girls employed most of their time at sewing and house work, but also did considerable fancy work. They did all the sewing for the girls' department, mending for the boys' department and made night shirts and jackets for the boys. All the girls were strictly and rigidly instructed in all branches of housework. The girls also were employed to take care of the dairy house, milk, cream, butter and other products. Several of the girls showed great aptitude in raising chickens. They also took much interest in lighter kitchen work and even in truck growing. The educational department throughout was satisfactory, and everything indicated that the young people here were in proper care. The health of the inmates was remarkably good, which fact was no doubt due in a large measure to the outdoor exercises, to the work, and to their regular habits. The superintendent recommended that additional facilities with which to teach the inmates all branches of work, particularly some useful trade should be furnished. The main building was extremely crowded and more room was needed. A horse barn was also needed to be in keeping with the rest of the institution. The horses were still old and crippled. New and younger animals were needed. As the institution was growing fast, it was necessary to make provision for the expected development, said the superintendent, A. R. Schlosser. The cost of living had advanced, the number of children had increased, and therefore additional facilities were necessary for the proper maintenance of the institution. Appropriations for fences, horses, manual training, and dormitory capacity were needed. Many repairs called for attention.

For the biennial period ending the summer of 1912, the South Dakota School for Deaf showed fairly satisfactory results. The compulsory education law for the deaf and blind which had been passed by the Legislature in 1911 had resulted in a great increase in the number of attendants. The number present June 30, 1912, was greater than ever before, and there were promises that this number would still further rapidly increase. The institution at this time had been placed upon the approved list by the authorities of Gallaudet College, the national college for the deaf at Washington, D. C. As the number of scholars increased, it had been found necessary to add additional instructors. Four scholars were graduated in the class of 1912. As a whole, the health of the school was excellent. A few cases of fever and measles had quickly responded to treatment. There were facilities for the students to learn the printing business, shoe making, carpenter work, tailoring and garden work of all kinds. The girls were given instruction in domestic science and all branches of sewing. From the appropriation made by the Legislature, numerous improvements and repairs had been made until the institution was in good working condition by the summer of 1912. H. W. Simpson was superintendent at this time.

In 1912 the South Dakota School for the Blind was advancing rapidly in usefulness. The institution consisted of four buildings, two of which, the girls' dormitory and the new heating plant, had been finished during the last two years. The superintendent expressed the wish that the forty odd blind children of the state who had not been enrolled here should be permitted to do so, and that necessary provision for their care should be made. The superintendent declared he wished he could make parents understand the injustice they were doing their blind children by depriving them of the education which had been provided for them by the state. Thirty-seven had been in attendance during this biennium. During this time the department of physical training and the department of domestic science had been established. The health of the institution was excellent. A new heating plant costing \$5,000 had been established. The new girls' dormitory was also completed and furnished. The first floor was fitted up for a gymnasium, and the second was furnished to accommodate twenty girls. In the building was a reception room and a guest room. A regular course of eight grades was provided for the education of the students. The pupils took great pride in the fact that they were pursuing mainly the same studies that were taken by the sighted children in the public schools. During the previous two years, five eighth grade certificates were granted to pupils of this school by the county superintendent of Deuel County. A four year high school course was provided, and three pupils were graduated during this biennium. The music department was particularly attractive and well attended. It was very thorough and fitted the unfortunate students for many pursuits which had music for their basis. In the industrial department the pupils were taught how to use their hands, and here the older boys turned, hoping to learn a trade or occupation which would enable them to make a living. Several were engaged in learning piano-tuning, broom-making, and basket-making, and to make hammocks, fly nets, cane chairs, etc. The departments of domestic science and physical training were elaborate, scientific and well conducted.

This institution is located at Gary and the privileges of the school are free to all persons so blind that they are unable to attend the schools for the sighted.

Tuition, books, board, room, washing, mending and medical attendance are free to all pupils. They incur no expense except traveling and clothing. Four departments are maintained: Literary, music, industrial and household. Typewriting is taught, also the raised point system. The institution is in no sense an asylum, but is strictly educational and is thus classed among the educational institutions of the state. The school is in session nine months of the year; it was established in 1900.

For the biennium ending June, 1912, the sanitarium for tuberculosis, saw great growth and prosperity. The institution was opened April 1, 1910. The Legislature of 1909 passed the law creating this institution and authorized the State Board of Charities and Corrections to select a suitable location. After a careful investigation the board chose 150 acres five miles south of Custer. Of this tract from 80 to 100 acres were under cultivation, and a natural spring of water of great purity was flowing. The Government leased the property to the state without consideration for a term of ninety-nine years. In the vicinity were large tracts of forest land, fuel in unlimited quantities, stretches of beautifully wooded parks, seclusion that was desirable to the unfortunates and other agreeable surroundings for people suffering with this disease. The act which established the sanitarium gave the institution annually \$5,000 for its maintenance. The first amount became available July 1, 1910, and was spent wholly on preparatory and preliminary work. On July 1, 1911, there was available by an act of the Legislature \$5,000 permanent maintenance fund and an additional \$7,000 specially provided. There were also provided the sums of \$10,000 for buildings and \$1,500 for light and power. During the winter of 1910-11 a pavilion accommodating fourteen patients and containing a dining-room, office, drug-room, ice-house and superintendent's residence was constructed. The buildings though small were well arranged and convenient. The superintendent in 1912 was R. E. Woodworth. In the summer of 1912 there were in the state about three thousand five hundred cases of pulmonary tuberculosis. The institution at the start was prepared to care for fourteen cases and was obliged to refuse admission to scores of others on account of lack of room. In order to care for even a limited number of the total in the state, the facilities would have to be more than quadrupled. These facts were called to the attention of the Legislature. The superintendent asked for title to fifteen acres of land adjoining the property on the south, the same to be used for sewerage purposes. This would cost the state about three hundred dollars only.

In the summer of 1912, the state parole officer reported that fifty-three inmates had been paroled from the penitentiary and thirty-nine from the training school. Twenty-two of the former and nineteen of the latter were released from parole. Two from each institution had broken their paroles. On June 30, 1912, nineteen were on parole from the penitentiary and thirteen from the training school. The parole officer reported satisfactory progress in his department. He had made a special study of the inmates, and felt confident that good results would come if the right methods were adopted and continued.

For the biennial period ending June 30, 1912, the Northern Hospital for the Insane or School for the Feeble Minded showed a prosperous condition of affairs. At the beginning of the period there were ninety-one male and eighty-two female inmates. There were admitted during the period forty-four males and

forty-two females. There were present at the end of the period 110 males and 100 females. The total number of applications received was 470 and the total number admitted, 353. Nearly all counties of the state were represented. At one time there were thirty cases of typhoid fever in the institution. The attack was exceptionally virulent and directly or indirectly caused the death of six children. It was not learned what caused the epidemic. As the wards were badly overcrowded, the immediate cause escaped discovery. During the biennial period a new cottage was built and was formally opened in May, 1911, by the children, who gave a public exhibition of the operetta "Cinderella in Flower Land." Tickets were sold at \$1 each and the citizens of Redfield and vicinity responded liberally so that the proceeds were sufficient to purchase a complete set of scenery. The normal capacity was 192, but in June, 1912, 210 inmates were crowded together in more or less dangerous fashion. At this time it was established that in the state were about one thousand one hundred feeble minded children; only one-fifth therefore were in this institution. The other four-fifths were either in their homes, on the county poor farm, or were running at large.

In July, 1907, the superintendent purchased thirteen head of young registered Holstein cattle. By the fall of 1910, the herd had increased to fifth head, twenty-three of which were milk cows. During the year ending June, 1911, the institution had a milk herd of twenty-three cows and secured from each an average yield of 4,995 pounds of milk. During the year ending 1912, the institution milked twenty-three head of registered Holstein-Friesian cows, each of which furnished an average of 10,772 pounds of milk during the year. A few of the young cows produced as high as 18,000 pounds of milk in one year. The superintendent demanded more land. The place now consists of 487 acres. This institution is a school, not a prison. It is a home, not a pen. All are instructed along advanced courses of study. The necessary expert instructors are present. The discipline in order are exceptionally good. Every influence to improve the inmates can be found here. Dr. J. K. Kutnewsky is superintendent.

By 1913 the State University had a total income of a little more than one hundred thousand dollars. It was doing its work as well proportionately as were similar institutions in Iowa, Minnesota and Nebraska. In 1902 half of its students were in the preparatory department. In 1906 over one hundred were in the same department. In 1913 the preparatory department had practically vanished. This condition forced the rural student who wanted a higher education to go to the high or normal schools to prepare for college. Yet it was believed wise from other standpoints thus to differentiate between students of the preparatory department and students of the university proper. Their habits, ideals, discipline, needs and class system and government were different. In 1892 the graduates numbered 5; in 1902, 17; in 1907, 45; in 1912, 72. There was at last in 1913 a real university. At this time no student was obliged to leave the state to secure a broad and liberal education set at high standards.

The proposition in the Legislature of 1913 to concentrate or consolidate all of the educational institutions at one place, aroused the school authorities in all parts of the state. Through the press and otherwise towns and cities expressed their opposition to such a change and gave elaborate reasons against its wisdom. The heads of the institutions declared that it would require at least ten years to bring about harmony after such a change had been made, and that the institutions

should not be allowed to suffer in the meantime, providing such a measure was put into effect. As the state was growing rapidly and was expecting and demanding higher and better service from these institutions in the way of extension work, demonstration work, etc., special provision for their continuance during the period of change should be made. After reflection the people throughout the state generally were of the opinion that no such change should be made. Many reasons for and against the movement were expressed on the platforms and in the press and the consensus of opinion was that the revolution would be both too uncertain in results and too expensive in time and money. However, numerous meetings were held on which occasions opinions both for and against the movement were expressed. Of course, no city would give up its state institution until every effort had been made and all hope of keeping it had failed.

Regent A. E. Hitchcock, on all suitable occasions, urged the passage of the law which would consolidate all the higher educational institutions of the state, and relocate them at some central point, or leave them where they were, but as branches of the same unit. Generally while it was admitted that this course might improve the institutions by concentration, few believed that the steps should be taken or that it was practicable. Mr. Hitchcock succeeded at an educational meeting in having the following resolution passed: "That we most heartily recommend the early consolidation of our higher state educational institutions at some central point believing that this will result in an immediate saving to the tax payers by the elimination of the present duplicate work and equipment." It must be admitted that there were not a few throughout the state who were in favor of this revolutionary proceeding. All saw that the difficulty would be in deciding on the precise place where the state's educational enterprises should be grouped. All realized that trouble worse than the capital contest would result should this question be placed before the voters. There were many difficulties in the way of carrying out this program. The Agricultural College had a farm of nearly one thousand acres which could not be moved away from Brookings. At the university there were nearly one hundred acres fastened to that portion of the state. At every other state institution were properties that could not be removed, upon which the citizens and the state had spent many thousands of dollars. It would therefore require great expense to carry out this procedure if actual removal were demanded. However, on the other hand, it was clear that any city which would be given the whole group of state institutions would no doubt be willing to give and would lose no time in giving whatever land and buildings were necessary for such a combined institution even though the sum should reach a million dollars. The charge of great cost was therefore not well taken. The consolidation of all the institutions would unquestionably give to the state a single institution that would attract the attention of the whole country at once. The total number of students in attendance would be greatly increased, because such an institution would draw many students from neighboring states and the institution itself would almost at once command the same prominence and distinction of those at Madison, Wis., and Ann Arbor, Mich.

"Much has been said recently of the proposed consolidation of the various state educational institutions upon one campus, and the suggestion has gained considerable popularity with a few of our legislators. The proposed consolidation at this time seems a trifle inconsistent in view of the fact that South Dakota

has built up and maintained six or seven fairly well equipped colleges at an enormous expense. A centralized system of collegiate schools may be an admission of great pith; it may be in harmony with the accepted views of those best informed upon the economical possibilities of the movement, as it would be to reflect the best intelligence of our state. The university, agricultural college, school of mines and the various other institutions are accomplishing great things in their fields and it is to be deplored that several of these schools are absolutely disregarded by some of our citizens. Let us work for the upbuilding of South Dakota normal schools, colleges and universities in a consistent, rational way, rather than give ear to the siren call of the real estate promoters of certain South Dakota cities who are only too anxious to accept the opportunities such a change would offer."

—Grant County News, February, 1913.

Upon retiring President Gault from the headship of the university, the regents substituted a so-called commission form of government by making the deans of the five colleges of the institution a board or commission to act as the executive head. Instead of giving the commission the powers of the executive, the regents made the entire faculty the executive. They were no doubt led to do this by the advice of a portion of the faculty surcharged with notions of "democratic" administration. This curious executive institution at once made detailed rules of administration and student conduct after laborious debates and applications of the caucus rule, constituted the board of deans a part of its police force along with several committees, and came to grief over a question of student discipline in a few weeks after it organized. The regents were compelled to overrule its action in suspending certain students for participation in hazing and hastened to appoint a president. The faculty administration had a "splendid burial" in the joy of the students, alumnae and friends of the university about the state over the appointment of Dr. Robert R. Slagle, then the head of the College of Agriculture and Mechanics Arts, on December 5th. Most of the faculty, too, were glad to be relieved of executive duties under such a guise. The brief interregnum of "democracy" visited the ire of alumnae and many other citizens of the state who knew the facts upon its immediate sponsors in the faculty, but was otherwise at once forgotten.

"The state board of regents has been compelled to abandon its plan of commission government for the State University. The plan worked all right for a few weeks, but as soon as there was need for a real head to the institution it showed itself a fizzle. The real cause of the regrettable conditions which now exist in the State University is the lack of a head in that institution. A good live president with some tact and a backbone could have settled the recent hazing trouble there in twenty minutes. The board of regents has at last taken action in naming a successor to President Gault. It has selected Robert L. Slagle, now president of the State College at Brookings and one of the ablest educators in this state. The only regret is that the board did not wake up long ago."—Argus-Leader, December, 1913.

In December, 1913, Robert L. Slagle, of Brookings, was chosen president of the State University by a board of regents. He was well known to the state and was acceptable to everybody. He was born in 1861 in Pennsylvania and in youth attended the public and private schools in Hanover, his native town, and upon reaching early manhood entered Lafayette College from which he was

graduated in 1883 with the degree of A. B. In September, 1887, he first came to Dakota as a professor of natural sciences in the Collegiate Institute at Groton. The following year he returned East, took a post graduate course in science at Johns-Hopkins University and received the degree of Doctor of Science. Later he conducted experiments in the laboratory of Harvard College and also as assistant under Prof. W. O. Atwater, of Middletown, Conn., and New York City. In 1889 he was elected professor of chemistry in South Dakota Agricultural College, and two years later was transferred to the School of Mines where he served as president until 1898. In 1905 he was elected president of the State Agricultural College and so remained until he received the above appointment to the university.

"President Slagle has tendered his acceptance of the position offered him and his regard as an educator and executive would indicate that the state institution will have a real head. During the time Doctor Slagle has been at the head of the State College, that institution has made a remarkable record and has grown from a comparatively insignificant institution to a really creditable educational department of the state institutions, with a reputation for thorough and able work in developing students. Doctor Slagle's work at the state school of mines is also testimony of his ability and fitness and the state is to be congratulated upon securing his services. The craze for the commission form of government ought never to have been extended to the State University and no doubt the regents have discovered their error in this matter."—*Alexandria Herald*, December, 1913.

"Admittedly the past year of the Vermillion institution has been fruitful of some perplexing problems. The experiment of governing the university by commission met with difficulties and engendered some feeling which is not for the best interests of that splendid school. At Brookings Doctor Slagle accomplished many notable things. He kept the State College on a straight road with a clear conception of its importance to the state and the special way in which it is important. He has brought it up to a high standard, made it the equal and in many instances, the superior of any agricultural college in the land. He has shown executive ability in organization and qualification highly necessary to the start of a successful administration at the university."—*Watertown Daily Public Opinion*, December, 1913.

CHAPTER XVII

POLITICS FROM 1889 TO 1900

Statehood brought with it ominous changes in the political atmosphere. There was clearly perceptible a rising temperature, but contrary currents were in evidence and ere long the hot winds of private or personal ambition began to blow, the roar of the approaching partisan tornado could be distinctly heard and the eternal office seekers, instead of running to caves of safety stood on the open plain ready to be stricken with political lightning. The mere assumption of statehood garments did not change the stripes of the politicians. They were just as eager and willing as ever to miserably sacrifice themselves for the good of the dear people.

The political movement of the farmers in 1889-90 had succeeded and had given the old territory and the young state a farmers' Legislature and a farmers' administration. The single tax party, which had been weakly organized at Huron in May, 1889, was still in existence. Levi McGee was president of the Single Tax League. Its platform was: Resolved, That all public revenues should ultimately be raised by a single tax on the value of the bare land. The political issues advocated by the farmers' organization were equally revolutionary; in fact were much similar to those of the socialists. The views of the republicans and the democrats were the same as had been advocated by them through many previous campaigns. Personal gain and special interests cut the greatest political figure.

The campaign for the election of state officials in October, 1889, was the real beginning of statehood. The Farmers' Alliance, headed by H. L. Loucks, demanded the two United States senators, the two members of Congress, governor, lieutenant governor, secretary of state and a working majority of the Legislature. Hugh J. Campbell was a conspicuous character in the farmers' political movement. At this time the farmers represented three-fourths of the population of the new state and they therefore asked: Shall the state be governed by rings and grafters or by the farmers? J. W. Harden supported the farmers' movement and favored a free trade plank, but he failed to secure its insertion in the farmers' platform. Other planks therein should be noted: Government ownership of railways, abolition of banks, election of United States senators by direct vote of the people, adoption of the Australian ballot by the constitutional convention, public necessities to be owned by the government, state and national prohibition, courts of arbitration to establish justice, abolition of the contract system in the national, state and municipal governments, abolition of child labor in mines, factories and shops. The single tax idea was not supported by the farmers' party as such, but individual farmers favored the measure. Mr. Loucks, as the real and official head of the farmers' party.

received from the leaders of the two old parties during the campaign of 1889 the full measure of their contempt, misrepresentation, slander and abuse. Apparently his political enemies organized to see who could say the meanest things against him and tell the biggest lies about him. Many succeeded villainously. The old Ordway clique in the Black Hills vigorously opposed Judge Moody for the senatorship, but the citizens there generally, upon his return from Washington, gave him the most notable reception ever given a citizen.

Senator R. M. La Follette of Wisconsin delivered a brilliant address on public affairs in the state in September. At this time C. T. McCoy, chairman of the republican state central committee, announced that he would not place on the lists of campaign speakers any person who would not support all the planks of the party platform.

It should be noted as an important fact in history that, while it was argued that prohibition was a non-partisan measure, a plank to that effect was placed in the republican platform by the state convention at Huron. The prohibitionists, who numbered 226 members, controlled this convention and forced the prohibition plank into the platform, despite the declaration of the minority that the act was one of folly and madness. They openly threatened the formation of a third party unless the prohibition plank was inserted. No such plank was placed in their platform by the democrats. While all admitted that prohibition was not a party issue it was distinctly made so by the prohibitionists themselves, who were aiming at success regardless of ordinary methods. They even went so far as to threaten to defeat the constitution unless the prohibition clause should be inserted. At the election in October, 1889, the constitution and prohibition both carried. Pierre secured the temporary capital. Moody and Pettigrew were chosen United States senators, Moody the short term and Pettigrew the long term, Tripp and Day, democrats, suffering defeat. Mellette, republican, defeated McClure, democrat, for the governorship. The republicans were running the territory in its last stages, but the farmers' movement was running the republicans and hence the territory.

The Farmers' Alliance and the Knights of Labor at Huron early in June, 1890, revealed the fact that there existed a strong sentiment in favor of a third party ticket, and accordingly a convention to name one in part was called. The next day, by the decisive vote of 413 to 83, it was determined to organize a new party to be known as independent. This meeting demanded (1) the issue of full legal tender notes by the Government; (2) Government ownership and operation of railroads at cost of carriage; (3) free and unlimited coinage of silver; (4) a state and national secret voting system; (5) greater economy in public affairs; (6) abrogation of the alien right to own land. The result of this meeting was to place the Farmers' Alliance, as such, in the political field, though this object was denied by many present, who declared they would not be bound by such a conclusion.

A little later, in June, the democrats met and were presided over by Col. Mark W. Sheafe, there being present 260 delegates. They named Maris Taylor for governor; Peter Couchman, lieutenant governor; C. H. Freeman, secretary of state; A. H. Weeks, auditor; H. P. Horswell, treasurer; S. B. Van Buskirk, attorney general; W. A. Buslyn, state superintendent; E. H. Avenson, commissioner of school and public lands; T. C. Kennelly, commissioner of labor and

industry; and endorsed Bartlett Tripp for United States senator. The platform reaffirmed the party principles of 1888; opposed the existing system of tariff taxation; favored a tax on articles of luxury; denounced the McKinley bill; opposed all sumptuary legislation; favored a graduated income tax; asked for the resubmission of the prohibition question to a vote of the people; opposed woman suffrage; favored pensions to all deserving soldiers and sailors; advocated the maintenance of the common schools at the highest point of efficiency; arraigned Governor Mellette for having advertised the state as an arid waste, peopled by paupers, by organizing and heading bands of beggars which roved the country over (commonweal armies); and favored the full remonetization of silver. In the convention Judge Bangs and others made a strong fight for an equal suffrage plank, but were defeated.

The independents held their state convention at Huron, July 9, S. W. Casaud serving as chairman. They placed in nomination Fred C. Tripp and F. A. Leavitt for Congress; H. L. Loucks, governor; A. L. Van Osdel, lieutenant governor; H. M. Hanson, secretary of state; F. B. Roberts, treasurer; S. W. Casaud, attorney general; E. Dye, superintendent of schools; F. F. Meyer, commissioner of school and public lands; W. L. Johnson, commissioner of labor. In the convention the vote for gubernatorial candidate was: Loucks, 127; Van Osdel, 115. Wardall failed signally to receive endorsement for United States senator.

The Scandinavians held a convention at Huron in July and among other acts passed resolutions asking for better recognition from the republican party of which they were largely members. It was shown that out of about twenty thousand Scandinavian voters in the state, over fifteen thousand voted the republican ticket. They also resolved:

"That we point with pride to the honest, conservative and practical administration of President Harrison and to the work accomplished by South Dakota republican delegates in Congress; and that we contemplate with pleasure the wise, faithful and successful administration which Governor Mellette has conducted in the face of unprecedented difficulties and in spite of almost unsurmountable obstacles."

It was declared by the republicans that the principal object of the third party movement in 1890 was the disruption of the republican ranks. The independents were in a large measure dominated by Messrs. Harden, Scott, Wardall, Tripp, democrats, and Loucks, independent. The argument they advanced was that as the republican party had not kept its promise to the farmers it could not therefore be trusted and the new party was necessary. The Farmers' Alliance at first refused to be bound by any fusion agreement, but as a whole were whipped into line by the leaders. The republicans asked: Who constituted the state republican convention which met at Huron? It was shown that four out of five were farmers. The chairman of the committee on platform was Alonzo Wardall, a member of the alliance. The platform adopted was just what the farmers present wanted and was adopted unanimously. Why now should the farmers repudiate wholly the action and platform of the convention? Mellette, Moody, Pettigrew, Pickler and Gifford had not changed front. Every officer on the ticket had been nominated by farmer votes. How had the republicans failed to keep their pledges? The republicans openly challenged the opposition to make good their charges and thus the battle was begun.

"Let us see. The usury law and the bill for taxation of mortgages were defeated in the Senate by a few votes. Was the republican party that resolved in State convention in favor of those measures responsible for the election of the men who voted down these bills? Did the State convention nominate those men? Of course they did not or they would have required pledges to support the platform. Did not both Loucks and Wardall connive during the last Legislature to prevent the passage of those measures in order that they might make political capital out of the defeat thereof? They conspired to cast discredit upon the farmers elected as republicans to that Legislature in order that they might urge an independent movement this fall. They were then working the plan which they hoped might land one of them in the gubernatorial chair and the other in the United States Senate."—(Conklin's *Dakotian*, July, 1890.)

But neither the republican papers nor orators succeeded in showing that the independent movement was devised for the principal purpose of disrupting the ranks of the republicans. It was not shown that it was otherwise than as claimed—a movement against alleged wrong practices if not principles in the republican party. The democrats aided the independent movement all in their power. No sooner was the movement founded than independent organizations appeared in every county of the state. Bartlett Tripp's speech on the tariff question, of which 30,000 copies were distributed, was one of the features of this campaign. He and other democrats aided the independents.

The republican state convention met at Mitchell in September with Sol. Starr of Deadwood as temporary chairman. While waiting for the committees to report the convention was addressed by Mrs. Olympia Brown and Miss Anna Shaw, both of whom spoke in favor of equal suffrage. C. H. Sheldon was chosen permanent chairman and in his opening speech analyzed the state issues and also read a letter from Clara Barton, president of the Red Cross League, asking the convention to endorse woman suffrage. Active in the convention were F. A. Burdick, J. H. King and P. C. Shannon. Enthusiasm and good feeling prevailed, though there were sharp personal conflicts to settle contested points. The election of Sheldon, a farmer, as permanent chairman of the convention was done at the request of a caucus of about two hundred farmers who selected him for the position of temporary chairman. Sheldon denounced the political course of H. P. Loucks, though he did not name him, and roasted the independents for their various shortcomings. The irrigation plank in the platform was aimed to secure the votes of the farmers. It was openly declared that the ticket nominated was a better farmers' ticket than the farmers themselves had nominated in 1889. The ticket was as follows: For Congress, F. A. Pickler and J. R. Gamble; governor, A. C. Mellette; secretary of state, A. O. Ringsrud; lieutenant governor, G. F. Hoffman; treasurer, W. W. Taylor; auditor, L. C. Taylor; attorney general, Robert Dollard; superintendent of schools, Cortez Salmon; commissioner of labor and statistics, R. A. Smith.

The platform adopted reaffirmed the principles of the national party; favored irrigation and other advanced agricultural measures; endorsed expansion of the currency, tariff revision, free silver and reciprocity; favored the disability pension bill; invited foreign immigrants to settle in the state; recognized the right of labor to organize for its welfare; denounced unfair combinations of capital; asked

for the Australian ballot; demanded continued progress in public schools; and pledged enforcement of the prohibitory law. The latter clause was as follows:

We reaffirm our declaration of last year favoring prohibition, and since the people have endorsed it by their votes, we abide by their decision and pledge the party to the enforcement of the law.

Evidently this clause had been surreptitiously substituted for the severe one which had been reported by the committee on platform. No sooner was it read than Sol. Starr got the floor and said:

"I move you, sir, that the last clause in these resolutions be stricken out. I am certainly at a loss to understand why it was inserted. I was glad to understand before I was made temporary chairman that the committee would positively say nothing about prohibition. I say this frankly (cheers, hisses, howls), and I am one of the members from the Black Hills who are candid enough to speak their sentiments. That clause practically admits that the republican party grants that the laws are not enforced. I am satisfied that if this clause is left in that platform my associates like the democrats will conclude that the republicans cannot enforce the laws and should not be in power. If you want the Black Hills to come in with the usual republican majority this fall then you must cast out this clause."

Mr. Wiard of Davison County took a different view. Palmer of Minnehaha moved to lay Starr's motion on the table; carried after sharp discussion and great confusion, by a vote of 320 to 210. After much skirmishing the following substitute for the prohibition plank, offered by Keith of Minnehaha, was adopted by a rising vote:

"Prohibition being adopted by a vote of the people as a part of the fundamental law of the State we pledge the party to its faithful and honest enforcement."

Three Yankton Indians, upon their request as republican citizens, were granted seats in the convention, but without votes. The convention adopted the motion made by Judge Shannon that each delegate should cast his vote according to his individual preference. A motion by Fahnestock that the nomination be made without comment was lost—too many wanting to speak.

In September, 1890, the name of Francis H. Clarke, of Rapid City, was substituted for that of Charles M. Thomas, of Deadwood, on the democratic ticket as candidate for Congress. Fred Zipp was the independent candidate for Congress in the Black Hills District. When it came to the crisis in 1890 the independents and the democrats fused more or less on the state and county tickets, because that was apparently the only course that gave them a chance of success against the republicans. The republicans elected their full ticket, but generally there was a democratic landslide elsewhere, that party gaining quite heavily throughout the country. The vote for governor was—Mellette (republican), 34,487; Taylor (democrat), 18,484; Loucks (independent), 24,591. The large vote for the independent ticket showed the popularity of that movement. Their success was even more marked in other states. There can be no doubt that the movement was one of principle—one against the abuses of the old parties—one that demanded better terms and conditions for farmers and other laborers—one that was warranted by the vagaries of politicians and the gag rule of party bosses.

The contest for United States senator in the Legislature of 1891 was momentous and historic. In all fifty-five men were voted for by February 4th.

In the Senate the republicans had a majority of one over the joint vote of independents and democrats, while the House had 61 republicans, 19 democrats and 42 independents, with Charles T. Seward free from party pledges. The latter was elected speaker by a vote of 62 to 61. He was free to jump the way he pleased and his first step was pell mell into the speaker's chair.

The independents and democrats fused, but the former made no choice, while the republicans in caucus named Moody for the office and the democrats named Tripp. On joint ballot the fusionists had one to three majority. It was said at the time that almost every prominent man of the state had out his lightning rod with the hope of being hit by the bolt. Many men strong in the councils of their parties came to the capital from all portions of the state—Pettigrew, Pickler, Moody, Tripp, Wardall, Melville, Campbell, Harden, Godard, Winslow, Crose, Cosand, Scott, and many others, all anxious to be stricken by senatorial lightning. The second vote on the joint ballot was—Moody 76, Tripp 24, Harden 20, Crose 15, Wardell 10, Cosand 9, Campbell 5, Preston 3, Scott 2, and Pickler, Melville, Norton, Dye and Lake 1 each. The republicans clung to Moody until he voluntarily released them from further support. By January 27th Moody had partly withdrawn, whereupon the vote stood—Moody 25, Tripp 22, Wardall (independent) 55, Melville 19, Godard 11, Winslow 5, Mellette 4, Lake 2, Crose 2, and eight others 1 each. It was openly declared at the time that the principal reason for Senator Moody's defeat was because at no time did he receive the full vote of his party. About a dozen republicans who aspired to wear his senatorial brogans were kept from him by the independents who promised them their support should Senator Moody be defeated. Concerning those men Senator Pettigrew said at the time: "They were played for suckers. I venture the assertion that the independents will not give these fellows a single vote. They promised their votes merely to get the entering wedge of discord in our ranks." Moody did not withdraw, but simply released his followers from any obligation to support him longer. After his announcement Wardall first received the highest vote, then in succession Harden, Campbell, Melville and Tripp. In an interview on the 27th of January Senator Pettigrew said:

"There are so many republicans who can't be depended upon when they take part in caucus. The treachery and cowardice of some of them is surprising. The democrats are solid and the independents are revolutionary and they use every means possible to create discord among republicans. Every fellow has his Senatorial lightning rod up and runs a little boomlet of his own. The whole thing is mixed. I am disgusted with the whole affair."

During the contest many charges of bribery were made. Seven or eight members of the House declared they had been offered sums of money to vote for Senator Moody or for certain state measures. This was to be expected where the odds were so close and the spoils so great.

At the republican caucus of February 10th Judge Moody was named for senator and about this time the independents substituted Kyle for Campbell. The democrats clung to Bartlett Tripp, Alonzo Wardall and J. H. Harden. On the twenty-ninth ballot Kyle received 59 votes, Moody 67, Tripp 24. Soon afterward the republicans gave Sterling 68 votes. About this time it was charged

that South Dakota and Illinois were co-operating in objects and methods to select United States senators. This was a movement of the independents to win strength and prestige in the United States Senate and seemed likely to be successful. The speaker of the House and several other independents went to Springfield, Illinois, to confer with members of their party in the Legislature of that state. All of this was momentous, if not dramatic, and all knew that the crisis was reached. A little while before this the republicans had agreed in caucus to nominate any republican who could secure enough independent votes to insure success. About this time Judge Tripp released the democrats from obligation to support him. The whole Legislature was free at last to support any person they wished. Buchanan of Sioux Falls was leading floor fighter for the republicans; he was able, adroit, persistent and successful. Finally in caucus the democrats agreed to approach Mr. Kyle with the tender of enough democratic votes to elect him, and upon his acquiescence of their plans they suddenly swung to his support. He received in all seventy-five votes, a few more than was necessary to elect. All of the democrats except eight assisted. The last ballot showed 75 for Kyle, 55 for Sterling, 8 for Tripp and 1 for Campbell. This step by the democrats was surprising but not unexpected. Rev. James H. Kyle thus became United States senator to succeed Judge Moody. In all forty ballots were taken.

There were many who deplored the defeat of Senator Moody, because he had done so much in the United States Senate for South Dakota. His defeat was due to the recreant republicans, to the general feeling against the old parties and to the rapid and extensive growth of the populist or independent movement. A large portion of the people wanted a change in methods and principles, in official standards and public ideals, in less slavery and greater liberty for the masses, urban and rural.

At once the question arose, what will Senator Kyle do? Would he adhere strictly and solely to independent principles, or would he aid the cause of the democrats, whose votes were instrumental in placing him in the senatorial chair? All sorts of rumors arose, but amid the confusion created mainly by the newspapers it became apparent very soon that Senator Kyle would assist those who had elected him regardless of party considerations. At a later date it was revealed that an act of comparative unimportance had much to do with this election of Senator Kyle, as shown by the following extracts:

"Four years ago a handful of republicans in Pierre were misled into voting for a democratic representative to the Legislature. He was elected by fifteen majority as a consequence, and when the Legislature was organized he furnished the necessary vote that gave the fusionists the organization. The democrats and populists thereupon kicked out a number of legally elected republicans, enough to give them a working majority over the Senate on joint ballot, and they chose J. H. Kyle for United States Senator."—(*Pierre Free Press*, September, 1894.)

"The democrat who was voted in by republicans through personal friendship was Tracy Pratt. The result was the election of a populist from a state which possessed a strong republican majority. A few votes given in a spirit of personal friendship did it. The lesson should remind every republican that his legislative vote belongs to his party and that no considerations of a personal char-



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 MITCHELL AND VICINITY

acter should swerve him from the line of political duty."—(Press and Dakotan, September 8, 1894.)

The one vote referred to was decisive in placing C. X. Seward, a populist, in the speaker's chair, and was thus instrumental in ousting several republicans whose seats were contested, thus giving the populists the control.

In 1891 there was a general belief in South Dakota of the wisdom of adopting free silver. Senator Pettigrew favored the free coinage of that metal and several of the parties in their platforms adopted planks to that effect. The death of John R. Gamble in August took away one of the most prominent leaders of republicanism in the state. He had served with distinction in Congress. John L. Jolley was nominated to succeed him. At this time congressional candidates were nominated and elected by the state at large and not by districts. The state was entitled to two such congressmen.

It became clear during the summer and fall of 1891 that the state was wholly and absolutely under the political domination of the populists and that H. L. Loucks as its authorized head and front was the principal character to be reckoned with by the republicans and democrats. At this time the populist movement swept the country. It cannot now be called a craze in the light of history. It was a movement, more or less in the dark, for relief from political conditions and in the end was sustained not only by the so-called reformers of that day, but by many of the oldest and most experienced politicians and public men in all the states. Ingalls was defeated in Kansas just as Moody was defeated in South Dakota. It was a revolt against political conditions; a change was demanded but the populists themselves were more or less in doubt how improvement could be inaugurated. In South Dakota as in Kansas and Nebraska every farmer had a remedy—could point out the cause and prescribe the medicine that would cure. It was this state of affairs that brought out the answer of William Allen White to the question, "What's the matter with Kansas?" when he said in substance that every old grumbler in the state, whittling on a dry-goods box at some country cross-roads, knew more about finance than John Sherman. "That's what's the matter with Kansas," he declared. Much the same condition prevailed here. All could diagnose the disease, prescribe the remedy and were willing to be employed at fat wages as the state family physician. But the diseases was there deep in the vitals of every political and industrial organization; how to cure was the problem. All looked to the Farmers' Alliance, the populist party and H. L. Loucks. Even the democrats looked to Loucks, because in fusion alone could they expect official favors and political advancement. Loucks himself was at all times opposed to fusion, but yielded in order to humble the pride and lower the power of the republicans.

The South Dakota Republican Association was organized this year with John H. King as president and George D. Fischer as secretary. Its object was the formation of clubs throughout the state to strengthen the republican cause.

The contest for congressman to take John Gamble's seat was fought out between Jolley (republican), Smith (independent), and Woods (democrat). The vote in November stood: Jolley, 17,614; Smith, 14,587; Woods, 7,188. This election again proved that a fusion of the independents or populists and the democrats would result in success and the defeat of the republicans. The year

before when John R. Gamble had been elected the vote stood—Gamble (republican), 34,555; Leavitt (independent), 24,847; Clark (democrat), 17,582.

At once in the United States Senate, for political reasons, Mr. Pettigrew did what he could to defeat the aims and acts of Mr. Kyle. Partly through his efforts Mr. Kyle received no committee assignment and little recognition by the Senate as a whole. Neither the democrats nor the republicans showed him much consideration, because they desired him to commit himself to one side or the other before they could or would act. He was regarded as an independent with democratic tendencies or leanings and it was some time before he finally decided on a definite course or line of procedure. No member of the Senate questioned his honesty, ability or right to be there; but all refused to show him special favors until he had shown his colors. The populists claimed that Pettigrew showed him discourtesy, but the latter denied it and pointed out that Kyle had been elected largely by democratic votes, had been a democrat in the past though not recently, and that therefore he was presumed to be a democrat. At first Mr. Kyle tried as a matter of fact to gain favor with both sides of the chamber; but he soon learned that this scheme would not work. He was really powerless until he had hoisted his political flag. At times there were sharp words between Kyle and Pettigrew and between Pettigrew and Peffer of Kansas, the populist senator. Mr. Kyle was often called an indecrat, implying that he was both an independent and a democrat.

Perhaps the most noticeable political circumstance of the early part of 1892 was the rapid growth of the free silver movement throughout the state. The Bland Silver Bill was before Congress and all members were in sedulous communication with their constituents to learn what was wanted or what was to be expected. Pettigrew went over heart and soul to the free silver movement. No doubt he induced thousands to desert the old parties at this juncture and join the free silver army. The McKinley Tariff Bill was another important measure, but on this, as was to be expected, the old parties divided as before.

The delegate convention of the state democracy was held at Yankton late in May, 1892. H. F. Fellows served as temporary chairman; the temporary officers were made permanent. Bartlett Tripp, William Van Epps, A. W. Mullen, P. W. Wickham, John A. Boller, Peter Couchman, D. W. Flick and William R. Steele were elected delegates to the Democratic National Convention to be held at Chicago. Judge Tripp was made chairman of the delegation. A motion to instruct the delegation to support Maris Taylor of Huron for the South Dakota member of the Democratic National Committee was laid on the table. At this convention Peter Couchman was called the "Grand Old Man of South Dakota Democracy." The platform adopted reaffirmed the principles of the democratic party; opposed sumptuary legislation; favored tariff reform; denounced the republican national administration; endorsed the doctrine that a public office is a public trust; expressed faith in the wisdom and patriotism of Grover Cleveland; and declared the belief that the best interests and honor of the state demanded that it should be represented at the World's Fair, Chicago. A movement in the convention to recommend Mr. Cleveland for renomination to the presidency was defeated. The convention really favored Mr. Boies of Iowa for that honor. All candidates for delegates in the convention, who favored Mr. Cleveland's

renomination, were defeated. It had become known that Mr. Cleveland was not a free silver man.

The delegate convention of the state prohibition party assembled at Watertown June 10th. The platform declared the liquor traffic the foe of civilization, the enemy of popular government and a public nuisance; endorsed woman suffrage; favored national control of railway and telegraph lines; declared that foreign immigration depressed wages and caused discontent; opposed the ownership of land by aliens; favored one day's rest in seven; denounced speculation in food products; commended just pensions to Union soldiers; upheld the public school system; declared that the democratic and republican parties were responsible for the woes that afflicted the nation; endorsed protection and was silent on the silver question. Delegates to the national convention were nominated.

The independent state convention was held at Redfield June 21st, with Henry S. Volkman as temporary chairman. There was a large attendance and much enthusiasm. Loucks and Hassell were the principal speakers. It was about this time that Father Hair said that it might be necessary for the laboring men to use dynamite to overcome the plutocrats and corporations. This statement was referred to in the convention. Van Osdel, Smith and Howe were candidates for the nomination for governor. It was noted that many candidates had out their political lightning rods. After a sharp contest the following ticket was named: Governor, A. L. Van Osdel; lieutenant-governor, M. M. Price; secretary of state, C. G. Morgan; treasurer, P. O. Peterson; attorney-general, W. H. Curtis; auditor, G. W. Evarts; Congress, Larden and Kelly. Their platform was similar to that of the year before. The fact that they placed a full ticket in the field was accepted as partial proof that they would oppose fusion with the democrats. The nomination of General Weaver for the presidency met the approval of the independents.

The republican state convention met at Madison, July 21st, with Robert J. Gamble as temporary chairman and Colonel Silsby as permanent chairman. Senator Pettigrew to a large degree dominated this body. Sheldon, Winslow, Taylor, Clough and Dollard were out for the gubernatorial nomination. After a close contest Sheldon won, though Winslow came close to victory at one time. The winner, C. H. Sheldon, was a farmer who had come to the territory in 1887 and was prominent and well liked. The other nominees were: C. N. Herreid, lieutenant-governor; Thomas Thorson, secretary of state; W. W. Taylor, treasurer; J. E. Hipple, auditor; Coe I. Crawford, attorney-general; Cortez Salmon, state school superintendent; Thomas H. Ruth, commissioner of school and public lands; Walter McKay, superintendent of labor statistics; congressmen, J. A. Pickler and W. V. Lucas; presidential electors, George A. Silsby, John Brothers, C. J. Buell, George W. Kingsbury. The platform accepted the national party principles; endorsed the administration of Governor Mellette; favored the double monetary standard; opposed all legislation hostile to the working classes; deplored the conflict between labor and capital; predicted better times under the McKinley tariff; denounced the plank in the people's party platform that declared the country was on the verge of moral, political and material ruin; favored reciprocity; opposed speculation in agricultural products; commended the management of the affairs of the General Land Office in securing titles for the settlers; pledged suitable pensions for soldiers; advocated a thorough revision of taxation

in South Dakota; recommended better roads; demanded a registration law and the proper protection of the ballot; favored a postal telegraph and a postal savings bank; recommended a reduction of express rates; favored the election of railroad commissioners by vote of the people, with power to establish local passenger and freight rates, and asked for such regulation of the state railroads as would insure absolute equality to all patrons. The renomination of President Harrison met the approval of South Dakota republicans.

The campaign of 1892 was one of the most strenuous in the history of the state. The attacks of the independents or populists on the methods and policies of the old parties opened all questions to inspection and placed before the people the real issues of that eventful year. It was a schoolhouse campaign, fought with intense earnestness and relentless pursuit and violent personal assaults. The ablest men of all four parties in the field took the stump and the people, more than ever before, turned out to hear the revolutionary issues discussed and to see the old political propaganda shattered and desecrated.

The question of fusion between the independents and the democrats was duly considered by both and was finally turned down, each maintaining and supporting a full ticket.

At the democratic state convention at Chamberlain September 1st, W. J. Quigley served as temporary chairman. His reference to Cleveland as the "unequalled statesman, honest and faithful patriot" was roundly applauded; he opposed fusion. The convention adjourned but reassembled as committee of the whole and discussed fusion. It was favored by such men as Bartlett Tripp, Colonel Steele, Colonel Shea, and Judge Brown, all of whom addressed the convention on the subject. It was finally resolved "that this convention place in nomination a full state ticket and presidential electors and that it be left optional with the state central committee to take out what portion of it they deem proper for the best interest of democracy." This was well understood to be an opportunity for the establishment of fusion if it could be done advantageously to the democracy. Messrs. Quigley, Van Epps and Freudenfeld opposed fusion. A plank in the platform was as follows: "We are in favor of a resubmission to a vote of the people of article 24 of the constitution relating to prohibition. Until constitutional prohibition is repealed we advocate such a modification of the present prohibitory law as will best promote the welfare and good morals of our people. There was sharp opposition to this plank, but it was adopted with practical unanimity. A vote to reconsider was defeated and an appeal from the decision of the chair was made, but he was emphatically sustained. A resolution against the use of Pinkerton detectives in labor strikes was adopted. Tariff reform was vigorously demanded. The convention was ominously silent on the silver question. The following ticket was named: Governor, Peter Couchman; lieutenant governor, S. A. Ramsey; secretary of state, George Culver; treasurer, J. L. Norris; attorney general, H. C. Walsh; auditor, J. E. Zieback; commissioner of school and public lands, Anthony Keller; superintendent of labor and statistics, T. W. Leary; superintendents of schools, D. S. Stiles; congressmen, Chauncey Wood and L. E. Whicher; presidential electors, John Burke, Charles Kieth, L. S. Morgan and John Lefabre.

The prohibition state convention was held September 14th, among the delegates being four women. F. J. Walsh was chosen chairman. Among the lead-

ing speakers were Rowe, Fielder, Keene, Burdick and Palmer. Over the course to be pursued part of the convention bolted, withdrew, but returned and bolted again. M. B. Alexander was nominated for governor; other candidates were named. The platform favored prohibition, equal suffrage, equal pay to the sexes, free coinage of silver, tax on foreign importations, Government control of corporations, national Sunday law and resistance to resubmission.

It should be noted that in 1891 the republicans were divided into two factions, one led by Senator Pettigrew and the other by Governor Mellette. The division was caused in a large measure by the question of an equitable division of the state officers. Senators Pettigrew and Moody agreed with Governor Mellette to secure the appointment of Mr. Edgerton to the United States district judgeship if he would withdraw from the race for the United State senatorship. To this agreement they were rigidly held by Governor Mellette, who went to Washington and threatened to make public the whole matter unless the appointment of Edgerton as federal judge was secured and confirmed. Much ill feeling was engendered. Edgerton finally received the appointment, was confirmed and entered upon the discharge of his duties. Moody and Pettigrew were thus left free for the Senate. But the question of state patronage disposal arose between Senator Pettigrew and President Harrison which in part led the former into open hostility to the administration. No doubt the free silver doctrine of Pettigrew contributed to this difference. It thus came about that in 1892 Governor Mellette and his friends were in favor of the renomination of President Harrison, while Pettigrew and his friends opposed it. Although the delegates to the republican national convention were told to support the renomination of General Harrison, they were influenced by Senator Pettigrew through technicalities to cast their votes against such renomination—all except two, and hence were regarded by the Mellette faction as having betrayed their trust. A. B. Kittredge became national committeeman and J. M. Green, chairman of the state committee.

Although the democrats and the populists did not openly fuse at the state convention, such fusion was adopted and carried into effect in nearly every county of the state and was in the end practically adopted on the state ticket through private or personal understanding. Among the distinguished speakers were J. C. Burroughs, W. B. Allison, J. P. Dolliver, Bartlett Tripp, Judge Brown, Colonel Steele, H. C. Walsh, Senator Pettigrew, Senator Kyle, Rev. W. Fielder, M. B. Alexander, H. S. Green, C. I. Crawford, C. H. Sheldon, J. A. Pickler, W. V. Lucas, William Lardner, A. L. Van Osdel, General Weaver, W. H. Curtis, H. L. Loucks, Alonzo Wardall, Gen. H. R. Pease, G. C. Moody, C. L. Wood and Mrs. Lease of Kansas.

At the November election, 1892, the republican electors received 34,888 votes; democratic electors, 9,081; populists, 26,512. For governor, Sheldon, republican, received 33,414; Souchman, democrat, 14,472; Van Osdel, independent, 22,524. The whole state republican ticket was elected by about the same plurality. Republican congressmen were chosen. Cleveland was elected and Harrison defeated. Senator Pettigrew ascribed the defeat of the latter to his unpopularity. The republicans celebrated state success and the democrats, national success. It was admitted that on the national ticket the tariff question cut no important figure.

In April, 1893, Bartlett Tripp was appointed minister to Austria-Hungary by President Cleveland, succeeding Col. Fred Grant. In the summer this year the free silver advocates of the state met and elected delegates to the free silver convention in Chicago. Montana appealed to all the western states particularly to support free silver. This question was growing in importance all the time during the early '90s. Pickler and Lucas, in August, voted for free silver on the basis of 16 to 1. In explanation of his vote the latter said he did so because his free silver constituents of the Black Hills had asked him to do so. Others stated that this answer was unsatisfactory because he had been elected by the whole state, which was perhaps opposed to free silver. But it was shown that the republican party of the state had declared for bimetalism, which meant free silver and free gold at the same time.

The contest for seats on the Supreme Court bench in 1893 was without excitement or extraordinary event. Corson, Kellam and Bennett, republicans, were easily elected. Haney and Aiken opposed Kellam, and A. W. Burt, John F. Dillon and S. H. Kennedy opposed Bennett. In this campaign it was noted by the populists brought out and analyzed every case that had been decided against the farmers by the Supreme Court. Their object was to show that the Supreme Court did not give the farmers the justice prescribed by the constitution. They failed to convince the court of public opinion that their case was just and so lost. Fairbanks, McKinley and Potter were the populists candidates and Wood, Stodard and Hinckley, the democratic candidates. The highest vote of each party was: Republican, 21,048; independent, 12,903; democratic, 7,683. The Wilson Tariff Bill, a democratic measure, was prominently before the citizens this year.

At the populist convention, held at Mitchell June 12, 1894, Robert Buchanan officiated as chairman. The delegates assembled in the famous corn palace and among them were 104 old soldiers. There was a spirited if not acrimonious contest for the control of the convention. At first Buchanan received the favor of the delegates, and it was clear that at one time he might have received the nomination for governor, but he displeased or disappointed a number of the members and Mr. Loucks assumed control. Then E. B. Meredith was the favorite for governorship, because it was declared that back of him was the whole prohibition vote of the state; but when prohibition was turned coldly down Mr. Meredith went down also. Finally Isaac Howe secured control of the convention and kept it. The following ticket was named: Governor, Isaac Howe; lieutenant-governor, S. H. Bronson; secretary of state, J. K. Johnson; auditor, E. B. Reed; treasurer, H. B. Wynn; attorney general, Mr. Null; state school superintendent, Mr. Falling; commissioner of lands, H. P. Smith, railroad commissioners, F. M. McNaughton, J. E. Holter and C. W. Cockern. The platform accepted the Omaha convention principles; demanded that coal lands should be owned by the Government; asked that state schools be divorced from politics; opposed the sale of any more school lands; favored the assessment of mortgages to the holders thereof and the exemption of a like amount from the assessment of the mortgagor; advocated legislation for the protection of mining, railway and manufacturing employes and for their indemnification if injured; favored nationalization of liquor traffic control beginning with state control under the existing constitution without profit to the state; demanded that voters be given

absolute control of all legislation by means of the initiative and referendum; declared that all honorably discharged soldiers of the Union Army be granted a pension and all widows of soldiers be given \$12 per month; and condemned the reckless and extravagant mismanagement of the existing state government. Senator Kyle, a populist, voted for free lumber and against free sugar, while the populist state convention refused to adopt a resolution declaring in favor of free lumber and free sugar. Pettigrew voted against free lumber. The populists favored woman suffrage. It was about this time that Senator Pettigrew delivered his famous speech on the tariff question in the Senate. He favored protection and the free coinage of silver.

The republican state convention, held at Yankton August 22, 1894, met in a large tent which seated 1,100 persons besides the delegates. W. B. Sterling was chosen temporary chairman and C. S. Palmer, permanent chairman. Among the prominent persons present were ex-Gov. Newton Edwards, ex-Gov. A. J. Funk, ex-Congressman W. A. Burleigh, ex-Chief Justice P. A. Shannon, ex-Associate Justice G. G. Bennett, ex-Associate Justice C. S. Palmer, Gov. Charles H. Sheldon, ex-Congressman O. S. Gifford, Congressman J. A. Pickler and Congressman W. V. Lucas. Mrs. Simmons of the woman suffrage movement was given a seat on the platform. Nominating speeches were limited to five minutes. Robert J. Gamble and J. A. Pickler were nominated for Congress. The majority of the state ticket were renominated by acclamation, as follows: Governor, C. H. Sheldon; lieutenant-governor, C. N. Herreid; secretary of state, Thomas Thorson; auditor, John E. Hipple; treasurer, Kirk G. Phillips; attorney general, Coe I. Crawford; state school superintendent, Mr. Crane; land commissioner, J. L. Lockhart; labor commissioner, S. A. Wheeler; railroad commissioners, John R. Brennon, A. Johnston and Frank Conklin. A telegram from Washington that President Cleveland had refused to sign the Wilson Tariff Bill, a democratic measure, was received by the convention with a tumult of ecstasy and applause. The platform advocated protection to American industries; favored reciprocity; deplored the existing contest between labor and capital; denounced the agitation of demagogues; asked for an improvement of the immigration laws to keep out the pauper and criminal classes; favored the use of both gold and silver on the basis of 16 to 1—bimetalism; promised such legislation as would thwart the dangerous power of the trusts and similar combines and prevent the aggressions of capital accumulations; declared it to be a duty to foster and encourage agriculture, mining, manufacturing and other commercial home interests; demanded protection from unjust freight rates; favored a continuance of the benefits to the old soldiers; and congratulated the state on the admirable administration of Governor Sheldon.

It was afterward declared that the Taylor defalcation was known to the leaders of this convention, but was kept from the other members and from the people. It was further said that the convention committee had much trouble to secure a worthy man who was willing to accept the nomination for state treasurer to succeed Mr. Taylor, but finally Kirk G. Phillips, who it was affirmed was told nothing of the defalcation, was induced to accept. Herreid was a member of the committee on resolutions; so was E. W. Caldwell. Herreid drafted the 16 to 1 silver plank in this platform, but it was considerably altered by Mr. Caldwell and was adopted in its changed form.

At the democratic state convention of September 5th the following ticket was named: Governor, James A. Ward; lieutenant governor, B. M. Tunley; secretary of state, J. L. Norris; auditor, D. F. Burkholder; treasurer, R. A. Mather; attorney general, S. W. Teesh; land commissioner, Jasper Fergen; railroad commissioners, John Scollard, J. L. Thompson, W. J. Casson (by the decisive vote of 234 to 165 the convention refused to fuse with the populists in the nomination of congressmen); congressmen, Robert J. Connor and W. A. Lynch. Solomon Two Stars, a Sisseton Indian, was present, claiming to be a delegate from his county. He made a speech in which he presented his claims and said that he could neither read nor write. A republican newspaper said that after he had made this admission his credentials to the democratic state convention were deemed sufficient and he was accordingly seated. Fusion was easily defeated and a full ticket was decided upon. In the platform the delegates endorsed Cleveland's administration, except his course on the soldiers' pension bill; declared for absolute free trade; opposed legislation on the tariff problem; advocated the single gold standard; endorsed the income tax; favored pensions for ex-soldiers; demanded the election of United States senators by direct vote of the people; favored irrigation legislation; promised resubmission of the prohibition clause of the constitution; asked to have members of corporations, trusts and combinations excluded from Congress; objected to railroad passes for public officials. Free silver was defeated by the vote of 253½ to 141½.

During the campaign of 1894 the tariff question was one of the most important issues in this state and elsewhere. The speeches on the question delivered in the East by Thomas Reed were quoted widely by local protection advocates. He gave many figures and said that the cold facts of mathematics surpassed the spasms of political rhetoric; that there is hardly a spot on the globe where three generations of Englishmen, Frenchmen and Germans had not been camped in possession of every avenue of trade; that if the difference between the cost of production here and the cost of production in England be not equalized by the duty, then the cost of production must go down or we must go out and therefore our labor must go down also; that if we cannot without duties hold our own markets how shall we pay freight, the expense of introducing goods, and meet the foreigner where he lives? These observations of Reed were quoted by all the republican speakers and newspapers of the state during this eventful campaign.

Late in September Judge H. J. Campbell announced that he was through with the independent or populist party and had returned to the republican fold; he was warmly received by the republicans. The immediate cause of his withdrawal was the fusion of the independents and the democrats, a measure which he had ever opposed from principle. He then had no other recourse than to return to the republicans. He said in substance, to explain his course, that the independent party was a protest on the part of a large body of the people, mostly among the industrial classes, against what they felt to be the injustice of many of the existing economic conditions. They felt that the joint profits of the work of society were unequally and unjustly distributed. From the very first it was evident that to make such a party possible it was necessary that the southern element of the new party should break with the democratic party. just as the northern element did with the republican party. But when the sticking

point came the southern men failed to break with the democratic party. Thus it became necessary to abandon a national independent party. With no national party to fight for, the independents of South Dakota were fighting simply for local issues. What were these issues? To elect a number of officers including a United States senator by the aid of democratic votes. Now, if they shall succeed, what will the independent cause gain by the success? Would democrats be converted into independents? The questions answered themselves. Even with success the independents were just where they were before the added disadvantage of democratic success. The chief object of this election was the selection of a United States senator. Past experiences had shown that an independent elected by democratic votes and under pledges to Democrats was to all intents and purposes a democrat. Independents did not want a repetition of such a result. Democratic policy meant war on northern industries. Did the independents of South Dakota wish to endorse that policy? These were the views of Judge Campbell.

As a matter of fact this was one of the most eventful years from many points of view in the history of the whole country. The great railway strike at Chicago and elsewhere, the revolts of other labor organizations in all directions, the large number of unemployed men, the arrogance, heartlessness and avarice of trusts and corporations, the disregard of courts and high officials for the welfare of the masses—all contributed to cause a general rebellion against industrial, social and political conditions. This movement was not the mushroom growth of an hour, but had its origin back about 1870 when the farmers began to organize against the tactics of capital to subject them to perpetual industrial slavery. Steadily this revolt had grown under various names and disguises until now in 1894 it burst forth with volcanic fire and fury. It was declared that the sacredness of precedent and the sanctity of law, which all admitted, should not be set up as golden idols for perpetual worship in a world that was constantly improving and advancing to wider actualities and loftier ideals. The farmers' movement was not against law and order, but was to secure an equalization of the benefits and honors of modern civilization. The populists went a long step farther than the farmer had gone. They attacked the citadel of entrenched wealth, the boss and official power, and unjust and crushing industrial conditions and laws—struck a deadly blow at the heart of injustice which was masquerading under the guise of law. The movement was not against law and order, but against injustice and industrial oppression and servitude. Only a few years before, under this reform movement, anarchy appeared at Chicago and elsewhere, but it was merely an unwarranted step, an unwise but consequent result of the fight of the classes against the masses, of a moneyed oligarchy against yeoman equality.

But the populist, though sure of the righteousness of his cause, was not immaculate—was not wholly assured either of the effectiveness or the justice of his methods or of the result and finality of his policy. It was such a revolution that results could not be foreshadowed where operative measures were doubtful and social and industrial principles in chaos. While the populists were sincere and honest and were justified in their position and their demands, it cannot be said that the capitalistic class was either criminal or undesirable. Their power to grasp more than their fair share of the benefits of industrial wealth needed

merely to be restricted, curtailed and controlled. Slack or unjust laws had enabled them to get more than their share. The movement of the populists was for a readjustment of social, industrial and political conditions. This movement during previous years was not a discordant attack upon justice, but was a far advanced and suggestive mobilization of human energy and intelligence, a prophetic finality of what they believed would be for the betterment of mankind. Perhaps they were mainly wrong in their methods and measures, but it should be noted that nearly all of their principles become laws fifteen or twenty years after they are announced. The more a social philosopher or a moralist sees of politics, the better he likes socialism. The more one witnesses the brutality and injustice of competition, the warmer and brighter appear the socialistic demands for industrial co-operation. The populists argued that in this country the people had a right and the power to change their Constitution and their laws if they so desired; that neither the Constitution nor the law was superior and paramount to the wishes and welfare of the people; that they were merely the servants of the people and could be discharged and others employed in their stead whenever they failed to establish justice and insure an equitable distribution of the world's benefits. The arbitrary sacredness of the law bore no comparison to the eternal justice of the law. The initiative, referendum and recall movements were suggested by the reformers long before the old political parties or the people generally were ready for them. They were suggested to stimulate desired laws, reject those that were decrepit or inert, and recall a judge who coquetted with graft, corruption and injustice.

It came to pass in 1893-94, as one of the results of the reform movement, that the populists held the balance of power in the United States Senate; they caused wool to be placed on the free list and removed the duty from many farm products. Senator Kyle was one of the populist leaders who accomplished these results. In South Dakota all of these conditions and consequences were analyzed on the stump. There were so many revolutionary ebullitions that the campaign became intensely acrimonious, personal and bitter. Apparently the newspapers vied with each other to see which could be the most abusive and slanderous. Here and there the campaigns of falsehood and slander conducted by the newspapers were far worse than the evils or malfeasances they denounced or concealed. And such is politics. Senator Kyle was abused without stint. Senator Pettigrew was savagely attacked for having gone over to the populist theories.

Robert J. Gamble announced himself a candidate for Congress, though he had been mentioned generally as a desirable candidate for the governorship. Mr. Loucks said openly during this campaign that had it not been for the bossism which refused a fair fight within the ranks of the republican party, there would have been no third party in the state. The people generally had no choice in their rules, were compelled to vote the slates framed in advance by the bosses. All realized the importance of this election—that of 1894. There were to be chosen a full set of state and congressional officers, members of the railroad commission, members of a new Legislature, the latter to choose a successor to Senator Pettigrew. The result of the election was a clean sweep by the republicans, the vote for governor being—Sheldon (republican), 40,401; Ward (democrat), 8,756; Howe (populist), 26,568. Shortly after the election Judge Howe died, aged about seventy years.

Early in 1895 the whole state was engaged in studying the problems in finance proposed by "Coin's Financial School." This work served still further to convince the silver men that they were right. In almost every county the subject was either debated or actual lessons were taught and learned. A telegram from Senator Pettigrew at Washington to the South Dakota Legislature asking for the passage of the free silver memorial under consideration was received, considered, but that body failed either to answer the telegram or to pass the memorial. From this moment, though Senator Pettigrew had just been re-elected, he no longer worked in unison with the republican party of the state and the breach rapidly grew wider. On January 22, 1895, the vote had stood—House: Pettigrew 67, Crawford 14; Senate: Pettigrew 33, Crawford 9, Crill 1. The next day this vote was ratified by both houses. Soon the republicans realized that they had been misled into voting for the return of Mr. Pettigrew to the Senate, because he at once renewed his war on the republican party and apparently did all in his power to advance the cause of the populists at the expense of his old followers. The debate of Horr and Harvey (the later being the author of "Coin's Financial School") attracted much attention here in the spring of 1895. The fact that Harvey more than held his own with such a brilliant speaker and logician as Horr still further strengthened the silver faction in the belief that they were right. It was during this memorable period—this era of education in finance—that the people generally became convinced that the double standard was the real solution of the controversy. In November, 1895, William J. Bryan delivered a lecture on the silver or money question in this state. He spoke in favor of the restoration of silver to its former place as money and was listened to by an immense audience at Yankton.

In January, 1896, the politicians of the state began to bestir themselves—to make slates and work out the most available and suitable candidates. A. C. Johnson was chairman of the Republican State Central Committee. Soon the air was full of the names of candidates. In January H. L. Loucks lectured in several cities of the state on the subject, "The Problem of the Unemployed; its Causes and the Remedy." The lecture was strong and able, Mr. Louks being an attractive speaker. He was at this time the populist leader of the state and president of the National Farmers' Alliance. In February bimetalism grew rapidly in favor throughout the state. There was also a district movement for the gold standard. The gold advocates at once attacked Pettigrew, the champion of free silver in South Dakota, and their bombardment grew fiercer and deadlier as time advanced.

Early in 1896 Mr. Pickler withdrew from the contest for the House of Representatives in Congress, and came out as a candidate for the United States Senate to succeed Senator Kyle. This year the Black Hills region united in a demand for the republican state convention. It was declared that they had been shoved aside long enough by the favored southeast part of the state and should now be shown the consideration that was justly due them.

During the spring political maneuvers of 1896 Senator Pettigrew succeeded by adroitness in so covering his real designs against the republicans that he was sent as a delegate to the National Republican Convention at St. Louis. He dropped the free silver question—the real issue of the campaign—and came out strong on the maximum railroad rate bill. He denounced his opponents as rail-

road lobbyists. Luckily for him the rate question was one of great importance here and notwithstanding this evasion he readily gained the attention of his audiences. He was sent to the state convention, but at first was apparently powerless there, because his opponents were in the majority. But he had set out to go as a delegate to the St. Louis convention and he determined to win at all hazards. In the light of subsequent events it is clear that his real intention was to throw the South Dakota delegation from McKinley to a silverite at the convention, if possible, or to swing the delegation to the populist movement headed by a silverite in case the republicans could not be stampeded to free silver. Pettigrew had become obsessed with the theory that W. J. Bryan was the logical leader of a reform movement that was bound to sweep the country and that he and all his adherents would likewise inherit political power and glory. As he had lost the favor of the state republicans, Mr. Pettigrew resorted to shrewd methods to secure election as one of the republican delegates to the St. Louis convention. At the stage when all were required to pledge their fidelity to the national republican platform and to the support of McKinley, he succeeded in evading the pledge by merely stating that the will of the republican party in South Dakota was law to him. On this statement he was elected. No one dreamed that after making such a statement he could or would violate the will of the convention expressed in its pledges and instructions. But when the opportune moment arrived at St. Louis he refused to support the nomination of McKinley, bolted the convention, helped to establish the free silver republican faction and came out strongly in support of Bryan for the presidency. The most remarkable fact connected with this episode is that the republicans should for so long a time have supported and highly honored a man who the most of the time for more than a year had openly been their political enemy. For the whole of his term he misrepresented his party and the majority of the voters in South Dakota. After the convention at St. Louis he endeavored to organize a silver party in South Dakota, but could make little headway with the republicans who at last had taken his true measure as a statesman and a recreant or reactionary republican. The delegates to the Republican National Convention were L. B. French, David Williams, W. V. Lucas, C. G. Sherwood, A. H. Meacham, W. E. Smead, D. A. Mizener, R. F. Pettigrew and A. B. Kittridge.

The national republican convention did not declare against free silver, but favored its retention by international agreement. This was made clear by Pickler and others during the campaign, though the free silver advocates tried to conceal this fact. The free silverites held a separate convention at St. Louis and decided to support Senator Teller of Colorado for president.

The Huron convention of March 25th endorsed McKinley for president and favored bimetallism, the latter measure being the same plank the republicans of the state had adopted in 1894. All over the state the sentiment was for McKinley for president.

At the democratic national convention in Chicago in July, Bland, Boies and McLean were popular during the early stages, but when Bryan made his famous "cross of gold" speech, he swept the convention and easily received the nomination. Free silver was a plank of the platform. This ticket and platform exactly suited Senator Pettigrew, who from this moment became a free silverite or Bryan democrat, regardless of his allegiance to his old supporters. In fact so firm was



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he that the new movement was right and would succeed that he seemed to take delight in placing campaign dynamite on all occasions under the foundation of the republican domicile.

The republican state convention met at Aberdeen July 8th and nominated a full ticket of state officers, as follows: Congress, R. J. Gamble and Coe I. Crawford; governor, A. O. Ringsrud; lieutenant governor, A. E. Hindman; secretary of state, R. B. Roddle; auditor, J. E. Mayhew; land commissioner, J. E. Lockhart; school superintendent, R. Crane; attorney general, S. V. Jones; railroad commissioners, George Johnson, T. R. Bromley and A. McFadden. As soon as the money question became known twenty delegates from Minnehaha County, headed by Judge Palmer, withdrew. The platform endorsed the national republican platform; declared the state administration honest and economical, as shown by its having among other acts brought a defaulter to the penitentiary; pledged an investigation of the grain elevators of the state; promised the destruction of oppressive corporations; opposed harsh and unjust legislation against railways; endorsed the gold standard and free silver, the latter conditioned upon international agreement. It was this plank copied indirectly from the national platform that caused Senator Pettigrew and other silverites to bolt the St. Louis republican convention; and now for a similar reason, after making a powerful speech for bimetalism, Judge Palmer and the Minnehaha County delegates withdrew from the state convention. About the same time Mr. Tomlinson, editor of the *Argus-Leader*, Sioux Falls, wired the convention that his paper would support McKinley and the gold standard. This message was received by the convention with loud and continuous cheers. The convention adopted the following resolution; "That in bolting the St. Louis convention Senator Pettigrew has ceased to be in touch with the republican party and has forfeited its political respect and esteem." The Judge Palmer resolution or plank for the double monetary standard was promptly defeated by the emphatic vote of 502 to 103. The convention thus declined to vary from the national platform on the money question. Thus the Pettigrew plan to switch the South Dakota republicans to the free silver track met ignominious defeat and was consigned to oblivion. The *Argus-Leader* received much credit from the republicans for its position and course. For the previous seven years it had stood for sound money and for stringent railroad rate law and now had refused against great pressure to be stampeded to the free silver propaganda by Senator Pettigrew and his followers. The republican electors were T. D. Edwards, J. L. Turner, R. J. Woods and R. M. Slocum.

The South Dakota prohibition state convention nominated J. F. Hanson for governor and nearly a full ticket, but left a portion to be filled by the executive committee. Its usual platform was adopted.

The populist state convention assembled at Huron and was presided over by C. B. Kennedy. They nominated for congress John E. Kelly and Freeman Knowles; governor, Andrew Lee; lieutenant governor, P. R. Crouthers; secretary of state, J. W. Harden; auditor, J. H. Kipp; treasurer, W. T. Logan. The platform declared for the destruction of private monopoly; the reversion of railway lands to the Government if not used; Government ownership of sufficient railroad mileage to control transportation; free coinage of silver at the ratio of 16 to 1; postal savings banks; election of United States senators by direct vote;

direct legislation; more money per capita; denounced the existing state administration; declared for the Iowa railway law; advocated the separation of prohibition and politics and endorsed the attitude of Senators Pettigrew and Kyle on free silver. The populists were approached by the free silver republicans who had bolted the Aberdeen convention and were asked to indorse W. J. Bryan for the presidency.

The non-partisan prohibition convention assembled at Mitchell in May, with A. C. Maucaulay in the chair. The state was divided into districts and a strenuous campaign was planned.

The democratic state convention in May named delegates to the national convention; all were in favor of sound money. They were F. M. Stover, J. E. Carland, Edmund Cook, S. A. Ramsay, George Culver, S. V. Arnold, J. M. Wood and W. R. Stone.

The South Dakota democrats who were opposed to Bryan and free silver met at Sioux Falls August 27th and organized for the campaign. John B. Hanten was one of the leaders of this movement. At first they planned to vote for McKinley, but as soon as Palmer and Buckner were nominated they espoused that ticket and the gold standard cause. At first this action had many supporters, and had shown its first considerable uprising in July. It was later declared that many democratic newspapers of the state deserted their party owing to its advocacy and support of "soft money."

Although the silver democrats, the silver republicans and the populists started out on independent lines, they finally fused more or less and united on Andrew E. Lee, of Vermillion, for governor, and John E. Kelly and Freeman Knowles for Congress. They likewise agreed to support Bryan for President and to sustain the national democratic platform adopted at Chicago. All this reduced the issues to Bryan or McKinley—to free silver or the gold standard (or perhaps bimetalism). It is doubtful if the state ever before had witnessed such legerdemain, confusion and uncertainty in the political game. The silver question rent both old parties in twain, beclouded or overshadowed all other issues and left the result wholly in doubt. It must have been confusing to the individual officeseekers themselves thus to change their stripes, colors and mental ebullitions. J. A. Pickler supported Bryan and free silver. Melvin Grigsby was candidate for attorney general on the Bryan ticket. Dozens of republican newspapers went over body and soul to the populist ticket. The big issues were silver, gold or the double standard; protection or free trade; prohibition or license; and the railroad rate regulation. It was soon seen that the union of all the silver forces was likely to mean the defeat of the old line of entrenched republicans—the defeat of a political machine which even many republicans already had begun to hate and tried to demolish. For many years the cry had been to crush the political machines, the bosses, and to give the people more to say as to the management of public affairs. Now in 1896, more than ever before, had Bryan cemented the widening and surging movement of the masses against the classes. During the campaign it remained for the good sense of the American people to see the cheerful and smiling face of Truth through the fog and gloom of political asperity, confusion, discreditable personal intrigue and ambition and the mistakes and blunders of men and women with honest intentions and high ideals. The state was well covered by able thinkers and speakers on all the issues. The news-

papers employed their usual questionable tactics to advance the interests of the factions whose causes they had espoused. Bryan came here to strengthen his free silver phalanx. Henry M. Teller did the same. Coe I. Crawford covered the state for the republicans. Doctor McLouth lifted his voice for free silver. Cleveland was regarded with scorn and contempt by the free silverites because he clung to the gold standard. A. E. Lee made many speeches and many converts to the silver cause. Pettigrew delivered several of his most adroit speeches in the same interest. At the state fair one day was set apart as "Silver Day," when supporters of that policy could dispense their solemn and pretentious teachings. Mr. Richards, of Huron, said good words for silver and Bryan, or Bryan and silver. Of course, the most notable oratorical events were the speeches of Mr. Bryan as he swept through the state. The populists were numerous, powerful and confident, but it was believed by the leaders in this state that the presence of Bryan himself would cinch the victory beyond cavil or doubt. He spoke at Salem, Sioux Falls, Vilas, Huron, Redfield and Aberdeen early in September and was listened to by the whole populace. His speeches were fine, ornate and powerful, but were ridiculed and derided by the men whose vision was gold.

The result of this eventful election was as follows: Presidential electors—McKinley, 41,042; Bryan, 41,225; prohibition, 983. Governor—A. E. Lee (Pop.), 41,187; A. O. Ringsrud (R.), 40,868; J. F. Hanson (Proh.), 722. Lieutenant governor—D. T. Hindman (R.), 40,997; P. R. Corothers (Pop.), 40,956; F. J. Carlisle (Proh.), 700. Secretary of state—W. H. Roddle (R.), 41,162; J. W. Harden (Pop.), 40,841; C. M. Peck (Proh.), 679. Auditor—H. E. Mayhew (R.), 41,151; J. H. Kipp (Pop.), 41,069. Treasurer—Kirk G. Phillips (R.), 41,112; W. S. Logan (Pop.), 40,880; Joseph Harker (Proh.), 641. Attorney general—Melvin Grigsby (Pop.), 41,316; S. Y. Jones (R.), 40,931. Superintendent of public instruction—Frank Crane (R.), 41,124; Kate Taubmann (Pop.), 40,852; George Kephart (Proh.), 633. Land commissioner—J. L. Lockhart (R.), 41,157; A. M. Allen (Pop.), 41,110; Railroad commissioners (three)—G. A. Johnson (R.), 40,947; N. P. Bromley (R.), 40,682; D. W. McFadden (R.), 40,866; W. T. LaFollette (Pop.), 41,342; Alexander Kirkpatrick (Pop.), 41,343; W. H. Tompkins (Pop.), 41,326. Congressmen (two)—Kelley (Pop.), 41,125; Knowles (Pop.), 41,233; Gamble (R.), 40,943; Crawford (R.), 40,575; Alexander (Proh.), 683; Lewis (Proh.), 722. Amendments to the constitution—Limitation of local indebtedness, yes, 28,490, no, 14,789; shall the prohibition clause of the constitution be repealed? yes, 31,901, no, 24,910; shall trusts and monopolies be excluded from the state? yes, 36,795, no, 9,136; shall state educational institutions be placed under one board of five regents? yes, 31,161, no, 11,390. Another amendment limiting the time of certain officials was voted on and carried. At this phenomenal election there were puzzling results and startling surprises in almost every county of the state. It required time for the republicans at least to recover their equilibrium. At this time there were 94,375 voters in the state.

At once as soon as the result in this state was known, the question arose, would the populists now unite with the democrats to elect a democratic United States senator or would they fight for a populist. On joint ballot the Senate and House had a fusion majority of 19. There were 9 democrats, 53 republicans and 70 free silver advocates. Irving Weeks was nominated by the democratic caucus,

John A. Pickler by the republican caucus, while the silver people adroitly avoided naming a candidate in caucus. The result of the first caucus joint ballot was—Pickler, 53; Kyle, 33; A. J. Plowman, 11; F. M. Goodykoontz, 6; A. J. Kellar, 3; Weeks, 3; C. S. Palmer, 1; John A. Bowler, 1. During this contest the wants of the democrats and of the republicans were clear and well defined, but the silverites and populists, who had fused, seemed bent upon confusion, uncertainty and foul weather. It is a fact that personal considerations entered almost wholly into all their plans, schemes and calculations. It was not their purpose at any time to unite on one man and elect him, but to practice delay, finesse, and subterfuge so that the hope of success might temporarily polish, bedizen and brighten many senatorial lightning rods. The long and expensive contest was due almost wholly to this systematic intrigue for personal advancement. Their motives were severely criticised by speakers and newspapers in all parts of the state. Was not this expensive procedure, costing the state, as it did, unnecessarily, thousands of dollars, as much of a malfeasance, it was asked, as is the official delinquency of any other public servant? The Legislature refused temporarily to receive the last message of Governor Sheldon, but ordered read with great acclaim that of incoming Governor Lee. Promptly upon taking his seat Governor Lee directed an investigation of all the state officials. The republicans declared that he did this to give his administration the prestige of a reform colorization—that it was the move of a politician and not of a statesman. The republican press lashed Governor Lee without mercy for appealing to the Legislature to authorize him to count the money in the state treasury. The vote in the Legislature on this question was wholly partisan. The investigation was ordered, but though rigid and in the hands of the enemy nothing of a serious nature was found wrong with any of the departments.

The republican caucus nominated unanimously John A. Pickler for the United States Senate. The contest for senator passed through all stages from gay to grave. The ebb and flow of individual popularity or disfavor were evanescent and baffling. It was claimed that corruption walked with arrogant tread through the legislative corridors, committee rooms and halls, and could even be heard in hotel bedrooms amid the click and pop of glass bottles, the select language of honorable members and the fragrant aroma of extremely ardent spirits. The candidates were Kyle, Loucks, Plowman, Goodykoontz and others. In one of the early caucuses Kyle came within eight votes of being elected. The democrats in caucus named J. A. Weeks for the senatorship. On January 20th both houses voted as follows: Pickler, 53; Kyle, 33; Loucks, 14; Plowman, 11; Goodykoontz, 6; Weeks, 3; Kellar, 2; Palmer, 1; Bowler, 1. This was the result of the first regular joint ballot, and now the music of numerous private bands began to be heard. On January 28th Loucks withdrew and released his supporters. The air was full of the stories of combinations and sales. And thus the battle or the diplomacy continued with unabated skill and finesse until February 18th, when by a sudden and wholly unexpected coup the republicans threw the bulk of their strength to Senator Kyle who was thus reelected. The last ballot was—Kyle, 65; Plowman, 41; Goodykoontz, 11; Greeley, 4; Palmer, 1; Hinckley, 1. Kyle received the entire republican vote except one and thirteen populist votes. The democrats did not figure in this startling event. At first Mr. Pickler was accused with having directed this adventurous movement, but later Mr. Kittredge

was forced to assume the responsibility, but he did not seem distressed under the burden. In 1890 Mr. Kyle, a republican, was sent as a populist to the State Senate; later he was sent to the United States Senate by the democrats, and now he was returned there by the republicans. He proved faithful to all his constituencies—was true to his friends amid the shifting and jumbled so-called principles of these morbid and erratic times. The republicans were satisfied, because Mr. Kyle pledged himself to support republican principles; the silverites were satisfied because he was in favor of free silver; the populists were pleased because he had once worn populist clothing; so the democrats seemed the only ones left to hold the snipe-bag. What made it worse for them was that they had at a critical moment deserted Mr. Kyle and transferred their affections to Mr. Hinckley. The newspapers of the state for weeks, if not months, afterward continued to crack jokes over the unique situation. Mr. Kyle was accused of having made all sorts of perplexing promises to get the nomination; but he said:

"The misfortune of the populist party is that though having a strong majority in the Legislature, it was unable to elect a senator. For several weeks fruitless efforts were made to this end, but through jealousy, malice and corrupt combinations it became plainly apparent that the deadlock would continue to the end of the session if assistance did not come from the republican party. Help did finally come from the republicans, but there was no so-called partisan deal or compromise of principles. Under ordinary circumstances I could continue a populist in good party standing, but the corrupt influence and the powerful machine installed in the party have, regardless of party welfare, by persecution of my friends and venomous and false personal attacks, attempted in the interest of a small clique of new-found allies to thwart my reelection and have sought to drive me from the party which I helped to found. This I deny their right to do. I shall continue to advocate my convictions on all public questions during my six years' term, and in minor matters I trust I shall not prove ungrateful to the large body of men to whom I am indebted for reelection."

The "Big Five" in South Dakota republican ranks in 1897 were A. B. Kittredge, Robert J. Gamble, Coe I. Crawford, A. O. Ringsrud and J. D. Elliott. It was conceded that they, in a large measure, directed state patronage through Senator Kyle. In June Senator Pettigrew was stricken with paralysis while speaking with great vehemence in the Senate, but he soon recovered. This year Robert B. Tripp, populist, opposed unsuccessfully the election of E. B. Smith to the district judgeship.

Early in 1898 Mr. Loucks gave indications that he might return to the republican ranks. As a matter of fact he was an able, conscientious man who advocated the populist cause through principle. He was always opposed to fusion, but yielded to all the fusions at the behest of his followers. When the populist machine took over the party *nolens volens* he concluded that his usefulness as a leader of the new principles was at an end. With him as with H. J. Campbell the populist movement was one for reform and advancement. He was not active in 1898; neither were Coe I. Crawford and J. A. Pickler. In February, 1898, Mr. Pettigrew delivered a three-day speech in the Senate against the annexation of the Hawaiian Islands. He continued steadily to oppose the McKinley administration and so far failed to represent the republicans of this state who had sent him back to the Senate.

In spite of the Spanish-American war and the settlement of the free silver tariff questions, politics broke forth into full leaf and bloom with the coming of balmy spring in 1898. About this time the death of Hugh J. Campbell, the "Father of Statehood," occasioned general regret throughout South Dakota. He was the most original, most profound thinker in the state and possessed too much principle to be congenial to professional politicians and held himself aloof from their partisan raffles and personal squabbles.

At the peoples' convention held at Aberdeen June 23, 1898, Gov. A. E. Lee was renominated for governor as were also James F. Kelly and Freeman Knowles for Congress. This convention was apparently a willing victim of fusion, free silverites, democrats and populists uniting as one concrete and formidable battalion. A certain newspaper called them or it the trinity and ascribed to it supernatural ambition if not power. The democrats asked for the treasurer, auditor, land commissioners and superintendent of public instruction. The silver republicans demanded the lieutenant governor and the attorney general. The populists asked for the governor, the two congressmen and the secretary of state. The platforms were separate though they were much alike. The joint resolutions adopted asked for the free coinage of silver at the ratio of 16 to 1; opposed the issue of state and local bonds; favored the free homes bill; demanded that all money be issued by the Government; approved the prosecution of the war with Spain; denounced Federal Court injunctions; favored the election of Supreme Court judges; advocated the adoption of the initiative and referendum; recommended public ownership of public utilities, and favored the nomination of United States senators by the usual conventions.

In July, 1898, the silver republicans held a separate convention. Their platform reaffirmed and endorsed the principles of representative government advocated and supported by Washington, Jefferson, Lincoln, Grant and Bryan; endorsed the platform of the silver republican convention at St. Louis in July, 1896; declared its purpose to unite with others holding the same views; commended the stand of the silver republicans, populists and silver democrats in Congress; demanded the remonetization of silver on the basis of 16 to 1 without waiting for the comment of other nations; opposed the issue of interest bearing bonds; believed it the function of government to issue full legal tender money; opposed the "present pooling and trust fostering policy of railroad management;" denounced the republicans for their support of trusts and combines; favored Government postal savings banks; opposed the assumed authority of Federal Courts in vetoing the acts of the legislative and executive branches of government; favored the election of United States senators by direct vote of the people; demanded the better regulation of interstate railway traffic to prevent discriminations; favored the war with Spain; advocated an income tax; denounced the republicans for defeating the free homestead bill; commended the last Legislature for passing the existing railroad law; endorsed the administration of Governor Lee and the acts of Pettigrew, Kelley and Knowles in Congress; favored a law making railroad companies liable for injuries to employes; favored a uniform system of text books in public schools under state authority; advocated building up the various state institutions; and favored municipal control of public utilities.

The peoples' party met in July and announced its principles. The platform reaffirmed the doctrine of the free and unlimited coinage of silver at the ratio

of 16 to 1; opposed the issue of interest bearing bonds in time of peace; favored the issue of all money direct by the Government; demanded the passage of the free homes bill; approved the war with Spain; denounced the "infamous policy of government by injunction;" demanded the election of such courts by a direct vote of the people; opposed the life tenure system of the Federal judiciary; demanded the election of the United States Supreme Court for stated terms by direct vote of the people; recommended that at the state convention of the people's party to be held in 1900 a candidate for United States senator be nominated to be voted for by the members of the Legislature elected by the party; favored the initiative and referendum; advocated public ownership of public utilities; favored a law making employers liable for injuries to employes received while in the discharge of duty; favored fostering home industries; opposed the employment of convict labor; and demanded an equitable tax upon the franchises and property of railroads and other corporations. In addition the convention passed resolutions commending the course in Congress of Pettigrew, Kelly and Knowles and the administration of Governor Lee, particularly his "courageous policy in demanding public official probity;" expressing appreciation for the patriotism of the American volunteers; granting to the State Central Committee full plenary powers to finish the work of the convention; expressing gratification "over the proud fact that the silver members of Congress had forced the national administration to a just and proper punishment of Spain for the destruction of the Maine; endorsing the course of the State Railroad Commission and favored the publication of public school books by the state."

The democratic platform this year asked for the better control of railways and trusts; congratulated the state on the passage of suitable railroad legislation; favored limiting the working hours of women and children; pledged the building up of state institutions; opposed convict labor that conflicted with ordinary labor; asked for the graduated income tax; asked for Government savings banks; demanded that the state should own its own school text books; asked for the initiative and referendum; demanded the free coinage of silver at the ratio of 16 to 1; asked that the tenure of Federal offices be limited to eight years; expressed pride in the course of Senator Pettigrew; congratulated the free silver forces for having supported Mr. Bryan; denounced the national administration for making war the excuse for issuing interest bearing bonds; and commended the course of Governor Lee and Congressmen Kelly and Knowles.

The republican state convention at Mitchell in August was presided over by J. M. Greene, of Chamberlain. There was general harmony, but several sharp contests for place ensued. The ticket was: Governor, Kirk G. Phillips; lieutenant governor, J. T. Kean; secretary of state, W. H. Roddle; treasurer, John Schamber; school superintendent, E. E. Collins; auditor, J. D. Reeves; land commissioner, David Eastman; attorney general, John L. Pyle; railroad commissioners, W. G. Smith; Congress, R. J. Gamble and C. H. Burke. At this convention a letter from H. L. Loucks was read, announcing his return to the republican party, whereupon joyful pandemonium held supreme control for a few minutes. He asked the convention to adopt a plank favoring the initiative and referendum, but his advice was not followed, though all were requested to study the matter. The platform declared for protection and sound money; opposed the free and unlimited coinage of silver; demanded the gold standard; endorsed the

annexation of Hawaii; urge the extension of the civil service policy; opposed illegal corporations and trusts; advocated internal revenue; supported postal savings banks and the postal telegraph system; sustained the railroad commission rate fight; favored building the Nicaragua canal and recommended that the initiative and referendum systems be duly and studiously considered.

During the campaign the republicans charged Governor Lee with wasting public funds. Mr. Phillips, state treasurer, though requested to do so, refused to advance funds to Governor Lee with which to mobilize the state troops for the war with Spain, thus forcing him to raise the money through private sources. Mr. Phillips was charged with having prevented the taxation of railroads. All of these were partisan or personal maneuvers invented to achieve private aims and ends. Possibly the action of Mr. Phillips was actuated by a desire to get even with Governor Lee for the official investigation ordered a short time before.

In the fall of 1898 Bartlett Tripp announced his withdrawal from the democratic party owing to its having wholly gone over to free silver, socialism and even anarchy. In September Senator Kyle suffered a stroke of paralysis while at Cleveland. A short time before he had announced that he was a republican. The populist papers of that time declared that he was in Cleveland to consult with Mark Hanna on political plans, problems, and campaigns.

Generally the republicans were successful at the election of November, 1898. However, Governor Lee defeated Mr. Phillips by the vote of 37,319 to 36,949. The remainder of the state ticket, the congressmen and the Legislature were carried by the republicans. Equal suffrage lost by 3,285 majority; the initiative and referendum won by 7,333 majority, and the state dispensary won by 1,643 majority. The republican congressmen won by from 4,000 to 6,000 majority. The Black Hills gave Mr. Phillips a majority for governor. Lawrence county gave Lee a small majority. Mr. Phillips prepared to contest the right of Mr. Lee to the governor's chair. He took the oath of office as governor, employed counsel, but was finally defeated.

South Dakota was the first state in the Union to adopt the initiative and referendum. The belief that the people should have direct connection with state legislation and control had taken possession of a majority of the voters. This was one of the results. Another act of the politicians was criticised at this time—the practice of reducing taxation below actual and necessary expenses in order to boast of their economical administrations. This practice had been carried so far that all state institutions were cut to the bone. "The cry of patriotism is ever the cloak of rascals."—Ben Johnson.

It was late in 1898 and early in 1899 that the shout of imperialism was raised. Mr. Pettigrew in Congress assailed the administration on this question. The real issue in the fall of 1899 was to commence the campaign to defeat Mr. Pettigrew for reelection to the United States Senate. The republicans felt they had been outraged by his conduct, had been misrepresented at Washington, had suffered from his slings and arrows long enough, and they were now determined to retire him as soon as possible from their ranks, councils and offices.

This election (1898) sealed the fate of the populists in this state. They had fought their fight and had won victories and suffered defeats. There can be no doubt that their influence for reform was high and noble. Their tactics and methods are a different matter. The machines of the old parties of South Dakota

were wrecked for a time, though the machine of the populists became as dangerous and damaging as the old ones had ever been. Perhaps, after all, the best results of the movement were the campaigns of education which were conducted and the stupefying disclosures of ring and boss rule and corruption which were presented for the inspection of people who wanted good government for the benefits it was sure to bring to their doors, if for no other reasons. It certainly can be said with truth that the efforts and sacrifices of the populists were not wholly in vain. The people were awakened and have ever since under various forms and banners continued the reform process of hammering the truth into hard and hollow heads. After this the populists marched in the ranks of the democrats under the banner of reform. They were not yet dead—merely submerged.

In March, 1899, A. B. Kittredge resigned his office as national republican committeeman; he sent his proxy to C. H. Herreid. In June, 1899, W. J. Bryan spoke at Sioux Falls on the subjects of finance, taxation and imperialism. In April Bartlett Tripp was appointed Samoan commissioner by President McKinley. Judge Tripp was now a straight-laced republican. In 1899 the last act of the populists was to try to defeat the republican State Supreme Court on the charge of partiality to corporations. But the election of November proved how signally they had failed. Judge Corson's majority was 6,231, Judge Haney's 6,029 and Judge Fuller's 5,089. An important issue at this time was the railroad rate movement. This early, also, the republicans donned their war paint for the struggle to defeat Senator Pettigrew in January, 1901.

The republican state convention assembled at Sioux Falls May 23, 1900, with Carl Sherwood as temporary chairman. Delegates to the national republican convention were nominated. The following ticket was placed in the field: Congressmen, C. H. Burke and E. W. Martin; governor, Charles N. Herreid; lieutenant-governor, George W. Snow; secretary of state, O. C. Berg, auditor, J. D. Reeves; treasurer, John Schamber; land commissioner, D. C. Eastman; school superintendent, E. C. Collins; railroad commissioner, Frank Le Cocq; attorney general, John L. Pyle; national committeeman, J. M. Greene. This ticket, which had been "slated" in advance, was put through, though there was considerable opposition to the "frame up." Loomis contested with Greene for the position of national committeeman, but lost. The republican candidates for United States senator were R. J. Gamble, Col. Lee Stover, H. C. Preston and Judge G. C. Moody. About this time it was admitted that Judge Tripp was a candidate for vice president on the republican ticket. Sen. S. E. Wilson was permanent chairman of the convention. He declared that the populist party had sold out bodily to the democrats at Sioux Falls two weeks before.

The platform endorsed the administration of President McKinley; commended the South Dakota members of Congress; extended to Senator Kyle unstinted praise for his support of the Spanish-American war policy; recommended the passage of the Free Homes bill; favored the legal control of trusts and monopolies; congratulated the people on the enactment of the law which provided the gold standard; favored due honor and care to the old soldiers; recognized the great work done by the soldiers in the war with Spain and in the resultant insurrection on the Island of Luzon; endorsed and approved the course of Congress and the administration in regard to the new possessions; expressed full confidence in the wisdom, integrity and ability of the administration to deal

fairly with all the consequent peace problems; favored the extension of the powers of the railroad commission over express, telegraph and telephone companies; approved rural free delivery and favored the use of home-printed products. The delegates to the national republican convention were as follows: Emil Brauch, George Rice, L. L. Lostutter, A. H. Betts, C. B. Collins, N. P. Beebe, James Halley and G. G. Bennett. The republican presidential electors were Thomas Fitch, A. R. Brown, C. Thompson and A. H. Marble. Frank Crane succeeded C. N. Herried as chairman of the Republican State Central Committee. It should be noted as an important political event of these times that two of the most prominent politicians of the state had within a short time wholly changed their political stripes: Pettigrew had gone from the republicans to the populists, and Tripp had gone from the democrats to the republicans, both declaring with elaborate detail and great emphasis that they had made the change through principle. Evidently both regarded the words "politics" and "principle" as synonymous.

The democratic state convention convened at Chamberlain June 6, 1900, and elected delegates to the national convention to be held at Kansas City in July. F. M. Ziebach officiated as chairman. The committee on resolutions were Hughes East, C. O. Baily, J. B. Hanten, S. A. Ramsey, W. A. Linch, J. W. Lewis, Charles Eastmen, John S. Wilson and Everitt Smith. Maris Taylor became national committeeman. The platform affirmed allegiance to the Chicago democratic platform of 1898; opposed imperialism, trusts and monopolies; favored the nomination of W. J. Bryan for the presidency and instructed the delegates to vote for him at Kansas City; left the selection of a democratic candidate for vice president to the delegates, but expressed admiration for the record of Charles A. Towne, the populist candidate for vice president; endorsed the course of Richard F. Pettigrew in the United States Senate and his re-election; commended the efficient and business-like administration of Governor Lee; denounced the policy of the administration in the Philippines, and expressed admiration for the gallantry of the American soldiers in the islands.

An important political event this year was the national populist convention at Sioux Falls, May 9th. The convention assembled in a large tent and called themselves the people's party. Senator Butler called the convention to order, and Gov. A. E. Lee welcomed the delegates to the state. Present were delegates from twenty-eight states and territories. P. M. Ringdahl was temporary chairman. An official statement of the origin and objects of the party was promulgated and issued to the following effect: The people's party was born at Omaha, July 4, 1892; was a protest against dominant monopoly, was the outgrowth of industrial discontent spurred to action by bank, railroad and corporate extortion, by chattel mortgage slavery, by the brutal disregard of public servants for the welfare of the common people. It was resistance to tyranny, the arrogance of the rich, the purchase of official place, the disregard of the voters, an insolent assumption of social and political superiority, until the danger became apparent, when the people arose and after a memorable war finally curbed the power and pride of the trusts, monopolies, arrogant officials, and the capitalistic classes, through salutary laws, the initiative and referendum and a score of other reform measures. They declared the movement was as revolutionary as was that of the colonies in 1776 or of the French masses in 1789.

The populist, or people's party, platform adopted at this convention affirmed adherence to previous platforms of the party; called upon all to unite to defeat the subversion of free institution by corporate and imperialistic power; denounced the attitude of the republicans on the money question; demanded the reopening of the mints for both silver and gold; asked for a graduated income and inheritance tax; favored the establishment of postal savings banks; insisted that there should be no land monopoly and that the original homestead policy should be enforced; favored Government ownership of railroads; demanded the control of trusts; asked that tariff on goods controlled by trusts be abolished; demanded direct legislation giving the people the law-making and the veto power through the medium of the initiative and referendum; denounced the national administration for changing a war for humanity into a war of conquest; demanded the stoppage of the war of extermination; opposed imperialism and a large standing army; denounced the state government of Idaho and the federal administration for using the army to abridge and suppress the civil rights of the people in the mining districts of that state and elsewhere; opposed the importation of Japanese and other laborers to serve monopolistic corporations; pledged to secure if possible the enactment of more stringent laws for the exclusion of Mongolian and Malayan immigration; endorsed municipal ownership of public utilities; denounced the use of injunctions in disputes between employer and employe; demanded that United States senators and all other officials, as far as practicable, be elected by direct vote of the people; insisted on a full, free and fair ballot and an honest count; favored home rule for the territories and denounced the expensive red tape system, political favoritism, cruel and unnecessary delay and criminal evasion of the statutes in the management of the pension office.

It should not be regarded, however, that the populists had ever been wholly right and the other parties wholly wrong. The latter corrected many of the abuses within their own ranks when spurred, perhaps, to their duty by the populists. Of course, the cry of the populists of this state against imperialism had no just reason for existence, and many of the demands in the populist platform did not touch South Dakota. This convention nominated W. J. Bryan for President, and Charles A. Towne, of Minnesota, for vice president. Both were nominated by acclamation amid intense enthusiasm and a storm of applause and oratory. McKinley and Roosevelt were nominated by the republicans at Philadelphia, June 21st, and Bryan and Stevenson by the democrats at Kansas City July 4th.

In 1900 the democrats and populists of the state fused at Yankton and nominated a full state ticket as follows: Governor, Borre H. Lien; lieutenant governor, A. L. Van Osdel; secretary of state, F. B. Smith; auditor, F. L. Tracy; treasurer, C. A. Todrick; school superintendent, Miss M. H. Tasved; land commissioner, Edmund Cook; attorney general, A. E. Hitchcock; railroad commissioner, W. T. Lafollette; congressmen, Andrew E. Lee and Joseph B. Moore; presidential electors, J. W. Martin, J. P. McElroy, Fred Bacon, B. F. King. The real work of this convention was done in advance by the conference committees of the democrats, populists and free silverites, which allotted candidates to each party or faction and smoothed out all differences and obstacles. This fusion looked at first like a winning combination. Separate conventions

were held, mainly to ratify the program of the conference committees. Pettigrew warmly favored this fusion movement. E. S. Johnson was a candidate for Congress, but was unsuccessful.

Separate platforms were adopted by the democrats and the populists. That of the former denounced imperialism and the war against the Filipinos; favored a federal income tax; denounced the last republican Legislature for extravagance and reckless appropriation; denounced the republican majority of the State Board of Equalization for making wrong assessments; pledged economy in state expenses; commended the course of the railway commissioners; approved Governor Lee's administration, and recommended Pettigrew for re-election to the United States Senate. The populist platform approved the Sioux Falls national platform; denounced McKinley's Philippine policy; condemned the use of troops in the Idaho strikes; denounced trusts; declared that the republicans had gone over to monometalism; demanded that private banks of issue be abolished and that postal savings banks be established; asked that silver be remonetized at the ratio of 16 to 1; favored increasing the assessments against railroads; recognized W. J. Bryan as the man of the hour to redeem the nation from corporate greed; endorsed the course of Senator Pettigrew; commended the administration of Governor Lee; instructed party electors to vote for Bryan and Towne unless otherwise instructed by the party national convention, and recommended Pettigrew for re-election to the United States Senate.

The populists declared they were opposed to political bosses, yet this year Pettigrew made himself conspicuous by his violent attacks on the national administration and on everything republican. He possessed little oratorical power, but was quick and apt at repartee and excellent in the give-and-take of running debate. His voice was shrill and penetrating and his remarks were caustic and fault-finding. He was called the "Scold of the Senate." He could not bear contradiction—was a windmill in action. He was a great admirer of Bryan. The war in South Dakota against Pettigrew began immediately after his re-election in 1897; the republicans were determined to crush him. He and the fusionists did all in their power to circumvent and defeat the republicans. The result was a savage campaign, full of open abuse and covert attacks—whatever seemed likely to win. Pettigrew did not feel that he should resign, because he believed that a majority of the voters of the state were populists and democrats whose unequivocal support he possessed. The republicans openly declared that the re-election of Pettigrew meant a deadly blow at the patriotism and growth of South Dakota, owing to his extreme attacks on McKinley and his administration, and even on Admiral Dewey, General Otis and fellow-members of the Senate.

It was during the campaign this year that Roosevelt was called a "swaggering swashbuckler." When Roosevelt campaigned through the state in the fall he was accompanied by Seth Bullock, chief forest ranger of the Black Hills district. When Bullock learned that the Bryanites were planning to break up the Roosevelt meeting at Deadwood, he sent them word that he would occupy a seat on the platform, armed to the teeth, and that he would kill anyone who attempted to break up the meeting. When the time came he was there with his fierce mustache, big sombrero and perhaps his wicked revolver. They were not molested.

A. B. Kittredge came out as candidate for the United States Senate this year. He was much admired by the republicans and received their support, though they had refrained from recommending in their platform anyone for that office. Mr. Pettigrew, nothing daunted, stumped the state and held his own against the savage onslaughts of his enemies. He spoke the creed of both populists and democrats. At Yankton Roosevelt was listened to by 3,500 people. There were present Knute Nelson, of Minnesota; Governor Shaw, of Iowa; Col. Curtis Guild, of Massachusetts; Proctor Clark, of New York; C. N. Herreid, Congressman Burke, Melvin Grigsby, Trooper Bell, of Dell Rapids, the only South Dakotan on Roosevelt's Rough Riders; Joseph Tomlinson, Jr., Judge Tripp and many others. Colonel Roosevelt was entertained at Judge Tripp's house, while his party were at Yankton. Mark Hanna was in South Dakota soon afterward. Mr. Bryan also made a brilliant campaign trip through the state late in September, speaking at many places to large and enthusiastic audiences. Murat Halstead likewise delivered several addresses here. Charles A. Towne and T. R. Gove spoke for the fusionists.

This was the last grand campaign of the populist party. In the main the people had accepted their real reforms and improvements, but now rejected forever the populist propaganda; but notwithstanding the rapidly rising popularity of McKinley and his policies in 1900, it could not be denied that the populists in South Dakota were powerful, were well armed and equipped and might, with the aid of the democrats, carry the state. The names of Bryan and of Pettigrew were alone ringing slogans under which rallied the clans of declared reforms and advancements. This ominous state of affairs became at once apparent to the republicans, who prepared to face the enemy in future campaigns with the shot and shell of political combat. They organized clubs in every part of the state, issued circulars and manifestos, sent their ablest orators to the strongest populist centers, and spent large sums of money to show the voters the way to safety and prosperity through the guarded avenues of republicanism. But populism as such was defunct, though many of its issues were still to be fought out in the future. It had accomplished certain great reforms in the state, had awakened and enlightened the people as to their rights, and now left future victories to other fighting reformers.

CHAPTER XVIII

POLITICS FROM 1900 TO 1915

Opposition to the old political machine rule received its first irrepressible impulse early in the '70s when the movement of the Grangers for better conditions in politics and the public service and for improved advantages for farmers and laborers swept the country. The socialist party was really the movement of advanced thinkers to secure better and more equitable environments for all. They were reformers in the strictest sense of the term. The greenbackers were a revolutionary fragment, fully armed, that was hurled against the covert oppression and repeated aggressions of the moneyed power. The free silver campaign was a stroke against what was believed to be and probably was an attempt to monopolize the money of the country. The populists fought for all the reforms which had been demanded of the rulers and the capitalists and which had not been secured by the other progressive campaigns, including many new principles made necessary and vital by altered public and private surroundings. The initiative, referendum and recall were the results of their demands. But no sooner were a few of the demands of the leading thinkers granted and no sooner had the leaders settled back in half-contented enjoyment, than the old guard of reactionaries, by manipulating the officials and the courts, succeeded in annulling, evading or thwarting the progress that had been made. This fact was what brought out the leadership of Lafollette and Roosevelt in 1903-05.

The vote at the November election, 1900, was as follows: McKinley, 54,530; Bryan, 39,544; Woolley, 1,542; mid-road populists, 329; social democrats, 169. The entire republican state ticket was elected by from 12,000 to 14,000 majority. Many of the populists had come back to the republican fold. The dispensary amendment and the proposition to loan as high as \$1,000 school money on a single quarter section carried by large majorities, particularly the latter. Pettigrew, in defeat, predicted with wonderful and unaccountable accuracy the formation of a new party based on the protests of an outraged people against republicanism as taught by Mark Hanna. Democrats and populists alike were surprised and dismayed at the big republican victory.

The Legislature elected in November, 1900, consisted of thirty-nine republicans and six fusionists in the Senate, and seventy-eight republicans and nine fusionists in the House. This meant the defeat of Pettigrew for re-election to the Senate. The election of November, 1900, was held under the law of the last Legislature, which required all voters to register.

By January, 1901, there were several able men in the republican ranks who were willing—nay anxious—to become United States senator to succeed Mr. Pettigrew. Robert J. Gamble, Colonel Stover, A. B. Kittredge, Coe I. Crawford, John H. Pickler and Charles H. Burke were willing thus to serve. The republic-

licans had such a large majority in both houses that their candidate was sure to win, providing they should unite. Their power was clear and conceded. The republican caucus selected Mr. Gamble and he was accordingly easily elected. In the Senate Gamble received thirty-eight votes, and Pettigrew (now a democrat) five. In the House Gamble received seventy-five, and Pettigrew eight. Among the leaders who engineered this "slate" were Burke, Crawford, Gamble, Elliott, Pickler, Sterling and Kennedy.

On July 1, 1901, James H. Kyle, United States senator, died at his home in Aberdeen, after an illness of ten days. Soon afterward Governor Herreid appointed Alfred B. Kittredge his successor. This appointment was made in face of the fact that the "Big Five" had presumably selected another candidate. The Black Hills voters felt aggrieved at this action, as the people there were convinced that they were entitled to one of the United States senators. Early in September came the news that President McKinley had been assassinated, and about a week later came intelligence of his death and of Colonel Roosevelt's ascension to the presidency. It was all a great shock to South Dakota, but all republicans had confidence in Roosevelt, though his superior qualities were not yet fully known nor conceded.

At the November, 1901, election the republican candidates for district judges carried all eight districts, except two—the Third and the Seventh.

In 1902 Frank Crane was chairman of the republican state committee. At the republican delegate convention in April Herreid was endorsed for governor, Kittredge for the Senate and Burke for the House. The League of Republican Clubs was a strong and prominent organization this year, with W. G. Porter as president. The republican state convention met at Sioux Falls June 6th, and was presided over by Charles J. Buell. The meeting was harmonious and enthusiastic, nearly all the nominations being made by acclamation. A. B. Kittredge was approved for the elective term for the United States Senate. The platform eulogized the late President McKinley; congratulated the country on having so good a President as Theodore Roosevelt; favored the settlement of disputes between labor and capital by arbitration; boasted that the republican party had freed Cuba from four centuries of despotism and plunder; rejoiced that the pacification of the Philippine Islands was well advanced; denounced the attempts of partisans in America to belittle the pacification of those islands; upheld the course of Senator Kittredge in Congress; expressed pride in the able administration of Governor Herreid, and pledged the party to continue to build up the state in all worthy particulars and to honestly and economically administer the laws.

"Populism has come and gone. Democracy we have always with us. But the republican party in South Dakota is continuing to do business at the old stand. The condition of democracy is adequately portrayed by the description of the gentleman who is said to have one foot in the grave and the other on a banana peel. Our democratic friends express a horror for trusts and combines, but what they really most need just now is a sort of political combine or merger on a much larger scale. Populism and democracy do not fuse well except when welded by the heat of discontent, and discontent is about the only crop that has been a total failure in South Dakota for the past two years." (From Eben W. Martin's speech of acceptance, June, 1902.)

In the same speech he caused a commotion in the convention by announcing himself in favor of the nomination of Roosevelt for President in 1904.

This is the ticket named: Congress, C. S. Burke and E. W. Martin; governor, C. N. Herreid; lieutenant-governor, George W. Snow; secretary of state, O. C. Berg; auditor, J. F. Collins; attorney-general, Philo Hall; school superintendent, George W. Nash; land commissioner, C. N. Bach; railroad commissioner, D. H. Smith.

The prohibitionists nominated J. W. Kelly and W. E. Smith for Congress and H. H. Curtis for governor. Their platform was about the same as it had been in the past. The social democrats named Freeman Knowles and Walter Price for Congress and John C. Crawford for governor. The socialists put a ticket in the field headed by Crawford for governor.

The democrats and populists met in separate conventions at Huron in June, 1902. The democrats elected H. H. Smith chairman and at once passed resolutions favoring fusion and appointed a committee to confer with a like committee from the populists. The latter had a sharp and somewhat acrimonious discussion of the fusion question, but finally appointed a conference committee, with the distinct understanding that while they were willing to surrender their name it was only a temporary step, as the party would not abandon its organization and would retain the right to resume its proper name at any time. The two conference committees were: Democratic—J. A. Bowler, T. J. Ryan, S. E. Rowe, W. T. Lafollette and Thomas Reeves. Populist—A. B. Fox, W. J. Healy, James Mohr, R. B. Carr and J. E. Kelly.

The populist platform (in form only) reaffirmed the Sioux Falls platform; complimented themselves on the adoption of part of their platform by both the democrats and the republicans (a fact); denounced the refusal of the republicans to sympathize with the Boers; opposed the war of conquest in the Philippines; demanded that the islands be made free like Cuba; favored the election of United States senators by direct vote of the people; denounced the Fowler bill and the trusts; deplored the act of the South Dakota republicans in favoring a report on the subsidy bill; declared against extravagance in the state government; opposed the bank trust in South Dakota; condemned the action of the Supreme Court in nullifying the intent of the constitutional amendment regarding the effect of the initiative and referendum, by allowing the name of a candidate to appear but once on a ticket. They finally fused with the democrats.

The democratic platform reaffirmed the Kansas City platform; denounced the Fowler currency bill and the text-book trust; opposed the limitation of the Australian form of ticket; favored Government control of railways and public utilities; advocated the election of United States senators by direct vote, and thanked the populists for uniting with the democrats. The latter nominated John R. Wilson and F. S. Robinson for Congress and John W. Martin for governor.

At the November election in 1902 the republicans carried the state by a much larger majority than they had shown for many years. The general result is shown by the vote for governor: Herreid (R.), 48,196; Martin (D.), 21,396; Curtis (Pro.), 2,317; Crawford (Soc.), 2,738. The populist name had disappeared. "It isn't a bad showing for a state which made the blunder of voting for Bryan in 1896," said the Rapid City Daily Journal, November 8, 1902. The

people had come back from their chase after the allurements of free silver and other hopeful fantasies of that conspicuous era, it was said. The old party votes were about normal, but many of the populist reforms were already either in the hearts of the people or on the statute books. A return of the old boss tactics brought to the battle line a little later a new and greater army determined to conquer the advance of reform, improvement and progress. The populists thus disappeared after twelve years during which time they had the governor for four years, one United States senator and two Legislatures.

John M. Pease was one of the leaders of the mid-road populists movement in 1900 and 1904. He was editor of the *South Dakota Populist* at Mt. Vernon and exercised much influence in the ranks of his party. This year James C. Moody, son of Judge G. C. Moody, deserted the republicans and joined the ranks of the democrats. In 1902 he was elected to the State Senate from Lawrence County, but now in 1904, failing to get a renomination from the republicans, he took this step to improve his political chances.

In March, 1904, the socialists held their state convention at Sioux Falls and nominated Freeman Knowles, of Deadwood, for governor, and Stacy Cochrane and H. W. Smith for Congress.

At their state meeting in March, 1904, the "New Democracy" reaffirmed democratic principles as enunciated by Jefferson, Jackson and Bryan and instructed the delegates to the national convention to support W. R. Hearst "first, last and all the time." Later when the Hearst boom totally died away, the delegates were somewhat at a loss what to do. Pettigrew was chosen chairman of the delegation by this convention to the national convention at St. Louis—John Fanslow, R. F. Pettigrew, W. F. Brennan, J. A. Strausky, H. F. Volkmar, E. F. Gross, C. L. Wood and W. J. Whitmore. E. S. Johnson was chosen national committeeman. They looked to both Cleveland and Bryan, but Pettigrew refused to consider Cleveland for a moment, and declared he would bolt the convention if Cleveland was nominated. In this exigency he favored the nomination of Bryan. In a strong speech before the Chautauqua Assembly at Canton in July he vehemently denounced both the old parties for their course toward the question of railroad legislation. At the democratic national convention Pettigrew aided Bryan all in his power to defeat the nomination of Judge Parker. Both felt that Parker was not the man of the hour, and both felt that Bryan was. But their dramatic attempts in the convention were futile, because Judge Parker won. This nomination fell like lead upon the hearts of the democracy of South Dakota—took every spark of spirit from their campaign. At all their meetings, resolutions were more or less perfunctory, and wholly without the fire kindled in years past by the name and fame of Bryan.

The democratic state convention assembled at Aberdeen July 20, 1904, and presented a full ticket for the consideration of the voters. N. L. Crill was nominated for governor by acclamation. The others were: Lieutenant-governor, F. S. Rowe; secretary of state, John Wade; auditor, M. M. Bennett; school superintendent, Miss Emily Meade; land commissioner, H. Peever; attorney general, Olaf Eidam; railway commissioner, Frank Apt; treasurer, P. F. McClure; Congress, W. A. Lynch and W. S. Stewart; supreme judges, U. S. G. Cherry and Chauncey Wood; presidential electors, James Phillips, John L. Bean, Captain Seegan and Dr. H. C. Burch. The platform reaffirmed demo-

cratic principles; endorsed the national platform; favored Government ownership of railroads and other public institutions; asked for a state primary election law; favored the separate election of judicial officers; opposed the election of county commissioners by the county at large; recommended the creation of a revenue commission; denounced the management of the Soldiers' Home and pledged the correction of the alleged abuses there; called attention to the unprecedented extravagance of the republican party in South Dakota and compared it with that of Andrew E. Lee; renewed the allegiance of the party to W. J. Bryan, and favored the restriction of railroads in (1) their liabilities for injuries to employes, (2) their responsibility for damages done by fires along their tracks, and (3) their liability for stock killed by the cars.

In August Olaf Eidam, democratic nominee for attorney general, withdrew from the ticket and came out for Roosevelt for President. He announced that he could not conscientiously support the democratic national platform and ticket.

The fight made by Coe I. Crawford for the republican nomination for governor early in 1904 was one of the most brilliant ever conducted in the state. It was aggressive, relentless and revolutionary. He fought openly for the progressive movement in the republican ranks. He was the avowed champion of Roosevelt and the particular enemy of the old machine of the republicans. He did not hesitate to use every artifice known to politicians and really invented new tactics of partisan advance, flank movements and retreat. The fact that he lost to S. H. Elrod by the vote of 778 to 226 drew special attention to his campaign and widened the split to the dimensions of a political chasm. His defeat caused him and his supporters to devise the primary law that was defeated so summarily by the machine republicans at the legislative session of 1905. The plan of this primary law was to prevent or circumvent a repetition of the boss tactics that had encompassed his defeat at the Sioux Falls convention in April, 1904. The stalwart republicans denounced Crawford and his followers in unmeasured terms and endeavored to show from the experiments therewith in other states that the primary law was inadequate, inefficient and dangerous.

"With a recklessness born of desperation, Mr. Crawford expects to take his fight into Yankton and Minnehaha counties, the homes of Senators Gamble and Kittredge. That dull sickening thud will be heard in both places."—Brookings Press, April, 1904.

"Coe I. Crawford has met the fortune the fates had prepared for him from the beginning of his ill-starred campaign for the republican nomination for governor of South Dakota. Unheeding the friendly advice and warning of men who had been political and personal friends for years, some of whom had sacrificed their own ambitions and aspirations in order to aid his fortunes, Mr. Crawford listened instead to the voices of the political soreheads of the state, men who had been rejected by the voters for office—populists, democrats and renegade republicans—and reached the conclusion that he was bigger and better than his party. He has learned his lesson. The scars left by his campaign methods will be felt by the republican party in this state for many years. Friendships have been broken and enmities created which will remain to vex the party long after Coe I. Crawford as a political factor has ceased to exist. Money was spent like water by Crawford and his friends in an effort to break down the

republican organization in South Dakota and defeat the will of a majority of the republican voters. Nearly every disreputable method upon the political calendar was resorted to to carry their point. The press was prostituted to their base ends wherever possible. Where newspaper support could not be bought, new papers were established with Crawford money. Mad with disappointed ambition, smarting from wounded vanity, the misguided man ran amuck over the state, self-deceived in the first place, and led on to still further absurdities by the fulsome flatteries of disgruntled politicians who had everything to gain and nothing to lose by a possible disruption of the republican party of South Dakota."—Aberdeen News, May 5, 1904.

"Crawford today is the idol of the republican rank and file of South Dakota. The plain people will be better organized next time."—Vermillion Republican.

"Inasmuch as the idol of the people spent five months' time in touring the state and \$15,000 in cash in promoting his candidacy, and then received but a little over one-fifth of the votes in the state convention, his claims to popularity among the rank and file amounts to nothing. It was the plain people—the rank and file—that defeated the Crawford candidacy."—Aberdeen News.

In 1904 the republicans decided against holding two separate conventions—one merely to name delegates to the national convention, and the other to name candidates for state offices. The Black Hills people led this movement against two conventions. The state convention was held at Sioux Falls May 4th and 5th. The delegates to the national convention were Finch, Davis, Hughes, Warner, Driscoll and Ringsrud. A full state and congressional ticket was chosen, thus: Governor, S. H. Elrod; lieutenant-governor, J. E. McDougall; secretary of state, D. D. Wipp; treasurer, C. B. Collins; auditor, J. F. Halladay; school superintendent, G. W. Nash; land commissioner, C. J. Bach; attorney general, Philo Hall; railway commissioner, W. G. Smith; Congress, C. H. Burke and S. W. Martin; supreme judges, Dighton Corson, Dick Haney and H. G. Fuller. The presidential electors chosen were: H. S. Morris, H. H. Gulstine, John Q. Anderson and G. R. Evans. This convention was controlled wholly by the state republican machine, much against the wishes and judgment of many of the delegates. The same old partisan and factional tactics were in vogue and ruled the convention with autocratic power and severity. Against the "slate" there was threatened a revolt, but concessions were made and the machine continued to turn its wheels and to puff and blow. As a whole it was one of the ablest and most brilliant conventions ever held in the state.

The platform reaffirmed the platform of 1900; favored protection; commended the action concerning Panama; pledged support to the existing sound money system; commended the administration concerning trusts and damaging organizations; expressed pride in the influence of the United States in international affairs; acknowledged the indebtedness of the country to the soldiers of the Spanish-American war and the Philippine insurrection; commended the services of Gamble and Kittredge and of Burke and Martin in Congress; approved the administration of Governor Herried and his associates in handling state affairs; endorsed the judges of the Supreme Court; believed that a high standard of civic virtue and ability should be made requisite for public official preferment, and eulogized the late Marcus A. Hanna. In addition the convention passed a long series of resolutions dwelling upon the prosperity of the

country under republican rule and praising the character and accomplishments of President Roosevelt.

"General Weaver, the populist nominee for President in 1892, heads the democratic delegation from Iowa to the St. Louis convention; and Senator Pettigrew, the king-bee among the silver republicans and populists of South Dakota, is the new democratic boss of this state and heads the democratic delegation from South Dakota to the national convention. The democrats in Iowa and South Dakota who have always been democrats may not like it, but they have to grin and try to look pleasant."—Aberdeen News, May 11, 1904.

"If South Dakota really wants a state primary law perhaps she can get a second-hand one cheap by applying to Minnesota."—Sioux Falls Journal.

"But South Dakota isn't hunting bargain-counter political ideas which other states have tried and found wanting."—Aberdeen News, May 14, 1904.

"Eight years ago the democratic candidate for President (Bryan) declared that toiling humanity was crushed under a 'cross of gold.' Statistics show that 'toiling humanity' has piled a little matter of \$2,500,000,000 in gold money in the country savings banks."—Rapid City Journal.

"The republican party seeks the vote of the farmer because it has furnished him better markets and better prices for his products than ever before. The democratic party never expects the farmer's vote except when he has been ravaged by drouth and the chinch bug."—Rapid City Journal, July 10, 1904.

The county conventions were held mainly in September and October, and intense partisan feeling was exhibited. Everywhere there were keen contests for place and power. The sentiment for a primary law developed rapidly during the campaign, the object of the masses being to evade the whip of the bosses and remove the oppression and humiliation of ring rule. It was a fact that state officials and functionaries were freely given the party lash for refusal to obey the orders of the party bosses. It was said that Thomas Thorson was independent enough to refuse to obey the commands of the republican slate-makers and was therefore refused a renomination. The newspapers for many years were full of such instances of factional rule. It was no wonder that the voters now demanded again the cessation of all such unfair ring practices, asked for a primary law and insisted on having more to say in the selection of their officials. In all parts of the state arose a strong feeling against machine and boss rule. It was the same juggernaut that had rolled over them and crushed their hopes of fair play for nearly forty years. But did they really and sincerely expect that the ponderous gearing of a party could be operated without a machine? Yes, but they hoped for an easier-riding machine.

The prohibitionists assembled in mass convention at Mitchell on June 16th and selected their ticket with great care in order to draw as much strength as possible from the old parties. The platform favored a constitutional amendment forever prohibiting the manufacture, sale, importation or transportation of intoxicating liquors for beverage purposes; advocated equal suffrage regardless of sex; advised legislation that would put labor and capital on an equal footing, and condemned the purchase of votes.

The populist state convention, not to be wholly slaughtered, met at Yankton September 16th and nominated a full ticket, headed by A. J. McCain and G. W. Lattin for Congress, and R. C. Warne for governor. Of this convention George

H. Steele was permanent chairman. Their presidential electors were John M. Pease, Philip Rempp, M. L. Crawley and Sherman Wilcox. Pease and Walpole were strong figures at this meeting. The latter opposed naming a full ticket, but the former favored that course. The convention reasserted the principles of the party.

The issues were so well defined in 1904 that there was little to quarrel over. Roosevelt's policies were well known; so were those of Judge Parker and the democrats. These facts caused the campaign of 1904 to be so quiet and uneventful that the usual pyrotechnics were almost altogether lacking.

In the fall of 1904 much dissatisfaction existed in South Dakota among the old-time populists. While it is true that they had in effect captured the state democratic organization, they were still dissatisfied because the St. Louis convention repudiated free silver and many other dogmas of Bryanism. This dissatisfaction was still further augmented when the democratic convention at Aberdeen endorsed the national ticket. There arose over this discontent a spirit of revolt that sought at one time to revive the populist party. John M. Pease was at the head of this resuscitation movement.

In 1904 the socialists endeavored to gain farmer adherents and votes by delivering calamity speeches and circulating poverty campaign literature. Freeman Knowles, their candidate for governor, adopted this course in his addresses during the fall and was called to account by opposition speakers and newspapers. The Vermillion Plain Talk said early in August:

"There is much in Freeman Knowles' address with which we could agree, but the picture of isolation and poverty among farmers is not applicable to this section at least. It is not true that two-fifths of the farms in Clay County are operated by tenant farmers, nor that one-half of the remainder are mortgaged beyond hope of redemption. Nor are the renting farmers paying the entire net profit of their labor to the landlords."

"The time has gone by when the South Dakota farmer yields to despair and votes the populist ticket every time his wheat fails to be a bumper crop. The South Dakota farmer has too many irons in the fire to let one bother him very much. While wheat isn't keeping up the record of past years, the corn crop is humping itself, the hay crop is magnificent, the cattle on the ranges and on the farms are as fat as butter, the dairy interests are in splendid shape, potatoes and other vegetables are fine and prosperity is abroad in the state throughout its entire length and breadth."—Aberdeen Daily News, August, 1904.

"How do Teller, Pettigrew, Lind, Towne, Dubois and the rest of the fellows who left the republican party in 1896 because it had the courage and wisdom to declare for the gold standard feel since they are compelled to accept the same standard from the party to which they deserted? Pettigrew was evidently looking forward to the immediate future when he refused to allow the democratic state convention to pledge the delegates to the national convention to support the ticket nominated."—Aberdeen Daily News, July 15th.

"Since his sensational desertion of the republican party in 1896, Mr. Pettigrew has been rather at sea politically until this spring, when he forced himself upon the democrats of South Dakota and was accepted by them as leader and boss. There is no doubt that when Pettigrew went to the St. Louis convention he expected to do great things. It was even rumored that the ex-senator might,

in certain contingencies, be chosen as democratic national chairman during the present campaign. But when he reached the convention city he discovered that he was a whole lot bigger man in Sioux Falls than he was in St. Louis. When he presented his pet plank for the Government ownership of railroads for the consideration of the resolutions committee, the members thereof just laughed, and Dave Hill told him the resolution was silly. Pettigrew enjoys a fight and thrives upon opposition, but to be laughed at and have his theories pronounced silly was a blow too hard to be borne in silence, and hence he is showing a restive spirit."—Aberdeen Daily News, July 18, 1904.

William Walpole, of Yankton County, was an ardent populist in 1896, and later wrote strong letters which were published by the newspapers over the state. In July, 1904, when an effort to organize the populist party was made in Meade, Davison and other counties, an effort to secure his co-operation was made, to which he replied thus:

"When the populist party was first started it was composed of men who were dissatisfied with the two old parties—men who were reformers at heart. As our organization increased and developed, the Benedict Arnolds, the spread-eagle orators, the politicians for revenue only, commenced joining our ranks in hopes of being rewarded by office. It seems those same political pirates are about to fly the skull and cross-bones in this campaign (1904). In 1896 and 1900 when the populists fused in hopes of electing William J. Bryan, those Judas Iscariots bolted and called themselves mid-road populists. Their platform had one plank—money. This they got and then sold their followers, boots and breeches, to the G. O. P. You say you find the populist sentiment still very strong in South Dakota. You are right, old boy. The good old-line pops that did not sell their birthright for a mess of pottage are still strong and only waiting for the bugle call of our tried and true leaders to rally around the flag of equal rights to all and special privileges to none. Though many of us are not satisfied with Judge Parker, we will all support one state and county ticket."

Said an Aberdeen paper:

"The center of the political stage in South Dakota continues to be occupied by the mid-road populists and the former populists who are now affiliated with the democratic party. They are yet indulging in an animated debate through the state press as to the wisdom of the mid-road populists holding a state convention and placing in nomination a congressional and state ticket. A call was recently issued for a convention state fair week at Yankton. The mid-road movement in this campaign originated among the populists of Meade County. A copy of letters recently sent to men supposed to be populists and urging their aid in the movement was addressed to 'Bill' Walpole, a character residing in Yankton County, who is known as the 'Sage of Walshtown.' In his reply he referred to his former populist associates as Benedict Arnolds and charged them with being engaged in a conspiracy to deliver the voters of the populists to the republicans. W. C. Buderus, secretary of the mid-road populist party of Meade County, retorted and referred to Walpole as a Rip Van Winkle. His letter in part was as follows:

"In South Dakota, when the result of the democratic convention at St. Louis became known and when Bryan declared that he would support the ticket nominated, the Meade County populists were the first to say that neither Bryan

nor any other man or party could carry them into the plutocratic camp of the democratic party. It seems they found the name Walpole in a list of populists and in good faith wrote to him. He, it seems, woke from his sleep, and, rubbing his eyes, called out, "treason." We populists here are not going to wait for anybody; we shall go right ahead and fight Wall Street. We will not vote for anybody or even politically associate with anybody who will support Parker for President, and the candidate on the state ticket must intend to do so because the state platform endorses Parker. If Mr. Walpole and the leaders referred to are waiting for Mr. Bryan to commence reform proceedings again they have never been real populists and we can well afford to do without them. We are going right ahead reorganizing the party wherever we can."

A little later the Meade County populists nominated a full ticket. In September John M. Pease established a new populist paper and began lively and flamboyant work for his party. About the same time the party convention was held at Yankton, there being present about twenty delegates. R. C. Warne was nominated for governor.

The standpat republicans did not have a good word to say about the proposed primary law of the insurgents. The Aberdeen News said:

"The News is opposed to a state primary election law because it believes it to be harmful in the extreme. It does not believe there have been sufficient good results from the system as it is in operation in other states to justify the people of South Dakota in adopting it. It believes the time for investigating the law is before calling a special election and putting the people of the state to the expense and annoyance of a campaign, rather than after the election is called."

The democrats endorsed the primary election law idea, not necessarily because they believed in the principle but because they hoped by adopting the pet scheme of the insurgent republicans to capture some votes for their ticket.

It was declared that Senator Kittredge in 1904 was the tool of the railways; that under his influence the railway officials dominated the Legislature and the state officials. But his friends asked how he was a tool. He fought for the railroads because they alone were capable of building up the state, because without them the state would again become wild cattle ranges, because they were entitled to reasonable consideration and profits, because unless the railways were encouraged with fair legislation they would wait still longer before extending their lines westward from the Missouri River to the Black Hills, a progressive step that had been wanted ever since the Black Hills were first invaded, back in 1875-76. While the freight rates were high, they were necessarily so, but were not excessive. The complaint arose, the newspapers stated, not because the people oppressed the railroads or desired to oppress them, but because they did not care to have the railroads enter politics, take control of state affairs, influence legislation in which they had an interest or no interest and build up a monopoly that would crush other smaller and weaker railway lines that otherwise might construct much-needed extensions.

At the election in November, 1904, the republicans carried the state and the country with large majorities. The people again turned against populism, Bryan, free silver, Pettigrew, and went over in a body to protection, the gold standard, the policies of McKinley and of Roosevelt and many reforms. The result was not due to the promises of politicians nor the platforms, but to the prevailing

belief that the republican party now was nearer right than the others were. It was said that Mr. Pettigrew was so disappointed over the nomination of Judge Parker that he voted for Watson, the people's candidate for President.

For governor, Elrod (R.), received 66,561 votes; Crill (D.), 24,772; Knowles (Soc.), 3,028; Warne (Peop.), 1,114; Edgar (Proh.), 2,961.

At this election Pierre defeated Mitchell for the capital site by 17,562 majority. There was a majority of 11,346 against increasing the salary of the attorney general, and the majority in favor of the school land amendment was 17,257.

The Legislature of 1905 rejected the proposed primary measure, but put forth the "honest caucus bill" as a substitute. Judging from subsequent events, it would seem that this was an evasion by the machine of the wishes of approximately 8,880 petitioners. It was provided in the caucus bill that the people should express their preferences at the caucuses, that they should have secret ballot, and that the caucuses of all parties should be held simultaneously. This law went into effect July 1st, and soon after the first caucuses were held thereunder it was admitted that the law was far from what was wanted. As a matter of fact primary elections and laws at that period were largely experimental, and time was necessary in order to sift out the faults and save and improve the good features. It was really an experimental measure to give the voters a chance to say in advance whom they wanted to support. This primary law measure was one of the most important bills before the Legislature in 1905. It was demanded by a large contingent of the voters, who continued to clamor for such a law after the honest caucus measure had been tried and found wanting. The republicans were charged with having disregarded the wishes of the people in November, 1904, by opposing such a law; and as the Legislature of 1905 was controlled by the members of that party, it was charged with having compassed the defeat of the proposed law and with having passed the useless and powerless so-called honest caucus bill. The Argus-Leader opposed the proposed primary law; so did many other republican newspapers of the state. The measure was really one of the first steps of reform taken by the progressives. It was declared as an objection against the primary law that under it the rich man had the advantage of the poor man, because the former had an abundance of money with which to buy his place, whereas the latter did not. It cannot be denied that this is a fact, and that it is as true in 1915 as it was in 1905. Probably no primary law would be perfect until after many years of selection, elimination and trial.

In July, 1905, Congressman E. W. Martin, of the Black Hills district, announced himself as a candidate for the United States Senate to succeed Senator Gamble; whereupon James M. Lawson announced himself as a candidate to succeed Congressman Martin.

In 1905 Huron was the hotbed of the insurgents. In September the 1906 campaign was opened by Coe I. Crawford to a large audience in that city. He was introduced by J. A. Pickler. The state fair was in session and the waves of insurgent sentiment ran high upon the political shore.

The Roosevelt republicans now began to be called insurgents. They called themselves the State Roosevelt Republican League and took measures to organize branches in every county of the state. They were also called anti-machine

republicans. Senator Cassill, of Canton, was elected chairman of the executive committee, and Sen. H. C. Shober, secretary. Their resolutions or platform endorsed President Roosevelt's position, which favored granting sufficient power to the Interstate Commerce Commission to fix maximum railroad rates where excessive charges existed; declared for principles rather than personal interests; insisted that candidates to conventions should commit themselves in advance to the principles of the platform; demanded that the people should be allowed to select their own executive, legislative and judicial officers; that all such officials should be free from contamination with trusts, public service corporations and political bosses; asserted that corporations should not be permitted to control the organization of political parties nor manipulate the selection of candidates for office; denounced in severe terms the action of the last Legislature (1905) in denying and defeating the petition of over 8,800 citizens for a primary law; announced the intention of the league to bring the same question before the next Legislature; pledged a law to prevent the issuance of free passes by railroads; stated that no delegate to the next republican state convention would get the support of the league unless he should subscribe to its principles. The leaders of this insurgent movement were among the strongest republicans of the state, but embraced many soreheads and malcontents who had fallen or been shoved overboard from the old republican machine scow. It was an attempt to gain control of the party in the state and was the direct result of boss and machine rule in the republican ranks. It was an adroit and opportune movement to take advantage of Roosevelt's popularity in order to gain the ascendancy in South Dakota. Among the leaders were Pickler, Crawford, Cassill, Shober, Thorson, Glass, Packard, DeLand, Parks, Bassford, Lafollette and Pettigrew. Perhaps the immediate and aggravating causes were the tactics of the republican machine in the Legislature in defeating the primary petition and in other high-handed and insolent proceedings against all opposition, even within the party ranks. Thus the keynote of the league was a state-wide primary law to curb the party rule and lash. They organized in September to be in readiness for the campaign of 1906.

It became known that Pettigrew had much to do with the organization of this league. From his point of view it was a lucky step to become again a rising star in the republican firmament by uniting with the insurgents under the Roosevelt banner. Could the insurgent faction win, if only in part, through the efforts and good offices of Pettigrew he could with good grace claim the seat of Kit-tredge in the United States Senate and at the same time could rejoin his old republican comrades and be clasped to their bosoms.

In July when W. J. Bryan lectured at the Chautauqua Assembly at Canton, Mr. Pettigrew was present, and afterward the two drove together to Sioux Falls. Pettigrew, the steadfast friend of Bryan, was no doubt discouraged at this time from any further allegiance to the free silver leader. In any event it was soon reported that Pettigrew would probably become the leader of the insurgent republicans of the state. If such were his intentions he was doomed to disappointment because his political career with the republicans had been run and others equally ambitious and able wanted the honors, the power and glory which he again looked at with covetous eyes.

On the other hand the populist and democratic newspapers all over the state began to come out in July and August in support of Pettigrew for governor. But it was openly stated by republicans that this political legerdemain was merely a Pettigrew rule to spur the insurgents to welcome him to their ranks in order to prevent his opposition to their program by joining the army of the combined democrats and populists. Both the regular republicans and the insurgent republicans refused to be misled by such political sidestepping. They declared that he had misled them in 1896 with the cry for free silver; had injured them in 1900 with the false issue of imperialism; had shouted for the democrats and populists in 1904, but had voted for Watson, and now in 1905, while really aiming to go back to the Senate, was covering his tracks with the cry of reform, including the Government ownership of railways. In spite of the record and the rebuffs, however, Mr. Pettigrew tried in 1905 to pose as the special champion of President Roosevelt. In 1900 he had ridiculed Roosevelt unstintedly; in fact had openly accused him of having shot a Spaniard in the back, and later of dining Booker T. Washington, colored, at the White House. He said of the latter act that Mr. Washington got the worst of the bargain. For nine years, it was declared, he had been a malicious enemy and detractor of the republican party and had declared in 1904 that the proudest act of his life was when he left the party of Blaine, McKinley and Roosevelt. These were the charges.

"There is declared to be no doubt that Kittredge was one of the men on whom the anti-Roosevelt cabal of 1904 relied to bring in delegations that could be turned against the President at the right time in the national convention. That effort was a pitiful failure, and the Kittredge hand was not shown; but Kittredge's enemies promise that they will make a showing to the President that will end all question as to who was loyal and who was inimical at the critical time preliminary to the 1905 convention."—Washington Times, September, 1905.

"It is a part of the underground history of the movement of 1904 that the national convention delegates from South Dakota were to be selected with the intention of turning them into the ranks of the anti-Roosevelt conspirators if the attempt to displace Mr. Roosevelt gained sufficient strength to render his defeat possible. But the death of Senator Hanna interrupted the plans. Along with the rest, South Dakota then fell into line for Roosevelt and its political managers have since been outwardly praising and inwardly anathematizing the man in the White House."—Sioux Falls Daily Press, September 9, 1905.

"Let me ask why the Argus-Leader, which is the special advocate of Senator Kittredge; the Pierre Free Press, the local organ of Congressman Burke; the Deadwood Pioneer, the home organ of Congressman Martin; the Aberdeen News, the Watertown Public Opinion, the leading machine organs of the railroads and the state machine, and the cuckoo press everywhere are filled daily with articles, editorials and otherwise, for the purpose of influencing the public mind against the position of the President?"—Crawford's speech at the state fair, Huron, September, 1905.

"The Dakotan, in its issue of Saturday, finally placed itself in open opposition to the state administration and allied itself with the coterie of disgruntled politicians who compose what they term the Roosevelt Republican League. Our

delegation in Congress and the executive officers of the state are all condemned by this combination of political adventurers. The people of Pierre can have nothing in common with such an outfit. The men who compose the would-be machine are in the main unsuccessful business men who are masquerading as Roosevelt republicans simply to mislead the people."—Capital Journal, September 25, 1905.

"A large share of the republican voters of South Dakota, including the editor of the Courier, would never be accepted as members of the recently organized Roosevelt Republican League. Heartily indorsing President Roosevelt and all his positions, we Roosevelt republicans would be black-balled, because we do not endorse what President Roosevelt never endorsed—the primary system. And yet this kind of Roosevelt republicans wants the kind that elected him to reform."—Elk Point Courier, October, 1905.

"Some months ago when the Argus-Leader declared that the insurgent republican element in South Dakota was working in harmony with ex-Sen. R. F. Pettigrew of this city, and that the ex-senator was all the time behind the scenes pulling the wires, the statement was repudiated. However, it was true. It was Mr. Pettigrew who suggested the organization of a Roosevelt league, albeit only a few short years ago Mr. Pettigrew was howling it up and down the state that Roosevelt had shot a Spaniard in the back. It has now leaked out that Coe I. Crawford is in close communion with Mr. Pettigrew. The latter cannot keep from talking and it is known that he pledged his support to Crawford, not that he loves him, but because he wants to defeat the republican organization in South Dakota and particularly Senator Kittredge, whom he has never forgiven for taking his seat in the Senate. It is arranged that Mr. Pettigrew will give the movement no public support, because it is well known that this would do more harm than good, but that all reports are to be sent to him and that he will have personal though secret direction of the insurgent campaign. Of course, all this will be denied. But it is as true as preaching that Pettigrew is now back of the insurgent campaign and is using the whole force of his wily and foxy nature to defeat the republican organization. It will be interesting to know how the loyal republicans of the state who joined the insurgent ranks in good faith and in honest protest against things they did not want are going to like the leadership of a man who fought McKinley with hysterical bitterness in 1896, who designated Roosevelt as a cheap cowboy that shot a Spaniard in the back, who was a leading figure at the last Democratic State Convention, who was a delegate to the last National Democratic Convention, and who supported the yellow journalist Hearst for President."—Argus-Leader, October 31, 1905.

"The insurgent element in his party care nothing about the defeat of Gamble, or the defeat of Martin, or the defeat of Burke. Kittredge is the man they are after and they got their inspiration from no less a traitor to republicanism than R. F. Pettigrew. He and his newspaper have sown the seed of opposition to Senator Kittredge. They are the ones who inspire the fight within the republican party. Why all this? Revenge for the defeat of Frank Pettigrew, whose political overthrow in South Dakota is traced to Senator Kittredge, who marshaled the republicans to victory after Pettigrew so basely betrayed them."—Huronite, October, 1905.

"According to the democratic and insurgent press, if a republican has an opinion of his own not in perfect harmony with what they construe the President's views to be, he is against Roosevelt. If he is perfectly loyal to his party in all things he is a 'brass-collar hireling.' Will some good saintly republican who supported Bryan in 1896 and 1900, and either Parker or Watson in 1904, kindly advise us what to do in order to be a real good republican? Forty years of fidelity to republican principles is not sufficient to enable us to act wisely in their sight."—Mitchell Clarion, October, 1905.

In the fall of 1905 A. B. Kittredge was coming rapidly into the favor of the stalwart republican voters of the state. He was the man wanted to step into all the political garments of Mr. Pettigrew. He was able, courageous, honest and persistent. The Woonsocket Herald in November, 1905, said:

"When Minnehaha County and the whole state was held in the corrupt and iron grasp of R. F. Pettigrew, who afterward became our Judas Iscariot, the people rallied around Senator Kittredge and the hosts of Pettigrew were strewn on the shores of the political Dead Sea. Since that time revenge has been the sole effort of Pettigrew. While Kittredge has been giving his whole time to the welfare of the state and nation, rising to a position as one of the recognized leaders of the Senate, Pettigrew and his followers have been camping on his trail like a pack of hungry wolves. It is not the machine, nor Martin, nor Burke, nor Gamble that are persecuted, but Kittredge. Why? Revenge cunningly planned by Pettigrew and backed by some other defeated and sore-headed insurgents. After a series of fights in the open, in which Pettigrew was always defeated, he has now sought to have his hirelings try to undermine Kittredge in the republican party by stirring up strife and trying to disorganize and divide the republicans."

In December Mr. Lawson withdrew from the political race and Judge A. W. Campbell became a candidate for a seat in Congress. O. L. Branson was also a candidate for congressional honors about this time. It was customary to begin the campaigns one year before the elections.

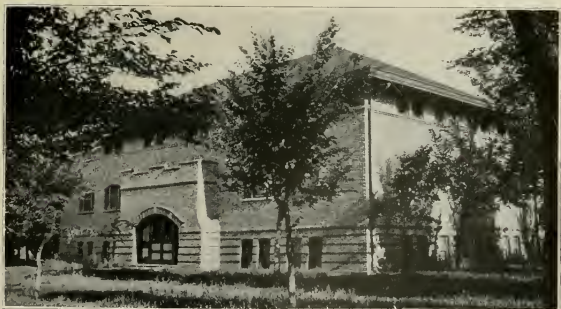
Early in 1906 elaborate and crafty plans to control the state convention were laid by the republican factions. In fact, as before stated, such plans were set in motion as early as the fall of 1905. The public-loving politician lets no grass grow under his shoe soles. Eternal vigilance is the price of his success—low price, wholesale rates. By the middle of February the whole state was boiling and seething with the intrigues of the tricksters and grafters and with the sacrificial offerings of the destitute and needy office seekers.

The honest caucus law provided that on the first Tuesday after the first Monday of June all political conventions should be held simultaneously. In the spring of 1906 the Democratic State Central Committee attacked the "honest caucus law" on seventeen points in court, but Judge Marquis sustained the law on every point. In June the Ninth Biennial Convention of South Dakota Republican clubs was held at Sioux Falls.

The regular republicans made strenuous efforts this spring to show that the insurgent movement in this state was in no way connected with the reform work of President Roosevelt and that the insurgents were seeking certain reforms which had been foreshadowed by Roosevelt and were already called Roosevelt's policy. Time proved that the insurgents were nearer right in their claims. The



THE COLLEGE LIBRARY, YANKTON COLLEGE
Gift of Andrew Carnegie



THE GYMNASIUM, YANKTON COLLEGE

contest was fierce, personal, slanderous and bitter. Coe I. Crawford, who was charged by the Government with participation in certain land frauds, announced that the Roosevelt administration was persecuting him in order to help the regular republicans. Political events were developing. At this time there were no state issues of great moment, so that the politicians were free to use the Roosevelt dodge for every conceivable sortie and intrigue. Martin's attack on Crawford was severe in the extreme; his subject was "Roosevelt Republicanism." In it he attempted to show the vast difference between the policy of the insurgents and that of Roosevelt. At first the regular republicans had no special name in this state to distinguish them from the insurgents, but by May, 1906, they began to be called stalwarts.

The caucus primary was held May 15th and was very close between the two republican factions, thus preparing the way for a sharp contest for party control in the state convention. Crawford won over Elrod for the governorship and Gamble won over Martin for the Senate. Thus the primary placed the insurgents slightly in the lead at the state convention, June 6th. Philo Hall won over Burke for the national House. The following was the successful slate: Senate, Gamble; governor, Crawford; Congress, Hall, Emerick and Parker; lieutenant-governor, Shober; secretary of state, Wipp; treasurer, Cassill; attorney-general, Clark; school superintendent, Ustrud; land commissioner, McLaughlin; railroad commissioner, Rice. The county conventions which were held May 22d gave Crawford for governor a majority of the delegates to the state convention.

On June 5th the Republican State Convention convened with 1,369 members in attendance, or 355 more than the year before. The insurgent slated ticket and a ticket prepared by the stalwart faction were placed before the delegates. Leslie M. Shaw, secretary of the treasury, was present and addressed a large audience at Sioux Falls just before the convention met. E. C. Ericson was temporary chairman and Frank McNulty permanent chairman. It was openly boasted and heralded everywhere that for the first time in the history of the state the republican convention was not controlled by the railroads. The insurgent ticket won handily, but the stalwarts went down with flying colors. For governor, Crawford received 893 votes and Elrod 476. The platform pledged control of the great combinations of capital; congratulated the Roosevelt administration on the passage of the rate bill; favored protection; promised to remove the tariff on lumber; declared against free railroad passes to corporate officials; advocated a law to regulate lobbying; favored a new and adequate primary law; advocated the elimination of public service corporations from politics; and favored the election of United States senators by direct vote. The convention named this ticket: United States senator, R. J. Gamble; Congress, Philo Hall and Colonel Parker; governor, C. I. Crawford; lieutenant-governor, H. C. Shober; treasurer, C. H. Cassill; secretary of state, D. D. Wipp; attorney-general, F. W. Clark; school superintendent, Hans Ustrud; auditor, John Herung; land commissioner, O. C. Dokken; railroad commissioner, George Rice. The contest in this convention between the two republican factions was the most notable ever held in the state within the ranks of one party. On the surface all violence was suppressed, but within many breasts the fires of revenge, jealousy and ambition burned almost to the point of explosion.

The socialists nominated for governor Freeman Knowles and in their platform declared in favor of international socialism; pledged better laws for labor and for the control of capital; urged the organization of the working classes into a political party; promised to abolish wage slavery; pledged to promote the interests of the working classes; denounced as an infringement of the voter's constitutional right the practice of the authorities to require a voter to disclose the party to which he belonged; declared that the labor situation in Colorado and Idaho was a disgrace to the country and denounced any primary law as useless and unnecessary. The socialists ended by placing a ticket in the field.

At the prohibition convention held at Redfield Knute Lewis was nominated for governor and a full ticket was chosen. Their usual platform was promulgated.

The Democratic State Convention assembled at Yankton with C. B. Barrett as temporary chairman. Their platform favored Government ownership of railway, telegraph and telephone lines; advocated an income and an inheritance tax; favored tariff revision in the immediate future; favored the election of United States senators by direct vote; advocated the enactment of a fellow servant law; opposed the ship subsidy measure; opposed the honest caucus law and denounced the pass evils in vogue among the republicans. All necessary steps for the presidential campaign of 1908 were taken.

During the fall campaign of 1906 the stalwarts were in the majority in the Black Hills, but the insurgents controlled the rest of the state. But there were no mugwumps in the republican ranks. As soon as the results of the state convention were known both factions united for the success of the ticket and party as united. The stalwarts represented the old machine and the old practices and tactics, while the insurgents represented important changes in the party methods and principles—Roosevelt's alleged policies. Many farmers came over to the support of the insurgency within the last few days of the campaign.

In October W. J. Bryan spoke at Sioux Falls for the fourth time. Col. W. H. Parker conducted a stirring campaign in the Black Hills; he was assisted by Crawford, Gamble, and others. Gov. Albert B. Cummins, of Iowa, delivered a few speeches within the state.

It was generally admitted that prior to 1906 the railway companies exerted great influence in the politics and legislation of the state. Upon examination this fact is proved. The politicians with promises of reward or threats of punishment sought the railway companies for the money that could be extorted for campaign purposes. The companies became the sport and play of the politicians, the Legislature, the capital contestants, and the farmers' organizations. And yet to this day the companies are regarded as the buyers of legislatures and the corruptors of politicians. The real fight this year was also for all sorts of local issues, public and personal.

At the November election the republicans carried every office by large majorities. During the 1906 campaign the insurgents opposed the republican machine, but after the November election they formed a stronger one of their own. All of this merely showed the insincerity and acquisitiveness of the politicians.

In December great ado was made over the alleged fact that Senator Gamble had given his son employment under the Government while he was in school. The Legislature of 1907, while re-electing Mr. Gamble, appointed a committee

to investigate these charges and at the same time, as a perfunctory measure, ordered an investigation of other offices. Messrs. Kittredge, Martin and Burke, then in Washington, seemed to consider that this act was a stroke at them, because they wired at once that they were ready and willing to be investigated. Apparently this sweeping act of the Legislature was done to whitewash the Gamble episode. The investigating committee found the charges against Senator Gamble correct, but further found that they were proper, justifiable and according to custom at Washington. The vote for senator was as follows: Gamble, 100; Thomas Sterling, 15; Andrew E. Lee, 17; C. H. Dillon, 1. The stalwarts at first opposed Gamble, but finally fell in line. Thirteen republicans out of 114 voted for Sterling.

The stalwart newspapers early in 1907 resumed their criticism of the methods and aims of the insurgents. They declared that the insurgent legislature was partisan, spiteful and did small things merely to annoy and humiliate the stalwarts. But the insurgent papers stated in reply that their representatives were only trying to carry out the reforms which they had promised during the campaign.

In 1907, after many years of neglect and disregard, steps to invoke the constitutional statutory provisions for the operation of the initiative and referendum were taken to create that legislation which it was claimed had been denied and to defeat laws which were not wanted, but which were passed. The prohibitionists began action to initiate local option legislation and to invoke the referendum to defeat the obnoxious divorce law. This was one of the first times that definite efforts to put these measures in operation were made since they were adopted back in 1897. The law was liked, needed, but reformers here seemed afraid to seek its service and to invoke its power.

In the fall of 1907 the presidential campaign of 1908 was commenced in this state. Secretary Taft visited several cities and made speeches. He was a candidate for the presidency and at this time had the support of President Roosevelt. Taft visited the Black Hills and was warmly received. Senators Kittredge and Gamble, Governor Crawford, Sen. R. M. LaFollette, of Wisconsin, and others spoke at many centers and discussed national as well as local issues. Already the stalwarts were against the renomination of Roosevelt and favored Taft or LaFollette. At this time Roosevelt said that LaFollette represented his policies nearer than any other senator.

The Roosevelt Republican League met in the Masonic Hall, Huron, on September 12th, while the State Fair was in session. Charles H. Cassell called the meeting to order and Governor Crawford delivered the opening speech. He was followed by Gamble, Hall, Busford and others. Nearly every county in the state was represented and there was much enthusiasm. The resolutions adopted announced that the object of the league was to support the principles of the republican party as proclaimed by President Roosevelt; favored the control of trusts and private monopolies; advocated a maximum freight rate law; favored the square deal between the people and the corporations; declared that the republican machine in 1905 had tried to defeat their reforms and had succeeded in putting them off; asserted that the insurgents, or progressives as they began to be called, would continue vigorous work until the reforms demanded had been accomplished; expressed the belief that Roosevelt should be re-elected in order to help carry out these reforms; decided that there should now be chosen

delegates to the next republican convention who would support Roosevelt's policy and vote for his nomination, and further resolved to organize branch leagues in all parts of the state to fight for the following four propositions in addition to the old ones of 1905-6: (1) Tax on inheritances and incomes; (2) revision of the tariff; (3) to strengthen the Interstate Commerce Commission; (4) to remove the tariff on coal, iron and lumber.

"Before the close of the last Congress Senator Kittredge showed signs of playing traitor to his former political associates, who were no lesser lights than Senator Aldrich, Senator Platt, Senator Depew, Senator Foraker, Senator Penrose, and others of their ilk, and turning reformer. It is worthy of note that Senator Kittredge gave no signs of conversion until after the Legislature of our own state gave unmistakable signs of passing the primary law, which would place the question of his re-election in the hands of the common voters. With danger impending he immediately got busy to square himself with them, and he delivered his maiden speech on the floor of the United States Senate, railing at the lumber trust and defending the down-trodden farmer's rights. This act seems as if he was playing to the galleries."—Aberden Daily American, October 3, 1907.

"The Kittredge press throughout the state says that Mr. Kittredge and his political lieutenants desire the re-election of President Roosevelt. Will they back their statements with cold facts? Will they prove by his record that he has been a loyal and enthusiastic supporter of Roosevelt's policies?"—Aberdeen Daily American, October 3, 1907.

"At first thought there is nothing significant in the move of the stalwarts to organize Roosevelt-Taft clubs throughout the state, except that it is a move to gain control of the republican organization. But a close analysis of the movement which is under the guardianship of ex-Congressman Martin of the Black Hills shows that it is made for the sole purpose of eliminating Mr. Roosevelt from the coming presidential race. On September 11 the friends of President Roosevelt met at Huron and organized the South Dakota Roosevelt Republican League. The leading spirits in the movement were all members of the present state administration. None of the stalwart politicians of the state were present at the meeting, although it had been advertised for weeks. And what was more significant, none of the stalwarts who happened to be in Huron on that day would attend the meeting, although they received a special invitation. No sooner had the Roosevelt League (which had adopted resolutions pledging its support unqualifiedly and unequivocally for the President's renomination) been effected than the stalwart papers all over the state attacked it bitterly. There was not one commendable feature about the meeting in the minds of the stalwarts. And now comes Mr. Martin with his Roosevelt-Taft clubs and the same stalwart papers that attacked the Roosevelt League supports the movement. This is the significant feature. Why is it that the stalwarts attacked the Roosevelt-Taft clubs so staunchly? It is because they see in the Roosevelt League their certain downfall. The Roosevelt leaguers of South Dakota stand for no candidate for President other than Mr. Roosevelt. They insist that he is the only man who is great enough to finish the work he has already commenced. The stalwarts see this, but they are determined to prevent the capture of the state delegation for Mr. Roosevelt. That would be a death blow to their interests. So they start the Roosevelt-Taft movement, using the magic of Roosevelt's name to secure

the delegation for Taft. If the stalwarts are sincere in their cry for Roosevelt why do they attack the Roosevelt League and support the Roosevelt-Taft club movement? The answer is that they are not for Roosevelt."—Aberdeen American, October 15, 1907.

"The stalwart papers are now busily engaged in picking to pieces every act passed by the last Legislature. The purpose is to kill off, if possible, the reform movement in South Dakota for the return of corporation rule and domination in this state. Fair minded people all over the state agree in saying that the 1907 Legislature passed more good laws for the benefit of the state than were ever passed by any recent Legislature."—Aberdeen American, October 11, 1907.

"Now is the time for the stalwarts of the state to organize those Roosevelt clubs—for Roosevelt if he will run and for Taft if Roosevelt declines."—Argus Leader, October, 1907.

"The eleventh hour conversion of the stalwarts to the Roosevelt banner does not look very good—for them. It is hard medicine for a gang of politicians to openly support a man whom they know is hostile to the crooked practices of the interests which furnish them their campaign money."—Aberdeen American, October 19, 1907.

"The Aberdeen American would like to have Senator Kittredge quit talking about the Panama Canal and give the people his record as a senator. Let the American keep its soul in patience. Senator Kittredge will talk plenty of politics before the present fight is over and rather more than the American will care to hear."—Argus Leader, October, 1907.

"The American and all the voters of South Dakota know that Mr. Kittredge will talk plenty of politics before the campaign is over. The senator has done this already. That is why he is delivering his Panama speech on every occasion he can grasp. That is why he went on the Black Hills trip with the Sioux Falls boosters. But talking politics and giving a full account of his past record as a recommendation for another term are two different things. Giving his record in the United States Senate would include a lot of things which it may be better not to mention—for Mr. Kittredge's sake. One might be why he did not work for Mr. Roosevelt's rate bill until he saw its passage was inevitable. Another might be a discourse of how the railroads influenced him to conduct a losing fight for a sea-level Panama Canal."—Aberdeen American, November 3, 1907.

"The sorehead press of this state is whining because the Roosevelt republicans distrust them. Why should their methods not be questioned? Not more than eighteen months ago they were picking flaws with President Roosevelt when he began his attack upon the insurance frauds which very soon astonished the nation at the disclosures made and the people were aroused and demanded that the perpetrators be brought to justice, which was done. Did their same papers cease firing their mud batteries even then? Not by any means. They attacked the President because he said reforms were necessary regarding the regulation of trusts and corporations. Then when the sentiment began to develop, which favored the re-election of President Roosevelt they undertook to stem the tide by bringing Secretary Taft to this state in hopes of stampeding the people and drowning the growing cry of this commonwealth, which almost to a man among the rank and files was in favor of retaining Mr. Roosevelt until he had completed his plans of reform and had them in active operation. Having made a dismal

failure of everything they had undertaken they are now attempting to head the procession by claiming that they have been for Roosevelt all the time. Say, you fellows are a comedy bunch of wind jammers, but you can't fool the people now any more than you could a year ago. About the most sensible thing for these corruptionists to do would be to swing in behind if they want to travel in the same procession with republicans and shout for Roosevelt, Crawford, Hall and Parker. Will they do this?"—*Brookings Register*, November, 1907.

On November 11, 1907, Congressman Burke came out in a public announcement in which he said: "For President I stand today as expressed in a public interview several months ago, for the renomination of President Roosevelt, if he will accept, and if not then for the nomination of Secretary Taft. For United States senator I favor and will advocate the re-election of A. B. Kittredge, because of his record, his loyalty and his great prestige."

In answer to this the *Aberdeen American* said: "It is this attempt to serve two masters (Roosevelt and Kittredge) of totally different beliefs politically that will make this campaign impossible of success. Persons who are really acquainted with political issues for which Mr. Roosevelt and Mr. Kittredge stand know that they are as far apart as the north pole is from the south. The President has shown that he stands for a square deal for all classes, while Mr. Kittredge has been always on the side of the money interests and against those of the common people."—*Aberdeen Daily American*, November 15, 1907.

The latter statement was disputed vigorously from all parts of the state by the stalwart press and speakers.

"We dislike to see so many state papers refer to 'reform' with quotation marks. It may be considered good politics to belittle reform, but it is not good morals and we would hate to trust the state government with men who cannot mention 'reform' without a sneer. If the present administration has failed in its pretenses of reform, then demonstrate the fact. That would be a good argument. The great bulk of voters sincerely believe in reform and they will be suspicious of leaders who manifest nothing but contempt for every movement that aims toward purity and progress."—*Hurley Herald*, November, 1907.

"'Reform' means to restore to a former state, to change from worse to better. The 'reform' being administered in this state has an entirely different meaning, being spurious and a rank imitation, and that is the reason the word appears in quotation marks when applied to present conditions in South Dakota. Is it good reform to lower the assessment on bank stocks and raise to an enormous figure the assessment on farm lands? It is good reform to misrepresent facts and tell the people that one reason for the increase in the tax levy is to provide funds to meet an alleged deficit left by the last administration when it has been proven time and again that the retiring administration had provided for the payment of every dollar of indebtedness against the state when it went out of office? Is it good reform for the machine (insurgent) to make a slate and expect the people to support it, and accomplish this in face of the primary election law which the machine so earnestly advocated? Is it good reform to establish a bunch of new offices for the favored few? But what's the use of asking more questions. They will not be answered or the issue will be dodged. True reform is the kind the President is administering. The people will have nothing to do with the 'reform' (note the quotation marks) now

being practiced in this state solely for the advancement of a coterie of ambitious politicians and the 'purity and progress' mentioned by the Herald is far removed from this brand of 'reform.'"—Aberdeen News, November 25, 1907.

In November Governor Crawford became the announced candidate for the United States Senate to succeed Senator Kittredge, the question to be decided under the primary of 1908. During the fall of 1907 the whole state was rent and warped by party factional fights and savage and bitter personal attacks. On December 11 President Roosevelt stated positively that he would not be a candidate for re-election, whereupon the stalwarts of this state came out promptly for Taft, but were ridiculed without stint by the progressives. At this time the stalwarts opposed the primary law, but the progressives favored it. Taft, LaFollette and Cortelyou were mentioned at this time for the presidential nomination. R. O. Richards, of Huron, was elected chairman of the executive committee of the Roosevelt Republican League. It should be noted that the democratic party of South Dakota was so few in numbers that the republicans were forced to fight among themselves in order to bring out the issues. On December 11 there was organized at Mitchell the Roosevelt-Taft Republican Club composed wholly of stalwarts and supported and encouraged by Senator Kittredge and other old-line republicans.

Crawford said: "If chosen for the office of United States senator I shall support the policies advocated by President Roosevelt; the early completion of the Panama Canal according to the type and plans adopted by the administration; a comprehensive and permanent improvement of the Mississippi River and its navigable tributaries, including the Missouri through this state; a revision of the tariff schedules by placing lumber, coal and iron upon the free list; the ascertainment of the actual value of railroads and the regulation of rates under the supervision of the Government; extension of federal control over all corporations engaged in interstate commerce; federated tax upon inheritances; a law making it a crime to lobby in secret for special and corporate interests with members of the National Congress; a federal law to protect depositors in national banks and creating postal savings banks; a law providing for greater elasticity in the currency so that it may be temporarily increased or withdrawn without injuring trade."

"Mr. Crawford should not avoid Aberdeen through any idea that he would not have courteous treatment here; he would have that and more—pity and forbearance. He avoids this city because he knows he would be speaking to an audience here that would in a large measure understand his fraudulent practices and know him for the fraud that he is."—Aberdeen News, December 23, 1907.

During the campaign of 1907-08 the insurgents blamed the stalwarts for the defeat of the primary petition in the Legislature of 1905, but the latter alleged that the defeat was due to the illegal defects in the petition itself—not drawn according to law and submitted in the right manner. But the facts were that the initiative and referendum constitutional clause was in operation; that the clause was as binding upon the Legislature as upon any other body or person; that this law—the initiative—was used by the people in petition to the Legislature for the submission to the voters of a primary election law; that a minimum of 5,020 signatures of actual residents and voters of the state appeared on the petition

and made it binding; that the petition carried through largely by the efforts of Coe I. Crawford and R. O. Richards, contained the signatures of 8,876 presumed legal voters of the state; that the place of residence, business and postoffice of each voter were given; that a fine not exceeding \$500 or imprisonment in the penitentiary not exceeding five years was fixed as punishment for fraudulent signatures; that the signing by one person of the name of another was punishable as forgery; that to prove the petition illegal it would have to be shown that it was signed by over three thousand persons who were not electors of the state, or that forgeries to that extent were committed, or that the persons who circulated the petition and obtained the signatures procured over three thousand names through deception and fraud. The fact that no serious attempt was made to establish a single instance of this kind shows that few if any could be found; that the stalwart legislature, for political purposes mainly if not wholly, and Governor Elrod in his inaugural address, opposed the enactment of a primary law; that there was no penalty provided for the enforcement of the law requiring legislative members to consider an initiative petition; that the State Primary League was refused due audience and consideration by the committee on rules; that Senator Cassill openly charged on the floor of the Senate that the attorney of the Chicago & North Western Railway Company prepared the majority report of the committee in a room of the Locke Hotel and no one dared deny his statement; and that because the petition was circulated in sections in different parts of the state and all finally united amid a little circumlocution was made the pretext for the defeat of the petition. Of course, this was an open violation of the Constitution by the Legislature, and was one of the principal causes, not only in South Dakota but in many other states, which again roused the people to demand reform. The fact here was that the stalwart republican ring of bosses turned down the petition in order to kill in its infancy any attack upon their rule and domination. No doubt the act added thousands to the ranks of the rapidly forming army of discontent and reform—insurgency.

"For four years, from 1897 to 1900, the governor's office in this state was a scene of constant turmoil. It was the head center of political trades and deals. If a noisy way could be found the dignified way to do anything was never chosen. The people tired of this and put an end to it for six years. But the conditions have been revived. Governing is the last concern of the governor's office. It is a center of turmoil and strife. Personal politics is its sole concern. The real executive work of the state is done by proxy. As in 1900, indications are not lacking that the people are tiring of all this—that they want the governor's office to be an executive chamber, not a factional political lobby. What a relief it would be to have a governor once more who would be contented to perform the duties of his office, who would reside at the capital and who would be something more than a self-seeking politician."—Aberdeen News, December 6, 1907.

"Senator Lawson is the peer of Governor Crawford in every respect. He is as well born, better educated, more experienced, a closer student, a better lawyer, as eloquent a speaker, a better friend, as good a citizen, and yet the governor declines to meet Lawson in joint debate after savagely assailing him. This is equivalent to striking a man in the back and running away."—Huron Huronite, December, 1907.

It should be observed that while the contest of 1908 between the two factions of the republicans was ostensibly for the Roosevelt policies the real battle was waged to win control of the party machine in South Dakota. Both factions claimed to represent the Roosevelt policies and it made little difference to either who would be successful in getting the nomination—Roosevelt, Taft, LaFollette, Cannon or Cortelyou. The mighty question of the hour was—control of the state patronage and offices.

It was in the spring of 1908 that LaFollette declared in the United States Senate that the panic of 1907 was created by the great money powers to embarrass Roosevelt's administration, and that the Aldrich Currency Bill, supposed to be the remedy for the panic, was backed by the same menacing agency. The fight against the progressives here was led by Senator Kittredge and was severe and unrelenting, but was met with equally severe and crushing attacks of the progressives under Governor Crawford.

At the primary election of March 10, 1908, the progressives won the largest number of delegates and seemed certain to control the approaching state convention. Primaries were held only in part of the counties; in the others the delegates were appointed by county committees. On the face of returns the progressives had 266 delegates and the stalwarts 223. Out of twenty-nine counties which held primaries only six or seven were carried by the stalwarts. Early in April the Republican State Central Committee passed resolutions advocating the policies of Roosevelt, hoping he would be renominated to meet the general demand, expressing the wish for Taft's nomination under Roosevelt's policies in the case the latter would not accept, promising to put such policies in effect if placed in power, and endorsing Crawford for the United States Senate. Though passed by the party state committee these resolutions expressed the opinions of the progressives only and were not those of the stalwarts except in part. At this time the latter strongly endorsed Kittredge for the Senate, but favored Roosevelt's policies, to be carried into effect either by him or by his successor—Taft, LaFollette or another. The importance of this election as a national movement was largely lost sight of in the dense smoke of the battle waged between the two republican factions. South Dakota had witnessed many fierce and historic struggles on former political fields, but had never thus far witnessed such a pyrotechnic display of personal and private fireworks nor such a savage and bloody assault upon the citadel of fortified precedent and law. Thousands of men who had learned to love the republican party for its accomplishments now stood aghast and dismayed to see the structure desecrated and its sacred idols dismounted and shattered. The democrats looked on with satisfaction and delight to see the structure wrapped in the destroying flames of personal attack and violent demolition.

On April 7th the republicans met at Huron and the democrats at Mitchell to select delegates to the National Republican Convention. In the Republican State Convention the progressives had a working majority of forty-four. At once a bitter contest was fought out on the floor between the two wings of the party. The result was the endorsement of Governor Crawford for senator and the election of the following delegates, who were instructed to support Taft for President, Coe I. Crawford, E. L. Senn, K. O. Strand, A. W. Ewart, C. H. Dillon, A. L. Lockhard, R. E. Grimshaw and P. H. O'Neill. Of this convention

Robert McNulty was temporary chairman and M. L. Chaney permanent chairman. The resolutions adopted were (1) a declaration for Roosevelt's policies, which were announced to be the crowning virtue of all the achievements of the republican party; (2) a statement favoring Roosevelt's renomination, but supporting Taft in case Roosevelt persisted in his refusal; (3) a promise of protection, but with tariff revision; (4) a pledge in favor of the railroad rate law; (5) the correct valuation of all public service corporations; (6) the limitation of temporary injunctions; (7) the enactment of an employers' liability act and of a graduated income and inheritance tax law; (8) a promise to improve the Mississippi River and its tributaries; (9) the endorsement of Governor Crawford for United States senator; (10) a reduction in freight rates west of the Missouri River.

The progressive primary ticket was as follows: United States senator, C. I. Crawford; Congress, Philo Hall and W. S. Glass; governor, R. S. Vessey; lieutenant-governor, H. C. Shober; treasurer, C. H. Cassill; secretary of state, S. C. Polley; auditor, John Hirning; attorney-general, S. H. Clark; school superintendent, H. A. Ustrud; land commissioner, O. C. Dokken; railway commissioner, F. C. Robinson; national committeeman, Thomas Thorson. At the primary election the result was: For senator—Crawford (progressive), 35,153; Kittredge (stalwart), 33,036; for governor—Vessey (progressive), 32,124; Browne (stalwart), 30,858; for Congress—Hall (progressive), 29,983; Glass (progressive), 28,993; Martin (stalwart), 30,293; Burke (stalwart), 32,176. At this election the progressives nominated 91 out of 149 candidates for the Legislature—27 in the Senate and 64 in the House. Kittredge carried the Black Hills, but fell behind east of the Missouri River.

The democrats on the same date assembled at Mitchell and elected Wesley Stewart temporary chairman and William Lynch permanent chairman. They promptly endorsed Andrew E. Lee for governor and W. T. LaFollette for lieutenant-governor. They endorsed Bryan for President, named delegates to the national convention at Denver and instructed them to vote for Bryan first, last and all the time.

Their platform reaffirmed the principles of the national democracy; rejoiced at the investigations being made against political graft and corruption; approved the laws prohibiting passes, rebates and corporation contributions to campaign funds; favored the election of United States senators by direct vote; demanded the vigorous enforcement of the criminal law against trusts and trust magnates; welcomed tariff reform offered by part of the republican party; favored a graduated income and inheritance tax; asserted the right of Congress to control interstate commerce and the same of the states within their borders; ascribed the recent money crisis to the republicans; favored postal savings banks and the protection of bank deposits; opposed both the Aldrich and the Fowler currency bills; favored the eight-hour law; opposed the use of injunctions in industrial disputes except conditionally; favored the Employers' Liability Law; opposed immigrants who could not properly amalgamate with the population; sympathized with the efforts being made to reclaim the arid West; favored forest reserves; asked for liberal appropriations for interior waterways; advocated a generous pension policy; condemned the "experiment in imperialism;" and declared William Jennings Bryan the choice of the convention for President. The

committee on resolutions were S. A. Ramsey, Henry Volkmer, J. Alexander, Charles Eastman, Frank Tracy, A. H. Olson, E. M. Doyle, R. F. Pettigrew and Hugh Smith.

Two notable planks in the platform were as follows: (1) The Government demands security when it deposits public money in a bank and we believe that the security of the individual depositor who intrusts his earnings to a bank should be as perfect as the Government's security. (2) The conscience of the nation is now aroused and will, if honestly appealed to, free the Government from the grip of those who have made it a business asset of the favor-seeking corporations; it must become again "a Government of the people, by the people and for the people," and be administered in all its departments according to the Jeffersonian maxim—"equal rights to all and special privileges to none."

In June Taft was nominated at Chicago and in July Bryan was nominated at Denver. At the Republican State Convention in July there were 276 progressives and 210 stalwarts. In the preliminary proceedings the latter endeavored to have removed from the state platform two objectionable planks: (1) the declaration in favor of the guaranty of bank deposits, and (2) the endorsement of the primary law. In order to promote harmony this request was granted, Gamble being the lone progressive to oppose this change. Still further to establish harmony the progressives assisted in nominating Eben W. Martin, a stalwart, for Congress to succeed Mr. Parker, deceased. The presidential electors, four in number, were equally divided between the two factions. But the convention finally adjourned after adopting a platform more progressive than the national platform. The two factions fraternized admirably. Capt. Seth Bullock carried a message of peace back to the Black Hills and R. O. Richards and C. H. Burke were seen strolling together arm in arm with nods and smiles. By yielding an equitable number of candidates chosen the progressives won the adoption of their platform and a concert of action between the two wings.

The Democratic State Convention met at Rapid City, July 14th, with A. H. Olson as temporary chairman. Andrew E. Lee was called for and addressed the delegates at length. They named a full ticket except candidates for governor, lieutenant-governor and congressman, which four had been previously chosen at the primary. The law allowed state conventions to fill vacancies left by the primaries. In addition to their platform, which is given above, they adopted resolutions covering a variety of subjects, two being as follows:

"(1) We call upon the people of the state to join with us to rescue the educational institutions from the corrupt political board of regents who have despoiled these institutions by partisan appointments, filling the highest educational positions with politicians whose only qualification was party service to a corrupt ring of bosses.

"(2) The republican party of this state is equally divided between the followers of Governor Crawford and of Senator Kittredge, each denouncing the other for corruption in office and extravagance and wastefulness in the conduct of the government of the state. As both of these factions have had control of all branches of the Government since 1901—Kittredge from 1901 to 1907 and Crawford from 1907 to the present time—we ask the voters to compare these last two republican administrations with the administration of Governor Lee from 1897 to 1901: Cost of state government under Lee, 1897 to 1899, \$826,174;

1899 to 1901, \$918,380; Kittredge or Elrod, 1905 to 1907, \$1,408,000; Crawford, 1907 to 1909, \$1,721,000."

Four of the principal issues developed in the 1908 campaign were: (1) right of the people to name candidates for office through the primaries; (2) prohibition of passes; (3) absolute banishment of the corrupt legislative lobby; (4) adequate and just assessment of railway property. Among the leading speakers were Kittredge, Gamble, Burke, Vessey, Ericson, Martin, Governor Hughes of New York, Taft, Bryan, Chapin, John T. Graves, independent candidate for vice president; George F. Knappen, prohibition candidate for governor; Pettigrew, Crawford, Lee, Hall, Glass, Shober, Clark, Brown, Martin, and many others. It was a famous or infamous year for the bosses and grafters, because there was abundant opportunity for the barter and sale of place and power and for the purchase of voters and influence. There was a split in the ranks of the democracy during the campaign, one faction going off and adopting the name independent. Their candidate for President was Thomas L. Hisgen. It was announced during the campaign that, should Bryan win, Mr. Pettigrew would be given a place in his cabinet. The headquarters of the state republican clubs was at Huron.

At the November election Taft was chosen President, and in South Dakota the whole republican ticket was successful. Kittredge and the stalwarts were defeated. Taft received 67,395 votes and Bryan 40,171. For governor, Vessey (republican) received 62,945 votes, and Lee (democrat) 44,837.

In 1909 the Legislature passed an amendment to the primary law, which abolished the convention system of choosing delegates to national conventions and provided that any group of delegate candidates could unite and be grouped in the primary ballot under one motto and be voted for en masse by the mark X.

In the Senate the vote for United States senator was—Crawford (republican) 23, Lee (democrat) 6; and in the House—Crawford 94, Lee 9.

At one time in the spring of 1909 eight or ten petitions for new laws under the referendum clause of the constitution were in circulation, and nearly all were successful because only 5 per cent of the voters was necessary to bring them before the electors. About this time R. O. Richards on one side and Governor Vessey and Senator Crawford on the other became estranged. Mr. Richards said in April:

"Among the specific acts I had to overlook in managing Mr. Crawford's campaign as a reform candidate for the Senate, were his alliance with Gamble, a stalwart, without asking the advice of any progressive leaders; his reluctance to support the anti-pass program and the divorce law; his weak action as governor in permitting Cassill's interest graft which helped finance two daily papers (Sioux Falls Press and Aberdeen Daily American) in Crawford's support; a word from the governor to the Legislature or to the treasurer would have stopped that practice which, together with the land fraud charges, came near ditching the entire movement; his mismanagement of state finances; his demagogic advocacy of a 2-cent rate law instead of a fair intelligent study of the railroad rate question and his choice for the successor in the governor's chair, of a man incapable of being a leader in his own right. But all these things I should have passed over as incidents in the attainment of a great reform if there had been an honest effort on Crawford's part to provide by law for doing away as far as possible with the evils of machine control in politics. This he could

easily have done, as governor, in the enactment of the primary law, because the Legislature was singularly responsive to him; however, he failed to do so."

As early as August, 1909, Mr. Richards' name was mentioned in connection with the governorship on the republican ticket. Senator Crawford at first favored the Payne Tariff Bill, but voted against it when it came up for final passage in the Senate. For this course he was so severely criticised that he announced in an open letter that in the absence of definite advice from his constituents he was forced to use his best judgment and hence voted against the bill.

In the fall of 1909 President Taft's course was so unsatisfactory to the progressives of South Dakota that a general cry arose from all parts of the state for him to continue to carry out the Roosevelt policies instead of slighting or disregarding them. Taft favored the Aldrich Currency Bill, which was disliked by the South Dakota progressives. They believed it to be a movement of the big banks and other gigantic moneyed concerns to control the finances of the country. At a meeting of republicans called in conference at Mitchell on October 1st, William Doddle served as chairman and the following action was taken: (1) in favor of uniting the republican factions under the platforms of 1906 and 1908, particularly the carrying into effect of the Roosevelt policies; (2) in approving the course of the western senators and representatives in Congress with advice to continue the good work; (3) in opposing the so-called high-handed acts of Speaker Cannon; (4) in recommending that the voters at the next election choose a Legislature pledged to ratify the income tax amendment to the Federal Constitution; (5) in support of the proposition that home people be permitted to select their own postmasters; (6) in favor of a general civil service law. At this meeting Mr. Richards acted with the stalwarts. Senator Kittredge and Congressman Burke were present. The former favored a reactionary ticket for 1910.

The action of the stalwarts in calling a factional conference at Watertown for January 6, 1910, was a movement of the old republican guard to defeat the pretensions of the progressives, reduce their strength and gain control of the party machine. The meeting was postponed, but was finally held at Huron on February 1st. The tocsin was sounded on the manifesto which called this conference. For five years up to this date, it was declared by the press, the progressives, sailing under a white flag though armed for the fight, had manipulated the party for factional gain and should now be displaced. In calling the conference the stalwarts said:

"The present wasteful management of the state affairs is now costing the tax payers of South Dakota \$2,000 per day more than better management cost during the two years of the Elrod administration. We deplore the needless accumulation of a state debt of \$1,000,000 in the last three years—the highest taxation ever known in the state."

At this conference were Kittredge, Martin and Burke, the latter two controlling the proceedings. While in session they received a message from Taft asking for harmony. Senator Kittredge favored a ticket wholly independent of that of the progressives, but was overruled by the others; he thereupon submitted. Resolutions to the following effect were adopted: Extolling the republican party and its principles; supporting Taft and the Roosevelt-Taft policies; favoring a protective tariff; supporting the Payne Tariff Bill; favoring railway

rate legislation, the regulation of large corporations, a graduated income tax, and conservation of national resources; pledging a business administration for the state and nation; promising economy, and needed help to the state institutions; cutting out all unnecessary offices; promising to keep expenditures within the tax limits, to pay the state debt and to equalize taxation; promising a reduction in freight and express rates; pledging a 2-cent fare and the correct valuation of railway property; promising that as the primary election law had been settled by the people, it should not be disturbed and that the selection of candidates should be left as provided by this law; suggesting that farmers' institutes should be held under the management of the State Agricultural College; commending the course of the state treasurer in turning the interest on state funds into the treasury; and recommending that only candidates who were in harmony with these principles should be nominated at the June primary.

This action of the stalwarts at once set the progressive machinery in operation. They promptly called a conference for February 24, 1910. To be publicly charged with having an extravagant state administration was more than they could bear, in face of the fact that they had voluntarily conceded nearly half of the official patronage to the stalwarts. In addition President Taft was disregarding the Roosevelt policies and Speaker Cannon was overriding the rights of the progressives in the House. All of this set a spur in the ribs of the progressives of this state. Already they had determined, owing to President Taft's reactionary course, to go on with the Roosevelt, LaFollette, Cummins and Murdock reforms. This step was their principal object. In their call for the meeting they said:

"Whereas, The progressives are responsible for the Vessey administration and have used every honorable means to unite the factions of the republicans (particularly at the meeting held October 1, 1909, at Mitchell) and

"Whereas, The stalwart republicans have rejected all the overtures for union and peace and have openly declared war on the republican state administration of Governor Vessey and are determined to force the fight on the progressives in order to restore control of the party and the state to the corporate interest from which it was wrested in 1906, and

"Whereas, At a secret caucus of the stalwart wing a secret ticket was agreed upon, so as to have but one stalwart candidate for each office in the state, and

"Whereas, It is now necessary for the progressives to present a solid front against such reactionary measures, therefore,

"Resolved, That the object of this meeting (of February 1st) is to organize for the purpose of repelling this attack, preventing the success of the reactionary movement and keeping the state within the progressive columns."

The progressives declared that the sole object of the stalwarts was to gain control of the state government. The stalwarts stated that while this was one object, it was not the sole object, though it was one of the principal objects. The progressives called attention to the advance of the state under their policies and management. Before their advent in 1906, they said, the political bosses were dictatorial, arrogant and supreme. Railways and other corporations ran the state with mighty hand. Invariably they dictated party platforms, named the issues and controlled conventions and legislatures. All of this, said the progressives, has been changed. They boasted of the following accomplishments or reforms: Primary election law; anti-lobby law; anti-pass law; 2-cent railway

passenger law; physical valuation of railways; forced track connections at railway closings and junctions; railway to pay for stock killed under certain conditions and for damage done by fires started by locomotives; reciprocal demurrage law; fellow servant law; joint resolution to Congress asking for an amendment of the Constitution to enable the people to choose senators by direct vote; burden of proof on railways in specific cases; limited the working time on railways to sixteen consecutive hours; forbade railways to parallel rival lines; prevented railways from abandoning any established station; anti-discrimination law; permitted the commission form of government in cities; revolutionized the taxation of railway property; reduced express rates 20 per cent; required the state treasurer to account for interest on state funds; anti-trust law; established a tuberculosis sanitarium; hotel inspection law.

To continue their work the progressives called another meeting for February 24, 1910, at Huron, on which occasion resolutions to the following effect were passed: Declaring their loyalty to the basic principles of the republican party; insisting on their adherence to the Roosevelt policies; commending Taft insofar as he carried out Roosevelt's policies; advocating tariff revision, protection, the Payne Tariff Law and a graduated income tax; denouncing Cannonism and Aldrichism; favoring the corrupt practice act; pledging the elimination of the personal spoils system; advising the selection of postmasters by the people; promising the publication of insurance statements; making the office of insurance commissioner elective; favoring the recall of officials as a safeguard to the primary law; keeping the state expenses within the income; advocating a reform in taxation; commending the safe, conservative, upright and business-like administration of Governor Vessey and his associates, and approving the course of Senator Crawford in Congress.

At this conference an elaborate explanatory speech was delivered by R. O. Richards, who desired that his motives should not be misunderstood nor that his object should be obscured by his enemies. It was about this time that he began suit against the *Argus-Leader* for defamation of character, fixing the damages at \$50,000. He was president of the South Dakota Primary League at this date. Near the last of February the progressives opened headquarters at Huron with Mr. Richards as manager.

As early as March, 1910, the prohibitionists assembled at Huron and nominated O. W. Butterfield for governor. The platform declared that the legalized liquor traffic was responsible for the prevailing social and political unrest of the nation; condemned the interstate commerce regulations which sent liquor into the states that did not want it; favored county option; promised to give women the ballot; advocated reductions in railway freight and passenger rates; favored better roads; pledged the control of trusts and corporations, and urged other reforms.

In April, 1910, Thomas Thorson was announced as a candidate for Congress on the republican ticket. So was John Schrader. Frank M. Byrne was candidate for lieutenant-governor. Burke and Martin were active in this campaign. They supported the course of Speaker Cannon against the progressives. George W. Egan was an independent candidate for governor at the republican primaries. Few in this state were ever so maligned and transfigured as he was. His private character was assailed and held aloft for public inspection. Later he

began suit against certain newspapers for heavy damages and was largely successful.

The following is the republican ticket that was successful at the primary of June 1, 1910: Governor, R. S. Vessey; lieutenant-governor, Frank M. Bryne; secretary of state, S. C. Polley; attorney-governor, R. C. Johnson; auditor, H. B. Anderson; treasurer, G. G. Johnson; land commissioner, F. F. Brinker; school superintendent, C. G. Lawrence; railroad commissioner, W. G. Smith; congressmen, C. H. Burke and Eben W. Martin. Of the above list six were progressives and five stalwarts. The primary gave the progressives control of the state convention and insured them a working majority in the Legislature. Generally there was a progressive gain in the whole state. The greatest surprise was in the vote of the Black Hills which gave a large majority to the progressive candidates. They had previously been stalwart. Congressman Martin had predicted that the Hills would give the stalwarts a majority of 5,000. One of the surprises of the primary was the large vote given George W. Egan, independent candidate for governor. Vessey (progressive) received 26,372 votes; Egan (independent), 21,446; Elrod (stalwart), 20,335. No doubt the large vote for Egan was partly due to the irritation of the republican voters caused by the war between the two factions, but may have been due in part to the campaign of abuse against him.

According to the returns filed in the office of secretary of state expenses for the primary campaign of 1910 were as follows: R. S. Vessey, \$650.80; S. H. Elrod, \$635; G. W. Egan, \$2,339.14; J. W. Parmley, \$860; A. W. Ewart, \$1,006.05; G. G. Johnson, \$760; H. B. Anderson, \$530; S. C. Polley, \$424; Charles Dousman, \$610; W. G. Smith, \$607; W. S. Benedict, \$250; F. S. Brinker, \$219; stalwart committee, \$6,470; insurgent committee, \$6,644; C. H. Burke, \$2,441; E. W. Martin, \$2,321; J. S. Schrader, \$1,003.

At the republican state convention on June 5 the progressive platform and principles were adopted practically as a whole. A few concessions were made to the stalwarts and to others who presented plausible reasons for a change. One of the new planks opposed the appointment of corporation lawyers to federal judgeships. T. W. Dwight was chairman of the convention. Dissensions within the party were referred to him as "growing pains." Mr. Richards opposed nearly every act of the convention, claiming that it should support the agreement made between him as the authorized and chosen leader and other leading politicians. It required five hours for the committee on resolutions to make their report. Finally, at 1.37 A. M., it was adopted. W. C. Cook was chosen chairman of the state central committee.

The platform presented these features: Adherence to republican principles; continuation of Roosevelt's policies; commendation of Taft's administration in part; protection; commendation of the interstate commerce railway measure; control of trusts and corporations; graduated income tax; preventing special interests from controlling legislation; corporation lawyers to be ineligible to federal judgeships; no backstep in progressive legislation; state depository commended; postmasters to be chosen by the electors at home; repeal of the law requiring the publication of insurance statements; sustaining the act of the last Legislature dividing the state into two legislative districts; commended the administration of Governor Vessey.

The democratic state convention was held at Redfield. Mr. Pettigrew was a conspicuous figure. They named Chauncey L. Wood for governor. The convention was one of the largest and most successful held in the state for several years. No doubt the enthusiasm shown was due largely to the prospect of a division in the phalanx of the republicans, in which event their chances of success were much brighter and more alluring. Every county in the state were represented. Granville Jones served as temporary chairman and General Sheafe as permanent chairman. During the session speeches were delivered by Granville Jones, Colonel Lyons, General Sheafe, ex-Senator Pettigrew, A. S. Simmons, Chelsea Wood, W. W. Soule and others. The proposition to exempt from taxation homes valued at \$2,500 was voted down. The platform was similar to those of recent years. It declared in favor of the income tax, reorganization of freight rates, direct election of United States senators and other planks of less importance.

In the summer of 1910 Roosevelt refused longer to endorse the Taft administration which had begun to disregard his policies. It was charged that within the administration was an anti-Roosevelt conspiracy—that the administration would no longer be bound by the intangible and alleged policies of an outsider no matter how prominent and that Taft and his supporters would stand on their own foundations. All this made the distinction between progressive and stalwart fully defined and established. In South Dakota this gauntlet was flung in the face of the progressives.

The campaign was one of vituperation and bitterness. New issues arose as time passed. In his campaign Roosevelt criticised the courts and widened his platform so as to embrace all who would support his policies. He visited Sioux Falls in September and delivered an elaborate address on the so-called issues. It was about this time that Roosevelt excluded Lorimer from the republican banquet in Chicago. Nearly all of the republican and democratic candidates for office in this state took the stump and there was hardly a schoolhouse that did not ring with the hosannas of political gatherings. The election was not wholly a surprise but was foreshadowed by the chasm between the two republican factions. With the republicans of the country almost equally divided the general success of the democrats was the inevitable result. Thus there was what is known as a democratic landslide. In this state the republicans had this great advantage over the democrats—they could win though thus divided, because they had agreed on a ticket and a platform. They thus won by a large margin, the Legislature having 135 republicans and 14 democrats. The republicans here were united so far as the common enemy was concerned, but were engaged in a family row with hair-pullings and knockdowns behind party doors. As a whole there was a light vote. All of the amendments as follows were defeated: (1) Leasing school lands; (2) increase in attorney-general's salary; (3) equal suffrage; (4) limiting county debts; (5) the new revenue law; (6) people to vote on the location of state institutions.

In the United States Senate, in January, 1911, Senator Gamble spoke in favor of the adoption of the Lorimer committee report. Senator Campbell took a different view. They took opposite sides on nearly all live subjects. In May, 1911, ex-Senator Kittredge died at Hot Springs, Ark., whither he had gone to regain his health. He is generally and justly regarded as one of the ablest

statesmen South Dakota has yet produced. In the spring of 1911 Frank M. Byrne was mentioned in connection with the governorship.

The Primary League was successful in its efforts to establish a primary law, which, while crude and faulty, showed the possibilities of such a measure and was a long step in the direction of more satisfactory political methods.

On February 25, 1911, over one hundred republicans from all over the state met at Pierre and organized the South Dakota Progressive Republican League, a branch of the national league. C. E. DeLand called the meeting to order and was chosen chairman. The committee on rules, resolutions and program were P. M. Peterson, Albert Norby, John Sutherland, Doctor Ratte, T. W. Dwight, E. L. Senn and Peter Norbeck. W. H. Roodle was elected president of the organization. It was about this time that Senator Depew referred to the National Progressive League as the Salvation Army of politics. The real object of the league was to institute certain reforms, among which were: (1) Election of United States senators by direct vote; (2) direct primaries; (3) direct election of delegates to conventions; (4) initiative, referendum and recall; (5) corrupt practice act. Already the recall was being put in operation in several municipalities of the state. The recall movement was an old idea that had been talked of ever since the formation of the Government. It was first used in this country in the articles of confederation adopted in 1777, and was directed at the delegates of each state sent to Congress "with a power reserved to each state to recall its delegates or any of them at any time within a year and to send others in their stead for the remainder of the year."

In 1911 Congress passed a reapportionment bill and the state Legislature adopted a redistricting measure so that each congressman thereafter could be elected from a separate district. District No. 3 was all that part of the state west of the Missouri River. W. S. Glass was mentioned as a candidate for Congress at this time.

At a meeting of the Progressive League held at Mitchell in September, 1911, many prominent republicans were present, among whom were Crawford, Byrne, Richards, Norbeck and Polley. The meeting convened in the corn palace. The object was to organize for the state and national campaign of 1912. Committees were appointed and harmony generally prevailed. In October Senator Crawford and others from South Dakota attended the National League conference at Chicago. LaFollette was endorsed as republican candidate for President, not only by the National League, but by the South Dakota League. In October President Taft visited the state and delivered addresses at Deadwood, Pierre, Huron, Aberdeen and elsewhere. Senator Crawford campaigned Michigan for Senator LaFollette this fall. Dean Sterling of the state university was a candidate for the United States Senate; he favored the nomination of LaFollette for the presidency. LaFollette late in 1911 began a general campaign, starting with Ohio and visiting many states of the Union. He was liked by the progressives of this state.

It should be noted that in 1898 the Constitution was amended with the initiative and referendum, but the clause was not invoked until 1904-5 when the initiative was tried on the proposed primary law. Although the petition contained 8,876 names the committee on rules so cut down the list that it fell below the constitutional number. It was again invoked in the case of the county option



VIEW OF THE CEMETERY AT SIOUX FALLS

bill in 1910. It was next used in 1911 on the Richards primary law. This bill was defeated in the Legislature, but another petition was circulated by the friends of the measure and was successful, whereupon the bill was passed and ordered to a vote, November, 1911.

The stalwarts or Taft republicans assembled, pursuant to call, at Huron on January 5, 1912, there being present about five hundred voters. J. W. Parnley was chairman of the meeting. They passed resolutions endorsing Taft's administration, criticising the Vessey state administration, opposing the primary law, etc. Among the speakers were Senator Gamble, Congressmen Burke and Martin and Secretary of Agriculture Wilson. The latter declared that not only would Taft be renominated, but would be re-elected by a larger majority than ever.

On January 11, 1912, the progressives held a large meeting at Sioux Falls, on which occasion M. D. Cheney was chairman. The resolutions adopted were strong for either LaFollette or Roosevelt for President and favored R. S. Vessey's renomination for governor and the election of Dean Thomas Sterling to the United States Senate. John Sullivan was chosen state campaign manager for 1912. They further reaffirmed the intention to keep control of state and nation for the benefit of the people; promised a faithful fulfillment of all election pledges; agreed to nominate no man for office unless he should promise to live up to the platform; pledged constructive and progressive legislation; promised to control public service corporations, agreed to revise the tariff downward; opposed watered stock; pledged to punish criminal wealth; promised free coal, lumber, sugar and iron; denounced the betrayal of platform pledges by the Payne-Aldrich tariff measure; protested against the reciprocity measure which obliged the American farmer to sell his produce in a free trade market, but protected the manufacturer; denounced the veto of the reduction of wool schedule passed by the last Congress; opposed the appointment of corporation lawyers to the federal bench; and endorsed R. M. LaFollette as the logical candidate for President. This was a meeting of great moment.

The democrats of the state met at Pierre on January 31 and were presided over by Benjamin Wood of Rapid City. While no one was endorsed for President the names of Wilson and Clark were regarded with favor. Among those present were R. F. Pettigrew, Andrew E. Lee and Ed. S. Johnson. The former was endorsed for the United States Senate. The resolutions adopted favored the initiative and referendum, the recall of judges and the direct election of United States senators. A full state and congressional ticket was planned.

Early in February Mr. LaFollette became ill and it seemed at first that he would not be able to carry on the campaign. In this extremity all progressive eyes were again turned in the direction of Roosevelt. On February 10 the governors of eight states met at Chicago in this emergency and called for Roosevelt to lead the progressives through the campaign. A little later Governor Johnson of California came out for Roosevelt. On February 26 Roosevelt said he would accept the nomination if it were tendered him.

Early in March another progressive meeting was called at Mitchell, among the leaders of this movement being Col. Melvin Grigsby. This conference was independent of the progressive movement which had endorsed LaFollette as it was now thought that he was out of the race. This meeting was a Roosevelt-progressive affair gotten up with the hope, no doubt, of being able to control

the progressives of the state. In the selection of delegates to the national convention a compromise was effected thus: An executive committee of nine members from the South Dakota Roosevelt League was appointed to hold a conference with a like committee from the other progressive faction in order to unite upon a delegation that should represent all of the progressives at the national convention. Among those present at this meeting were Melvin Grigsby, H. C. Preston, N. P. Bromley, T. S. Everett, George B. McClellan, E. L. Brown, Mark Scott, Howen Babcock and C. M. Harrison. Those present passed a resolution favoring an amendment to the Federal Constitution to limit the official terms of federal judges to four or six years, but subject to reappointment if their services should prove to be satisfactory. This meeting and the other finally came to an understanding, whereupon the progressive forces were said to be "mobilized."

In March, 1912, the democrats held another meeting at Huron to exchange views, perfect their organization and select delegates to the Baltimore convention. At this time nearly all present were in favor of the nomination of Woodrow Wilson for the presidency. The meeting looked with favor upon the candidacy of Ed. S. Johnson for the governorship. Said the *Canton News* of March, 1912: "Never was there such a general mix up of political affairs in South Dakota or anywhere else. We find men supporting Taft and Sterling * * *; others supporting LaFollette, Gamble, Dillon and Byrne; still others who favor Roosevelt, Sterling, Byrne and Branson. Men are choosing their candidates entirely upon personal lines and because of personal relations. The primary has broken the party yoke—whether for good or ill it is certain that the mere partisan has lost his occupation."

While there was much confusion, still the greater issues were clearly defined and the progressives seemed to have the best of the argument. They said that Roosevelt had turned the country over to Taft, who agreed to carry out certain principles or reforms which were called "Roosevelt's policy." At the time it was thus turned over it was in the midst of constructive and progressive legislation demanded by the party and wanted by a majority of the people. Never before had the people been so awakened to social, moral and political improvement and never before had any party so won its way to the hearts of the people by the reforms which it carried into effect instead of merely promised. But Taft had utterly failed to carry out the improvement demanded by the people and pledged by his managers. Instead, his whole course was reactionary, evasive and opposed to the people who had placed him in the White House. Thus, it was argued, the Taft faction was to blame for the confusion, not the progressives. On March 15, the following telegram from Senator LaFollette was received by R. O. Richards in answer to a question:

"My candidacy must stand or fall by itself. I cannot consent to any combination on delegates or to the printing of the name of any other candidate upon petitions or tickets in connection with myself. This has been my position from the first and must be adhered to by my friends in every state."

This spring Colonel Grigsby was a candidate for the United States Senate on the progressive ticket. He stumped the state for Roosevelt in April and May and brought out many of the real issues. The campaign of Dean Sterling was equally strong and effective. At this time the Taft forces were doing all in their

power to sow discord in the ranks of the progressives. It soon became manifest that Sterling or Gamble would be the republican nominee for the Senate. In May Senator Crawford strongly advocated in the Senate the proposed plan to shorten the terms of the inferior federal judges to ten years. This, he said, would enable the people to put them out if they should prove unworthy. Much was made of this issue during the campaign. It was in response to the general movement to correct abuses in the courts as well as in other departments of the Government.

In 1912 George W. Egan was an independent candidate for governor on the republican ticket. He conducted a campaign of intense personality and was himself subjected to violent and continuous abuse. Said the Sioux Falls Press, May 26: "The campaign he is making through the state has never before had its equal in vilification of citizens of this state." During the spring LaFollette and Beveridge of Indiana appeared in a series of speeches at the principal centers. The purpose of LaFollette now was anything to beat Roosevelt. Henry M. Allen of Kansas spoke in several cities during the spring.

At the June, 1912, primary Roosevelt won for the presidency, Sterling for the Senate and Byrne for the governorship. As a whole the progressive ticket was successful.

In June the whole state was aroused to an unusual pitch of excitement over the action and results of the Republican National Convention at Chicago when Taft was renominated and Roosevelt withdrew with the announced intention of organizing another party. At once the same division occurred in the republican ranks in this state. On July 2 a meeting of republicans was called at Huron and E. G. Kennedy was chosen temporary chairman by the vote of $237\frac{2}{3}$ to $222\frac{1}{3}$, a contest which was won by the Roosevelt progressives. M. J. Russell was the stalwart candidate. The following presidential electors were chosen: H. C. Preston, L. T. Van Slyke, Oscar Olson, L. H. Rugg and J. S. Thompkins, all Roosevelt advocates, but they were left uninstructed. Taft was not endorsed nor was his administration. The stalwarts charged that this was a "boss convention and a steal." The platform adopted favored these factors: Protective tariff; government by a self-controlled democracy; direct primary and popular election of United States senators; limitation and publicity of campaign expenses; equal suffrage for men and women; parcels post; restriction of labor hours for women and children; physical valuation of railroads; establishment of a department of labor; conservation of natural resources; establishment of Government roads and waterways; two battleships a year; properly guarded immigration laws; inheritance and income taxes; single national health board; establishment of an industrial and country life commission. The platform opposed these factors—political activity of office holders; unrestricted injunction against labor; night work for women; convict contract system; commerce court; Aldrich corporation bill; free use of the Panama Canal for railroad ships; exploitation of natural resources.

It was remarkable and entirely accountable that so many republicans voted against Dean Sterling for the Senate in January, 1913. Other republicans voted for were: Byrne, 3; Gamble, 8; E. Abel, 7; J. E. Kelly, 2; Mr. Ayres, 3; Mr. Richards, 2; J. L. Brown, 3; M. Maney, 1. E. S. Johnson received the full democratic vote, 18; Sterling received 100 on the twenty-sixth ballot. The

stalwarts tried the trick of booming Byrne for the Senate, but this step received no favor. They did this when they saw that the election of Gamble was out of the question.

The democratic contest at Baltimore in June again roused the people of South Dakota to an exciting stage. When Wilson won on the forty-sixth ballot there was great rejoicing among the democrats, who felt that their ablest and most suitable man had been placed in the field. Many here condemned the action of W. J. Bryan in the convention. Pettigrew called him a modern Judas who had betrayed his friends for the hope of personal preference. He also denounced Woodrow Wilson as a worse reactionary than Taft. On August 13 Mr. Pettigrew announced that he would not support the democratic national ticket. He further said that in his opinion Wilson had a deeper hatred for those who champion the cause of the people than any of the candidates who sought the presidential nomination at Baltimore and that no true progressive democrat could support him and maintain his self respect. He also said:

"William Jennings Bryan can no longer claim to be the champion and leader of progressive democracy, but now stands out as the selfish, ambitious, political demagog, seeking only the advancement of his own personal interests. Bryan was a candidate (for President) at Baltimore and hoped by destroying Clark, who was the leading candidate and the man of the people, to secure the nomination for himself. His statement, carefully prepared in advance, which he made on the floor of the convention announcing that Clark had favored an alliance with Tammany and the corrupt interests seeking special privileges, was an absolute falsehood and was known by Mr. Bryan to be untrue when he made it. Bryan joined with the ninety delegates from New York headed by Charley Murphy, the fifty-eight delegates from Illinois absolutely controlled by Roger Sullivan, and the delegates from Virginia whom Thomas Fortune Ryan held in the hollow of his hand, to unseat the Clark delegation from South Dakota and seat the Wilson delegation from that state, which had been defeated at the primaries by 2,500 voters. * * * Governor Dix of New York told George F. Williams and me that Bryan had supported Parker for President and had taken the stump for him in 1904 after Parker's friends had paid him \$15,000 for his services. Wilson is an aristocrat. He comes from a long line of slave-holding democrats of the past, has no sympathy with labor and always expressed his contempt for the men who toil. I defy any man to find anything in his writings and speeches that does not indicate contempt for the toiling masses of the country and for the principles of progressive democracy. * * * I believe the time has arrived for the formation of a new party in the United States composed of the men of both old parties who believe in progressive principles and that the necessity is even greater than the chain of events that brought the republican party into existence in 1856. Then the issue was the enslavement of the black man; now the issue is the enslavement of the white man."

The democratic electors chosen were I. B. Mathews, Millard Asved, A. E. Hitchcock, James Mee and J. P. Biehn. The platform supported the following principles: Tariff for revenue only; income tax; popular election of United States senators; criminal punishment of monopolies; presidential preferential primaries; physical valuation of railway, telephone, telegraph and express companies; Government regulation of these concerns; conservation of natural re-

sources; development of waterways; Government aid to the good roads movement; conservative merchant marine; enforcement of the pure food laws; extension of civil service; free use of the Panama Canal for American ships; parcel post; arbitration for international disputes; and opposed the following measures: Protective tariff; all monopolies; re-election of presidents; extravagance of the republican party; Aldrich currency or banking bill; free use of the Panama Canal for railroad ships; all violations of the law.

At the Progressive National Convention in Chicago, August 5-7, 1912, Albert J. Beveridge served as temporary chairman and delivered one of the most conspicuous addresses ever uttered in America. It was the keynote of the Roosevelt progressive movement and the cornerstone of the new party. One of the notable declarations was that competition was a relic of barbarism, a survival of the power of the strong and dishonest over the weak and honest and that it was wholly oblivious to any other procedure than that might is right, was the kindler, nourisher and supporter of war and that universal peace would never come until co-operative distribution and division should be substituted.

The Taft republicans or stalwarts assembled at Huron, named a ticket, adopted a platform and fruitlessly endeavored to secure a place on the ballot. The leaders were R. O. Richards, Charles M. Day, Thomas Roberts, Richard Holiday and W. S. Bowen. Their platform favored the following points: Protection; tariff board; anti-trust laws with violations a crime; limited hours of work for women and children; integrity of the courts; scientific inquiry as to the high cost of living; banking laws that would prevent panics; an agricultural credit society to loan money to farmers; extension of the civil service; parcel post; conservation of natural resources; maintenance of an adequate navy; arbitration of international disputes; federal aid to improve the Mississippi River; revival of the merchant marine; prevention of panics. It opposed the following: Free trade; campaign contributions for presidential and congressional contests; discrimination against American citizens; lynchings and other violations of the laws; undesirable immigrants; inadequate judges; the democratic tariff bills.

The socialist platform exhibited its usual progressive and admirable practices—Government ownership of transportation, communication, fuel and power; Government aid for the conservation of natural resources; reforestation; reclamation of swamps and arid lands; conservation of soil; development of roads and canals; political demands for freedom of speech and press; graduated income and inheritance taxes; gradual decrease of the tariff on necessities; equal suffrage for the men and women; adoption of the initiative, referendum and recall; election of President and vice president by popular vote; establishment of a cabinet Department of Education, Labor and Health; abolition of the veto power of the President, of the veto power of the Supreme Court, and of monopolistic control of patents; only a majority vote to amend the Federal Constitution.

The prohibitionists likewise met and nominated a state ticket, their main plank being opposition to the liquor traffic. They also asked for uniform marriage and divorce laws; protection for labor and capital; equal suffrage for men and women; cessation of child labor in mines and workshops; observance of one day of rest; efficiency and economy in governmental affairs; one presidential term of six years; popular election of United States senators; postal savings banks and parcel post; initiative, referendum and recall; graduated

income and inheritance taxes; control of corporations; no partisan tariff commission; conservation of natural resources.

The campaign of 1912 was one of great intrigue and severity. Passion and politics were torn to tatters. All parties and factions claimed they were actuated only by the purest and highest motives, yet all misrepresented the others, hatched out rotten and libelous charges, used money corruptly and made desperate efforts to deceive the public with utopian promises and fantasies. The wildest stories concerning state extravagance were circulated. The stalwart republicans and the democrats declared that the Vessey administration was plunging the state into bankruptcy. The progressives held out alluring hopes that perfection would soon be reached under them. The democrats could see no ray of hope for the country so long as the incompetent republicans remained in power. The stalwarts, though practically disfranchised, solemnly announced that they were God's chosen people and the only one who could lead the country to the promised land. The prohibitionists pictured America as a nation of drunkards and vice incubators. The socialists were about the only sane group in this political asylum of raving madmen and slobbering idiots. And the newspapers for profit were the willing instruments to turn on the artesian gush of abuse and libel. And all this is the mysterious thing called politics.

During the campaign the Richards primary law was attacked with the vitriol of ridicule and sarcasm by the orators of nearly all the parties and by nearly all the newspapers. One would suppose that the silver tongued speakers and the unctuous and self-sacrificing editors would select a velvet path in which the people would tread, but the latter looked a little beyond the battle smoke and saw in the law relief, if only partial, from the intolerable bosses and the usurping party machines. They therefore gave the Richards primary law a majority at the November election.

During the campaign the state was canvassed by Woodrow Wilson, Hiram Johnson and the state candidates. On October 14-15 came the news that Roosevelt had been shot at Milwaukee. Much indignation was expressed at public meetings and by newspapers throughout the state. Senator Crawford was his authorized mouthpiece in this state.

"The big trouble in South Dakota seems to be over the fact that the state government is now in the hands of the people where it belongs. The fight now being waged has for its purpose the wresting of the control from the people and placing it in the hands of the bosses. The old time politician can't see the justice of the new order of things. In the good old days he was accustomed to take a jaunt down to Sioux Falls to the convention, see the railroad boys and get a copy of the slate, then hip-hip-hurrah for the chosen bunch until election. No candidate now has to beg permission from the charmed circle in a back room of the Cataract Hotel to run. It was simple process then to get into office if you were but a good trader. The people had no voice in these selections. Indeed it's enough to drive an old timer to a pow-wow at Mitchell."—Redfield Journal-Observer, October, 1912.

"The Journal has no sympathy with the movement at Mitchell which seems to be one to defeat the whole republican ticket nominated at the recent primaries save perhaps Burke, Martin, Abel, Glassner and Anderson. The meeting seems to be the result of ravings of a few disgruntled and sorchead politicians."—Centerville Journal, October, 1912.

"It took ten years of hard fighting to dislodge the standpatters and the railroads of control of the republican party in South Dakota and restore to the rank and file its right to direct party affairs. Now comes the old gang, peevish because of their inability longer to dictate to the majority of the people and declare they are disfranchised."—Watertown Public Opinion, October, 1912.

In November South Dakota became one of the few states wholly republican-progressive. The Bull Moosers elected their governor, Legislature, congressmen and later their United States senator. Frank M. Byrne won on his merits—an excellent record, a mind full of practical sense, a character that refused to throw mud or play the shuttle cock, a purpose that was clear, pleasing and welcome to this great state. It was declared after the election that 58,139 persons voted for the Richards primary without knowing what it meant.

In January, 1913, there was a spirited contest over the election of United States senator. The voters had decided in Sterling's favor at the primaries, but now men in the Legislature who had been chosen as Sterling men opposed his election. At first the opposition succeeded in tying the Senate, but on joint ballot he received 100 on the first call and was elected. The opposition desired the re-election of Gamble and organized the reactionary movement at Aberdeen. Melvin Grigsby was a candidate, but did not unduly push his cause. Minnehaha County supported him with a majority, but Sterling was second and Gamble third. The stalwarts held a mass meeting at Sioux Falls on July 25th, there being present 350 representatives from all portions of the state. The object was an attempt to reunite the two republican factions. No candidates were endorsed, but resolutions favoring union upon a fair basis were passed. This meeting became known as the "Harmony Conference." In August R. O. Richards announced himself as a candidate for governor. H. L. Loucks was a candidate for the United States Senate. It was declared at this time that Congressman Burke was a political anachronism. Though a stalwart, he was a favorite with progressives as well as stalwarts.

There was a more or less concerted movement in the fall of 1913 to show that the Byrne administration had been and was unduly extravagant, but Governor Byrne's comprehensive and analytical replies controverted the statements that had been circulated. To put an official on the defensive by misleading and untrue assertions seemed to be the method of certain politicians who expected to gain prestige and influence thereby. The attack on Governor Byrne and Senator Crawford was made by the stalwarts, headed by Mr. Richards, Mr. Loucks, and others. These attacks were preliminary to the campaign of 1914. At this time the stalwarts favored Burke for senator, Richards for governor and G. W. Egan for Congress from the First District.

On December 2d mass meetings were held throughout the state under the Richards primary law, to select candidates to be voted for at the spring primaries of 1914.

On January 5, 1914, the democrats named the following ticket through their primary committee: United States senator, Edward S. Johnson; Congress, Theodore Baily, John H. Ring and Harry Gandy; governor, G. M. McCarter; lieutenant-governor, J. T. Heffron; treasurer, Jacob Fergen; auditor, C. B. Fousek; attorney-general, L. W. Bicknell; secretary of state, John S. Bird; school superintendent, W. P. Chamberlain; land commissioner, W. J. Tonor;

railroad commissioner, J. J. Batterton. The resolutions adopted favored abolishing the manufacture and sale of all distilled intoxicating liquors as a beverage; advocated equal suffrage; endorsed President Wilson and his administration; favored reorganizing the state banking laws; commended the application of the initiative to the bank guaranty law, to be voted on in 1916; approved the work of the interior and Indian departments for work in behalf of the redmen; urged the adoption of a system of merit in the place of civil service; favored abolishing the Legislature and substituting therefore a commission form of state government safeguarded by the initiative, referendum and recall.

The republican committee acting under the primary law met at Pierre and selected this ticket: United States senator, Coe I. Crawford; Congress, C. H. Dillon, R. C. Johnson and E. G. Rice; governor, F. M. Byrne; lieutenant-governor, Peter Norbeck; secretary of state, Frank Rood; auditor, Ed. Handling; attorney-general, C. C. Caldwell; school superintendent, Charles H. Lugg; land commissioner, Fred Hepperle; railway commissioner, P. W. Dougherty. Crawford, Byrne, Norbeck, Rood, Dillon and Johnson were named unanimously. It was stated that this was the first time in the history of South Dakota when men chosen by the people met and named tickets for the people to vote upon by ballot. The progressives were in the majority and ruled the meeting and dictated the candidates. Important features of the meeting were the defeat of Richards for the nomination for governor and the reversal of Burke's decision to retire from politics. The stalwarts named H. B. Anderson for the governorship. R. O. Richards refused to run on the resolutions adopted. This act caused a sensation in the meeting and was the principal reason why Mr. Richards became an independent candidate for the governorship. The majority or progressive resolutions praised the administration of Governor Byrne; commended the course of Crawford, Sterling and Dillon; endorsed the tax commission and its work; declared for direct presidential primaries; favored the abolition of the "insidious lobby;" favored putting the primary law into full effect; protection; currency reform, state and federal co-operation in the good roads movement; federal ownership of express companies; advocated the adoption of Roosevelt's interstate trade commission plan for trust regulation; pledged the correction of court abuses; advocated limitation in the tenure of office of inferior federal judges and that they be made elective; favored the recall of court decisions affecting the organic right of the people; favored laws for the protection of the lives and health of employees; recommended a system of rural credits and a "blue sky" law; urged uniform legislation on marriage and divorce; favored the development of rivers by co-operative movements; promised conservation of natural resources; urged the repeal of the Richards primary law; promised a continuance of the fight for equitable freight and passenger rates; advocated regulation of all public service corporations; promised abolition of convict labor contract system at the state penitentiary; favored the consolidation and improvement of rural schools and the advancement of agricultural extension work; advocated a graduated income and occupation tax; favored improvement of the taxing system; urged the insurance of bank deposits; favored congressional appropriations for irrigation and arid lands, and urged due consideration of the suffrage question.

These conferences were called "proposal meetings." The stalwarts put out an independent ticket to be voted on at the primary in March, 1914.

An important event of the spring campaign was the concise speeches of Governor Byrne in answer to the criticisms of his administration. He showed that the complaints came from the twisted reports sent out by a deputy in the office of the state auditor and were not based upon fact. He proved conclusively to the satisfaction of the people that taxation had not increased proportionately. At this time the stalwarts were flooding the state with misleading campaign literature. It was a partisan *faux pas*. It was shown that taxation had been increased under the new law in but sixteen counties of the state; in the other sixty-two counties it had been lowered. There was much feeling in this campaign; personal interests cut an important figure. The newspapers were especially severe, libelous, acquisitive, factional and unjust. The enemies of Governor Byrne went so far as to bring his religious belief into the contest. Slander was on the serpent tongues of every fawning and hypocritical politician and libel was an everyday newspaper event. Anything to win, no matter how reprehensible, seemed to be the ruling power. So many times had such conditions prevailed and so generally had the newspapers become for pay the mouthpiece of any person or any corrupt cause, that the people no longer regarded them as aids to progress and enlightenment, but as the advocates of anything that promised sufficient pay. Their claims to being a public service agent was seen to be a sham to conceal their selfish attempts to improve their diminishing circulation and extend their power to abuse and libel and thus line their capacious pockets with coin.

"Governor Byrne did not get far when he called Joe Murphy a liar and let it go at that. The people are not particularly interested in Joe Murphy or in any other man who is not running for office. But they are interested in Joe Murphy's figures. So long as the spoilers attack Joe Murphy personally and are afraid to tackle his figures the people will not take much stock in the governor's broad assertion that the deputy state auditor is a liar, nor will use of the epithet under the circumstances tend to increase their respect for the governor. Murphy's figures stand unchallenged."—Aberdeen News, March 18, 1914.

"The state auditor's books show that during the four fiscal years 1903 to 1906 inclusive, being the last two years of the Herreid administration and the two years of the Elrod administration, it cost for all these four years, in round numbers, \$2,600,000 to run the state. It cost the state \$5,400,000 to run the Vessey administration for four years. It has or will cost the Byrne administration \$3,600,000 to run the state government for two years."—Aberdeen News, March, 1914.

"Less than two dozen papers of South Dakota, daily and weekly combined, are supporting Coe Isaac Crawford for senator this year, and a majority of the weekly papers are supporting H. B. Anderson for governor as well as Charles H. Burke for senator."—Aberdeen News, March, 1914.

"Republicans remember the crime of 1912 when the Bull Moosers, because they had the power, but not because they possessed the moral right, deliberately disfranchised the thousands of republicans who possessed the moral right and the desire to cast their ballots for William Howard Taft for President, but were forced, because of this denial of their rights, to choose between the democratic and Bull Moose candidates for President. Real republicans, who believe in republican principles and the continuation of the party of Lincoln and McKinley,

are asked to remember the crime of 1912 by voting the minority republican ticket next Tuesday. The real Bull Moosers recognize the action of the South Dakota Bull Moosers as a hypocritical, selfish one, by forming an organization of the progressive party before the primaries, in order to bar out the time servers."—Aberdeen News, March 19, 1914.

"Republicans of South Dakota are not likely to forget that the crowd that is now seeking to capture the republican primaries is the same crowd that disfranchised them in 1912 by the dirtiest political trick ever perpetrated upon a political party. One could understand such effrontery if the republican primaries were open to the members of all political parties as heretofore; but as republican primaries this year are confined to voters who are registered as republicans, the attempt to capture this year by sophistry what they captured two years ago with a jimmy and a dark lantern is gally to say the least."—Aberdeen News, March 10, 1914.

"Remember the crime of 1912. The same people who perpetrated that crime and disfranchised the republicans of the state are making the struggle of their lives to capture the republican primaries a week from next Tuesday. But this year, while they may have democratic sympathy and encouragement, they will be benefited only by such part of the democratic vote that has been registered as republican. This is the first time since the struggle began that the republicans have had anything like a clear field with the Moosers."—Aberdeen News, March 11, 1914.

At the March primary Burke, stalwart, won over Crawford, progressive, for the United States Senate. The vote for governor was: Byrne (progressive), 19,941; Anderson (stalwart), 16,114; Richards (independent), 9,729. The progressive state and congressional ticket was successful as a whole.

"Imagine the situation if Mr. Richards had been nominated. Mr. Richards was an independent candidate for governor on the republican ticket. He repudiated both majority and minority platforms and offered a brief one of his own, referring to only a single issue. Had Mr. Richards received 11,000 more votes he would have been nominated for governor. That would have wiped out both the majority and minority platforms and left the republican party of South Dakota rallying about a one-issue platform offered by one man."—Sioux Falls Journal, April, 1914.

The question now arose, would Burke be bound by the progressive platform that had been thus adopted at the primary election? The progressives called a meeting at Huron for April 25, but later postponed it for several weeks. At this meeting they called themselves the national progressive party and named a full ticket. They nominated R. E. Dowdell for United States senator and W. H. McMasters for governor. H. L. Loucks and R. F. Pettigrew were candidates, the former withdrawing and the latter receiving no votes.

The democrats assembled at Mitchell in August and prepared for the campaign. They were divided into two wings—stalwarts and insurgents.

"The words 'party platform' shall mean the declaration of principles and propositions which have received the highest number of party votes for governor at the primary. The principles proposed by any independent candidate or committee proposal candidate, as printed in the state publicity pamphlet, receiving

the highest number of votes for governor at the primary shall immediately become the regular party platform at the following general election."—Primary law.

Early in August Mr. Pettigrew called a meeting of the progressives at Huron for the purpose of defeating Burke, stalwart, and Johnson, democrat. The call said that both of these candidates placed property rights ahead of the rights of the people. R. E. Dowdell and H. L. Loucks were present at this meeting. The meeting succeeded in partly merging matters, called themselves independent progressives and nominated R. E. Dowdell for senator and R. O. Richards for governor. Dowdell withdrew later. It was stated, but denied, that his faction was compelled to place a full ticket in the field in order to secure a place on the ballot. There was much confusion at this time.

At the State Fair in September all parties and factions held meetings for the purpose, if possible, of creating order out of the confusion. The insurgent democrats opposed E. S. Johnson for senator. It is doubtful if any faction had a platform of well defined principles. It was a jumbled, hurly-burly attempt of small factions to secure official control and thus win the spoils they so largely coveted. It is left to writers of the future to untangle the unsavory mess.

The republican state ticket, the one from which the independent progressives had deserted soon after the primary, was successful at the November election, but with a reduced majority. The democrats made a strong fight on national issues and on alleged state extravagance.

"The issue of the day in this state is whether a united republican party shall prove its fact and figure—whether this party shall triumph over the democratic forces which have waged bitter war in the hope of thrusting apart the factions now merged in their first weld of many years. Progressives and stalwarts have honestly sought to join the willing support of the primary election of candidates. They have worked as one for their election and it is not believed that they have worked in vain. Advantage has been sought by the democrats everywhere to keep up the republican factional fight."—Aberdeen American, November 1, 1914.

"This outcome of the election in South Dakota means one thing more than anything else and that is that the republican party must be progressive in order to win the support of the South Dakota voters. This was the real significance of Crawford's defeat in the primary—he had not measured up to his promises. It shows how insistent the republicans of this state are in their demands for progressive leaders."—Mitchell Republican, Nov. 5, 1914.

The result of the election of November, 1914, was as follows:

GOVERNOR	SECRETARY OF STATE
Byrne (R.) .....49,138	Rood (R.) .....53,540
McCarter (D.) .....34,542	Bird (D.) .....33,646
Thompson (Soc.) .....2,072	AUDITOR
Knapp (Pro.) .....2,684	Handlin (R.) .....52,222
Richards (Ind.) .....9,725	Fousek (D.) .....33,646
LIEUTENANT GOVERNOR	TREASURER
Norbeck (R.) .....52,536	Ewert (R.) .....54,066
Heffron (D.) .....34,537	Fergen (D.) .....34,004

LAND COMMISSIONER

Hepperle (R.)	54,087
Toner (D.)	35,060

CONGRESS—SECOND DISTRICT

Johnson (R.)	20,054
King (D.)	11,710
Jump (Pro.)	995
Atwood (Soc.)	1,033
Pachard (Ind.)	756

LIQUOR LICENSE AND LAW

Yes	38,000
No	51,779

PRIMARY LAW

Yes	37,106
No	44,697

N. N. I. SCHOOL EDUCATION

Yes	27,538
No	49,382

CONSTITUTIONAL CONVENTION

Yes	34,832
No	51,585

SUFFRAGE

Yes	39,605
No	51,519

RELATING TO PUBLIC AND SCHOOL LANDS

Yes	45,554
No	35,102

ATTORNEY GENERAL

Caldwell (R.)	54,129
Bicknell (D.)	33,705

SUPERINTENDENT OF PUBLIC INSTRUCTION

Lugg (R.)	52,385
Chamberlain (D.)	34,314

RAILROAD COMMISSIONER

Dougherty (R.)	52,312
Clark (D.)	34,466

UNITED STATES SENATOR

Burke (R.)	44,244
Johnson (D.)	48,076
Butterfield (Pro.)	2,406
E. P. Johnson (Soc.)	2,674
Loucks (Ind.)	2,104

CONGRESS—FIRST DISTRICT

Dillon (R.)	22,056
Bailey (D.)	13,678
Stakke (Pro.)	855
Bond (Soc.)	794
Van Osdel (Ind.)	745

CONGRESS—THIRD DISTRICT

Rice (R.)	10,732
Sandy (D.)	12,364
Fairchild (Soc.)	861

TERM OF COUNTY SUPERINTENDENT

Yes	32,092
No	45,735

INITIATIVE AND REFERENDUM

Yes	28,226
No	43,162

BOARD OF CONTROL

Yes	29,601
No	44,017

FOUR-YEAR LEGISLATIVE TERM

Yes	29,601
No	44,017

SUPREME COURT SUBSTITUTE JUDGES

Yes	36,317
No	36,543

IRRIGATION DISTRICTS AND MEASURES

Yes	32,958
No	40,457

The defeat of Charles H. Burke for the United States Senate and the election of Ed. S. Johnson to that office were among the surprises of the election. The

causes which produced this result were more or less indefinite and uncertain; but among them were the vigorous campaign of Mr. Johnson; the support given him by President Wilson's administration; the candidacy of H. L. Loucks who ran independently, and the sentiment of the reformers against the standpatters, which still lingered in the breast of many. What defeated Mr. Burke was not his record nor the clear platform upon which he ran, but was because he was by nature, profession and practice a standpatter and not a reformer. He was defeated by the republican element that had demanded certain political changes which he did not espouse, did not even seem to understand, or at least did not accept and promote. He did not represent the progressives' principles. It was a belated blow at political inertia.

The election showed that the progressives were again turning their faces toward the old republican party which had been leavened with their principles and policies. It was claimed that many republicans actually voted for Ed. S. Johnson and for the democratic ticket.

"The progressive party is dead. The good in its principles has been taken over by the republican party."—Minneapolis Journal, November, 1914.

"The people after examining the claims of the Bull Moosers to the possession of all the political virtues more or less closely have turned their thumbs down and consigned the Bull Moose to the political oblivion that long ago overtook the greenbackers, the populists and other third parties."—Aberdeen News, November 6, 1914.

"The results of the election would seem to confirm the attitude of the progressive republicans of South Dakota in the past, that the way to bring about the advance of progressive ideals in this country is through the leaven of the existing organization rather than the introduction of a third party into the field."—Aberdeen American, November 5, 1914.

"The grand old party has re-formed behind its first line of entrenchments and is now ready to meet the assaults that will determine the outcome of the campaign of 1916."—Watertown Public Opinion, November 4, 1914.

"What defeated Burke? He was not progressive enough, says the progressive republican who voted against him. He was knifed in the back by traitorous Crawford adherents who thus avenged Crawford's defeat in the primary, angrily asserts the stalwart curbstome politician. He was not a Wilson man, explains the exultant democrat."—Mitchell Republican.

The democrats had reason to rejoice over the election of E. S. Johnson to the Senate and H. L. Gandy to the House of Congress, because it was the first time in the history of the state that they succeeded in doing such a thing in straight election at the polls.

At this election the voters defeated the democratic primary law. Evidently they preferred to retain the Richards law with all its ills and frills rather than try any more exasperating experiments. But there was a general demand for an improved primary law—one without the faults of the Richards law.

In answer to the declaration that a poor man could not afford to run for a state office under the primary law, the Mitchell Republican said early in December, 1914: "In looking back over the men elevated to high office under the primary system in South Dakota, not very many can be found in the category of rich men. Crawford, Vessey and Byrne, the three men elected governor since the primary

was established in South Dakota, must all be classed as poor men, comparatively speaking. The men elected to Congress include Martin, Dillon, Burke, Johnson and Gandy. The first three are known as well-to-do, but it is also known that they spent no unreasonable sums in their campaigns as Richards has."

The Aberdeen News did not agree with this statement and said that Crawford was not elected under the primary system and came out poorer than when he went into office; that Vessey was practically bankrupt when he went back to business, and that Byrne would no doubt share the same fate. It asked: "What chance would a poor man have had in the democratic primary campaign against Ed. S. Johnson, who is known as a liberal spender in politics? Not a ghost of a show would he have had."

In December, 1914, there was much discussion throughout the state as to whether the Legislature could repeal or amend the primary law that was adopted by a vote of the people—the Richards law. Mr. Richards it was declared, took the position that no one could meddle with it, that the Legislature could not amend it, that it could not be repealed and that he alone could say what its fate should be. It remained for the Legislature to take action.

Early in January, 1915, the Republican State Committee passed a resolution recommending the immediate repeal of the so-called Richards primary law from its title to its repealing clause inclusive and that a wholesome, comprehensive, sane and safe primary election law be enacted in lieu thereof. At the same time steps to draft a new primary law were taken.

About the middle of January the Senate committee reported the McMasters primary law bill and recommended its passage. It was much like the old law in force before the adoption of the Richards law, but embraced also several improvements—one for placing new party tickets on the ballot. This bill became a law.

"A member of the Legislature who has served his time and returned to his private vocation relates that the unconstitutional act of the Legislature that purports to repeal the Richards primary law would have failed to pass but for the application of the club. It lacked many votes of enough to adorn it with the unconstitutional emergency clause, but enough were finally secured to carry it through. Of those so secured all but two were from institution counties. It does not require much of an imagination to reach the conclusion that the club used was the same old club. If you don't come in, your appropriation will be so reduced that you will be ashamed to go home and face your constituents. Legislation thus forced does not bear the marks of an intelligent appreciation of what is for the best interest of the state. No machine ever constructed in this state has hesitated to use this club as a final resort."—Huronite, March, 1915.

"Friends close to both Governor Byrne and Lieutenant-Governor Norbeck, knowing the strong personal friendship that exists between them, know that it is next to impossible that they should be opposed to each other in any way in the 1916 campaign. If it is a fair guess that Norbeck will be a candidate, it is a better guess that Byrne will not. Another reason is that Governor Byrne is believed to have an ambition to represent the state in the United States Senate. The next senatorial campaign comes off in 1918. In the days when the Legislature elected the senators, it was quite common for a governor to step out of the state house into the United States Senate. Now he must take his case before

the people, and would be handicapped in conducting a campaign while governor of the state. It is well known that at the session two years ago which named Sterling senator, Governor Byrne had the senatorship offered him on a platter. He might have been chosen senator while protesting that he did not want it. But he refused to be a party to the fight against Sterling, and made the emphatic declaration which broke the deadlock in Sterling's favor. Therefore he would not, in all likelihood, feel any compunctions about entering the lists at the end of Sterling's six-year term."—Aberdeen American, March 16, 1915.

"At the November election in 1912 there was submitted to the people, under the initiative provision, a primary law, known as the Richards primary law. The people adopted this law by about 25,000 majority. It became the law of the state. At the general election in 1914 another primary law, known as the Coffey law, was submitted to a vote of the people for the purpose of repealing the Richards primary law. This (Coffee) bill was defeated by about 10,000 majority. But notwithstanding the expressed will of the people at the last two general elections, the recent Legislature deliberately repealed the primary law enacted by the people. This action was instigated by the politicians who have a well-known prejudice against Mr. Richards and who desire to retain the spoils system. The Legislature, as a trick, attached the emergency clause denying the people a vote on the measure. Without going into the merits or demerits of either primary law, the potential facts stand out in bold relief, that the Legislature has assumed a higher power than that given to them by the constitution or the people. If such an act will be countenanced by the Supreme Court of this state, then the state constitution is not worth the paper it is written on. If the Legislature, a servant of the people, has greater powers than the people, then it is high time a constitutional convention was called to restore at least part of the government to the people, because it has all been usurped by the officials."—Cor. Argus-Leader March, 1915.

"Aberdeen, S. D., April 19, 1915. Hon. R. O. Richards, Huron, S. D., Dear Sir: The undersigned, a few of those, who were active in the promotion, submission and adoption of the initiative and referendum by the amendment of Article 3 of our state constitution, in 1897 and 1898, view with indignation and resentment the attempt being made to substitute the rule of a few for government by the people.

"In the initial enactment, we were at a disadvantage in not having a precedent to guide us. But our intent was very clearly expressed in the text of the addition to Article 3 of our constitution. For failure of the Legislature to enact a law wanted by the people, we provided that 5 per cent of the voters might by petition, propose a measure for enactment by the voters direct, and if adopted it should have the same force and effect as any other constitutional law, and could be amended or repealed by the same method as enacted.

"It would have been ridiculous in the extreme to propose to go to the expense and labor of initiating and conducting a state-wide campaign to enact a law in November by direct vote of the people that a Legislature, elected at the same time, could repeal in the following January. We also provided that the Legislature should have the same right to propose direct legislation, but without petition. Any member may propose and if both branches of the Legislature concur, it will be submitted to a direct vote of the people.

"To discourage the Legislature from enacting unsatisfactory laws, we provided that any measure enacted, except those specially exempted, should in like manner, by petition, be submitted to a vote of the people. To defeat this constitutional safeguard, they have resorted to the expedient of adding an emergency clause, enacting an untruth and falsely claiming, that it barred a referendum, and thus they have practically annulled the constitution.

"Thus the issue has been clearly drawn by the late Legislature in attempting to repeal a law that had been adopted by the direct vote of the people, and attaching a fake emergency clause to the repealing enactment; the avowed object of which was, by subterfuge, to prevent the use of our constitutional right of referendum. A paramount issue in this state has once more been forced upon us. Shall the people of the whole state, or a mere faction of one political party, be supreme? That this issue may be determined at the earliest possible date, and finally settled beyond all question, we request you to press forward for the freedom of the ballot and supremacy of the people, by making a thorough test in our state courts, and federal courts, also, if necessary.

Respectfully, Robert W. Haire, H. L. Loucks, Andrew E. Lee, L. N. Crill, James A. Grant.

CHAPTER XIX

TEMPERANCE

Early in June, 1888, Messrs. Grover, of Huron, and Cranmer, of Ipswich, were elected delegates of the prohibition party of Dakota Territory to the National Prohibition Convention to be held at Indianapolis the same month of that year. Mrs. P. E. Johnson was elected delegate from the Woman's Christian Temperance Union of the territory to accompany them to that convention. In nearly all counties of Dakota Territory where local option had been adopted it had proved largely unsatisfactory, and accordingly, in the fall of 1888, a concerted effort to re-submit the question to the voters was made. In July, 1888, the editors of ten leading papers of what is now South Dakota united in a call for an editorial prohibition convention at Huron on July 9th to arrange for a systematic and sweeping newspaper campaign on behalf of prohibition for which a plank was planned in the new state constitution.

In June, 1889, the South Dakota prohibitionists organized thoroughly and issued their campaign edicts as follows: (1) To secure the adoption and enforcement of constitutional prohibition; (2) to see that this temperance movement should be wholly non-partisan, the members being asked only to vote for candidates who favored prohibition; (3) to adopt all honorable means to win success; the result to depend wholly upon God's grace and pleasure. In July, 1889, the liquor dealers of South Dakota also assembled and perfected an organization for active work against the proposed prohibition plank or clause in the constitution. They raised a large sum of money, brought able speakers from outside, and used every endeavor to have the voters defeat the proposed prohibition clause. They called attention to the fact in their circulars that during the years from 1880 to 1885 only six or seven states had adopted prohibition, while from 1885 to 1889 nine states which voted on the same question caused its defeat.

At the Constitutional Convention in Sioux Falls on July 4, 1889, the prohibitionists announced with much satisfaction that the prohibition clause had already been adopted by the vote of May 14th of that year, and that it had been made clear by such vote that the measure would be made a clause of the new constitution. However, the enabling act provided that this question should be submitted separately to the voters of the state; but the prohibitionists were confident, owing to the results of the May election and of the attitude generally of the people throughout the state, that the clause even though submitted separately would be carried and become a part of the new constitution. The vote of May 14th was merely to authorize the submission of the constitution, to the vote of the people, and the separate articles were to be submitted at the October election of 1889, at which time all questions were to be voted upon.

During the summer of 1889 large and enthusiastic prohibition meetings were held in all parts of what is now South Dakota. The prohibition advocates raised a large expense fund, secured tents, visited all the thickly settled rural communities as well as the towns and cities, and did everything in their power to kindle interest in the subject and win votes at the October election. Editors in many of the cities were secured to assist the movement through the medium of their papers. Able speakers were brought here from abroad and the brightest minds of South Dakota were placed on the stump to accomplish the result desired. Ex-governor St. John, of Kansas, was here in July. He spoke at Aberdeen and sharply assailed local option, and eloquently predicted victory for constitutional prohibition in October. The prohibition campaign committee tried to secure Sam Jones and Sam Small to speak forty days during the fall, twice a day on prohibition, to begin August 20th, but were unable to do so. Rev. J. H. Heater, a colored temperance orator, was secured to help the movement. At this time a prohibition periodical called the Bulletin was issued at Yankton under the editorship of Prof. A. F. Bartlett, of Yankton College. It did much to aid the cause at this critical period. During the campaign he printed and sent out 20,000 copies of the paper, and announced that every copy was paid for. At the Democratic State Convention at Huron in September, 1889, a prohibition plank intended for the party platform was voted down after an acrimonious discussion by the delegates. A plank opposing constitutional prohibition was finally adopted amid much confusion and many uncomplimentary personalities. The convention platform favored a well regulated license law. The convention declared that prohibition was not a party question, but was only one of expediency.

During the campaign of 1889 the prohibitionists became arrogant and self-important and threatened to defeat the entire constitution unless the prohibition plank was supported and made successful at the October election. As nearly all residents of the state ardently wanted admittance to the Union many no doubt supported prohibition in order to be sure that no straw would be placed in the way of the election in October.

At the election in October, 1889, prohibition was triumphant. The clause which was voted upon read as follows: "No person or corporation shall manufacture or aid in the manufacture for sale any intoxicating liquor; no person shall sell or keep for sale as a beverage any intoxicating liquor. The Legislature shall by law prescribe regulations for the enforcement of the provision of this section, and provide suitable and adequate penalties for the violation thereof."

The republican party, previous to the election and at their state convention held in Huron, adopted a plank favoring prohibition. It was thought during the campaign that this might cause members of the party who opposed prohibition to vote the democratic ticket. However, the result of the election showed that the prohibition plank cut no figure in the votes on the other questions. The democrats had predicted all sorts of calamitous results. If the prohibition question had any outside effect it rather seemed to increase the strength of the republican party ticket. The total vote cast in favor of prohibition was 39,608 and against prohibition was 33,456. The constitution received 76,411 in its favor and only 3,247 were cast against it. Minor representation received in its favor 23,309 and against it were cast 45,307. The total vote polled in this constitutional contest was 79,658.

On October 14, 1889, several praise meetings over the result were held in the state. One assembled in Pierre was largely attended and enthusiastic, the rink being crowded and even the aisles filled. Amid great enthusiasm eloquent speeches were made by Governor Mellette, L. G. Fletcher, Congressman Gifford, Senator Moody, Senator Pettigrew, Attorney-General Dollard, A. Wardall, Judge Edgerton, T. D. Kanouse and others on the splendid start thus far made by the young state in the cause of temperance. Music enlivened and punctuated the brilliant speeches. Similar meetings were held in Sioux Falls, Aberdeen, Watertown, Huron, Vermillion and other cities and villages of the state.

Succeeding the triumphant election of October, 1889, the temperance people of the state strengthened the South Dakota Enforcement League and sent warm congratulations and greetings to the people of the state for the great victory. The non-partisan prohibition organization performed this much and then passed out of existence. The South Dakota Enforcement League took up the work and prepared to see that the prohibition clause was duly enforced. The organization was perfected in Pierre on October 15th and six days later, at a subsequent meeting, the following officers were elected: Rev. William Fielder, president; E. English, secretary, and T. H. Kent, treasurer. The object of the new organization, as stated in its circulars and manifestoes, was to strengthen and keep up the spirit and fight against the liquor element which was yet prominent and strong in South Dakota, and to secure a Legislature that would aid the officers of the league and the temperance people generally to enforce the prohibition clause of the constitution just adopted. All temperance people were urged to join the organization and assist in the enforcement movement. It was realized that the adoption of the prohibition clause was only the first step in the direction of the desired result, and that the next step was to secure from the Legislature the passage of the necessary enforcement laws. This step proved to be a much more difficult one than had been expected.

In November, 1889, the Enforcement League after mature deliberation decided that it would take no steps, was useless to try to enforce prohibition until the Legislature should fix a penalty for violations of the recently adopted prohibition plank of the constitution. This at once was seen to be a weakness in the movement—no penalty for violations had yet been provided. In the meantime the Enforcement League prepared to raise \$1,000 with which to enforce such a law as was expected would be passed by the Legislature in January, 1890. In every part of the state the old prohibition league branches were reorganized, reconstructed and made active members of the new organization.

The proclamation of President Harrison in November, 1889, admitting South Dakota to statehood, put the new constitution into effect immediately. Likewise the prohibition clause went into effect at the same time. The whole constitution was made the law when the proclamation was issued, but, as before stated, there was no penalty attached to the prohibition clause until the Legislature should establish one. It was known that the new law would not take effect until ninety days after the adjournment of the session, unless passed by a two-thirds majority of all the members elected to each house. Thus the lack of a penalty clause really rendered the prohibition plank of the constitution nugatory until a law fixing a penalty should come into effect. This fact caused great rejoicing among the liquor people throughout the state. They immediately saw that they had the

advantage, because they could in all probability run wide open until such a law should be passed and should become operative. The liquor people also believed that if they could postpone the passage of a penalty law by the Legislature, they might in the end succeed in defeating wholly the prohibition clause by the voters of the state.

Thus prohibition at once became one of the most important subjects for consideration. There was present a strong delegation of lobby ready to fight for the passage of an enforcement law. Rev. William Fielder was present and had in his possession a bill to this effect, which had been prepared in advance by the State Enforcement League. This bill was extremely drastic and far-reaching in its restrictions, provisions and effects. It provided for regulating the sale of liquor for medicinal, mechanical and scientific purposes; for compensating the wife, child and parents for injuries suffered through the intemperance of relatives; for preventing the dispensation of intoxicants through clubs and associations; for procuring evidence to be used in suits against liquor sellers; and for the annihilation of the so-called blind-pigs, holes-in-the-wall and boot-legging saloons. Severe punishment for violation of this law was provided.

In January, 1890, Judge Aiken, of the Second Judicial Circuit, in a case brought before him, decided as had been expected that there was no law in existence in South Dakota by which a violator of the prohibitory clause of the constitution could be punished. This case came before him at Canton. A citizen was enjoined for selling liquor. He disregarded the injunction and continued to sell, and thereupon was arraigned for contempt of court, but upon trial the judge decided that he was not in contempt.

The Enforcement League at once presented their bill providing a penalty for violations of the prohibition clause of the constitution. It was duly introduced in the Legislature in January, 1890, and was similar in its provisions to one that was then pending before the Legislature in Kansas. Its six objects were: (1) To regulate the sale of liquor for medicinal purposes; (2) to pay families for damages caused by sales of liquor; (3) to stop the circulation of liquor by clubs; (4) to procure injunctions and obtain evidence; (5) to force drunkards to tell where they obtained the liquor; (6) to control the transportation of liquor by railways. About this time Attorney-General Dollard expressed the opinion that violators of the prohibition clause of the constitution were liable for punishment under the laws then existing. This gave great encouragement and delight to the temperance people throughout the state.

Late in January Rev. William Fielder, in an article in a temperance paper, announced that a clause concerning sacrament wine would be placed in the enforcement bill then being considered by the Legislature. He said: "In view of the magnificent service which the reverend gentleman (R. O. Brant) together with hundreds of his countrymen rendered in the recent prohibition campaign and to the end that they might not be inconvenienced in following their conscientious convictions in regard to this matter, the friends of the measure cheerfully agree to concede the point to them." Rev. R. O. Brant was a prominent Lutheran minister of Deuel County. The Yankton Press and Dakotan said on January 28, 1890: "The elder does not believe the use of fermented wine for sacramental purposes is authorized by divine law or should be encouraged by profane law, but is willing to outrage his secret opinions that he may pay an election bribe to

Rev. R. O. Brant and his followers. Bishop Hare's appeal in behalf of another denomination would have gone unheeded, because Elder Fielder does not know that Bishop Hare and the Episcopalians voted for the prohibition clause."

Governor Mellette, who had been present at the Republican State Convention in 1890, openly announced himself in favor of prohibition. As a matter of fact, Major Pickler was elected to Congress as a prohibitionist. All non-partisan democrats and republicans alike were treated as if they were prohibitionists by the Woman's Christian Temperance Union at the Chicago National Convention this year. Miss Willard presided on this occasion and protested in a strong speech against the proposed non-partisan amendment to the constitution of the Woman's Christian Temperance Union. Her views were opposed by all the delegates present who favored a non-partisan course. At the convention Mrs. Barker, in order to be heard amid the great confusion, went so far as to stand on a chair and state her views at the top of her voice. She, like Miss Willard, believed that both politics and suffrage could be, and should be, made to aid the cause of temperance. Hence both opposed non-partisan action. At this convention Senators Allison and Quay and Hon. J. S. Clarkson were severely reproved by the delegates for their objectionable attitude on the prohibition question.

Early in March, 1890, both houses of the Legislature, after due consideration and brilliant debate, passed the enforcement bill and authorized that it should go into effect April 1st. The House agreed to the Senate amendments, but immediately after the passage of the measure there was introduced in the House a supplement to the law.

The prohibitionists at this time did not take a position that was altogether satisfactory to many people in the state. During the campaign of 1889 they had conducted their proceedings with a high hand, had invaded politics, had threatened and domineered, and had used every practical method which politicians adopt to win at the polls. They did not hesitate, as before stated, to threaten the life of the constitution itself in case their demands were not granted and their purposes upheld. This attitude was regarded by many as no better than the bulldozing and domineering tactics employed so often and so successfully during political campaigns. A considerable number of people throughout the state who were in favor generally of temperance, opposed therefore the high-handed and domineering tactics of the prohibition movement. Bishop Hare in the *Church News* of March, 1890, said, "What I would dwell upon is the ominous fact that his disdainful and supercilious conduct largely marks the course of the prohibition movement. Excellent as some of its advocates are, the movement has become self-righteous and pharasaical. It looks askance at every one who does not wear a coat cut after its fashion, and points him out as a target for the back-biter. Honest Christian men who would be brethren and fellow workers in the cause of temperance are flung off as enemies, or worse, as traitors. With them the temperance man, unless he be a teetotaler, is as bad as an inebriate. And the advocate of high license is denounced as worse than a saloon keeper. It is forgotten that our Lord rebuked those who reported to him, 'We found one casting out devils in thy name and we forbade him because he followed not us.'" The bishop further said, "In my opinion the bill in question is unworthy of a free, straightforward people. It is essentially levitical and non-Christian. It is apron-string legislation. It undertakes to treat all persons as though they were chil-

dren. Besides it is inquisitorial and particular. The legislation regarding an article which in one shape or another, for one reason or another, men will have, and its stringent provisions, will drive them to get it by equivocation and by tricks and evasions. Under its operation subterfuges will abound. There will be no way of blocking one's self against the powerful and intolerant majority than by equivocation and circumvention. Intended to make men sober, this law will tend to make them liars. Drunkards are loathsome, but more hateful still are a people who, deprived of their liberty, have become cowardly, secretive and false." This was the attitude of the whole Episcopal Church. Probably the attitude of the church was caused by the course of the prohibition movement against wine at the sacrament. However, there was a general feeling much of the same character that was entertained by many other people than Episcopalians throughout the state. It was not so much what was at stake as it was the intolerant, domineering and self-righteous attitude of the prohibition movement at this time.

In the spring of 1890 saloons generally throughout the state, regardless of all laws or absence of laws, conducted their business wide open. At Deadwood for a time there was no pretense at closing the saloon doors. Accordingly the temperance people assembled in large numbers in mass meeting for the organization of an enforcement league branch. E. W. Martin, a member of the State Constitutional Convention at large, presided. The organization was effected with a total membership of twenty-six. It was concluded to commence a vigorous campaign against the sale of liquor, but they soon found that there were many obstacles in their way. There was the original package subterfuge. This was used as a pretense to introduce large quantities of liquor into the citites of the state. A general system of evasion and deception was practiced brazenly and with immunity at this time. Many saloons where opposition was encountered filled liquor bottles with soda water and other light drinks and displayed the same in windows, but their intention was soon well understood by the temperance people. The Enforcement League generally opposed the original package. In other places, as for instance Sioux Falls, where the open selling of liquor over the bar was violently opposed, the sale was accomplished ostensibly in original packages under certain legal conditions. The same situation prevailed in Aberdeen. In several places public opinion was so strong against the saloons that the open saloons were closed, open treating was abolished; but still liquor continued to be sold in large quantities in original packages. In this emergency the Enforcement League enjoined several large liquor houses from disposing of liquor in original packages. This occurred at Aberdeen and required many months before the subject was settled, if it was settled at all. Finally such places became called "original packages" instead of saloons.

About the middle of July Tyndall County began to grant licenses to dealers in original packages. Deadwood had begun the same practice a short time before. It was believed by temperance people that this step was wiser, because the original package movement could thus be controlled, and it was certain it could not be prevented. Early in August the original package law passed the House of Congress and soon afterwards became a law. It was called the Wilson Bill and was signed by President Harrison on August 10th. This caused the original package houses in all parts of South Dakota to close their doors until they could devise methods of evasion. The Enforcement League at this time was thoroughly reorganized and began action along the new line.

By September, 1890, there were open saloons at Sioux Falls. This was due, it was claimed, to the attitude of a new state's attorney who permitted evasions of the law. At once much excitement prevailed because the temperance people promptly secured bench warrants for the arrest of all saloon keepers who thus had opened for business. By the middle of September there were three organizations in that city whose object was to see prohibition enforced. They were the Law and Order League, the Enforcement League and the Committee of One Hundred. However, in spite of these endeavors, no genuine and persistent effort to enforce the prohibition law had been made in that city up to the last of September. At this time there were thirty-two places in that city where beer and whisky could be had for the asking. After the passage of the Wilson Bill the original package plan of the liquor element was abandoned and liquor was placed on the bar as if no prohibitory law existed. In several saloons keg-beer was drawn openly for customers. Previously, when under the old license law, there were in Sioux Falls twenty-two saloons which paid into the city treasury annually \$22,000, but now there were thirty-two saloons running wide open without paying a dollar into the treasury. These facts were brought out with much emphasis by the local newspapers. The same conditions prevailed in many other cities of the state, particularly in the Black Hills. It was further noted that under license the sales were regulated; now they were not. The temperance people under these conditions said, "Just wait until after election; we will show you what will be done." At Deadwood in September thirty-eight injunctions, orders or warrants were served on saloons and original package joints amid great excitement. Crowds gathered in the streets and the officers were hooted and jeered. This court action was the work of the Enforcement League. Deadwood really had voted against prohibition, but when the injunctions were served all saloons were placed in the custody of the sheriff. Such was the condition throughout the state generally during the fall of 1890.

After the election of November, 1890, temperance matters were in more or less of an uncertain and chaotic condition in all parts of the state. Under the original package laws saloons ran much as they had before, and even after the decision of the Supreme Court had settled the principles of the original package law, means were found in all the villages and cities to evade or nullify the law and continue the sale. It is an astonishing fact of history that city officials in all parts of the state connived at this infraction of the law, even if they did not actually assist or co-operate in the unlawful proceedings. This reprehensible state of intemperance and immorality in many cities is shown by the course of the liquor dealers and the city officials of Yankton in January, 1891. Judge Barnes, one of the Committee of One Hundred, in an open letter to the public on the 30th, presented the following facts and made the following plea: That at the instance of a few men many citizens had petitioned the city council to collect a revenue from all liquor sellers, which had been done, thus practically putting a license system in operation; that saloon keepers, by paying \$25 monthly in advance into the city treasury as a so-called penalty, could continue the sale of liquor without further molestation except to pay the extra sum of \$150 to the city marshal, without accounting therefor to the city treasurer, as his fee to see that no seller evaded this penalty; that officers shook dice to see who should pay for the drinks sold under this regime and immoral women were permitted to ply

their business in the saloons; that a certain man who had testified in court to this reign of vice was told that for \$150 he could be knocked on the head and thrown into the river, and under coercive measures was required to make oath to the contrary; that five men went to his residence at night to tar and feather him and that he, being apprised of these circumstances, had fled "lest he should be slugged and put into the river."

"Do the people know that these saloons have not only been in this way licensed, but have been put under certain so-called regulations, the men running them being given to understand that they will not be disturbed so long as the rules are complied with? Yet even such rules have with impunity been broken. Furthermore, gambling, fighting and things still worse have in some of these licensed places been going on and the licensing has multiplied the evil. The saloon men complain bitterly of being disturbed. And after the encouragement of the petitioners and the action of the council, they argue well for many usual standpoints and with great force of reasoning when they maintain that they are less to blame than the petitioners and the council. There can be but one result to persistent antagonism to law. Law will be vindicated, as it always has been in this country, though sometimes by blood. There can be no suited harmony without right. Violence must come of determined wrong—violence to the innocent and punishment to the guilty. Property is nothing, even blood is nothing, when set in the balance with manhood and womanhood. In sacrificing virtue we lose all. Yankton cannot secure harmony and keep her saloons. This is not a question of sentiment or prohibition, but it concerns law and order. What says the fundamental law to the citizens?" asked Judge V. V. Barnes, of Yankton.

Immediately after the November election of 1890, Rev. William Fielder of the South Dakota Enforcement League issued a circular in the name of the league declaring war on all violations of the prohibitory clause of the constitution. He announced that all officers who did not enforce the constitutional measure would in all cases be asked to resign. He announced that Judge Caldwell and other judges of the United States Circuit Court had rendered opinions which permitted the Enforcement League to take this step if it saw fit.

In December, 1890, the Supreme Court decided that uncovered boxes containing sealed bottles were liquor in the original package. During this month saloon keepers in all parts of the state were arrested and fined in the courts under the prosecution of the Enforcement League.

"While the law passed to enforce the provisions of the constitution prohibiting the manufacture and sale of intoxicating liquors has not proven as successful as friends of temperance could desire, it is believed that the result is to be largely attributed to the decision of the Supreme Court of the United States, which has weakened public confidence in a measure. It is however enforced in most sections of the state and by its means the evils of intemperance are believed to be largely diminished."—Governor Mellette, 1891.

At the legislative session of 1891 a prohibition bill was introduced into the Senate by Reverend Fielder, of Huron, who had been elected senator. It was called the Resubmission Bill. Other bills similar in nature but somewhat different in form and requirements were also introduced at this session. Immediately after their introduction the fight over their passage commenced. The license men had a large lobby present and were determined upon resubmission. The Enforcement

League and other temperance movements were equally determined, united and strong.

Committees of one hundred were formed in several of the cities to see that the prohibition law was enforced. The Press and Dakotan of February 4, 1891, said, "Our law practically excludes certain classes who do not regard the drinking of beer as a deadly sin. In this country the law is not sustained by public sentiment. Nine-tenths of our people are in favor of license and opposed to holes in the wall. With such an array of sentiment against the law how can it be enforced? Is it not infinitely better to have a revenue from the sale at home with the breweries running, than to have at least five hundred dollars each week sent to Nebraska, Illinois, Wisconsin, Minnesota, Ohio, Kansas, Pennsylvania, and other states for original packages? The individual who is fond of stimulants will use them if he has money to procure them. Hence it follows that either his money must be taken from him or his stomach in order to stop him from drinking."

Finally the question came to an issue—"Shall the Resubmission Bill pass?" By the middle of February the measure had found no serious trouble in getting through the House, but there was intense fear by its advocates that it would be unable to pass the Senate. The lobbyists for the measure did herculean and effective work. At the beginning of the session an actual and outspoken majority of the House opposed the bill, but the acute lobbyists resorted to every means in their power to secure the votes of the members. Finally, amid much excitement, the bill passed the House by the vote of sixty-six for and forty-seven against, with eleven absent and not voting. This result gave the bill eight votes to spare. Upon the election of Mr. Kyle to the senatorship there were continuous rumors that the democrats had voted for Mr. Kyle in return for votes in favor of resubmission. It was covertly admitted that this trade was not made directly with Mr. Kyle, nor perhaps with his closest friends, but that there were reasons for believing that a considerable body of democrats had gone over to the support of Mr. Kyle with this understanding. Many of the opposition supported the bill, or at least claimed they did, because Elder Fielder, the president of the Enforcement League, had endeavored to help the republicans in the organization of the House. The resubmissionists at once continued their desperate work to win in the Senate. The newspapers of that date said that they stopped at nothing. When they could not win by arguments, they threatened by political death. When such a threat failed they deliberately and openly aimed to defeat all bills in which those members were interested, including those for appropriations, and in every possible way sought to secure support by fright or other effective means. Finally the resubmission project was killed in the Senate by the narrow margin of twenty-two against to twenty for. The enemy had been alert and vigorous. It had furnished a powerful lobby and \$10,000 in cash, but without avail. The Senate respected the wish of the people generally who did not care for resubmission at this time. Important facts were disclosed during this memorable contest.

It was openly declared that the unbearable measures and tactics of the prohibitionists during the campaign of 1890 in unjustly securing by threats the prohibition clause were now the reason for the passage of the resubmission measure by the House. It had been declared before and was again stated on

the floor of the House that the prohibition clause of the constitution passed because the people were willing to vote for anything in order to secure statehood and did not desire to complicate matters, and hence everything and anything went forward without opposition. They thus voted for prohibition to save themselves from a worse fate, when they really did not want prohibition. This fact was further proved, it was declared, by the constant violation of the spirit and intent of the constitutional provision itself.

It was during this session that the prohibitionists declared that Senator Kyle had changed his stripes, was a chameleon, had voted for prohibition, but now was in favor of anything—resubmission, local option, or license. They further declared that he was thus too vacillating in principle and untrustworthy as far as the temperance movement was concerned. The vote in the House on the resubmission question was not a matter of politics, as the vote was almost equally divided between the two principal parties. The independents were a little stronger for resubmission than were the republicans, while the democrats were almost solid for resubmission.

In July, 1891, Judge Plowman of Deadwood, in a case which tested the constitutionality of the prohibition clause, decided that no law should embrace more than one subject and that the subject should be expressed in its title. On this ground principally and on others partly he decided that the existing law concerning prohibition was unconstitutional. The constitution, he said, limited the power of the Legislature to prohibit the manufacture for sale and the keeping for sale of such liquor as a beverage. The article did not prohibit the manufacture for any purpose except that of sale and did not prohibit the keeping of intoxicating liquor for any other purpose than that of sale as a beverage. It would be lawful, he said, to keep liquor for medical, sacramental, scientific, mechanical or any other purpose than that of sale as a beverage without any further legislation. The title of this act did not say "as a beverage," and hence did not embrace in the title as per the constitution the actual subject of the law, and hence was to that extent unconstitutional. It was necessary, he said, to go from the act to the constitution to find the meaning of the act. There were other matters interwoven with this point which made the law confusing, and therefore the judge sustained the demurrer under which the case had come to his attention. He thus declared the enforcement statute which had been passed by the Legislature unconstitutional. He said that the title contained more than one subject, and that in this law there were provisions not contained in the title. This was denied by several newspapers throughout the state, one of which was the Sioux Falls Press. That paper declared that the title was simple, specific, sufficient and contained generally in the title the whole subject. However, at a later date even the Press admitted that the decision of the judge was just because based upon facts. The clause of the constitution was complete prohibition. The enforcement law, therefore, in order to confine itself to one subject, must contain only prohibition. But both the statute and its title pertained to other matters than prohibition and essentially and entirely affected the prohibition principle. It attempted to regulate the sale for medical, sacramental and mechanical purposes. Prohibition and its regulation were entirely different. To regulate meant that the sale could be carried on under certain rules; but prohibition meant that the sale must stop wholly. Therefore the enforcement act, with the many indications thereof in its

title, attempted to confer judicial powers upon the state's attorney and permitted him to fine recalcitrant witnesses for contempt contrary to the constitution. Also defendant was required under the enforcement act to give evidence against themselves contrary to the limitations of the constitution. Also under the nuisance section of the act owners of property could without process of law be deprived of such property contrary to the constitution. Furthermore an assistant state's attorney could under the act stop the courts of the state. Still further, although there was nothing in the title for a penalty for intoxication, the enforcement statute declared it a misdemeanor for any person to appear in an intoxicated condition in any public street. Consequently, for these reasons, Judge Plowman held that the enforcement act was unconstitutional.

In other cases throughout the state the same principles were brought out in even a clearer light; so that in the end it was classified and held by the courts: (1) It is unconstitutional because the law contains more than one subject and the subject is not expressed in the title; (2) because it violates the citizens' rights of property by seizing and destroying the property without a hearing, or a defense or a judgment of any court; (3) because it violates the right of liberty and the security of his person by arresting him without a warrant, or a judgment of any court or without any hearing; (4) because it compels the defendant to be a witness against himself; (5) because it allows and authorizes a lawyer who is not a judge nor an officer of the law to arrest and imprison people upon his own order without the order of any court; (6) because in a certain case it deprives a citizen of the right of being confronted face to face with the witnesses against him, and of cross-examining them; (7) because it makes the mere use of liquor a crime; (8) because it contains more than twenty distinct and separate subjects not related to nor connected with the main subject in any manner; (9) because of these reasons it violates the constitution of the state and of the United States. This was the consensus of opinion in the courts early in 1891 concerning the enforcement act passed by the Legislature. Judge Edwin T. White also decided the enforcement act unconstitutional in a case tried before him similar to the one taken before Judge Plowman in the Black Hills. This defense was taken up by the liquor people all over the state to justify themselves as soon as the judgment of the courts became known.

In July, 1891, Rev. William Fielder, on behalf of the Enforcement League, denounced at length and in unmeasured terms the decisions of Judges Plowman, White and others in different parts of the state. He said, "I am not surprised. This is the history of prohibition legislation in every state that enjoys it. The weakness, real and apparent, of other laws is frequently ignored or overlooked, but never of prohibitory laws. They are attacked from every conceivable standpoint and with all the ability and ingenuity man can command. Not only are glaring flaws discovered and flashed into public notice, but defects which can be seen only through a powerful microscope are made the basis of vigorous assaults from the opposition. * * * Prohibition generally in the eastern portion of the state is working well; in a few localities quite poorly. The way it operated in many communities on July 4th was a great surprise. The good behavior and soberness of the multitude at Brookings, Watertown, Wessington and elsewhere were matters of general comment. The like was never before witnessed in the state, and many were converted to prohibition by what they saw on that day. I am

not enough of a crank to say that prohibition is a perfect success, but I do assume that in the average community in this part of the state it has wrought a great change both in intemperance and in the amount of crime committed."

In August, 1891, Bishop Marty charged openly that prohibition in South Dakota was a failure as a temperance reform. He had organized and was still thus at work organizing total abstinence societies in his church. He claimed that temperance had lost ground since its friends had stopped work, because they had left the prohibition clause of the constitution and the enforcement act to do the work which they should then be performing.

In 1890 action was commenced in the court at Sioux Falls to close the Sioux Falls Brewing Company under the prohibitory clause of the constitution. In March, 1892, in the case taken before Judge Aikens, the court decided against the companies, whereupon an appeal to the higher courts was promptly taken.

During the spring of 1892, at the municipal elections in all parts of the state, the citizens considered and acted upon the prohibition question. In many cities prohibition boards of trustees or aldermen were elected and in many instances there were open fights at the polls. As a whole prohibition in the majority of instances was defeated at these elections.

In March the Supreme Court reversed the decision of Judge White in the case of the State vs. John Becker, at Yankton, which had involved the prohibition law. Thus the Supreme Court upheld the constitutionality of the constitutionality of the prohibitory clause.

In 1892 the saloon keepers at Pierre paid the police sums of money for so-called licenses, and were thus given immunity to sell liquor openly. One saloon keeper succeeded in getting a judgment against the city in a peculiar case that was taken before the court.

In the fall Rev. William Fielder lectured over the entire state on the prohibition question, and did all in his power to kindle enthusiasm for the cause of temperance.

In 1892 the liquor men were not idle, they were even more determined than the prohibitionists were or had been. They invaded every county and in many instances succeeded in securing the nomination and election of resubmissionists to the Legislature of 1893. During the campaign the liquor people brought every influence to help secure the election of men favorable to their cause. Sometimes they succeeded and at other times did not. When the Legislature finally assembled it was at first thought that the members were about equally divided on the subject. The Woman's Christian Temperance Union and the State Congregational Assembly, both of which had conducted elaborate and spirited campaigns, appointed commissions or lobbies to wait upon the Legislature and look after the interests of prohibition. Rev. William Fielder was present, active and prominent at this session. The prohibition people realized that the attitude of Senator Pettigrew and of the republican leaders would have much to do with the fact of the resubmission question; therefore every effort to influence these members in favor of prohibition was made. The populist and republican leaders found that they must divide upon the resubmission question. This was determined upon, as it was learned and believed that politics after all had nothing to do with the question. As a matter of fact both parties in the Legislature moved with caution in order not to offend either the prohibitionists or the resubmis-



Postoffice

South Dakota State Prison

Scene in Sherman Park

Queen Bee Falls

Main Avenue, north from Ninth Street

SCENES IN SIOUX FALLS



sionists. The liquor men threatened the members and so did the prohibitionists, with the result that the members of both houses hedged and resorted to artifice to prevent a climax on the question. It was believed at this time that about 40 per cent of the vote of the state favored prohibition, and it was further admitted that about two thirds of the prohibitionists were republicans. Much artifice was resorted to by all factions to win success. The prohibitionists threatened to go over bodily to the populists unless the republicans should support prohibition. Senator Brockway introduced the joint resolution to resubmit the prohibition clause to the voters of the state. The resubmissionists managed to secure control of the committees in charge in the Legislature and at the start had much the advantage. To aid the prohibition movement Professor Free of Yankton College went to Pierre to assist in the fight against resubmission. Many other prominent men and women throughout the state did likewise. Other bills on the subject were introduced. One provided that the prohibition clause should be voted on by women. Another called for a constitutional option amendment with municipal local option and state liquor inspection. All measures were finally defeated, though a license bill was introduced at the last minute.

At a mass meeting held in Sioux Falls late in July, 1893, the feasibility and practicability of enforcing the prohibition law was fully considered in a public discussion by the ablest speakers of the city, among whom were Judge Edgerton, E. B. Meredith, Judge Brookings and Mr. Caldwell. Judge Brookings said that he had voted for prohibition, but did not believe now that it could be enforced in Sioux Falls when twenty-two ministers and churches and the officers of the city did not exert themselves to enforce the law. He opposed useless prosecution, and as the liquor sellers could not be converted why pile up expenses? He said that the prohibition people had shown themselves to be cowards in fighting against resubmission and in refusing to submit prohibition to a popular vote. He said, "I don't care how bold you talk, or how loud you cheer your speakers; you showed yourselves rank cowards when you refused to submit this question to a vote of the people." Mr. Meredith was president of the Baptist College at Sioux Falls, was a member of the Commercial Club and had greatly aided the enforcement movement. He united with the sheriff in a movement to secure incriminating evidence against the liquor dealers.

At a union service meeting held about this time by the Ministers' Association of Sioux Falls they stated their belief that enforcement in Sioux Falls would be a difficult measure to put into effect. Bishop Hare stated that he was not a prohibitionist and declared that the present campaign against liquor was of no use. Reverends Meredith and Walsh led the crusade against the liquor men in Sioux Falls in the summer of 1893. A petition was prepared and presented to the attorney general asking that State Attorney J. R. Bailey be instructed to take no further action to execute the enforcement law.

In January, 1895, Mrs. Cranmer, Mrs. Simmons and other prominent members of the Woman's Christian Temperance Union, earnestly and vigorously opposed the proposition of resubmission. Strange as it may seem many saloon keepers and wholesale liquor dealers likewise opposed resubmission, because their net profits under the existing conditions were known to be greater than they could possibly be under the proposed license law. The Val Blatz Brewing Company and the Pabst Brewing Company both opposed resubmission. They believed

that should license succeed, it would mean grave injury to their business. All owners of drug stores and all wholesale and retail liquor dealers accordingly did all they could against resubmission. They desired to continue as they had been doing business and were opposed to license. It was known at this time that the state government had granted in the district east of the Missouri River a total of 1,100 liquor licenses. As there were but about two hundred drug stores in that section, it was realized that there must be 900 blind-pigs or saloons. Saloons at this time were running wide open with no concealment or hindrance as they seemed to have nothing to fear. Mrs. Cranmer and Mrs. Simmons worked for a law that would take the sale of liquor from druggists and permit all sales to be made by state agents appointed for the purpose. This action was taken because they believed it would prevent drunkenness and because they did not believe that prohibition could be enforced.

Early in January both houses were deeply immersed in the consideration of the resubmission question under the spur of the lobbies for and against that movement. On a test vote in the House forty-nine favored resubmission and thirty-one opposed it. About the same time the Senate showed a decided majority for resubmission. Thus it appeared at this time that the wishes and demands of the liquor element for the resubmission of the question to the voters of the state would triumph. With this Legislature as with the former ones, but even more so now, the question of economy was of preponderating importance owing largely to the hard times that, it was believed, would result from the Taylor defalcation. At this session also, there were proposed many amendments to the constitution. All were discussed and analyzed, but nearly all were defeated in the end. This Legislature was petitioned by thirty-one counties, with a total of 6,000 names, which asked that the prohibition clause of the constitution be not resubmitted. In spite of this lengthy and impressive petition, the Senate almost immediately thereafter voted in favor of resubmission by twenty-six for and seventeen against. This was the testing or preliminary vote after a stormy session of two and one-half hours, during which all sides of the question were considered, discussed and torn to tatters. On final vote the Senate stood—for resubmission twenty-four, against it nineteen.

In October, 1895, at a conference of prohibitionists at Huron it was decided to place a full prohibition ticket in the political field in 1896. A considerable expense fund was raised and measures to secure strong speakers from outside of the state to assist in the movement as well as to place on the stump the ablest friends prohibition had in South Dakota, were put in operation.

In January, 1896, there were in the state east of the Missouri River 1,400 liquor licenses. Of this number only a comparatively few were saloons, the largest number being drug stores which dispensed liquor in bottle to any person who had the money.

In April, 1896, the prohibition district convention was held at Yankton. George S. Evans delivered the opening address. Present were Prof. J. E. Todd, of the University, who discussed the subject "The Saloon versus the School;" Mrs. Luella Ramsey, of the Woman's Christian Temperance Union, addressed the convention on the work of the Union; A. E. Turner delivered a strong speech on the subject "Saloons versus Business;" W. D. McMullen spoke on the subject "The Saloon Always a Destroyer;" Dr. T. M. Williams delivered an able

address on the subject "Ammunition of Our Foe;" H. R. Warren spoke on the subject "The Saloon in Politics;" Col. C. J. Holt delivered an address on the subject "Ten Dollars and Costs." This convention resolved that prohibition was the best means to annihilate the liquor traffic and that inaction to enforce it was a crime. The convention further endorsed the object and work of the non-partisan prohibition convention of South Dakota and the action and course of the Woman's Christian Temperance Union.

In May, 1896, the Bankers and Business Men's Association of Sioux Falls prepared to fight the prohibitory law during the fall campaign and during the summer continued to enroll members until they had a large following. Nearly all the business men and bankers of that city signed their names to this agreement. They formed personal rights leagues throughout the state and carried on a vigorous educational campaign, and in doing this published statistics which they sent out in circulars.

The Non-Partisan Prohibition Union at the state convention held at Madison, July 6 and 7, 1896, issued the following address to the people of the state: "The people of South Dakota have three times voted upon the questions of the prohibition of the saloon: Twice at the general elections and once by counties. Each time the result has been in favor of prohibition, culminating in 1889 in the handsome majority of 6,053. This vote placed the principle in our constitution, and gave us our present prohibitory law. These several votes prove the settled conviction of our people that the liquor saloon ought to be suppressed. All good citizens, irrespective of their private opinions upon the liquor problem, must insist that the will of the majority, so often expressed at the ballot-box, should be implicitly obeyed. To admit the doctrine or practice of repudiation of that will, is to strike a deadly blow at the most fundamental principle of this free government.

The liquor traffic, true to its nature, has utterly set at naught the right of the majority to rule. Bribes, corrupt alliances, and open defiance of the law have marked its course in every detail, from the days of the whisky rebellion suppressed by Washington down to the present time. Owing to its great resources and compact organization it has to some extent prevailed in its rebellion against the people, and has finally thrust upon us again the issue three times previously decided at the ballot-box. The re-opening of this issue was not done, as has been pretended, in response to the popular demand, but at the instigation of those who were in a criminal relation to the law, and hence always with it. We must vote in November next upon the question whether the principle of prohibition shall be maintained in South Dakota, or whether we shall submit to the domination of that insolent, rebellious and utterly polluted and corrupting institution, the legalized saloon. We believe the answer this year will be the most decisive yet. Instead of a majority of 6,000 it is within our power to make the majority of 1,896 more than three times that sum. To this end we wish to call attention to some very important things:

1. A decisive majority will settle the matter for years, perhaps forever, in our state.

2. Such a majority will place the people at a great advantage in asking for and securing the improvements so greatly needed in our prohibitory law.

3. The utterly evil character of the saloon is universally confessed. Men have agreed upon prohibition as the method by which to deal with theft, murder, prostitution, gambling, lotteries, slavery, and all other things destructive to society. They are fast coming to apply the same principle to the saloon.

4. Having established the principle of prohibition, it is folly for the state to now surrender to its most destructive foe.

5. Prohibitory laws are as easily enforced as any upon our statute books. For proof of this we need but cite the facts that scores of South Dakota towns, and, elsewhere, several millions of our American citizens, now enjoy blessed immunity from the blighting presence of the saloon.

6. We call attention to the morally degraded and lawless class of men who conduct saloons. Being of such a character it is not strange that they have insolently resisted the people's will. The people cannot afford to yield to the dictation of such men.

7. License laws have never been effective in reducing the evils that result from the saloon. The proof of this is overwhelming. Even so astute a liquor organ as the *Wine and Spirit Gazette* declares that "the men who favor high licenses as a temperance measure are either hypocrites or fools."

8. Our crusade is in no sense hostile to true personal liberty. While we may think it unwise for men to drink intoxicants at all, our laws do not forbid their doing so, but even seek to provide for all cases where the use of such elements is compatible with public safety.

9. The plea that prohibition must be abandoned because not universally enforced is not defensible. Such reasoning would require abandonment of every principle the wisdom of God or man has yet expressed in law.

10. If the saloon is right and safe, it ought never to be subjected to special burdens, nor favored with peculiar privileges; neither, in that case, should men at large be denied the privileges license propose to confer upon a very few. If the saloon is wrong, it should never be shielded and made respectable by law.

11. The seductive plea that a revenue may be had from the saloon is meant only for men defective in moral and patriotic sentiments, and for those who do not reflect. Such a thing is repugnant to that law of God that society no less than individuals must obey to escape disaster. All students of economics agree that the damage to productive industry, and the others that result from the saloon, are many times greater than all the revenues.

Finally, there is absolutely no issue before the people, or duty devolving upon good citizens, that takes precedence of the persistent outlawing and speedy extermination of the saloon. As we look for the continued favor of Almighty God, we must pay heed to his just and righteous law.

We exhort all good citizens, laying aside every partisan prejudice, to rise to the supreme duty of the hour, and use every honorable effort to maintain our present constitutional prohibition.—August 14, 1896.

In August, 1896, the Supreme Court dismissed the case of *South Dakota ex rel. S. H. Cranmer vs. Thomas Thorson*, and gave the defendant judgment for costs against the relator. This decision permitted the question of a prohibitory amendment to go to the people at the November election, 1896. This was a test case and was backed by the prohibitionists of the state. They endeavored to prevent a vote on the question this fall. Therefore the decision was considered a

victory for the anti-prohibitionists. The decision of the court was based upon the ground that it had no authority to interfere until the full act of legislation had been completed by the action of the people at the polls in November; that the Legislature had the power to submit any question to the people whether it was a constitutional question or not and that the people had the right to pass upon the question thus submitted. The people of the state were much concerned over this proceeding. It was a step to secure a temporary injunction to restrain Secretary of State Thorson from certifying to the county auditors the question of resubmitting the prohibitory amendment.

In the fall of 1896 the prohibitionists engaged in a quiet warfare against the saloons and the repeal of prohibition. Injunctions against many saloons in the principal cities were served, but the sale of liquor was continued in most instances by being removed to other buildings. At this time it was considered by many that the prohibitory law as it existed in the statutes was pretty much of a failure. It could not be enforced, or was not. In only a comparatively few places was prohibition really enforced. At this time there were in Sioux Falls twenty saloons, in Yankton twenty-two and in Scotland about twelve. In both Yankton and Sioux Falls beer was manufactured, Yankton having two breweries and Sioux Falls one. This beer was sold throughout the state. In the larger towns a license fee was collected monthly, \$1 per day being the regulation assessment; but in smaller towns the liquor dealer paid nothing and took his chances of being indicted by the grand jury.

In October, 1896, the Non-Partisan Prohibition Union held a two days' session at Miller. The old organization was disbanded and a new association called the Anti-Saloon League was formed. The first officers were: President, Rev. T. E. Carhart, Elk Point; vice president, I. A. Ramsey, of Woonsocket; secretary, S. F. Huntley, of Wessington Springs; treasurer, W. H. Robertson. The league proposed at once to take up the fight where the old organization had left it. The league prepared to test the matter of the legality of the election for the constitutional amendment concerning prohibition before the Supreme Court. The league maintained that the proposed amendment was not submitted in such a manner that the people could vote intelligently on the proposition.

The vote on the repeal of the prohibitory amendment at the November election, 1896, showed a majority in the state of 8,100 in favor of the repeal. Of this number 3,626 came from the three counties of Hutchinson, Lawrence and Yankton. These three counties alone gave 1,045 more majority in favor of repeal than all the counties which gave majorities against repeal combined gave in favor of the continuation of the law. The highest majority against repeal in any one county was 846 in Brookings. The counties which voted in favor of retaining the old law were Brookings, Clay, Deuel, Edmunds, Faulk, Hamlin, Hand, Hyde, Jerauld, Kingsbury, Lincoln, Marshall, Miner, Moody, Roberts, Sanborn, Spink and Sully. At this election there were cast a total of 57,722 votes on the question of prohibition. This was about 70 per cent of the whole vote cast.

In January, 1897, there was a strong contest in the Legislature and throughout the state in regard to the pending bill to regulate the traffic in intoxicating liquors. The temperance people were represented by a powerful lobby, with a large fund for expenses; and a stringent liquor law prepared by them was introduced. It resembled the South Carolina Dispensary System which provided for

the appointment by the governor of five state controllers who were empowered to appoint a state commissioner or inspector. The law further provided for county controllers with ample powers. At this time the South Dakota license was \$300, one-half of which went to the county and the other half to the state. The wholesale beer license was \$600; the wholesale whiskey and brandy license was \$1,000.

The high license bill grew in favor with the Legislature as time passed and its measures were considered. It planned to regulate the license, manufacture and sale of spirituous, malt and vinous liquors under rigid rules and a high license. Governor Lee said that at the last election the people had seen fit to vote against the prohibition plank of the constitution, had really voted in favor of resubmission, and now it was incumbent upon the Legislature to comply with the demands of the people as expressed at the polls. It was not a party question, the governor declared, but all men were free to do in the matter what they thought best regardless of party lines and restrictions. It was soon believed by the Legislature that high license was wiser than any other measure that could be adopted. At first it seemed that Governor Lee would veto the bill, owing to the fact that no part of the license money was to be paid to the state. The people had just voted down the prohibition clause, so that now all the Legislature and the governor could do was to adopt license in the best form practicable, and dispose of the license money to the best advantage of the counties and the state. This change was made, the bill finally passed and was signed at once by the governor.

The passage by the Legislature of 1897 of the combined dispensary and high license law quieted temperance matters until the summer and fall of 1898 when the friends and enemies of the measure began campaigns of education to inform the people of the state in regard to the designs of the law. The merits and demerits of the bill were fully discussed, and at the election in November it was duly carried. It was now the duty of the Legislature to put it into effect. Instead of doing this, however, that body, on March 2, 1899, killed the measure by a substantial majority, thus restoring the old conditions regardless of the will of the people as expressed at the polls. It was openly charged that the measure was defeated through purchase or graft. The conflict over the bill in the Senate was violent, and personal encounters in several instances were narrowly averted. The friends of the measure were greatly disappointed at the outcome. For many months they had labored and fought with all the power, money and influence they could command, and had finally carried the battle to the lobby chambers of the capital. But the enemy was too strong, too well armed, and too skillful in the warfare, and so victory went to the opposing element. It was contended that the state had no fund to be used in executing a dispensary law, because it could not exceed the two mills tax provided in the constitution. This claim was ridiculed unstintedly by many newspapers and speakers throughout the state. It resulted in agitating a movement for a constitutional amendment to increase the regular tax above two mills. The failure to pass the law left the state with the dispensary amendment to the constitution, but with no way to enforce it. The Legislature failed absolutely to carry out the wishes of the voters at the polls. Thus the old irregular liquor license measures continued in vogue. The matter really was left wholly to the liquor men themselves.

In September, 1899, in an important case before Judge Corson, of the Supreme Court, it was held that the liquor license law was in full force and effect, and was in no way affected by the dispensary amendment adopted by the people in November, 1898.

"It is very apparent from a mere inspection of the license law that it is merely a restrictive measure and suitable provisions are set forth in the act for sales of intoxicating liquor without complying with certain conditions. Any sales made without first having procured a license would be sales in violation of law. Such sales would also be in violation of article 27 of the state constitution adopted at the last general election. It would also seem clear that the penalties provided for the violation of the license laws are not in conflict with the provisions of the amendment to the constitution. It is true that in a moral sense license should only issue to sell intoxicating liquors for medical, scientific and mechanical purposes; but penalties should not attach to sales made under such licenses unless they were made in violation of the provisions of the law. It does not seem to me that it would be unlawful for the counties to receive license money. The Legislature has not prescribed regulations for the enforcement of the provisions of article 27 of the constitution as authorized by section 2 of such amendment, and hence there is no provision of law for the enforcement of the amendment and until the Legislature has passed some kind of a dispensary law the provisions of chapter 72 of the session laws of 1897 will still continue in force for all practical purposes."

—John L. Pyle, Attorney-General, March 9, 1899.

In June, 1899, Judge Moore, of Deadwood, in a case before him, held that there was no liquor law in force in the state and that no license need be paid until a new law or an amendment to one should be passed by the Legislature. This decision was broad and far reaching, and in effect gave the liquor dealers an opportunity to open and do business without securing a license. Scores of saloons throughout the state, therefore, refused to pay license and numerous suits were instituted against them. In Lawrence County, owing mainly to this decision, nine saloons only out of forty-eight took out licenses. Many other cities showed the same conditions of things at this time.

In 1900 and 1901 the Anti-Saloon League organized and conducted a stirring campaign against the existing conditions of liquor dealing in this state. They issued a newspaper called the *State Issue*, with Rev. A. E. Carhart as editor, who conducted the paper until January, 1901, and then retired. He openly stated that the paper did not help the movement, as the information contained therein constantly unmasked the position of the temperance people to the common enemy. During the year 1900 the league collected a total of \$4,203.96 and paid out \$4,140.84. At the close of the year the league owed Mr. Carhart \$400 and Rev. J. C. Thomas, for field work, \$325. As assets they had about \$2,000 due from subscribers. During the year 1901 the league continued to circulate the *State Issue* which served as the organ of the league to disseminate information concerning the temperance movement and concerning the evil effects caused by the saloons. Many local temperance societies in different parts of the state took active part in the campaign and flourished this year. The South Dakota Scandinavian Total Abstinence Association was a power in the eastern part of the state. At their meeting held in Webster in July, L. Lewis, of Lake County, was chosen president. This was an enthusiastic and well attended meeting at which resolutions to continue the fight to the finish were passed.

The friends of temperance began a stirring campaign in the fall of 1900 for a general law to regulate, restrict and control the sale of liquor. They centered their efforts in securing men for the Legislature who were pledged to carry out the reforms wanted. Evidently they succeeded in their plans, because the Legislature of 1901 passed a general liquor license law, one ever severer and more rigid in its restrictions than had been expected by the friends of the measure. As prohibition was gone, temperance people wanted the next best measure, and were divided among themselves as to what was best. In this state of uncertainty they were willing to accept a high license law. Early in 1901 a druggist of Meckling received a notice from the women of the local Woman's Christian Temperance Union informing him that if he did not at once remove or destroy all the liquors in his store they would do so together with the furniture, fixtures, etc. The women were led by Mrs. C. N. Taylor. The druggist promptly took all his liquors, worth about two hundred dollars, and poured them into the gutter while the women joyously watched the proceeding and sang hymns of praise.

The Good Templars in the southeastern corner of the state met at Sioux Falls in March, 1901, to perfect a district organization. It was decided to hold districts meetings every three months. The counties concerned were Yankton, Union, Clay, Turner, Lincoln, McCook and Minnehaha. Major Carpenter, of Watertown, Grand Chief Templar of the state, was present and assisted in organizing the new district lodge.

By 1902 it had been learned that the general license law of 1901, while satisfactory as far as retailers were concerned, did not possess a proper and efficient grasp or hold upon wholesalers. Accordingly at the legislative session of 1903 pressure was brought to bear upon the members, but in spite of all efforts the proposed wholesale liquor bill was defeated.

The South Dakota Anti-Saloon League remained passive in the spring of 1903 and did little or nothing toward effective work. However, soon afterwards, the league secured the services of Rev. Herbert E. Frohock, of New York, to superintend the proposed new movement. The inactivity at this time was partly due to the suspension of work by Rev. A. E. Carhart who had been called to other duties. The state paper of the organization had likewise been discontinued, but in the summer of 1903 it was decided to revive the issue and use it as an assistant in the fall campaign on the temperance issue.

In the spring of 1904 a lady living in Flandreau undertook to imitate the militant proceedings of Carrie Nation, and succeeded in wrecking over \$1,500 worth of saloon property before she was arrested on the charge of insanity. This year the Anti-Saloon League met at Mitchell when the Corn Palace Exposition was in session. Rev. H. R. Carson, of Scotland, presided. Many ladies interested in the advancement of women and in temperance were present and took active and prominent part in the proceedings. The Anti-Saloon League elected the following officers: President, H. R. Carson; vice president, N. C. Nash; secretary, Rev. J. E. Booth; treasurer, Rev. A. E. Carhart. In the spring of 1904, after eighteen years of prohibition, Canton voted in favor of license, and immediately thereafter five saloons were opened, determined, it was said by the newspapers, to make up for lost time.

Late in 1904 the decision of the Supreme Court in a case from Hetland settled an important point concerning the license question. The town board proposed to

grant a saloon license and the measure was submitted at the municipal election in 1903. The question carried in the affirmative, whereupon the town board, concluding that it was continuous, did not repeat the election in 1904. The temperance people who opposed granting a license, asked Judge Whiting for a writ of mandamus to prevent the granting of such licenses and held that, under the law, a vote favorable to license must be secured each year to be lawful and effective. The writ asked for was granted, the case was appealed to the Supreme Court, but the lower court was sustained.

A revolution occurred in the saloons and license business of the Black Hills during the summer of 1905. It was due to the rigid requirements of the liquor law of 1905. The officials of Deadwood, Lead and other cities of Lawrence County visited every saloon, ordered all screens taken down from the front windows and directed that all pool tables, chairs, etc., should be removed from the room in conformity with the recent state liquor law. This was the first time in twenty-nine years that such a sweeping revolution had occurred against the saloon men in Deadwood. There was some protest from gamblers and saloon keepers, but no serious opposition was offered. They announced that they would see that the bar at the Business Men's Club should be required also to comply with the law. This step meant the closing of all the questionable saloons which could not bear the sunlight. This action by the authorities was caused by the complaint of the mining companies which declared that the Black Hills had obtained a bad name owing to its saloon dives and gambling resorts. It was really a reform movement that had been needed for many years. Now every gambling place was closed and the saloons were required to comply with the rigid restrictions of the law.

In 1906 the granting of licenses to saloons was the important question at almost every municipal election. There was a strong temperance movement sweeping and influencing the state at this time. Such reforms convulsed every city of the Black Hills, and many others in the eastern part of the state.

In 1907 the constitutional and statutory provisions for the operation of the initiative and referendum, after many years of disregard and neglect, were again invoked to create legislation which had been denied by the general assembly and to defeat objectionable laws which had been passed by that body. The active prohibitionists prepared a measure for county local option and invoked the initiative and referendum and were successful in placing a powerful petition before the Legislature, which body met the requirement and passed a bill providing for a submission of the question to the voters in November, 1908. An attempt was made at this time to invoke the referendum and make it applicable to defeat the obnoxious divorce law of the state.

During the fall of 1907 many of the ablest and most influential temperance speakers of the state visited almost every city and village in an endeavor to enlist the people generally in the fight being made for county option. Among those prominent in this movement was I. L. Marrow, secretary of the State Prohibition Commission. He delivered many lectures which were often well attended and used very effort in his power to advance the movement. The law required that there should be no sale of liquor within one-third of a mile of any educational institution. This caused several important law suits in different parts of the state.

In 1908 county option was voted on at the November election, but was defeated by 1,875 votes. This measure was submitted to the voters by an act of the previous Legislature, that of 1907. It was really a prohibition movement; but evidently the people were satisfied with local option which was in vogue throughout the state and did not favor either prohibition or county option.

Early in 1909 the enforcement leagues of the state were active. The branch at Iroquois offered a reward of \$500 for information which would lead to the conviction of any person who unlawfully sold intoxicating liquor within the limits of that city. It was announced that the reward would be paid on conviction in the Circuit Court of the person or persons charged with the offense. This step was taken by the temperance people with the design of putting a stop to the operations of "blind piggers" and others who were engaged in the illegal sale of liquor. Similar action was taken in many other towns, villages and cities.

In the spring of 1909 there were severe contests in nearly every city and town of the state between the "wets" and the "drys" to see whether license, local option or prohibition should rule. Throughout the state the election showed that honors were about equally divided. In several cities where it was hoped the saloons would be banished, they were successful, much to the regret of a large number of citizens. This was the condition at Mitchell. In that city both sides put up a spectacular fight with money, strategy and supreme effort. Both "drys" and "wets" held public mass meetings and the best orators were obtained to present the views of both sides.

In 1909 there was in operation at Deadwood an ordinance controlling the sale of liquor in original packages. It went into effect July 1st. Out of twenty-four saloons where liquor was sold, there were fourteen applications for licenses at \$25 per month. Most of the other saloons continued to sell openly without licenses and regardless of the ordinance. Deadwood was really the first city in the state to pass a local option law controlling the sale of liquor in original packages. The temperance people in that county organized an enforcement or temperance league and fought the matter to a finish. In July, 1909, Lawrence County had a population of 17,000 people and had sixty-one saloons. Deadwood had a population of 4,000 and sixteen saloons. The liquor license at Hot Springs this year was \$800.

In March, 1909, after suffering defeat at the previous November election, the Anti-Saloon League reorganized and again began the campaign of education for county option. Before the Legislature adjourned in March, great pressure was brought to bear by the friends of temperance to secure the passage of a bill providing the submission again of the question of county option to the voters at the November election, 1910. At this time W. M. Grafton was a strong and prominent worker in the temperance ranks. The Legislature refused to pass such a measure. The campaign grew in intensity as the year advanced, and by January, 1910, the movement was in full progress throughout the state. As a measure of assistance in various ways Mrs. Carrie A. Nation was secured to come from Kansas and deliver a number of addresses and take such action as she thought best in South Dakota. She appeared at Watertown in January and made a vigorous fight against the use of cigarettes and the custom of treating in saloons. She publicly announced that it was her intention to organize hatchet brigades in



WASHINGTON HIGH SCHOOL, SIOUX FALLS

every city of the state when necessary and wherever the treating law was disregarded or violated.

As will be seen above a county option law was passed in 1907, but was defeated at the polls in November, 1908. At the legislative session of 1909 a similar measure was again introduced and after a hot fight was passed. It was called the county option submission act and met the approval of the friends of temperance. At the election of November, 1910, it was defeated by the vote of 42,416 for to 55,372 against. At the legislative session of 1911 the forced saloon closing act was passed and became a law.

In the Black Hills during the spring of 1911 the temperance movement accomplished great reforms. At Deadwood it controlled the city council as the result of the spring elections. Liquor men who had controlled the council for years, were defeated for re-election. The reformers secured five out of eight members of the council. This resulted in a reduction of the number of saloons in that city. In Spearfish where the reform element made a similar determined fight against license, the saloon advocates won in the council by a majority of forty-four, while the dry element succeeded in electing the mayor, James Pike. Thus honors were about equally divided there. The new council granted licenses to the saloons in view of the wet majority on the license question. At Whitewood the women openly campaigned against the license question, but were defeated, the vote standing in favor of license by forty-two to forty-five.

In January, 1913, Governor Byrne in an address before the State Conservation Congress in session at Pierre declared that it was the duty of the Legislature to abolish the ardent spirits factory at the state penitentiary which was conducted by private interests.

In 1914 the Anti-Saloon League Year Book stated that South Dakota had the lowest crime record of any state in the Union at that time.

In the spring of 1915 Judge Bouck at Aberdeen granted the petition which demanded a recount of the votes cast in the third and fourth wards of that city on the license question. The petition set forth that sixty votes cast in the affirmative had not been counted by the judges in these wards; that fifty ballots received by mail were not stamped by the judges and were later thrown out because of this defect; that three ballots were not counted because there was no return card on the envelope; and that one was thrown out because it was acknowledged on Sunday. The petition further alleged that all spoiled and blank ballots were counted for the negative side of the question. The Board of City Commissioners were named as defendants and were charged in the complaint with refusing to recount votes at the time of making the official canvass, and with making up the official returns wholly from the tally sheets furnished by the judges. The election was extremely violent and was fought bitterly by the opposing elements. It resulted in a tie vote. The court granted the petition. In August the matter was settled by the Supreme Court which held that thirty-seven affirmative votes and forty-five negative votes were counted improperly. The result made the city "dry" by one vote. In the Circuit Court the city was held dry by nine majority.

In the spring of 1915 the prohibition wave swept the whole country. For almost the first time in history it made great inroads in the eastern cities. Even in the Far West where a social glass had prevailed since the first settlement, the

significance of the wave was apparent. So-called personal liberty and self-indulgence were swept away by the wave in every state and in almost every county. One object behind the wave was economy. Business and industry demanded a cessation in the self-indulgence of the liquor status. It sapped human force, lowered efficiency, wrecked lives and homes and was looked upon now more than ever as destructive to the uplift and prosperity of the human family. The instincts of higher intelligence, self respect and progressive industry demanded the limitation or total termination of the old drinking customs. This was true of South Dakota as well as of other parts, particularly in the West. Prohibition had been adopted by Colorado and Arizona. Montana and Idaho were about to accomplish the same result. In Utah it was only stopped by the governor's veto. All large business industrial enterprises were rigidly excluding drinkers and drinking from their operations. The Anaconda Copper Company not only excluded drinking from its mines, but demanded that it be given up in the homes of its employes. Similar orders and innovations were set on foot in the Black Hills at this time. It was found that the accident records in the mining regions varied directly in per cent with the partial or complete closing of saloons in Butte during six months of observation in 1914. Thus the economic argument came with powerful force to assist the storm of prohibition that was sweeping the entire country.

In the spring of 1915, before the municipal election, the Anti-Saloon League of Mitchell sent to all the churches and temperance committees of South Dakota a letter announcing the names and dates of their corps of temperance speakers on the no-license campaign already inaugurated throughout the state. Among the speakers were Father Patrick J. Murphy, of Texas; John F. Cuneen, of Chicago, formerly president of the Total Abstinence Union of Illinois, who had been in South Dakota more or less for three years, working for the cause of temperance during the spring campaign; Pres. E. C. Perisho of the Agricultural College; Dr. J. S. Hoagland; Prof. H. I. Jones, of Mitchell; Supt. R. N. Holsapple and Assistant Superintendent Macbeth of the State Anti-Saloon League; and Wilbur S. Glass, of Watertown. The latter was prominent in politics and possessed unusual powers as a popular campaigner. Up to this time he had been recognized as a license advocate, but now had changed and was prepared to help make the whole state dry.

At the April election in 1915 the results on the liquor question were more favorable generally to the temperance people than they had expected or had reason to hope. Out of sixty-three cities and towns which voted on the question thirty-five either went for temperance or remained in the temperance column. The liquor element were successful in twenty-seven towns where they had been in power during the previous year and gained one additional town. The temperance people generally hailed the result as a surprising and unexpected victory. Mitchell became the largest non-saloon city in the state at this election. It became the headquarters of the Anti-Saloon League forces and succeeded in excluding the saloons by a majority of 101 votes. At Aberdeen the vote on the liquor question was very close, out of a total of 2,748 votes cast. Among other towns won by the prohibitionists after a severe campaign were Madison, Rapid City, Custer, Platte, Farmer and Milbank. Madison went for temperance by a majority of 160 votes. Milbank after a hot campaign joined the temperance standard

by a majority of about thirty. Others were Wilmot, Gettysburg, Spearfish, Highmore, Philip, Hurley, Viborg, Centerville, Elkton, Kimball, Armour, Webster, Rockhaven, Leola, Sisseton, Faulkton, Howard, Murdo, Plankinton, Flandreau, Canastota, White Lake, Bristol, Britton, Woonsocket and Garrison. The saloon element carried Sioux Falls, Huron, Dallas, Sturgis, Lead, Deadwood, Watertown, Elk Point, Geddes, Pierre, Fort Pierre, Davis, Marion, Dalton, Chancellor, Bridgewater, Yankton, Tyndall, Chamberlain, Selby, Castlewood, Lemmon, Bowdle, Mobridge, Waybay and Roscoe. This election was perhaps the greatest victory, at least one of the greatest victories ever gained by the temperance cause in South Dakota. The vote was heralded as a sure indication that in 1916 the result of state-wide prohibition campaign would be satisfactory. R. N. Holsapple of the State Anti-Saloon League said "Today's vote is an indication of the wave of sentiment for state-wide prohibition. Our reports thus far show that thirteen cities and towns have swung from the wet into the dry column, and only one is known to have deserted the dry standard. There are several towns voting wet today where we will go into court and contest the legality of the petitions on which the opposition is based. The election is simply the beginning of the saloon men's end in South Dakota."

The saloon carried Sioux Falls by about five hundred majority. Here the temperance people were disappointed, but the result generally throughout the state received their warm approbation. The license forces succeeded in changing Salem from a prohibition to a saloon town. This was the only town of the state, thus to change. At Deadwood the saloon vote was cut down very much, their majority being only about eighty-nine votes. The prohibition movement made substantial gains in the Black Hills towns, gaining forty-seven votes in Rapid City and twenty-two votes in Custer. Spearfish increased its temperance majority to fifty. Sturgis defeated the municipal saloon plan and went for license by a majority of forty-eight. Lead gave its usual majority for the saloons. At Yankton there was considerable gain by the temperance people, the votes standing 588 for saloons and 378 against them. Elk Point retained the saloon by a majority of about seventy-nine. At Brookings the license question was not an issue. Elkton went for temperance. This placed the whole of Brookings County in the temperance ranks. At Pierre the vote was in favor of saloons by nine majority. Fort Pierre voted in favor of license with twenty-one majority. Highmore carried temperance by thirty-three majority, and Philip the same by twenty-five majority. The saloon element carried Huron by a majority of 128. The result at Bridgewater was 129 for license and 177 against it. Parker did not vote on the question at this election. Marion voted to retain the saloons in preference to a municipal dispensary by a majority of twenty-five. Dalton, Chancellor and Davis voted in favor of license. Hurley, Viborg and Centerville were carried in favor of temperance. At Davis the contest was so close that the result was fought over again. Watertown voted 924 for license and 594 against it. The big fight here was over the municipal saloon question which was voted down. Dallas gave ninety-eight votes for license and thirty-nine against it. The majority at Tyndall in favor of license was forty-four. Armour voted against license by a majority of twenty-two. Chamberlain gave a small majority for license. At Sturgis the license people won by a majority of forty-nine. No license carried in Rapid City by a majority of forty-nine. Gettysburg went against the saloon by fifteen majority.

On June 30, 1915, the curfew sounded the death knell to the saloons of five large cities and many smaller towns of South Dakota among them being Aberdeen, Mitchell, Rapid City, Madison, Milbank, Sisseton, Webster, Platte, Plankinton, Murdo, Leola, Kimball, Garretson, Farmer, Custer and Bristol. The liquor element to the last moment, hoped to secure a reversal of Judge Bouck's dry order at Aberdeen by the Supreme Court, but all reduced their stock with the expectation that they might not succeed in securing a reversal. All prepared to close out their stock and their leases in thirty days. In the end they did so.

In the summer of 1915 the Sturgis Municipal Company took out two liquor licenses, the total number that could be obtained in that city. They installed in one place a double set of bar fixtures and opened for business. Previously three saloons were conducted in Sturgis for a number of years, but now they quit the business and closed up. About the same time Edward Estes, a quarter-breed Indian, was sentenced to the federal jail at Deadwood for introducing liquor illegally into Mellette County. The case was affirmed. Under the federal law opening Mellette County for settlement it was provided it should maintain prohibition for a period of twenty-five years.

In July, 1915, Attorney General Caldwell ruled that when a petition for liquor license showed on its face that it was not in compliance with the statute in any way, the election and subsequent proceedings, including the issuance of the license, were void, and that criminal action for the sale of intoxicating liquors without a license could be successfully maintained. However, if the petition appeared to be sufficient, the more difficult question of whether the license was subject to collateral attack in a criminal prosecution for selling without a license, was raised. The attorney general held that the issuance of the license under such circumstances was no protection to the person selling the liquor.

In July, 1915, Governor Byrne, when speaking to an outdoor gathering of the churches of Pierre, emphatically espoused the temperance cause, favored prohibition for the state and announced he was doing all he could to advance the temperance movement for the next election. He gave much interesting data concerning the sale and the effects of liquor.

When the per capita liquor law went into effect in 1915, the City of Lemmon was allowed two saloons which fact caused intense rivalry for the two necessary licenses. First a proposition for the city to go into the saloon business was voted upon but failed to carry. Then the Lemmon Civic Association was formed soon after the city, in the spring of 1915, had adopted the commission form of government. The new association upon request was given a saloon license. The manager was one of the most prominent prohibition workers in the city, but he was allowed no salary. The press stated that the two bar keepers of the association received such liberal salaries that graft of all kinds was practically and totally eliminated. The profit of this one saloon was shown to be about one thousand dollars per month. It was called the municipal saloon. Much of the license money was devoted to the public schools and to municipal improvement.

In June, 1915, the question arose at Pierre, whether a sheriff in selling liquors which had been seized under due process of law, did not need a license for so doing. It was maintained by several prominent officials that he was simply performing an official act under the law and could use his own judgment as to the disposal of the liquor, but he was advised to refuse to sell to prohibited

persons. The question, it was admitted, was an intricate one, and the attorney general after consideration said that it was a question upon which Congress and several states were not in harmony. The right to levy upon intoxicating liquors for the debts of the owner had been denied by one line of authorities on the ground that, as a sale thereof is prohibited except by persons having license, the officer of the law therefore cannot make his seizure effectual by judicial sale, because such sale was prohibited by the law and therefore the seizure was likewise prohibited. The attorney general further said, "I think it is clear that it is the engaging in business which is licensed in this state, and since the sheriff who levies upon the stock of intoxicating liquors and offers the same for sale is not engaged in the business of selling liquors but is merely doing his duty as an officer of the court, I am convinced that our courts would hold that the sheriff is not forbidden to levy upon and sell such liquors under such circumstances. I would advise a sheriff to refuse to recognize a bid submitted by any of the prohibited persons mentioned in the statute."

In the summer of 1915 a statewide campaign in the cause of temperance was inaugurated for the fall, the opening meeting to be held at Aberdeen on September 5 under the auspices of the South Dakota Anti-Saloon League. It was planned to hold six meetings in as many different churches on that day in Aberdeen and a union mass meeting in the evening, the principal speaker to be Major Dan Morgan of Chicago, who was formerly representative of the liquor interests, but had come over to the anti-saloon league about a year before. It was planned that Major Smith should be the principal speaker throughout the campaign in South Dakota for the adoption of the prohibition amendment to the constitution which was to be voted on in November, 1916. More than a dozen other prominent speakers of the state were slated to assist him on the rostrum. It was planned to hold meetings in every city, town, village and precinct in South Dakota between September 5, 1915, and November 6, 1916.

The liquor interests likewise planned in the summer of 1915 a vigorous, elaborate and extensive campaign. They prepared to put able speakers in the field and expected to begin operations in different parts of the state about the same time the Anti-Saloon League did. They offered every newspaper in the state advertising matter in opposition to prohibition. This was done to counteract the advertising that was being done by the Anti-Saloon League.

In 1915, Mrs. Laura S. LeMance, a national lecturer and worker for the Woman's Christian Temperance Union, announced that by 1920 national prohibition, in her opinion, would be an accomplished fact. She stated that the union was almost unanimous in the opinion that the constitutional amendment necessary to make the United States dry and its ratification by thirty-six states would be accomplished within a few years. At this time eighteen of these thirty-six states in the union had gone dry. In 1915 two others were divided on the question, and fifteen had asked for the voting privilege in 1916. This was the opinion of the California Union. In the summer and fall of 1915 Mrs. LeMance lectured throughout the West in support of national prohibition. She said that the temperance wave was strong throughout the Northwest and getting stronger. She was also a strong advocate of equal suffrage.

In the fall of 1915 it was the opinion of the friends of prohibition that the large number of questions which were to appear on the ballot at the November

election in 1916 would help rather than hinder the cause of prohibition. This was the opinion of R. N. Holsaple, superintendent of the Anti-Saloon League, and the leader of the dry forces of the state. On the other hand, it was admitted that the various and numerous questions appearing on the ballot might start a confused general movement of voting "no," and that prohibition, as well as everything else, might be swept away. Said Mr. Holsaple late in June: "No one but the liquor crowd will attempt such a thing (vote 'no') and the average voter will not be deceived by any of the tactics. On the other hand, each of the several propositions submitted will have its supporters who will all be interested in securing the largest possible 'yes' vote for their particular measure. Can't you see at once how this is bound to precipitate a general 'vote yes' movement? Then, too, we shall have a bigger organization than ever before. We are now busy organizing the state and by winter we will have several new men in the field, so that a 'machine,' if you choose to call it that, will be constructed which will place the issues of the campaign before every voter. It is the plan to see every voter in the state personally, and if he is not in favor of prohibition our workers will try to find out his objection and overcome it. Rest assured this is to be a campaign in which nothing within the range of possibilities will be neglected. If this state stays wet it will not be our fault." At this time the prohibition people were planning a vigorous and widespread campaign and expected to circulate over 5,000,000 leaflets and pamphlets; and to bring in several of the leading prohibition campaigners of the nation to assist local state workers and speakers. The prohibitionists prepared to spend as high as \$75,000 during the campaign.

In September, 1915, state-wide prohibition was launched by an immense mass meeting in the Corn Palace at Mitchell. The opening address was delivered by Dr. J. S. Hoagland, president of the South Dakota Anti-Saloon League, who declared that the conflict abroad made Europe sober in a day and taught the world that both King Alcohol and John Barleycorn were cowards. Ex-United States Senator and ex-Governor Coe I. Crawford, of Huron, was present on the first day and urged that the state should be thoroughly organized for the coming prohibition campaign. He expressed the belief that the majority of the voters of South Dakota at this time favored the temperance movement. On the program were Gov. Frank M. Byrne, Congressman C. H. Dillon, former Congressman E. W. Martin and Maj. D. M. Smith, of Chicago. On the third day occurred the famous "Dry Parade," which was really the principal feature of the three days' program. Scores of elaborately designed floats heralding temperance themes were carried in the processions. Many automobiles were beautifully and brilliantly decorated. In the procession were approximately 2,500 persons. There were present bands from Wessington Springs, Plankinton and Mitchell. Governor Byrne and Congressman Dillon spoke on the evening of the second day. The resolutions adopted by the convention urged South Dakota's representatives in Congress to vote for the abolishment of the sale of liquor in the District of Columbia at the next congressional session; recommended to Congress the passage of a law requiring the publication of names of all holders of internal revenue liquor licenses as soon as the permits were granted, and commended strongly the work of the State Anti-Saloon League in its present gallant fight against the liquor traffic. Other speakers were Sen. Thomas Sterling, of Vermillion;

Pres. Elwood C. Perisho, of the Agricultural College; Judge C. G. Sherwood, of Clark; J. W. Parmley, of Ipswich; Lauritz Miller, of Mitchell; Dr. J. S. Hoagland, of Mitchell; R. N. Holsapple, of Mitchell; Dr. W. E. Daniels, of Madison, president of the State Board of Health; Prof. Z. U. Ordal, of Sioux Falls, president of the Lutheran Normal College.

CHAPTER XX

WOMAN'S WORK

During the territorial period the resident women of what is now South Dakota formed strong and active organizations for the advancement of their sex and the uplift generally of humanity. Even in 1873-4, when the temperance wave swept the shores of the whole country, the women here felt its power, and began to form organizations with the same object in view, the Woman's Christian Temperance Union being a child of this great movement. The advance for equal rights—for suffrage—was equally marked so that when the state was admitted to the Union South Dakota women were fighting on the front line for all the great and over-mastering claims of womankind.

In April, 1888, the District Woman's Christian Temperance Union assembled at Elk Point and held an interesting session. The members of this union numbered about five hundred at this time. The officers were: Mrs. D. W. Myers, president; Mrs. O. J. Ward, corresponding-secretary; Mrs. D. VanVelsor, recording-secretary; Mrs. H. H. Blair, treasurer. Many interesting addresses were delivered and several valuable papers were read. A review of the movement in the district showed great interest and determination to improve every department of social life.

At the Methodist Episcopal general conference in New York in May, 1888, that body declined by a vote of 240 to 175 to admit to seats lady delegates, although they had been accredited from several portions of the country.

In September, 1888, the Dakota Woman's Christian Temperance Union held its annual convention at Grand Forks. Mrs. H. H. Barker, of Huron, was re-elected for the third time to the presidency. Miss Kinnear, of Fargo, was corresponding-secretary, Mrs. M. E. Kline, of Mitchell, treasurer, and Mrs. D. W. Myers, of Ipswich, recording-secretary. This convention was an important event and served still further to strengthen the union, widen its field of operation and cause the members to determine upon more advanced and better work. The union passed resolutions favoring Federal aid to education and asked that public schools be inspected in the interest of scientific temperance; requested the abolition of internal revenue on intoxicating liquors; commended the national university movement; lamented the prevailing immorality in public schools; asked that obscene literature be refused admission to the mail; demanded the ballot for women; and censured the Methodist Episcopal general conference for refusing to admit women delegates.

In September, 1889, the Dakota Territory Woman's Christian Temperance Union met at Yankton in the eighth annual session. They were called to order in the Congregational Church by Mrs. H. M. Barker, of Huron, president. At

this time there were reported 309 organizations of the union in Dakota Territory with a total of 3,094 members. During the previous year 155 new unions had been formed. Reports from many unions throughout the territory concerning every question of interest to women were received and considered in detail by the convention. The numerous departments submitted elaborate reports of what they had accomplished. The union at this time divided its organization into two parts: One for North Dakota and the other for South Dakota. Thus the old union that had fought so valiantly for nine years and had steadily struggled upward to higher and better principles and nobler ideals was compelled to divide. After division it prepared to devote its utmost efforts to building up social life in each of the two states. At this meeting an elaborate program was carried out, and a solid foundation for both of the young states was laid. Miss Frances E. Willard was present at this important meeting. When she entered the hall all the delegates arose and gave the chautauqua salute. Her address was brilliant, witty, progressive and inspiring. She was followed by several other able speakers who likewise fired the audience with new enthusiasm, hope and ambition. The union adopted a long series of resolutions in favor of prohibition, social order, improvement of children, the ballot for woman, Sabbath observance, dissolution of the old union, and the formation of two separate unions in the two states.

The officers elected for the South Dakota division were as follows: Mrs. H. M. Barker, of Huron, president; Mrs. E. A. Cranmer, of Aberdeen, vice president; Mrs. F. M. Swift, of Yankton, corresponding-secretary; Mrs. D. W. Myers, of Ipswich, recording-secretary; Mrs. M. E. Kline, of Mitchell, treasurer. A complete reorganization was effected. Every department was elaborated and continued, and every standing committee was reappointed and urged to energetic work. When the division of the old union was accomplished, each new state union assembled apart and was addressed at considerable length by Miss Willard and other prominent speakers. Her audiences assembled in Turner Hall. She stated that it had been announced that the liquor men intended to spend in South Dakota as high as \$500,000 if necessary to defeat constitutional prohibition. She urged the importance now of the most energetic and determined work to overcome this influence, so that the young state could start out on a noble career along the lines of prohibition. This was an important year, because the temperance people were determined that the new constitution should contain a clause prohibiting the sale of liquor.

Late in November Susan B. Anthony appeared at Sioux Falls and delivered a forcible address and immediately thereafter the Minnehaha County Equal Suffrage Club was organized as a branch of the state association which had been established a short time before at Huron. Mrs. Eliza F. Wilkes was elected president of the Minnehaha Club. Miss Anthony came unexpectedly to Sioux Falls and was not at first well received, because very few knew that she was coming. It was her custom to approach the people without ceremony and to state her case in simple language but with intense force and wonderful effect. After her speech which kindled the fires of enthusiasm and determination, the whole city of Sioux Falls, except the liquor element, rallied to her support and to her standard and she was given a magnificent reception and treated most royally.

About this time Mrs. J. Ellen Foster, of Iowa, in an address before the Woman's Christian Temperance Union at Chicago, charged that the union was being changed into a republican partisan organization. She said: "However much Miss Willard may wish to organize the State of Iowa in the interest of the so-called prohibition party, she cannot do it without violating the established rules of the union. Our delegation withdrew from the Chicago convention, but the Iowa union is still auxiliary, and the question of withdrawal can not be settled until our next annual meeting." At the Chicago meeting there was a severe clash over the questions of temperance, woman's suffrage and politics. There was great diversity of opinion as to how far the union should go in the support of each one or all of these measures. The great leaders of the union differed. Mrs. Barker, president of the South Dakota Woman's Christian Temperance Union, supported the ideas and policies promulgated and championed by Miss Willard. On the other hand Mrs. Marietta Bones, of South Dakota, with a considerable following, announced her adherence to the course taken by Mrs. J. Ellen Foster. Mrs. Bones declared that the prohibition organization in South Dakota had triumphed as a non-partisan movement wholly, and had advanced thus far solely upon a basis entirely independent of politics. At this time Mrs. Bones was ex-president of the Webster Branch of the Woman's Christian Temperance Union, from which branch she had been sent as a delegate to the Chicago convention of the national union. She was the wife of Col. Thomas Bones, president of the South Dakota Soldiers' Home Commission. She was prominent in temperance and in suffrage and took an influential position in both fields of advancement. The differences that arose in the convention at Chicago continued to grow and expand after the adjournment of that body. Mrs. Bones took an unusual view of the attitude of Susan B. Anthony concerning the combination of the temperance, suffrage and political movements. Mrs. H. M. Barker likewise took an active part in an endeavor to settle the disagreement in the national union over what policy it was best to pursue. Mrs. Bones openly charged Susan B. Anthony with having misapplied \$40,000 which had been placed in her hands for the promotion generally of the suffrage cause throughout the state and country. This public charge was made in the spring of 1890, and showed that the controversy had already become personal and acrimonious. Mrs. Bones was persistent and published numerous articles in the newspapers concerning the differences between the leaders of the union and concerning her personal charges against Miss Anthony.

Mrs. J. Ellen Foster became president of the seceders' faction of the National Woman's Christian Temperance Union, and Miss Frances E. Willard continued to be president of the national association. The seceding movement was an unfortunate defection from the ranks of the old union, based mainly upon non-important differences which had originated and had become bitter and outspoken at the previous meeting of the National Union in Chicago.

In the spring of 1890 Rev. William W. Fuller became president of the South Dakota Enforcement League. He was publicly rebuked by the people of Scotland, because with wrong ideas he attempted to organize a branch of the Enforcement League in that city. The people there in mass meeting passed strong resolutions against the aims and performances of the Enforcement League. The object of the citizens was to resent the imputation made by Mr. Fuller that they

would openly and brazenly violate the constitutional provision and the law and needed to be watched by the Enforcement League. This strong and unfair view the people of Scotland emphatically resented. The new liquor law went into effect May 1, 1890, on which date it was presumed that all saloons in the state would be closed. But that result did not follow.

On September 18, 1890, the Woman's Christian Temperance Union of the state assembled at Madison and were called to order by Mrs. Barker, president. Over one hundred members were present. Reports from all the standing committees were received and commented upon and discussed. Numerous recommendations for improvement were made. The most important event of this meeting was the brilliant speech of Mrs. Susan Fessenden, the superintendent of franchise in South Dakota. Her able analysis of the existing constitutional provision concerning prohibition and of the attitude and practices of the liquor element aroused the keenest interest, and was most cordially and gratefully received. Miss Anna Shaw was present and delivered an eloquent address. Her illustrations, wit and local allusions caused great amusement.

At the State Fair held at Aberdeen in September, 1890, one day was set apart for the ladies. On that occasion the Woman's Christian Temperance Union, Woman's Relief Corps and the Aberdeen Guards (a ladies' organization), paraded the streets amid great applause and enthusiasm. Present in the city on that day were 8,000 visitors according to close estimates. The women paraded in carriages, headed by a brass band and preceded by 500 school children waving banners and mottoes. Present on this occasion were the following distinguished women: Rev. Anna Shaw, of Washington; Susan B. Anthony, of Boston; Rev. Olivia Brown, of Wisconsin; Mrs. Emma Cranmer, of Aberdeen; Mrs. Emma S. Devoe, of Huron. The leaders presided at the meeting. The ladies were addressed by Governor Mellette, the republican candidate for governor; J. R. Gamble, candidate for Congress; Bartlett Tripp, democratic candidate for the United States Senate; and Maris Taylor, independent democratic candidate for governor. This meeting of the women was one of the most important and momentous thus far held in the young state. All the leaders were greatly encouraged to continue, strengthen, organize, and widen their field of operation. Mrs. Devoe was superintendent of the day. The presence of the women did much to make the sixth annual state fair a success.

In the spring of 1891 Mrs. Marietta M. Bones came out in a series of articles in the newspapers in opposition to the operations of the Woman's Relief Corps of the state. She declared that the corps had permitted without due and effective remonstrance a number of the old soldiers to be sent as paupers to the Soldiers' Home at Hot Springs. She made the following charges: That old soldiers were badly treated in the home; that there was a scandalous scramble for offices in that institution; that politics ruled in the Woman's Relief Corps; that young women were elected to office and the old women were neglected; that the old soldiers were not helped through the Soldiers' Home, the reports of the contrary notwithstanding; and that constant deceit and misrepresentation of appearances were kept up in order that the principal offices of the Woman's Relief Corps could be run by a certain clique of young women. At this time Colonel Bones was president of the board of commissioners of the home, and therefore Mrs. Bones, his wife, was presumed to know what she was talking

about. Her articles in the newspapers, burdened as they were with cutting charges in sarcastic language, elicited the attention of the entire state at this time. Promptly and emphatically her accusations were denied by the officers and leaders of the Woman's Relief Corps. The controversy resulted in severe public recriminations, but served to disclose in detail to what extent if any the old soldiers had been treated as paupers and otherwise misused, and to what extent the Woman's Relief Corps was under the domination of a political clique of the young women of the organization. The result was that the entire Woman's Relief Corps of the state openly and vigorously resented the charges made by Mrs. Bones. They declared through the press that she was attempting the role of a superior or sanctified woman, who made altogether too much of the small mistakes and sins of the organization; that while some abuses had crept into the ranks of the corps, the organization as a whole was conducted thoroughly in the interest and to satisfaction and with the sanction of the members of the organization. In this connection it should be borne in mind that Mrs. Bones was in open revolt or conflict with almost every organization to which she had ever belonged in this state. The Aberdeen News was used as the medium through which Mrs. Bones was openly lashed by the women whom she had attacked. One of the articles in the News was considered by Mrs. Bones as extremely libelous, whereupon she brought suit against that newspaper and thirty reputable women of Webster for \$20,000 damages for defamation of character. She also began a similar suit in the summer of 1891 against the Andover Gazette.

In November, 1891, Miss Frances E. Willard was elected president of the World's Woman's Christian Temperance Union. This great honor was acknowledged and recognized fully by the union in South Dakota. Numerous meetings were held to voice the satisfaction which the women of the state felt for the honor thus conferred.

By 1891 South Dakota had already become famous as the field where divorces could be secured on short notice and at trifling expense. The papers declared that Sioux Falls at this time handled job lots of divorce cases. A ninety days' residence was sufficient to entitle the person asking for divorce to such a decree upon various flimsy grounds. It was declared, and was probably true, that more than one person who thus secured a divorce did not live in the state at all, but rented rooms and kept them open, thus supplying the appearance of residence. It was at this time, and later that Bishop Hare openly and bravely fought this state of affairs, and used his utmost power throughout the entire state to secure a change in what he denominated a most infamous law.

At the legislative session of 1893 four bills concerning the divorce law were introduced on the first four days. During 1892 there was organized at Sioux Falls the State Association of Clergymen for the purpose of securing a change in the divorce laws of the state. At the head of this association was Bishop Hare. He objected openly and seriously to the haste with which divorcees sought relief and called attention to the speed with which they immediately contracted second marriages. He called it "indecent clerity."

In September, 1893, the State Woman's Christian Temperance Union assembled at Huron in the fifth annual convention with Mrs. E. A. Cranmer presiding. They were cordially welcomed by the citizens and many were entertained at private homes. Reports from all districts, committees, and departments showed

great progress in the work of the union throughout the state. Mrs. Cranmer in her annual address stated that she had delivered 108 addresses; organized six new unions; held two chautauqua assemblies; conducted ten conventions; visited and addressed twenty-five schools and traveled 10,534 miles. At this time there were in the state eighty-seven unions with a total membership of 1,232. Mrs. Simmons was state organizer. Mrs. Clara C. Hoffman, president of the Woman's Christian Temperance Union, of Missouri, was present at this meeting. Mrs. Clare Williams, editor of the White Ribbon Journal, the organ of the union, was likewise present. She explained that the White Ribbon Journal had not received sufficient patronage to warrant its continuance. In response Mrs. Swift of Yankton made a most liberal offer to take charge of the paper in an endeavor to make it self-supporting and as well conducted as it had been under Mrs. Williams. The union discussed among other subjects the enforcement of the prohibition clause in the constitution, physical culture, care of children, home sanitation, and other important matters. The question box occasioned great interest, answered many problems and caused much amusement. There were present and voting 101 members. Mrs. Hoffman delivered an elaborate speech to the convention. Several citizens, men and women, likewise delivered appropriate addresses to the meeting, treating of various phases of social progress. The following officers were elected: Mrs. Emma A. Cranmer, president; Miss Anna R. Simmons, vice president; Mrs. Emme Myers, corresponding-secretary; Mrs. Ruby J. Smart, recording secretary; and Mrs. Eugene Steere, treasurer.

Late in the fall of 1893 there assembled at Yankton the Woman's State Congress, which was really a mass meeting or convention of all the clubs and unions of women throughout the state. Among the organizations represented were the following: Woman's Christian Temperance Union, Woman's Relief Corps, Equal Suffrage Association, Rebekahs, Woman's Guild of the Episcopal Church, St. Cecelia Guild, St. Agnes Guild, Congregational Missionary Society, Congregational Aid Society, Woman's Military Aid Society, King's Daughters, cooking societies, chautauqua circles, Altar Society of Church of the Sacred Heart, Magazine Club, Mother's Organization, Scandinavian Missionary Society, the Clios, ladies' cemetery associations, the Bethonians, the Aristonians, ladies' branch of the Columbia Endowment Association, and others. The object of this meeting was to secure greater uniformity and effect in the work of each organization by a combination of effort and method. The plan was not how to unite these numerous organizations, but merely to strengthen all for the common good of womankind and humanity generally.

In 1894 Mrs. Helen M. Barker was elected treasurer of the National Woman's Christian Temperance Union. This was an honor that was well deserved, and the election met the approval of the women of South Dakota. She had done a vast amount of work to advance the cause of the union at a period in the history of the territory and the state when truth, justice and proper conduct meant much to the people of South Dakota. She was one of the hardest workers, one of the ablest speakers, and one of the most conscientious promoters of the cause of the union in the West. She was a member of the board of lady managers of the world's fair in 1893, and much of the splendid success of the women's exhibit was due to her earnest efforts and broad intelligence. Often in the past she had been called upon to leave South Dakota to aid the cause of women in other states.

In December, 1894, Mrs. Phoebe A. Hearst, of California, presented to the City of Lead a fine English library. She was the mother of William Randolph Hearst of newspaper fame.

At the legislative session of 1893, in response to many imperative demands from all parts of the state except from Sioux Falls, the divorce law was so amended that it required six months' residence instead of three months to become a citizen in order to secure a divorce.

Marietta M. Bones was formerly an ardent supporter of the woman's suffrage movement. What caused her to change her mind is probably lost to history. She said in the Sioux Falls Press in March, 1895, "We rejoice that South Dakota legislators had the wisdom to defeat the woman suffrage bill, for in our opinion a greater calamity can never befall the nation than the enfranchisement of women." This statement followed her review of the work which had been undertaken and partly commenced by Susan B. Anthony and Frances E. Willard, and referred particularly to South Dakota, as well as generally to the whole country. When she took this position she was in open hostility to these two ladies, both of whom were compelled to notice and to deny with much emphasis her attacks upon them through the state press. She continued her hostility to suffrage as the years passed, and remained the enemy of the movement until the day of her death in July, 1901, at Washington, D. C. During the campaign of November, 1898, in this state she openly opposed the woman's suffrage movement and probably contributed much to the defeat of the measure at the polls. In any event, when the returns were all in and it was known that the measure had been defeated, she expressed great satisfaction over the result, and declared that South Dakota had been saved from serious humiliation and suffering. During the campaign of 1898 Mrs. W. W. Crannel of Albany, N. Y., likewise assisted to fight the woman's suffrage movement in this state. She delivered several strong, sarcastic and critical addresses in different parts of the state and unquestionably did much to defeat the measure at this time. During the campaign of 1900 Mrs. Bones likewise fought every step taken to advance the temperance and equal suffrage movements in this state. Previously she had been a strong temperance supporter as well as an advocate of equal suffrage; but later had repudiated both movements, and not only waged war against both, but also fought hard against the popularity and prominence of Miss Willard and Miss Anthony.

In September, 1895, the Woman's Christian Temperance Union of South Dakota assembled in annual session at Pierre. There was a large and distinguished attendance. This was one of the most interesting meetings the union ever enjoyed. They discussed all phases of the numerous questions which were then of great and paramount interest to the union. Particularly did they consider and decide to act upon the resubmission act which was passed by the last Legislature. They saw that it was their duty to take up arms and battle against the resubmission proposition. At the same time the State Equal Suffrage Association was in session at Pierre. The two organizations fraternized, because their objects were largely identical and because each could help the other with work and encouragement. The new officers elected for the Woman's Christian Temperance Union were as follows: Mrs. Lulu Ramsey, of Woonsocket, president; Mrs. Anna Simmons, of Huron, vice president; Mrs. Kalder, of Woon-

socket, corresponding secretary; Mrs. Carrie Smart, of Sioux Falls, recording secretary. The new officers elected for the State Equal Suffrage Association were the following: Mrs. Anna Simmons, of Huron, president; Mrs. Eva C. Myers, of Canastota, vice president. The suffrage association prepared for a stringent campaign in order to secure a constitutional amendment allowing women to vote. The last Legislature had defeated the suffrage bill.

In October, 1897, the Woman's Christian Temperance Union assembled in annual convention at Vermillion. At the opening meeting in the Methodist Church on the evening of the first day, Miss Kara Smart responded to the lighter word, "Welcome," which was shown in the darkened church. Her remarks were beautiful and inspiring. Mrs. E. J. Beach followed with a strong business address which showed the financial wants and accomplishments of the union. She succeeded in securing an unusually large collection. She showed in detail the financial condition of the union. The total membership in the state at this time was about one thousand two hundred and fifty. It had decreased seventy-five since the previous year. The total receipts were about six hundred and fifty dollars and the total expenses about the same. Four district presidents attended this meeting. All of the general officers were likewise present. The report of Mrs. M. I. Kalder, corresponding secretary, was listened to with great interest. Perhaps the reports of the various state superintendents elicited the greatest praise and kindled the most eloquent remarks. The following district superintendents were present: Mesdames R. B. Hager, C. M. Spears, M. K. Patten, Alice Hanson, C. O. Norris, and L. A. Ramsay. There were introduced to the convention Mrs. Hyde, of Beresford, Mrs. Hart, of Vermillion, and Mrs. Beach, of Britton, all three of whom had been members of the old time temperance crusade in this territory. Miss Swartz had been a member of one of the eastern temperance crusades in 1873. Rev. R. E. Carhart delivered an interesting address on the "Development of the Temperance Movement in South Dakota." Mrs. E. A. Cranmer conducted an interesting preliminary drill. In the evening four of the six district presidents delivered enlivening addresses on subjects of general interest to the convention. Among the speakers were Mrs. Conklin, of Canton; Mrs. Gossage, of Rapid City; Mrs. McDonald, of Highmore; and Mrs. Irwin, of Salem. President Ramsay spoke to a large audience that evening. Alice Hanson brightened the occasion with a brilliant and unique address aimed to secure a large collection. Her efforts were successful. On the second day the proposed repeal of the prohibition law by its resubmission was discussed in detail and with intense spirit by the convention. On the same day the Anti-Saloon League, a branch of the organization, held a notable session and was addressed at length by Mr. Carhart. At this time Mrs. Alice Gossage was editor of the *White Ribbon Journal*. She was present and was cordially and formally thanked by the entire convention for her splendid efforts on behalf of temperance. On Saturday Miss Clara McDonald conducted the exercise called "devotionals," and the subject of "Model Officers" was discussed from all angles by many. Miss Elizabeth U. Yates, of Maine, delivered an instructive address at the "Y conference." A special suffrage convention was held with a large attendance, and the informal but elaborate proceedings were led by Mrs. Simmons and participated in by many of the ablest speakers. Mesdames Spears, Hager and Swartz were appointed a select committee to write a history of the union in this state.

Miss Yates lectured on the subject, "Fashion in Thinking." It was one of the most brilliant addresses of the convention, the language being exceptionally beautiful and elegant. On Sunday all pulpits in the city were filled by the able ladies of this convention. Alice Gossage conducted a "children's hour," which proved an exercise of great interest to all who participated. On Monday the election of officers for the coming year took place. Mrs. Luella A. Ramsay was reelected president; Mrs. Anna R. Simmons, vice president; Mrs. Matilda I. Kalder, corresponding secretary; Miss Kara Smart, recording secretary; and Mrs. J. Beach, treasurer. Mrs. L. A. Ramsay was appointed delegate to the world's convention at Toronto, Canada, with Mrs. E. A. Cranmer as alternate. Mrs. R. B. Hager, Mrs. Anna Simmons and Mrs. E. A. Cranmer were elected delegates to the national convention at Buffalo. On Monday the reports of the numerous committees were received and considered. The whole convention upon adjournment united in repeating the words, "God be with you till we meet again." Many recommendations for the good of the union were proposed at this unusual meeting. The resolutions adopted urged a more diligent study of the word of God; asked all branches to subscribe for the union paper organs; declared that the hope of the future was in the right education of the young; announced that the study of hygiene and heredity would show the evil effects of the drink habit; and asked all branches to work diligently for the suffrage amendment that was to be submitted to the voters in November, 1898.

In February, 1898, the death of Miss Frances E. Willard occasioned great regret and grief throughout the entire world and particularly among all circles of Woman's Christian Temperance unions and Woman's Suffrage clubs everywhere. In this state the grief was genuine and pronounced. Meetings were held in almost every county to give emphasis and publicity to the regret and sorrow which prevailed in every community where the uplift of women and children was active and paramount.

The state convention of the Woman's Christian Temperance Union for 1898 assembled at Mitchell in September. There were present many prominent ladies interested in the advancement of the union. Mrs. Luella Ramsay, president of the union; Mrs. Anna Simmons, of Huron; Mrs. J. A. Pickler, of Faulkton; Mrs. Smart, of Chicago; Mrs. Ellen Beach, of Britton; Miss Kara Smart, of Sioux Falls; Mrs. M. J. Kalder, of Woonsocket; Mrs. Alice R. Gossage, of Rapid City; and others equally prominent were present. This session was one of the most interesting thus far held in the history of the union. Many eloquent speeches were made and many strong papers were read. The opening exercises were patterned in accordance with the program of the twenty-fifth annual celebration of the women's crusade against saloons organized, started and conducted in 1873. Mrs. Beach, present on this occasion, was the only one who had been connected with the inspiring movement in 1873.

In June, 1900, the South Dakota Federation of Woman's Clubs assembled at Aberdeen. Every club in the state except one was represented, there being in attendance more than fifty club women who were notably prominent in the social and home life of the state. Mrs. W. H. Lyon was present at this time and called the convention to order. The proceedings from the start were animating and intensely interesting. Brilliant speeches were made by able women from all parts of the state. There were present only fifteen accredited delegates,

but others were admitted when they had shown that they were members of the clubs and in good standing. While in session at Aberdeen the ladies were given a splendid reception at the residence of Mrs. A. H. Olwin. This reception, the local press declared, was the most brilliant and cordial social gathering ever held in that city. Numerous questions concerning the property of the clubs and the improvement of home life were elaborated and discussed. An important question duly considered was the social problem involving the colored race. There was much diversity of opinion, but the consensus of opinion was that the two races should seek their uplift along separate lines and in different fields.

In September, 1901, the Woman's Christian Temperance Union held their annual session at Watertown. There was present a large delegation from all parts of the state. At this time Mrs. Ramsey was president. In her address she said that she had delivered about five hundred addresses throughout the state during the year 1901. It was stated by more than one delegate that these addresses had accomplished untold good in South Dakota for the cause of the union and the measures and principles which the union represented.

At the convention held by the woman's clubs at Hot Springs early in 1901 several important resolutions were passed. One asked for a home somewhere in the state for feeble and indigent old ladies who had no means of support and who by their birth and education, deserved more tender care and pleasant environments than could be obtained in the state charitable institutions. Another favored a traveling library to be owned by the state and operated by a board of commissioners appointed by the governor. A bill to this effect was introduced in the Legislature of 1901 but it failed to become a law. The federation was now determined to take up the matter in earnest. Another resolution which brought out much discussion, declared that the National Federation of Women's Clubs be composed of white women only. The discussion was very heated and the resolution was finally adopted. The liquor law passed by the Legislature in 1901 did not materially change the regulations of the business so far as saloons were concerned but it did strike a death blow at what had come to be called drug store saloons. Under this law the maintenance of a bar behind the prescription case was effectually wiped out. The dispensing of beer in bottles could no longer be carried on with impunity and the sale of beer by druggists except for medical purposes was positively prohibited.

In 1901 the Woman's Christian Temperance Union requested all local unions throughout the state to raise the annual dues of their members from 60 cents to \$1. The state union has for some time realized that the dues were too low to provide adequate means for the success of the movement. In many unions the annual fee was but 50 cents, ten of which went to the county organization and ten to the district and thirty to the state, leaving nothing in the local treasury. Thus local work was forced to depend upon funds raised by socials, entertainments and such other methods as women devise. The working force of the union was small compared with the membership. Much of the financial burden was placed upon the shoulders of a few. It was now sought to remedy these defects. The state union reported that work had suffered through the lack of necessary funds. The yearly expense account of the state union had thus far been two and one-half times that of the annual income. The extra amount had to be raised by local unions each of which was asked to pledge from \$5 to \$25

each year. As these sums were often slow in coming in, the work of the state union was retarded. The state union therefore pleaded for a raise in the annual dues. The state union said: "Sisters of the local unions will you consider this matter prayerfully and unselfishly. We are attempting to do more than any other organization and have the poorest support of any from membership dues, yet the aim and the scope of our great work is not exceeded even by the church. It is hoped that everyone of our members will realize the necessity of this change and respond willingly when our treasurer calls sometime during next month."

In 1903 the South Dakota Federation of Woman's Clubs assembled in Rapid City, there being present a large assemblage in addition to the usual delegation. At this time Miss Clara D. Coe was president. In her opening address she ably reviewed what had been accomplished by the combined clubs of the state during the past few years. Many interesting papers and many instructing discussions were listened to at this important meeting. Every branch of club life was laid bare, reviewed, criticised, and numerous improvements were suggested. Delegates to the National Convention of Woman's Clubs were appointed as follows: Mrs. C. B. Clark, Deadwood; Mrs. Anna E. Lumberg, Pierre; Mrs. W. W. Stewart, Hot Springs; Mrs. J. A. Bates, Huron; Miss Clara D. Coe, Deadwood.

In 1893 the law provided that the age of consent of women should be sixteen years, but in 1903 this law was changed, and the age was fixed at fourteen years. This change was not satisfactory to the women of the state. As a matter of fact the age of fourteen was arbitrarily fixed by the code commission of 1903, and the report of the commission after due discussion by the Legislature was accepted by that body. It was claimed at the time that the code commission had made a mistake, or its clerk or secretary had intentionally and arbitrarily inserted the figures "14" instead of "16," because it was shown that the commission had not considered changing the age from sixteen years to fourteen years. However, the acceptance of the age of fourteen by the Legislature established that age as the lawful age of consent.

In September, 1903, the Woman's Christian Temperance Union held their annual convention at Redfield. It was the largest attendance for three years. Much interest was shown in the questions of temperance, suffrage and civics which were then stirring and convulsing the whole state. The railways gave one and one-third fare, which in part occasioned the large attendance. The local union at Redfield exerted itself to entertain the crowd. They served meals to all in the Masonic Hall. Many farmers in that vicinity donated butter, cream, etc., and merchants and grocers furnished free various products to meet the demand. Numerous questions of much interest were considered; child welfare was one of the most important. At this meeting Miss Carwin, of Mitchell, who was secretary of the Young Woman's Christian Association for North Dakota, South Dakota and Nebraska, was present. She later held a meeting at Huron and secured twenty-one new members for the local organization there.

The tenth annual convention of the Young Woman's Christian Association opened November 7, 1903, at Brookings. Miss Starr, of Mitchell, state chairman, called the meeting to order in the University Chapel and introduced Miss Simms, general city secretary of the American Committee, as leader of the Bible hour. She used for the central thought of her remarks "Faith." Succeeding her interesting address, Doctor Chalmers, president of the Agricultural College,

delivered a forceful and scholarly address on the "Impregnable Rock of Scriptures." He said that the storm of unbelief and infidelity for a thousand years had swept over the foundation stone of the Christian Church yet it still stood strong and firm, the fortress of God. He ended his address by extending a cordial welcome to the convention. To this welcome, response was made by Miss Van Orsdale, of Huron. Miss Lapham, of Vermillion, was appointed chairman of the convention. Her able manner of presenting the programs added much to the spirit, celerity and success with which the proceedings were conducted. The missionary phases of the work of the association were shown by Miss Milhan, state secretary of Minnesota. She emphasized the fact that the criticisms of the missions were really a criticism of the church, the Bible and even of Christ himself. She declared that everyone of whatever name or nation should be furnished a knowledge of the way of salvation. Her address was one of much depth and brilliancy. Later a college conference, led by Miss Gold Corwin, secretary of the Dakotas and Nebraska, was held in the presence of a large audience. Instructive papers were read by representatives of several colleges all having the object of stimulating an increase in membership and the encouragement of Bible study. In the evening a delightful reception was held at the armory where many beautiful papers were read, music was rendered and sociability ruled the hour. On Sunday a meeting called the Quiet Hour was presided over by Miss Avery, dean of women, Redfield College. This was one of the most fervent and impressive sessions of the convention. Dr. Thomas Nicholson, president of Dakota University, delivered the convention sermon in an eloquent and forcible manner from the text "Man shall not live by bread alone but by every word that proceedeth out of the mouth of God." He declared that it was the bounden duty of all to provide for temporal wants but that humanity should not live alone for sensual things. Man should shape his life according to principles as high as Heaven and as broad as the truth of God. All enjoyed this splendid discourse. On Sunday afternoon, Miss Simms held a woman's meeting, which was well attended. In the evening three addresses were delivered at the Presbyterian Church, one by Doctor Nicholson on "What the association should seek to do for the college woman," one by Miss Milhan on "Student and missionary phase of the work" and one by Miss Simms on "The work of the association." The proceedings at the convention were a great delight and inspiration to all who attended. Mitchell was fixed for the next place of meeting. The enrollment showed that eight schools were represented at the convention as follows: Brookings, 20; Huron, 17; Mitchell, 12; Redfield, 9; Vermillion, 5; Yankton, 4; Sioux Falls, 1; Aberdeen, 1. The convention adjourned after thanking the people of Brookings for their courtesy and welcome.

In November, 1903, Elizabeth O. Hiller, principal of the Chicago Domestic Science Training School, delivered a course of lectures at Pierre. Her subjects were as follows: An Ideal Kitchen; Some Home Beginnings; Soup and Soup Garnishings; Meat and Fish Sauces; Eggs and Incidentally Omelets; Souffles; Custards and Entrees; Fish, Shellfish and Crustaceans; Meats—Roasts, Boils, Fries, Fricassees and Suets; Sauce; Batter and Dough; Breads and Salad Cakes; Salads and Sandwiches; Hot Desserts and Sauces; Frozen Desserts; Beverages; and Dining Room Service.

In 1904 the Woman's Christian Temperance Union held their state convention at Beresford. There was a large attendance and much interest was shown in the proceedings. Full reports from all the departments and committees were received, commented upon, and improvements were offered and suggested. The new officers elected were as follows: Mrs. Luella Ramsey, president; Mrs. Lulu Davidson, corresponding secretary; Mrs. D. E. Jones, recording secretary; Mrs. Lizzie Tidwell, treasurer; secretary of the national branch Miss Grace Van Vliet. The delegates chosen for the national convention were: Elizabeth Parkinson; Mrs. Marshall; Esther Sinclair; and Mrs. King, of Scotland.

In June, 1905, Governor LaFollette, of Wisconsin, lectured before the Chautauqua assembly at Aberdeen on the subject of "Representative Government." It was one of the ablest, most logical, most cogent and most illustrative lectures ever delivered in the state. He exposed many of the shams of government and the devious ways of the politicians.

In February, 1906, the second South Dakota District Convention of the Woman's Christian Temperance Union met at Springfield with Mrs. Dollard, of Scotland, in the chair. Her annual address contained many valuable suggestions and recommendations. Reports from nearly all the branches in the state were received. The exercises consisted in drills, discussions, papers and music.

In 1908, the official organ of the South Dakota Federation of Woman's Clubs was the *Courant*. In it were published the proceedings of the conventions, committee reports, and special messages from committees and officers. The paper was published at St. Paul. Miss Hall of the South Dakota Federation was official correspondent for the *Courant*. At this time the officers of the state federation were as follows: President, Mrs. Julius H. Johnson, Fort Pierre; vice president, Mrs. Levi McGee, Rapid City; recording secretary, Mrs. B. S. Hoover, Gettysburg; corresponding secretary, Miss Emma C. Hall, Milbank; treasurer, Mrs. Frank Anderson, Webster; auditor, Mrs. H. E. Hendricks, Sioux Falls. There were standing committees on these subjects: Art, Mrs. Lizzie W. Truran, Pierre, chairman; Civics, Mrs. Mayme Sharward, Bridgewater, chairman; Civil Service Reform, Mrs. Maud C. Rix, Milbank, chairman; Education, Mrs. Albert Morse, Faulkton, chairman; Forestry, Mrs. Jennie M. Poste, Fort Pierre, chairman; Household Economics and Pure Food, Mrs. Anna S. Potter, Dell Rapids, chairman; Industrial and Child Labor, Miss Belle Pettigrew, Sioux Falls, chairman; Library Extension, Miss Ella M. Laurson, Mitchell, chairman; Literature, Miss Nina Nash, Aberdeen, chairman; Legislation, Mrs. A. H. Oleson, Deadwood, chairman; Reciprocity, Mrs. Hannah Joyce Smith, Webster, chairman; Health and Hygiene, Mrs. H. R. Pease, Watertown, chairman; Advisory Committee, Mrs. Anna A. Lumley and Mrs. G. F. Stebbins.

From 1900 to 1910 the annual conventions were held as follows: 1900 at Aberdeen; 1901 at Hot Springs; 1902 at Sioux Falls; 1903 at Rapid City; 1904 at Watertown; 1905 at Huron; 1906 at Mitchell; 1907 at Milbank; 1908 at Pierre; 1909 at Dell Rapids. The presidents had been: 1902-04, Mrs. Clara D. Coe, Deadwood; 1904-06, Mrs. Anna A. Lumley, Pierre; 1906-08, Mrs. Stella M. Stutenroth, Watertown; 1908-10, Mrs. Julius H. Johnson, Fort Pierre.

In 1909 the new divorce law was put into effect. It was opposed in the courts, and a test case was concluded at the regular term. The law had been approved at the election in November, 1908, under the referendum by a large

majority of the voters and was declared legal by the courts. This law provided that a whole year's residence should be maintained in this state before a divorce could be granted. There were a few exceptions permitted under the law. However there was not much variation in the number of applications and in the number of decrees. By 1911 sufficient statistics had been collected to show the difference between the old and the new systems. The records showed the number of divorces granted in the state as follows: For the year 1906, 508 cases, with 292 divorces granted; 1907, 552 cases, with 364 granted; 1908, 665 cases, with 420 granted; 1909, 496 cases, with 261 granted; 1910, 446 cases with 230 granted. Desertion continued to be the prevailing cause of divorce, about 50 per cent of all cases being brought upon that ground.

In the fall of 1909 the twenty-first annual session of the Woman's Christian Temperance Union was held at Brookings, and the delegation present consisted of about one hundred members. There were also present at this important meeting representatives from many woman's clubs in different parts of the state. Many questions of great interest were discussed by the delegates, and the visiting club women were cordially received. All were hospitably and warmly welcomed and entertained by the people of Brookings. Mrs. Luella Ramsey was president of the organization. This year Mrs. Lydia B. Johnson, of Fort Pierre, was president of the State Equal Suffrage Association and therefore the leader of the movement for a change in the constitution in favor of suffrage for women. The annual meeting of the suffrage association was held at Sioux Falls. The Woman's Reserve Corps in a public meeting endorsed the suffrage movement at this time and promised all the aid in their power to enable the movement to win. Mrs. Laura Gregg was national suffrage organizer at this time. At this meeting the Joe Hooker Post G. A. R. and the Woman's Relief Corps of Sioux Falls entertained the suffrage association.

In her address to the federation in 1909 Mrs. Lydia B. Johnson said: "As I have visited the various clubs during the past year I realize more and more how much our work means to us and what a vital force the federation may become in our state. The interests of the family come first, then the community, finally the state. The interdependence of these interests is recognized. The inquiries that have come to me relative to the laws that affect women and children indicate that women are deeply interested in the Government."

At this time the federation's traveling library consisted of about one hundred and eighty-five books, of which 50 per cent were adult fiction, 9 per cent juvenile fiction, 33 per cent adult general literature, and 8 per cent juvenile general literature. Three traveling libraries were in circulation, of which two were fifty volume libraries and one a thirty-five volume library. Steps to add two additional circulating libraries were taken at this time.

The annual meeting of the Woman's Federation Clubs at Dell Rapids in 1910 was the largest ever held thus far. These delegates were chosen to attend the biennial convention at Cincinnati: Mrs. Julius H. Johnson, Miss Emma C. Hall, Mrs. A. B. Fairbank, Mrs. Ester C. Howheman and Mrs. Lizzie Truran. Mrs. Johnson was appointed to represent the state federation at the Alaska-Yukon Exposition, Seattle, on South Dakota Day. The question of amending the state constitution so as to grant political equality to woman was discussed. These delegates were sent to the State Equal Suffrage Association Annual Meet-

ing at Sioux Falls in November: Mrs. Anna S. Smith, Mrs. A. D. Tinsley, Mrs. H. R. Pease, Mrs. Beulah Scallin and Mrs. G. N. Parsons.

At this time the following clubs were members of the federation: Aberdeen—Clio Circle, Orptec Reading and Shakespeare; Blunt—Tuesday; Bonesteel—Woman's; Bridgewater—Study; Brookings—Saturday Literature; Bruce—Over the Teacups; Britton—Study; Centerville—Fourteenth Century; Chamberlain—Travelers; Canton—C. C. and Priscilla; Castlewood—Woman's Study; Deadwood—Round Table, Thursday and Woman's; Dell Rapids—Woman's; Elkton—Woman's; Faulkton—Tuesday and Swasteka; Flandreau—Athena Literary and Twentieth Century; Fort Pierre—Woman's; Gettysburg—Woman's Literary; Groton—Current Event; Hot Springs—Shakespeare and Travelers; Huron—Fortnightly; Lead—Woman's; Lake Preston—Excelsior; Lemmon—Woman's; Milbank—Makocha and Excelsior; Midland—New Century; Miller—Helen Hunt Jackson; Mitchell—Round Table and Art; Pierre—Woman's; Pukwana—Current Topic; Rapid City—Current Event and Fortnightly; Revillo—Progressive Study; Sioux Falls—Ladies' History; Sisseton—Zenith; Vermillion—Wasesa; Watertown—Fortnightly, Progressive Study, Book Forms, Wa Ya Wa and Woman's; Wakonda—Monday; Webster—Woman's, Tuesday.

By 1910 the federation had increased from seven at the start to fifty-two clubs. The approximate membership was 1,107. The leading studies were art, literature, history, science, civics and philanthropy. Fourteen clubs used the Bay View course; 18 devoted themselves to general history; 6 to the history of the United States; 1 to a study of South Dakota; 7 to Shakespeare; 9 to literature and art; and 4 to music. The study of household economics was taken up by nearly every club. Other studies were architecture, landscape gardening and nature study including birds and botany. The Children's Home at Sioux Falls was given first place as a philanthropic movement. The "City Made More Beautiful" was worked at by all. One of the most attractive features of all was the sociability encouraged, fostered and cultivated.

At the annual convention held at Milbank in 1907 the subject of "English Scholarship for American Women" was considered with the view of helping the movement. It was finally decided by the clubs present to become contributors to the fund by raising \$100, the sum requested from every state federation, each club to pay \$2. As this sum had not been raised by the next annual meeting all were urged to complete the work. In May, 1909, the whole amount was forwarded to the general federation.

At the eleventh annual meeting of the state federation held at Aberdeen in 1911, Mrs. A. B. Fairbanks made a detailed report of the biennial convention of the general federation held at Cincinnati. President Nash, of the Aberdeen Normal, lectured on "Sunny Italy" and described his impressions of the Great Passion Play at Oberammergau. Mrs. Johnson delivered her annual address as president, Dr. Barton Aglesworth discussed the subject "Why South Dakota Woman Should Have the Ballot." Mrs. Mary E. Craigie addressed the women on the subject of "Woman Suffrage." In a vote on a resolution to endorse the proposed amendment to the constitution for the adoption of woman suffrage the result was—for the resolution 16, against the resolution 20. On a vote to reconsider, the result was the same. This result was a great surprise to everyone present. It was announced at the meeting that the federation consisted of fifty-

seven clubs and an approximate membership of 1,287. The largest member was the Woman's Club of Lead which had 110 members. It was noted that generally all the clubs were extending their work to public questions and current topics. Miss Emma C. Hall was president. She said, "Let us answer the question, what do the clubs actually accomplish? By providing that the Woman's Club today stands as the most practical and helpful friend and ally of the happy home, while the pulpit and the religious press are discussing what the woman's clubs are doing." She ended by quoting as follows from the year book of the Kentucky Federation: (1) Keep us, O God, from pettiness; let us be large in thought, word and deed. Let us be done with fault-finding and leave off self-seeking. May we put away all pretense and meet each other face to face without self-pity and without prejudice. (2) May we be never hasty in judgment and always generous. (3) Teach us to put into action our better impulses, straightforward and unafraid. Let us take time for all things; make us grow calm, serene and gentle. (4) Grant that we may realize it is the little things that create differences; that in the big things of life we are all as one. (5) And may we strive to touch and to know the great common heart of us all and O God let us not forget to be kind.

In October, 1910, the Black Hills Federation of Woman's Clubs was organized at Lead with the following officers: President, Mrs. Damon H. Clark, Lead; vice president, Mrs. H. E. Perkins, Sturgis; recording secretary, Mrs. L. D. Jacobs, Lead; corresponding secretary, Mrs. T. W. Moffet, Deadwood; treasurer, Mrs. L. A. Richards, Rapid City.

The twelfth annual meeting of the state federation was held at Canton early in October, 1912. There was a goodly attendance, every member of the official board being present. The report of the new committee on Conservation was interesting and important. The committee on Civics and Education reported great progress. Prof. N. E. Hansen entertained the ladies with his illustrated lecture on "Travel Notes Around the World." A paper on "The State Library Commission and Traveling Libraries" was read by Mrs. Albert Hardy; it showed the imperative necessity of such commission. A resolution endorsing the work of H. W. Wiley, chief chemist of the Department of Agriculture, was passed; it pointed out what he had achieved to aid housewives to secure pure food. A congressional public health committee was favored. The bill passed by the last Legislature for the preservation of deer in the Black Hills region was credited to the efforts of the woman's clubs. Miss Emma C. Hall, Mrs. Zillah E. Wilson, Miss Sadie Robinson, Mrs. Winona A. Lyon, Mrs. Homer Dorr and Mrs. D. C. Brogstad were chosen delegates to the general federation to be held in San Francisco in 1912. President Hall said: "The growth of the federation during the past two years has been very pleasing and the predominating note of the many letters I have received is 'our club is doing fine work.' As club women of South Dakota we are proud that we are a part of the great organization of women in civilization, the general federation. While we are proud of past achievements we feel there is vastly more to be accomplished. Every club should bear its part in the great forward movement for womankind. Like the progressive people of old we are looking toward the promised land of better things. You club women of South Dakota have it in your power to do much for civilization in this 'sunshine state.'"

In October, 1913, the twenty-fifth annual convention of the Woman's Christian Temperance Union was held in the Methodist Episcopal Church in Watertown. On the same date the Methodist Episcopal conference was in session at Redfield. They endorsed woman suffrage in a series of resolutions and telegraphed their action to the meeting of the Woman's Christian Temperance Union at Watertown. This telegram was read to the whole convention and elicited great applause. An encouraging letter of congratulation from Jane Addams was received at this time. In this convention Mrs. Hyde, of Beresford, was introduced to the convention as the only living member of the crusaders of 1873 that resided in this state. The crusaders established an organization which preceded the formation of the Woman's Christian Temperance Union. She was a delegate to this convention and in response to a cordial invitation delivered a speech concerning the lively times which the women experienced as crusaders when the temperance movement of 1873 swept and shook the whole country. She was eighty-three years old. The delegates to this convention were met at the trains by automobiles furnished by the city and taken to the homes where they were royally entertained.

At the annual meeting in Deadwood, 1914, Jane Addams of Chicago lectured on the suffrage question and delighted all who heard her with her optimism and the ultimate for advancement of women. All of the clubs and federations for the uplift of humanity reported unusual and cheering progress during the year. It was urged at the meeting that each club should assist in raising the endowment fund by a tax of 25 cents per capita, each year until the proposed fund was large enough to pay the state officers for their expenses to the federation meetings. The state was divided for convenience into six club districts, each district to have a president and a corps of officers, the president to be a member of the State Federation Executive Committee. A strong effort to bring together the Black Hills and the state federation was made and was successful.

The reports of the standing committees were of great interest and moment. Many new fields were invaded, besides the old ones of music, art, conservation, vocational education, civics, civil service, child study, library extension, etc., the civil service committee advocated a state wide civil service law, a law to regulate appointments to the state penal and charitable institutions, a board of official women visitors for such institutions and a non-political police department in every city, town and village. The report of the Mother's Club Committee showed gratifying progress. The Hot Springs Mother's Club was shown to be particularly active and useful with a membership of fifty. It had a friendly visiting committee to co-operate with the school teachers in looking after children who were insufficiently clothed. It sent reading matter to the rural districts and used the schoolhouses as distributing points. Steadily was the plan growing to use the public libraries for reference rooms by the high school pupils particularly. During the year the club considered the Public School from the Teachers' Standpoint, the Public School from the Parents' Standpoint, School Hygiene, Public Health, Proposed Legislation along the Lines of Public Health.

The Aberdeen Mother's Club finished its second year of work in 1914 and reported encouraging progress. Monthly meetings were held. Excellent work was accomplished by the Friendly Visiting Committee, the object being to assist the teachers to see that children received proper treatment, were clothed and

were free from ailments. The poor folks on the country farm were not forgotten at Christmas time. The Mother's Union at Huron completed its fifth year in 1914. A few of the subjects considered during the last year were: The Relations between Mother and Daughter, Training of the Appetite, School as a Social Center, Eye and Ear. The Temperance Committee distributed the Instructor, which revealed the effects of alcohol and narcotics. They also distributed 1,000 blotters in the schools, on which was a warning against the cigarette habit. The mothers' clubs were yet new, lacked organized effort, but were growing in number so that the outlook was good when they should become strong and numerous enough to unite.

A large délégation of South Dakota women attended the national biennial at Chicago in June, 1914, among them were the following: Aberdeen—Zillah E. Wilson; Yankton—Kathryn Schuppert, Susan B. Warring, Mrs. John Max, Margaret Huston; Deadwood—Mary L. Russell, Jessie M. Martin; Fardton—M. Jean Wilkenson, Alice M. Pickler; Hot Springs—Ella B. Dolliver, Olla F. Highley; Rapid City—Mary Rice, Alice B. Gossage; Sioux Falls—Lorena K. Fairbanks, Mrs. William Paulton, Sarah J. Dalton, Lillian M. Edmison, Mrs. Frank Leach, Winona A. Lyon; Watertown—Addie L. Bird, Minnie E. DeGroff; Huron—Mrs. Grant; Bruce—Gertrude Walker; Vermillion—Gertrude B. Gunderson; Salem—Anna K. Anderson; Winner—Agnes Barnum; Brookings—Emma L. Storm; and others. This great convention was enjoyed to the utmost by the ladies present from this state. The music was grand and the addresses were penetrating and uplifting. The address of Jane Addams on Women's Clubs and Public Politics was an analytical and powerful review of the gradual evolution of women's clubs—first with primitive cultural club and gradually widening out to embrace all subjects in which women are interested, particularly the transformation of home, the evolution of child life, the extension of child education and the new program of human intercourse. In speaking of the effects of the social movement she said: "Without the franchise (suffrage) woman is suddenly shut out of the game—the game played all over the world by statesmen who at this moment are attempting to translate the new social sympathy into political action. And again, the Woman's Club Movement is but one manifestation of that larger effort for liberty and culture found in great women's souls all over the world. The clubs of this federation learned through their philanthropies that in living kindness there is a great salvation; that the beauty seen through poesy and art is truth; that in the understanding of life lies the path to social progress."

The address of Pres. Anna J. H. Pennybacker was equally strong and grand. She called the club women missionaries, the rural districts their fields, great reforms their gospel and the uplift of all humanity their religion. She lifted club work to the same standard as religious evangelism, and declared that the country and not the city afforded the greatest promises of reformation. The splendid work of the clubs was inspirational and akin to the divine. She said: "Some one has well said that reforms in a city are mere makeshifts, but that if we reach the masses in the country we have gone above the rapids and prevented the terrible destruction that comes from the cataract. It is not enough for our rural people to produce more in the fruits of the field. They must have opportunity to live more. Especially is this true of the boys and girls, the young men

and the young women; their lives must be fuller and richer or the country cannot hold them when the city beckons. If the country school is to be a social success, if it is to be the real center of the best social life in the community, it must be presided over by a teacher who is there permanently. Nothing will sooner give this permanency than a comfortable house with a plot of ground where the teacher can have a settled feeling. Even if an unmarried woman she can form a home for herself and the visiting nurse, which nurse the community needs sorely. Not 10 per cent of our people realize the sacrifices made and the difficulties endured by the country school teacher. If we could see the physical discomforts, the poor food, the lack of privacy, the ill-ventilated bedrooms, the long walks, the absence of janitor service, in fact oftentimes the lack of every thing to make duty and life sweeter, easier and healthier we would wonder that any group of men and women could be found to endure such privations in return for the pittance doled out to them in the way of salaries."

The address of Dean Sumner, of the University of Chicago, was one of the most cutting and stirring ever listened to by the woman clubs of this country. He said, among other things: "One kind of a man walks our streets without a spark of honor, without a spark of sportsmanship. He is the hunter of the uninformed, lonely girl who is as lonely as you and I never have been. She is hunted down by him. She is lost to her family, lost to her friends, lost to herself, lost to her God. But he is accepted everywhere. He continues to walk the streets—a romantic figure. It will never be any different until you women demand the single standard, until you say to your boys—and teach them to live by the saying—'somewhere some girl is keeping herself sweet and clean for you. Will you do as much for her?' I challenge you, the flower of womanhood, to say to men, 'No longer shall you exploit my sex in the degradation of a marriage to which you bring disease.'"

This great meeting adopted the following resolution: That the General Federation of Woman's Clubs give the cause of political equality for men and women its moral support by recording its earnest belief in the principle of political equality regardless of sex.

At the close of 1914 these clubs were members of the State Federation: Aberdeen—Clio, LeCercle Francais, Mother's, Optec, Shakesperean, Sorosis, Twentieth Century and Zenaida; Armour—Prairie Home Study, Civic Improvement and Study; Beresford—Study; Blunt—Tuesday; Bradley—Study; Bridgewater—Study; Britton—Study; Brookings—Saturday Literary and Woman's Civic League; Bruce—Over the Teacups; Canova—Woman's, Literary; Canton—Reading Circle, Canton Art and Woman's Study; Carter—Woman's; Centerville—Twentieth Century; Chamberlain—Travelers, Claremont Zillah; Deadwood—Round Table and Thursday; Dell Rapids—Woman's; DeSmet—Woman's Study; Dupree—Woman's; East Pierre—Woman's; Elkton—Woman's; Faulkton—Tuesday, Swastika and Willard Union; Flandreau—Athena, Civic Improvement League and Twentieth Century; Fort Pierre—Woman's; Frederick—Alpha; Geddes—Civic Improvement; Gettysburg—Woman's Literary; Gregory—Woman's; Groton—Current Event; Henry—Degree of Honor Improvement Club; Hot Springs—Mother's, Shakespeare, Drama and Traveler's; Howard—Civic League; Huron—Fortnightly, Mother's Union and Twentieth Century; Ipswich—Twentieth Century; Lake Preston—Excelsior; Lemmon—Woman's;



CITY HALL, WATERTOWN

Midland—New Century; Milbank—Excelsior and Makocha; Miller—Helen Hunt Jackson and Twentieth Century; Mitchell—Art; Newman, Round Table and Utopian; Parker—Study; Parkston—Bay View Study; Philip—Woman's; Pierre—Woman's; Platte—Woman's; Pukwana—Current Topic; Rapid City—Current Events; Redfield—Twentieth Century; Revillo—Progressive Study; Salen—Study; Sioux Falls—Ladies' History and Study; Sisseton—Zenith; Smithwick—Woman's; Spearfish—Woman's; Tyndall—Study; Vermillion—Waseka; Wagner—Woman's Study; Wakonda—Cu He Lo and Monday; Watertown—Book Looms, Domestic Science, Fortnightly, Progressive Study, Round Table, Sunshine, Wa Ya Wa and Woman's; Webster—Progressive Study, Woman's Thursday; Winner—Woman's; Yankton—Nineteenth Century.

In the fall of 1914 an important movement which affected women was the organization of ladies' auxiliaries to farmers' institutes. The object of organizing these auxiliaries was to accomplish for women and girls in the homes what was accomplished by the farmers' institutes and short courses for the men and boys on the farms. This movement was cordially supported by H. H. Stover, leader and superintendent of the farmers' institutes of the state. He declared that no woman should give up business because of her marriage.

Early in 1915 at a meeting of the Woman's Clubs held at Pierre an interesting program was rendered. Mrs. Chapman and Miss Bennet contributed the music. A paper on the Music League of America by Mrs. Fischer was read to the meeting by Mrs. Polley. The second paper was read by Mrs. Roselle, her subject being a sketch of Henry Hunt and his reform work in the municipal affairs of Cincinnati, and how he gained national reputation as an authority on city government. A short paper on the subject, "Is the American Housewife Incompetent?" was read by Mrs. Travis. She believed that housewives were usually competent, but read from authorities who had other views. This led to a general discussion.

The officers of the State Federation in 1915 were: President, Mrs. Zillah E. Wilson, Aberdeen; vice president, Mrs. Addie L. Bird, Watertown; recording secretary, Mrs. Grace Porter, Fort Pierre; corresponding secretary, Mrs. Gert-rude B. Gunderson, Vermillion; treasurer, Mrs. Jessie M. Morten, Deadwood; auditor, Mrs. Carrie A. McFarland, Wagner; custodian, Mrs. Carrie A. Ewert, Pierre; historian, Mrs. Minnie E. DeGroff, Watertown. In 1915 the standing committees were: Reciprocity, State Endowment Fund, Rural Life, Legislation, Art, Vocational Education, Specific Temperance, Instruction, Industrial and Social Condition, Home, Economics, Literature and Library Extension, Civics, Music, Civil Service Reform, Health, Conservation, Mother's Club, Press and Scholarship Fund. The delegates appointed to the Fourth International Congress on Home Education at Philadelphia in September, 1914, were Mesdames Kathryn Denniston, Della H. Eichholtz, Edith Sproat, Minnie Beebe, Florence S. Thart; and those appointed to the Eighth Special Purity Congress, Kansas City, were Mesdames Faye H. Armstrong, Nina Hoover, Irene C. Wilson, Sarah E. Ward and Carrie N. Wright.

At its fourteenth session the State Federation passed resolutions urging the promotion of the gospel of peace; disfavoring the upper and lower houses of the General Federation; favoring the teaching of home economics in every school of the state where women were being educated; urging the setting apart of a certain

fund to be devoted to extension work in home economics for the direct benefit of the rural women and girls of the state; favored free text books in the public schools; asking for the enforcement of the state anti-cigarette law and the prevention of its use among small boys; requesting the State Legislature to provide better and needed equipment for the State Sanitarium at Custer; recommending that the clubs of the federation do their best to encourage the use of Red Cross Christmas seals during the holiday season; commending the Sioux Falls club for its stand against the objectionable and immoral features of the recent street carnival in that city; asking for the enforcement of all laws intended to protect and improve the moral condition of the state; commending the objects of the Christmas ship which was designed to aid the orphaned children of the warring countries in Europe; endorsing the proposed educational exhibit at the Panama-Pacific Exposition; inviting the city federations of the state to join the State Federation in order to widen their influence.

In her annual address Mrs. Zillah E. Wilson stated that the state endowment fund was on a firm basis, there being on hand about \$300; that each club should prepare a few lessons on each of the topics given; that the federation stood for the home as the center of all their efforts of education in every line; that about thirty new clubs had joined during the past year; that closer touch between the urban and rural clubs should be maintained; that domestic science should be on the public school curriculum; that manual training should take on more of a vocational phase; that mother's clubs would find systematic child study of great value; that the State Federation should own and operate its own official organ; that all club women should talk, think, and act "peace;" that the wearing of peace pins would help to disseminate the gospel of peace; that the federation should become incorporated in order to safeguard the increasing endowment fund; that schools and churches should be social centers; that free kindergartens should be connected with every school; that conservation of time, energy and material should be the watchword; that the time had come for wonderful advancement in club work; and that all members should work for the great common uplift of womankind.

In 1915 the fact that five of the largest organizations of women in Sioux Falls overlapped in their work of reform caused considerable comment and criticism. It was argued that each should be the medium through which the central organization or amalgamation could perform a special duty within its own field of work, but in co-operation with the other four. These organizations were as follows: Benevolent Association, Woman's Alliance, Rescue Mission, Housewives League, and City Federation of Woman's Clubs. All assembled upon call at the residence of Bishop Biller for the purpose of securing along co-operative lines greater unity of action and better service as organizations. Bishop Biller in opening the meeting greatly encouraged the work or movement contemplated by this amalgamation. He believed the plan for co-operation of the different organizations necessary, because of the advisability of co-ordination in the work to promote the physical, moral, economical and social welfare of the people of Sioux Falls. Mrs. F. E. Briggs addressed the meeting on the possibilities of co-operation and briefly summed up her ideas of the value of unity of action. She declared that a central organization would serve as a clearing house for the five organizations and permit all to accomplish successful work, each within

its own sphere of action. The following resolution was passed: "That the president of the Federation of Women's Clubs be empowered to call a meeting of the officers of the organizations represented here to further discuss and formulate plans for closer co-operation." In speaking from the standpoint of the Housewives' League, Mrs. M. H. Egan answered criticisms which had been made against the league, to the effect that the organization was working with the retail liquor dealers rather than against them. She declared such criticisms were unfounded. Mrs. Lundquist, on behalf of the Federation of Clubs, told what had been accomplished in securing the passage of the new state drugs act then before the Legislature. She said: "I believe that a violation of the law is a violation regardless of the rank of society in which it occurs. Recently cigarettes and liquor had been purchased and passed at social gatherings in this city. That is as clear a violation of the law as though done by a derelict from the rescue and elsewhere in South Dakota of the motion picture 'A Fool There Was.'" Generally it was denounced and a more rigid censorship on such scenes was demanded. Upon motion of Mrs. Seals the following resolution was passed: "That this meeting, representing as it does a thousand Sioux Falls women, voice a protest against certain pictures recently shown and certain vaudeville performances recently given at Sioux Falls. Knowing that we represent a large and efficient body of women we ask the support of outside women in the state in the moral uplift of Sioux Falls and its public entertainments." This resolution was called out partly by the escapade of eight boys of the senior class in one of the schools of Sioux Falls who during one afternoon left school to witness one of these performances. This action led to their suspension by Prin. W. I. Early of the high school in February, 1915. After being reprimanded the boys were reinstated. Action on the proposed campaign for uniting work by the above five organizations was taken later.

The seventeenth annual convention of the Woman's Christian Temperance Union met at Sioux Falls in September, 1915. There was a large attendance and the women were given a cordial welcome by the city. They were formally received and during the session considered many important subjects vital to their organization. One of the subjects discussed was the divorce problem. The delegates did not hesitate to sharply criticise Sioux Falls for its attitude on the divorce question. This caused the Huronite to observe "Sioux Falls wants a match factory, probably to offset its divorce factory." The establishment of a match factory at the penitentiary had been proposed for some time.

SUFFRAGE

The demand for woman suffrage has been one of the standing problems before both territory and state since the first settlement and still remains to be solved although the solution is now (1915) believed to be not far distant. The early movements for this right or privilege were as vigorous and interesting as those of recent years.

In January, 1889, the question of woman suffrage came to a climax in the Legislature at Bismarck amid much confusion and excitement. The campaign of the previous year had been conducted with much ability, but there was stubborn opposition, and it was realized that the Legislature in all probability would

defeat the measure. It was found when the members assembled that the Senate could probably be influenced to support suffrage, but when it came to a test vote in the House the measure was defeated by a decisive vote. This defeat, in a large measure, took the spirit out of those who warmly favored and had vigorously supported the measure. However, as the territory was about to be divided and as the new State of South Dakota would soon be under different management, control and influence, it was determined to continue the fight. Suffrage advocates prepared at once for a vigorous campaign during the rest of 1889 and all of 1890.

This campaign for woman suffrage in 1889 was spirited and able. Several prominent suffrage women from abroad addressed large audiences throughout the state. Mrs. Anna B. Simmons took the field late in September, and attracted large audiences with her arguments, enthusiasm and logic. Mrs. Emma A. Cranmer, of Aberdeen, lectured throughout the state on almost every evening during October. She was an attractive speaker and drew large audiences. Mrs. Ballard, president of the Iowa Suffrage Association, was brought here and delivered several addresses in the leading cities. She spoke at the Grand Opera House, Sioux Falls, to an audience estimated at three thousand. Other prominent speakers during October were Miss Mary E. Cowlson, Mrs. George W. King, Mrs. Osgood, Mrs. Clara Richey and Rev. G. M. House. Mrs. Ida Crouch-Hazlett was organizer for the association. She traveled to all parts of the state, sent out many circulars, called numerous meetings, delivered scores of addresses and in every way endeavored to stir up sentiment in favor of suffrage. In spite of all they could do, however, opponents of the movement were found everywhere and did not hesitate to speak their sentiments. Mrs. Crouch-Hazlett said in one of her circulars that active opposition to suffrage in South Dakota had ceased except from certain classes who had everything to fear from suffrage success. She announced that a campaign of education was being conducted to inform men of the meaning of the proposed amendments and of the nature of the movement as a whole in the commonwealth. As the burden of government was born by such a large percentage of women it seemed nothing less than brutal to deny to that class an opportunity of expressing their opinion regarding the sort of government they should be under. It was purely non-partisan, non-sectarian, non-everything except pure justice alone, she said.

In February, 1890, the National Suffrage Convention was held at Washington and every encouragement possible was given to the suffrage movement throughout all the states. This convention appropriated \$3,000 and presented it to the South Dakota delegation to be used for the cause of suffrage during the campaign of 1890. Late in February the suffrage advocates in South Dakota reorganized and began active preliminary work. Later they conducted one of the most spirited, brilliant, yet confused campaigns ever carried on in this portion of the country up to that time. They met again in March and became known as the State Suffrage Association. The executive committee, in the meantime, prepared a program for the campaign, and planned to bring here from outside prominent and able speakers and workers to help in the local movement. Among those who were invited and who promised to come were: Miss Lottie Hindman, of Pittsburg; Mrs. Helen M. Gouger, of Indiana; Mrs. Nelson, and others. The \$3,000 which had been appropriated by the National

Association for South Dakota was placed in the hands of Susan B. Anthony to be expended by her according to her best judgment. In June, 1890, Mrs. Helen M. Gouger sent the following communication to the Union Signal, the organ of the suffrage advocates. "Miss Susan B. Anthony has secured about \$3,000 for the work. She does not place this at the disposal of the State Suffrage Committee and refuses to allow them to dictate its distribution with the exception of \$300 which she has given them. She is badly out of touch with these home workers, and being strange to the people she cannot get her speakers before sufficient audiences and much desultory work is the result. * * * She is a free lance, doing what she can. Miss Anna Shaw has given seventeen addresses under her pay. Mrs. Howells, of New York, is with Miss Anthony holding conventions and speaking. Mrs. DeVoe, of Dakota, is also under her employment doing efficient organizing. This seems to be the extent of visible work being done by the fund placed in Miss Anthony's hands."

At a conference of the leading suffrage women of the state held at Huron in June, 1890, all with much emphasis, favored the campaign to attain the object of equal rights at the polls. It was decided to call a mass convention to be held July 8th, to promote the movement. Forty of the most prominent woman suffrage advocates of the state signed this call and thus identified themselves with the movement. The meeting was called on that date because on the following day the state convention of the independent party was to be held in the same city, and the plan of the suffrage movement was to secure a plank in the platform of that party favorable to the woman suffrage movement. On July 8th pursuant to call the South Dakota Equal Suffrage Convention duly assembled at Huron. They were warmly received by the citizens and entertained largely at private homes. There were present 130 delegates from twenty-eight counties representing the more enlightened and progressive portions of South Dakota. The call for the Woman's Suffrage Convention was prepared and circulated by Libby A. Wardall, Emma S. DeVoe, Philena E. Johnson, Alice M. Pickler and Mary Bonham. At this convention of July 8th, H. S. Monser, of Hitchcock, was chosen chairman and Mrs. Johnson, of Highmore, secretary. Full reports from over thirty counties showed that the state was well organized already for the suffrage campaign. This convention was the most important suffrage movement ever held in what is now South Dakota up to that date. Among the leading speakers were Miss Anthony, Mrs. Nelson, Miss Hindman, Mrs. DeVoe and Mrs. Howells, of Pennsylvania. The latter delivered an elaborate address to a large crowd in the evening. She declared that the object of the movement was to prepare to wage a strenuous war for success at the polls. This convention was very successful. They remained in session until the following day and their influence with the independent convention was so strong that they secured high favor from that body, a plank in the platform recognizing the right and justice of woman suffrage. Late in the fall of 1890 another suffrage convention was held at Huron for the purpose of stimulating and strengthening the efforts in a final blast just before the November election. A reorganization was effected, a considerable sum of money was raised and the name adopted was Equal Suffrage Association of South Dakota.

During the campaign Henry B. Blackwell, of Boston, spoke at several places throughout the state in favor of woman suffrage. His lecture was one of great

beauty and power and revealed the ups and downs of the suffrage movement throughout the Union. The burden of its argument was for equal political rights for men and women. God had made men and women equal, but man had deprived her of her rights. He mentioned Deborah's rule over Israel and declared that Jesus in all his addresses had spoken well of women. He spoke also of the reigns of Queen Elizabeth and Victoria and referred in eloquent terms to the many splendid women who had made themselves famous already in this country for the cause of suffrage.

During August the suffrage campaign was probably at its best, because at this time it lacked the confusion which resulted later. Rev. Mr. Haire of Aberdeen was one of the strong supporters of the movement. His great influence had much to do with giving the measure force and dignity. At the republican state convention, held at Mitchell in August, the State Suffrage Association met the party conjointly for the purposes of securing a plank favorable to suffrage in the platform. There were present on this occasion, Susan B. Anthony, Rev. Anna Shaw, Olympia Brown, Matilda Hindman, Carrie L. Chapman and Alice M. A. Pickler, all of whom upon special request delivered addresses and were conspicuous in the proceedings. The people of Mitchell entertained the ladies royally while in the city. The ladies brought all the pressure possible to bear on the republican convention to secure a suitable plank and were partially successful. During the campaign the following verse by Kate Field went the round of the press of this state:

They talk about a woman's sphere,
As though it had a limit;
There's not a place in earth or heaven;
There's not a task to mankind given;
There's not a blessing or a woe;
There's not a whisper yes or no;
There's not a life or death or birth,
That has a feather's weight or worth,
Without a woman in it.

In the fall of 1890 the anti-prohibitionists were united and solid against woman suffrage, and this opposition developed as the campaign of that year progressed. People instinctively or concertedly grouped the two movements together. Thus usually those who favored prohibition also favored woman suffrage and vice versa.

The question submitted in November, 1890, was whether the word "male" should be stricken from the article of the constitution which related to elections and suffrage. The Legislature had placed the subject squarely before the people. It must be stated as a matter of history, that while the suffrage campaign of 1890 was intensely spirited and enthusiastic, there existed much confusion owing to lack of unity and system in planning and conducting the campaign. The equal suffrage supporters of the state secured a number of able women from outside, without concert of plan or action. There was thus great variance in views concerning whether the movement should be non-partisan or otherwise and whether the temperance question and politics should be blended with the suffrage movement. The result was that chaos reigned during the latter part of the campaign. There were differences, contradictions, jealousies and soon near November 1st

the distress and confusion became so pronounced that all the women of the state suffrage organization resigned and left the subject to its fate. Thus the suffrage leaders had not succeeded in kindling admiration and support for the movement, nor in establishing the belief that it was a wise measure for the young state. By the date of the election the women themselves had practically withdrawn from the campaign, and many newspapers commented with some severity on the want of wisdom shown in the movement and more than one particularly pronounced the movement undesirable at that time.

At the November election woman suffrage was badly defeated. Its advocates had not succeeded in convincing the voters that women as a whole wanted the change or that there would be any particular gain to the state, or society or women by its adoption. This was at first a crushing blow to the suffrage advocates. They realized that it would require much time for them to recover from the blow, and for them to change or mold public opinion in South Dakota so that later the movement would succeed. Though beaten and disheartened, they soon met again, reorganized, paid their bills, laid their plans for the future and began hard work the following spring to carry the municipal elections in favor of the movement. Mrs. P. E. Johnson was president of the Woman Suffrage Association in 1891. In September, 1893, the annual meeting of the Equal Suffrage Association was held in Aberdeen. It was determined to renew the fight for equal suffrage, and a considerable sum was pledged to cover the expenses of the movement. Mrs. May Crosback, of Watertown, was elected president of the association and Mrs. O. J. Ward, of Huron, secretary and treasurer. But it became the belief a little later that a movement again for suffrage would not succeed, because enough time had not elapsed since 1890 to cause a change in the opinions of the voters, and accordingly the suffrage advocates concluded not to bring the question before the Legislature until 1895.

By 1893 the suffrage movement throughout the United States had gained much headway and here and there had succeeded in securing a firm foothold. In twenty-one states women had been given the right of suffrage in all educational matters. They were thus empowered in South Dakota, but they were not satisfied because they wanted no limit placed upon their voting privileges. Particularly in this state in 1893 they wanted the right to vote in order to assist in settling the liquor question, to determine whether it should be license, local option, or prohibition. The question of suffrage came up again mildly in the Legislature of 1893. There was present a strong lobby of able women who favored the measure. They finally succeeded after hard work in securing the passage of the bill in the Senate. They then brought their entire force to bear upon the House, but when the test came the measure was defeated. This contest was too soon after the decisive defeat of 1890, but it served to encourage the friends of suffrage. The defeat of 1893 served to organize them for the fight at the legislative session of 1895.

After this defeat they kept up the fight, although from time to time declared a truce and waited for a more favorable opportunity. At the legislative session of 1895 the Black Hills favored both suffrage and prohibition. This gave great encouragement to the movement, because the Black Hills possessed much influence and power in the state and had the high regard and good will of the Legislature. The Hills not only favored suffrage and prohibition, but they advocated

a far more stringent law concerning divorces. It was declared by members from the Black Hills, during the contentions in this Legislature, that South Dakota had been unwisely formed because the sentiment of the Hills and of South East Dakota were widely different. It was also declared by the press that, in order to secure the passage of bills desired, the two sections combined against all the rest of the state and passed measures which were not wanted. At the session of 1895 the woman suffrage bill passed the Senate after a severe contest and then went to the House. Here it was fought for many days and gallantly sustained by its friends, but in the end was again defeated by a close vote of 42 to 36. It was declared afterwards that the measure was defeated in the House by a trick of the clerk who falsely reported the vote thus inducing several of the members to change sides at the last minute.

The defeat of the suffrage movement in the Legislature of 1895 did not dishearten its advocates in this state, and accordingly they reorganized and during the remainder of 1895 and all of 1896 conducted a campaign of education and were assisted by able speakers from other states.

The seventh annual convention of the executive committee of South Dakota Equal Rights Association assembled at Salem on December 3 and 4, 1896, pursuant to call. The stirring address sent out was signed by Anna R. Simmons, of Huron, Eva C. Myers, of Canistota, Hanna V. Best, of Miner, Rev. Henrietta Lyman, of Pierre, M. J. Sheldon, of Sioux Falls, and Alice M. Pickler, of Faulkton. The call stated in part as follows: "The mission of South Dakota Equal Rights Association is to awaken public opinion to the necessity of bringing the practice of our state government into harmony with its professed principals. Professing itself a government of the people when it is actually an oligarchy of the preferred class; professing that the citizens of the state shall be entitled to all privileges and immunities, and saying in the bills of rights, section 27, that the blessing of a free government can only be maintained by a firm adherence to justice, and yet it deliberately permits one-half its people (the women) to be deprived of the only legitimate means of taking part in the Government, the use of the ballot. We seek to bring to the notice of the people such gross inconsistencies between profession and practice and as such are to be condemned in the interest of public morality. In laboring for enfranchisement, women work therefore not only for themselves, but for the establishment of state honor and the elevation of the whole human race." This convention was composed of nearly all political equality clubs of the state that sent delegations. Every Woman's Relief Corps, Woman's Christian Temperance Union, lodges of the Eastern Star, the Rebekahs, Degrees of Honor and Royal Neighbors had been requested to send fraternal delegations.

During the fall of 1896 the suffrage campaign was well conducted, concerted and effective. Thus its advocates appeared before the Legislature of 1897 with greater prestige and influence than they had ever exhibited before. Their lobby was strong and in a measure was directed by Mrs. Simmons and Mrs. Cranmer who were present to battle also on the resubmission question. The bill was reported favorably by the committee of the House and finally, on February 25th, passed that body by the vote of forty-five for to thirty-three against. It had previously passed the Senate. It was soon signed by Governor Lee and became a law. It provided for the submission of the question to the voters in November,

1898. Thus the campaign was on again and continued with much vigor during the remainder of 1897 and all of 1898 up to November.

Particularly during the fall of 1898 was great effort made to win the voters over to the cause of suffrage. Mrs. Anna B. Simmons took a prominent part from the commencement, and Mrs. Emma A. Cranmer, of Aberdeen, delivered lectures on the subject during every night in October. An important meeting for the cause of suffrage was held at Sioux Falls in April of this year. It met in the opera house and was called to order by Mrs. Ballard, president of the Iowa Suffrage Association. Strong addresses were delivered by Miss Mary E. Collson, Mrs. George W. King, Mrs. Osgood, Mrs. Clara Richey and Rev. G. M. House. Mrs. Ida Crouch-Hazlett, organizer for the association, said in a circular that active opposition to suffrage had ceased except among certain classes that had everything to fear from suffrage success. She advised a vigorous campaign to educate men to know the meaning of this movement for equal rights. She further said: "In a commonwealth where the burdens of government are borne by such a large per cent of women, it seems nothing less than brutal to deny to that class the opportunity of expressing an opinion in regard to the sort of a government they shall be under. It is purely non-partisan, non-sectarian, non-everything except pure justice alone."

The defeat of woman suffrage in South Dakota in 1898 was due largely to the opposition work of Mrs. W. Winslow Crannell, of Albany, N. Y., who delivered in the state strong and cogent addresses to large audiences at several places. The opponents of suffrage circulated these speeches in pamphlet form throughout the state. A South Dakota correspondent of the Minneapolis Journal said: "There can be no doubt that her efforts were more effective in defeating the proposition than would have been the combined efforts of a dozen male orators. A good majority of the South Dakota voters believe that equal suffrage as a distinct proposition is right and just, and had the women themselves urged the issue there would have been no doubt of its triumph at the polls. This is the second time that the proposition has been laid out in this state, and it will probably now be permitted to slumber until there is a genuine call for its resurrection."

In 1901 Senator Pettigrew presented in the United States Senate a petition from the Woman's Suffrage Association of South Dakota, praying for a sixteenth amendment to the Constitution of the United States, giving woman the right to vote and extending the same privilege to women in Porto Rico, Hawaii and the Philippines.

At the legislative session of 1901 an adverse report on the subject of suffrage was adopted by both houses. During the fall of 1902 and the early part of the following winter, the women of South Dakota in favor of suffrage, under the initiative clause of the Constitution, circulated a petition for the passage of a bill to submit the question again to the voters in 1904, but the attempt failed because there was not sufficient interest.

In 1903 both houses of the Wyoming Legislature passed a joint resolution strongly endorsing woman suffrage, declaring that such a law had been in operation in that state since the territorial days of 1869 and had raised the standard of political candidates, had made elections more decent and orderly, had improved the character of members of the legislatures, and had developed womanhood to a broader and higher usefulness. This resolution was used by South

Dakota suffrage advocates to advance their cause during the campaign of 1903-4. However, no supreme attempt was made to secure the passage of a bill at this time.

At the legislative session of 1907 the suffrage advocates were again present ready for active work. The cause was represented by Mrs. Pickler, of Faulkton, Mrs. Ramsey, of Woonsocket, and Mrs. Johnson, of Fort Pierre. They presented a strong lobby which commenced action under the advice of able lawyers. However, the main object of this lobby was to advance the temperance question and suffrage was but a secondary consideration. The question of suffrage came up first in the Senate late in January under a resolution to submit it to the voters at the election in November, 1908. Upon a test measure it passed that body by the vote of 24 to 21 with but little debate and no excitement or commotion. The resolution then remained with the House committee until about the middle of February when it was reported, discussed and defeated by the vote of 49 to 35. No doubt its defeat at this time was due to the lack of a general and enthusiastic demand for its passage.

In 1908 the suffrage advocates of South Dakota organized for another attempt to secure the passage of a law at the next Legislature (1909), providing for a vote on the question of woman suffrage. The campaign was conducted with considerable spirit, but not with the old time fire and determination of territorial and early statehood days. Several prominent speakers from abroad were secured and the leading speakers of South Dakota were placed in the field. During the fall of 1908, every effort possible was made to strengthen the movement by education. It was realized that the members of the Legislature should be selected from the class that favored suffrage. Accordingly the women directed their efforts and means in October and November to elect a Legislature that would pass a satisfactory suffrage bill. They likewise prepared for the campaign of 1909-10, because they were assured that the suffrage movement if pressed would again carry. Mrs. Anna Shaw spoke at several places in November, particularly at Sioux Falls where she was greeted by a large audience. During this campaign Mrs. Pearle Penfield, of Flandreau, was the organizer. It was said during this campaign that only when woman had received the ballot would she cease to be "a finely clothed thing."

In the fall of 1909 the suffragists of the state met at Sioux Falls and reorganized the South Dakota Equal Suffrage Association. There had previously been held at Huron a large preliminary meeting for the purposes of reorganizing the society and commencing another movement to secure the coveted right. Mrs. Julius H. Johnson of Fort Pierre was elected president. The meeting at Huron was really an executive session, but was largely attended and resulted in the big meeting at Sioux Falls which reorganized the association. The great object was to begin the campaign of 1910 early enough so that the proper momentum could be secured. This gave them opportunity to secure the best speakers from the East and enabled local or state speakers to organize in order to avoid the confusion that had assisted in defeat at previous campaigns. "The basic theory of woman suffrage is her inalienable right to vote. Not because of what she could do, would do, or has done with the ballot, but because of the mere right of the governed to have a voice in the government."—Vermillion Republican, April, 1910.

In 1910 most of the women who supported suffrage did so exclusively and did not desire to have it blended with the prohibition movement or with any political measure. The Woman's Christian Temperance Union, however, wanted suffrage added to the prohibition campaign so that both would go through together or both fail. The campaign of 1910 was vigorous in the extreme. It had been well planned, had secured abundant encouragement and was a determined movement to test again the opinion of the voters of the state. They proposed to amend the constitution by striking out the word "male" in the clause relating to suffrage. The leaders in South Dakota brought to the state the best speakers from the East, among whom were Miss Anna Shaw, president of the National Association, Miss Fola LaFollette, Miss Emily Gardner, of England, Mrs. Ella Stewart, president of the Illinois Association, and several others. Among the men who assisted the movement were two prominent speakers from Colorado, Dr. B. O. Ayelsworth, president of Colorado Agricultural College, and O. A. Garwood, an attorney, of Denver. Suffrage was already in vogue in Wyoming, Colorado, Utah, Idaho and from those states came brilliant orators to help the movement in South Dakota. The workers here with what seemed a perfect organization sent out thousands of circulars, held meetings throughout the state and did everything in their power to kindle support of the movement. At this time suffrage was to be voted on in South Dakota, Washington, Oklahoma and Oregon. It was noted during the campaign that no state that had ever adopted woman suffrage had rejected it afterward. This was the third time since the state was admitted that the question was to be submitted to the voters of South Dakota. However, toward the close of the campaign, it was learned with mortification, that the campaign had been unfortunately mixed and poorly managed. In spite of all that had been done to prevent it, much confusion had resulted from blending the movement with that of prohibition and politics. It was a fact also that here and there were found prominent women who openly opposed woman suffrage and who formed an organization of women hostile to the suffrage movement. The measure was defeated at the polls.

At the legislative session in 1911, the first step in the new woman's suffrage movement was taken when E. A. Sherman, of Sioux Falls, introduced a resolution in the House calling for an amendment to the constitution to enfranchise the women of the state. The resolution provided that all females over the age of twenty-one years should be entitled to the full rights then vested in male voters. The campaign of 1910 had been one of the strongest ever made in the state and although considerably confused, had succeeded in kindling great interest. The measure was discussed from all angles in the Legislature, but was finally defeated in the House by the decisive vote of 30 to 56.

In November, 1911, in response to an article in a New York newspaper asking for an expression of his opinion on the subject of woman suffrage, Gov. R. S. Vessey replied as follows: "In my opinion the movement is one that will ultimately win. In the first place I have been unable to find any good reason why men should have the right of suffrage that does not equally apply to women. I have no fear that women would be made less womanly because of the extension to her of this right, and I do believe that it will materially improve the quality of conscience expressed at the ballot box of the country, and also give to women a just and proper consideration in matters pertaining to legislation. In other

words, the success of the movement will accomplish much for our government by more adequately equalizing justice in the interests of the entire citizenship." However, in spite of all effort, the measure was defeated in the House upon a final vote.

At the legislative session of 1913 the woman suffrage question again came to the front. The South Dakota Universal Franchise League was the name adopted by the new organization. It was established at Huron in July, 1912, and embraced all organizations in the state favorable to suffrage. Mrs. John L. Pyle, of Huron, was president, Mrs. Alice Pickler, of Faulkton, vice president, and Mrs. Anna R. Simmons, secretary. Almost from the start equal suffrage gave promise of success in both houses. The members generally seemed willing to give the friends of the movement another chance to see what they could accomplish with the voters. Almost from the start both branches concurred in submitting the proposition to the election of November. Many advocates of suffrage were present and were aided by a number of prominent persons from different parts of the state who were not members of the organization. Early in the session they interviewed the members and did all in their power to create sufficient interest in their cause to secure some sort of legislation that would aid the movement. It was thought at this time that probably equal suffrage would triumph at the polls, because it was at last believed that its success in all the states was at the most but a question of time and that now perhaps was the time for South Dakota. At this date suffrage was already in operation in about nine states and no disaster had followed its adoption. On the other hand, it was claimed that it had not created a great revolution in political or social conduct. Newspapers declared that in any event nine out of ten women would vote as their husbands did, but it was also maintained that the other woman who could do as she pleased should be allowed the precious privilege. After much hard work by the friends of the measure the bill finally passed both houses and was signed by the governor.

Thus, in 1914, the South Dakota Woman's Franchise League became again prominent and active. They sent cards and posters throughout the state and placed their ablest speakers on the rostrums. At the State Fair the Pioneer Association cordially endorsed the woman suffrage movement through resolutions offered by R. E. Dowdell. This year, in a letter to the press, President Perisho gave five reasons why women should be granted the right of suffrage as follows: (1) It was their right; (2) it would yield a higher moral tone; (3) owing to their interest in education; (4) it would solve the liquor problem, and (5) it would result in the improvement of children.

During the suffrage campaign of 1914 the following story went the rounds of the press: A suffragette in order to show how useless the male sex was, made the following statement: "I have a small farm. I have some chickens on that farm and one day I heard a terrible noise out in the chicken yard and went out to find what was the trouble. I saw an old hen clucking her chickens under her wings to protect them from a great black hawk that was flying around above with the evident intention of dropping down and carrying off one of the chickens. What do you suppose the old rooster was doing? He was standing on the fence and crowing as loudly as he could." A prominent lady speaker of this state who was opposed to suffrage said that she had been particularly impressed with the

story, but could not help thinking what would have happened to the chickens if the old hen had gotten up on the fence and insisted in fluttering her wings and crowing as loudly as the rooster did. She declared that if the rooster had tried to do the work of the hen and the hen had jumped up on the fence, the hawk would certainly have gotten a chicken. As it was the rooster did what he was created to do and so did the hen. In spite of all the efforts suffrage was again defeated in 1914.

At the legislative session of 1915 the senators defeated the bill providing for municipal suffrage for women. The vote stood 19 to 24. During the debate it was shown that they could see no particular reason for granting women even the partial suffrage asked for at this time. It was noted by a number of newspapers that this action by the Senate early reflected the public sentiment existing in the state. While the suffrage forces were aggressive, energetic and tireless, there was every reason to believe at this time that the number of women who really wanted suffrage was not as great as the enthusiasm of the comparatively few leaders might lead one to believe.

One of the chief arguments in favor of woman suffrage in South Dakota was that there was no essential difference between women and men; that constitutionally, intellectually and morally they were identical; that in capacity, ability and processes of thought woman resembled man. It was noted here that this view seemed confirmed by the result of the municipal election in Chicago in the spring of 1915. All the hidden motives and cross currents of that campaign were not known, but on the face of the returns it was seen that the women voted much as the men did and apparently were moved by the same local considerations. It was believed here by many men and women that the latter did not suffer by being deprived of the privilege, and it was openly asserted that the mass of women did not really and sincerely want it.

"I am opposed to the granting of suffrage to women, because I believe that it would be a loss to women, to all women and to every woman, and because I believe it would be an injury to the state and to every man and every woman in the state; it would be useless to argue this if the natural suffrage were a natural right. If it were a natural right then women should have it though the heaven fall; but if there be one thing settled in the long discussion of this subject it is that suffrage is not a natural right, but simply a means of government; and the sole question to be discussed is whether government by the suffrage of men and women would be better government than by the suffrage of men alone. The question therefore is one of expediency and the question of expediency is not a question of tyranny but a question of liberty; a question of the preservation of free constitutional government of law, order, peace and prosperity. Into my judgment enters no element of the inferiority of women. It is not that woman is inferior to man, but it is that woman is different from man; that in the distribution of powers, capacities and qualities, our Maker has created men adapted to the performance of certain vocations in the economy of nature not society, and woman is adapted to the performance of other functions. One question in this connection is whether woman would take upon herself the performance of the functions implied in suffrage, whether this course would leave her in possession and in the exercise of her highest power, or would there be an abandonment of these powers in entering upon the proposed field. I have said that I thought

suffrage would be a loss to women and I believe so because suffrage implies not merely the casting of a ballot but suffrage if it means anything involves entering upon the field of political life and politics is modified war. In politics there is struggle, strife, contention, bitterness, heart burning excitement, agitation and everything that is adverse to the true character of women. Woman rules today by the sweet and noble influence of her character. Put woman into the arena of conflict and she abandons this great weapon which controls the world and takes into her hands weapons with which she is unfamiliar and which she is unable to wield. The whole science of government is the science of protecting life and liberty and the pursuit of happiness, of protecting our person, our property, our homes, our wives and our children against crime and disorder and all the army of evil that civil society wages its war against and the government is the method of protection of us all. In the defined distribution of powers the duty and right of protection rests on the male. It is so throughout nature. It is so with men. It is a great mistake, a fatal mistake, that these excellent women make when they believe that the functions of men are superior to theirs and seek to usurp them. The true government is the family, the true throne in the household. The highest exercise of power is that which forms the conscience, influences the will, controls the impulses of men, and here today woman is superior and woman rules the world."—Elihu Root.

CHAPTER XXI

EDUCATION FROM 1889 TO 1900

The organization of the department of education for Dakota Territory occurred in 1864. The first board of education consisted of Newton Edmunds, governor of the territory; John Hutchinson, secretary of the territory; and J. O. Taylor, treasurer of the territory. James S. Foster was chosen clerk of the board and under the law was thus ex-officio superintendent of public instruction. He held this position until January 1, 1869. In 1866 J. W. Turner, S. A. Bentley and William Walters were elected members of the board of education, but this board was soon afterward abolished. They were the last members of the old educational board. In 1887 the law was revived upon the suggestions of A. Sheridan Jones who was then territorial superintendent. In 1869 T. M. Stuart was elected territorial superintendent, but left the territory in August, whereupon J. S. Foster was appointed to fill the unexpired term. John W. Turner became superintendent in 1870. In 1872 E. W. Miller succeeded him. J. J. McIntire served as such in 1874-75. W. E. Caton succeeded him. In 1879 William H. H. Beadle was appointed to the position and served six years. During his term he was largely instrumental in developing a system of public instruction for the territory and in formulating a plan by which the school lands and funds could be permanently preserved and increased. In 1885 A. S. Jones became superintendent. During his incumbency of the office an important school law recommended by him was passed by the Legislature. It contained several new and valuable features, but irrelevant and hurtful amendments added thereto by the Legislature rendered it less effective and satisfactory than it would otherwise have been. The amendments caused real and apparent inconsistencies. Under this law a board of education was re-established. E. A. Dye was appointed superintendent of public instruction and president of the board. G. A. McFarland became its secretary and F. E. Wilson, its treasurer. This board assisted greatly in rendering the educational plans effective and applicable to the numerous varieties of schools in the state. In 1889 L. A. Rose succeeded Mr. Dye, and C. M. Young and A. T. Free became the other members of the board. On November 2, 1889, the territory as such came to an end and so did the school organizations. Gilbert L. Pinkham was elected the first state superintendent. He was succeeded by Cortez Salmon who served until 1895 when Frank Crane assumed the duties and responsibilities of the office.

In 1862 the University of Dakota Territory was located at Vermillion, but no action concerning the construction of buildings nor the commencement of class instruction was taken until 1882-3. In 1864 Captain Miner and his company built a log schoolhouse at Vermillion, the second in the state. Amos Shaw, one of the soldiers, taught in his house during the winter of 1864-5. In 1865 the ladies

of Yankton started a fund with which to build a schoolhouse. At this time James S. Foster accompanied by about sixty persons came from New York state and located near Yankton. He became the first superintendent of public instruction with a salary of \$20 per year. In 1867 Mr. Foster conducted the first teachers' institute in the territory. Rev. E. C. Collins, father of State Superintendent Collins of a later date, was one of the first instructors at the institutes. So also were W. W. Brookings and S. L. Spink. In 1871 Yankton Academy was founded. In 1875 the Independent School District of Yankton was established by the Legislature. In 1881 Yankton College was founded. At this date Clay County, which for some time had demanded that the university be started, voted \$10,000 in bonds to aid that institution. In the fall of 1882 the university received its first classes. In 1883 the Legislature appropriated \$30,000 for the State University; and at the same time located the Agricultural College at Brookings and provided for normal schools at Spearfish, Madison and Springfield. The same year the Methodists established Dakota College at Mitchell; the Presbyterians, a university at Pierre; and the Baptists, a college at Sioux Falls. In 1884 the Madison Normal School and the Agricultural College opened for students. In 1884 the Scandinavian Lutherans established Augustana College at Canton. About the same time the Congregationalists established a denominational college at Redfield; and the Episcopalians, the All Saints College at Sioux Falls. In 1885 the Spearfish Normal School was set in operation. In 1887 the School of Mines at Rapid City was organized. In later years the Free Methodists founded an academy at Wessington Springs, the Catholics, academies at Sturgis, Vermillion, Pierre, Tabor, and elsewhere; the Adventists, an academy at Elk Point; and the Mennonites, an academy in the state; Huron College was founded in 1898. The state in 1893 established a blind school at Redfield and a reform school at Plankinton in 1887. Various denominational Indian schools have been established in recent years. Thus, even by 1900 the state was well supplied with educational institutions such as they were.

In April, 1888, Territorial Superintendent of Schools Dye ordered held in each county spring sessions of county teachers' institutes. This movement was opposed by many of the teachers, whereupon the local educational managers declared that to hold the sessions at that time of the year was a great inconvenience. In Brown and other counties the opposition to the institutes was defiant until after the first of May. In the end, however, the meetings were held.

Upon the admission of South Dakota to the Union, these two important questions concerning the public schools at once became paramount: Whether the district system which had gained a wide foothold should be extended over the whole state, or whether the township system should supersede the district system. Again the subject was thoroughly discussed by the Legislature and by all school meetings throughout the state. Prof. H. E. Kratz, of the State University, was the author of an article published in the newspapers describing the nature of the two systems and showing their comparative merits and demerits. It was shown by him that the district system originated with the colonies in Massachusetts. As soon as communities or settlements were formed schools were established, and as a consequence they were located at centers of population. In this way the district system was established before the townships were created. Gradually as the counties back from the sea coast settled and as townships were formed, the

schools were made to conform thereto, for convenience, the same as with other local public affairs. This was one of the inevitable results of the organization of the civil townships. At once there arose a conflict here and there between the independent districts of the village system and the sub-districts of the township system. The independent districts were introduced into Connecticut in 1701, and about fifty years later, into Rhode Island. Horace Mann said that the independent district system was disastrous to education in Massachusetts. By 1800 this system had become the educational unit practically throughout all of New England. Township sub-districts soon made some invasion upon the independent district system by establishing schools in conformity with the township boundaries. It was learned with the progress of time that the independent district system did much to injure the schools established under the township system. It created a select class of town or city schools which really usurped to a large extent the funds and functions of schools in the township regions. Perhaps this distinction did more than anything else to draw the unfortunate and unyielding line between the city and the rural schools and population. Horace Mann stated that if education was intended for the benefit of the state as a whole, the district system was wrong, because it discriminated against the township system which had become widely extended throughout all of the western states.

In 1889, when South Dakota became a member of the Union, twelve states possessed the district system and eighteen states the township system. In South Dakota, as in several others, both systems were in vogue. Pres. H. P. Gross, of the State University, said early in 1890, "Unity of system pleads that the state schools should form a single organic whole with the best possible overlapping and no gaps. Thus the common school should take the child at seven and carry him through the fundamentals of knowledge in a course averaging eight years; this course would fit him for the freshman class of the university or the normal school. All the grades and courses from the beginning in the primary school to the graduate class in the university would form a regular stairway of ascent." Unfortunately President Gross, like nearly all other educators of that day, assumed that the rural children from the start should be trained as if they intended to become college graduates. It was not generally considered then that the occupation of each child in the future should be the controlling element in the selection of his studies. It remained for a later day to differentiate between the rural children who wanted a college education and the rural children who were content to educate and prepare for farm life only. President Gross declared that there was no unity of education in this state in 1890, although there were a few high schools which fitted students for the freshman class in colleges. As it was, children had to be separately prepared for college in special preparatory departments. He further said: "The common schools likewise need standard grades instead of the present chaotic condition. To secure a competent teaching force, the normal schools must raise their standards, and higher requirements for certificates must be insisted upon. False economy is the curse of the common schools. The demand for cheap teachers gets them, but it is dear for education. To raise the common schools there must be competent teachers and fair compensation for as laborious and sacred a work as one can engage in."

The Territorial Legislature of 1883 adopted a new and revolutionary school law which somewhat arbitrarily installed the township system in place of the dis-

trict system throughout the state. Concerning this law General Beadle said at the time: "It is the most valuable legislation ever enacted in Dakota for the benefit of schools." At this date several counties had been in existence for a number of years and their school systems based upon independent rules were already well established. They asked to be exempt from the operations of the township system, were granted the privilege and after a few years about fifteen of the older counties had secured what seemed to be permanent permission to continue as independent districts. However, in nearly all such counties, the district and township systems were already more or less in vogue. In the new counties, those which had not yet been organized under school systems, the school law of 1883 went into effect at once without serious opposition. Such counties were divided into school townships each of which was co-extensive with its corresponding civil township. Under the law of 1883 the permanent school authorities fixed the boundaries of the school townships, directed the election of school officers by ballot, located schoolhouses one mile from the boundary and two miles apart, and set in operation the township school system.

This law anticipated the establishment of consolidated schools. It arranged for graded schools, and further provided that a township or two could unite and establish a high school or a more advanced graded school at some central point. It provided for concentration on an advanced scale for more advanced pupils, where there could be furnished several rooms each graded and supplied with teachers fitted for the change. Even at this time the DeSmet graded school was pointed to as an example of progressive rural school work. It was really used for some time by the more advanced students of the entire school township. Another similar district equally as striking was established in Brown County. Notwithstanding the formation of independent districts and the exemption upon request from the operation of the school law by counties, many of the new provisions were put in force.

In 1885 Governor Pierce became an avowed and active opponent of the township school system and of the school law of 1883. He held that the township school system was an evil that should no longer be tolerated. In order to meet the views of the governor probably, State Superintendent Jones tried to change and succeeded in changing the township system back to the old independent or district system. After discussion he finally drew up a bill for an act calling for the establishment of rural school districts or corporations and providing for fixed lines of sub-division between the schools of each township. This measure gave the territory many full township district units and many full independent district units each separate and apart from the others. Thus in a short time there were in operation in the territory full township districts under one board, independent sub-districts in townships and single independent districts. E. A. Dye upon succeeding Mr. Jones as territorial superintendent refused to participate in the movement to abolish the township system. He and George A. McFarland and Frank A. Wilson constituted the territorial board of education about 1886 and later. In their report they said: "We believe in the township system of schools," and they accordingly opposed any change. However, opposition to the township system continued to be strong in the district or independent counties. The board said in their report of 1888: "We find ourselves possessed of two systems. One

should be abandoned at once. Seventy-six counties are under one system and fifteen under the other. It is not just to ask the seventy-six to yield to the fifteen. We believe the time has come for the Legislature to extend the township system over the other fifteen counties and if the Legislature can pass but one act affecting education, we hope it will be this one. It is our duty to education and to those who shall come after us, to have a uniform school system. * * * The wise thing to do is to secure one system, then let all the people, no matter under what system now, bend their energies to develop a school system for Dakota. * * * We most earnestly urge the Legislature to extend the township system over the entire territory and to authorize a school law commission whose duty it shall be to consider the amendments needed to the law as it now exists and to report the same within one year."

In 1888-90 many residents of the state urged the Government to protect the school lands of South Dakota. General Beadle was particularly active in this movement. Through his efforts and those of others all persons were publicly warned not to invade the school sections in every township. A circular to this effect was sent out and in a large measure it aided in saving the school sections from the squatters; not only that the circular and the warning caused many who had already settled on the school sections to depart and thus avoid trouble but all trespassers were warned to leave every school section alone. They were told that the land in the end would be sold to the highest bidder or be leased. Gen. H. J. Campbell, as attorney-general, and Judge P. C. Shannon, chief justice of the Supreme Court, aided much in the movement to prevent settlers from locating upon school lands and from cutting timber thereon or doing other damage to prospective school property.

At this time Judge Shannon presided over the Second Judicial District which constituted all of South Dakota east of the Missouri River. Under court rules the district attorney supplied the names of the grand jurors to the United States marshal and sheriff. The grand jurors were usually warm friends of the schools and were chosen because of that fact. Petit jurors were selected in the same way. It was stated by the newspapers at this time that there was a concerted movement throughout the territory by friends of education to select jurors both grand and petit to protect the school lands; that it was an organized movement with officers, committees of correspondence and local clubs of citizens formed to protect the school lands. However, before this action occurred, considerable school land in what is now South Dakota, mainly in the southeastern part, was already occupied by settlers. Far to the North in what is now North Dakota, the Northern Pacific had taken up much of the prospective school lands and had located many settlers thereon.

In July, 1889, the South Dakota Teachers' Association met at Mitchell. The first object was to secure the school lands and settle school measures under the state government. At this meeting Professor Young of Tyndall, Professor Davis of Sioux Falls, Professor Kratz of Vermillion, and Superintendents Bras of Mitchell, and McClarren of Miner, were appointed the Committee on Supervision. The Committee on Teaching were as follows: Professor Stout of Mitchell, Professor Rowe of Huron, Superintendents Rugg of Union, Isham of Lincoln, Free of Deadwood, Miss., Edmunds of Sanborn, Moyer of Bon

Homme. The Committee on Text Books were as follows: Superintendents Lange of Kanistota, Wood of Charles Mix, Robinson of Aurora, and Petrie of Hansen. The Committee on School Lands were Superintendent Mathews of Spink, Whipple of Minnehaha, Ward of Hamlin and Patterson of Pierce. The Committee on Institutes were as follows: Superintendent McLeod of Brown, Hamilton of Brule, Savage of Chamberlain, and Enos of Scotland.

At the regular annual meeting of the Educational Association held in Yankton late in December, 1889, there was an unusually large attendance owing no doubt to the changes in school measures likely to result from the recent formation of the state government. The session lasted three days and not a minute was wasted. Thus far the Educational Association had in a large measure shaped the educational policy and plans of all the public schools. The association had been organized about eight years and at first General Beadle served as its president. In December, 1889, Prof. H. E. Kratz, of the State University, was filling his second term as president of the association and at this date General Beadle was corresponding secretary. The advent of statehood made this session memorable and important because many changes that were deemed vital were necessary. The great question at this time with all educators was, "What shall be the general and uniform system of our public schools?" The school authorities realized that the educational interests demanded the abandonment of all mixed scholastic systems and haphazard methods and curriculums, and that for certain and proper advancement there should be wise and consistent uniformity and concerted thought and action. The preponderating question at this time was not concerning the graded schools in cities, which were in prosperous condition generally, but was concerning country schools. Should they have a uniform system, uniform text books, improvement in methods of instruction and a graduated course of study so that they could give the pupils an education that would enable them upon leaving the home schools to enter without further preparation, the high schools in the towns and cities. At this time the association noted that ten of the old counties still retained the district system, while all the other counties of the state had adopted the township system, though in an unsatisfactory and inefficient form.

At this session also the immense value of the school lands to the school system of the state was recognized. All realized that the school fund was sure to become a great responsibility and that every measure for its safety and permanent investment should be adopted. It was believed to be a difficult thing to sell the school lands for their actual value. Some states under the same circumstances had done well, but others had not. Loans were often misplaced and sometimes lost. At this session several of the teachers maintained that the constitutional provision concerning the school fund was inadequate. It provided that the lands should be sold at not less than \$10 per acre, but there was a rapidly growing belief that the school land should be leased instead of sold. Thus the association was called upon at once to discuss and settle (1) what school system should be adopted in the country districts, (2) what should be done with the school lands and the school funds, (3) what methods of instruction should be adopted.

Prof. H. E. Kratz, president, called the association to order and in a formal address welcomed the teachers present. The main address was delivered by

State Supt. Gilbert L. Pinkham. The latter stated that educational development in this western country had been marvelous, that the common schools here would compare well with those in the older states, that the high schools were excellent, that the State University, normal schools and denominational schools could scarcely be surpassed; but he maintained that now the educational authorities must direct their efforts to the upbuilding of the common schools which thus far had been neglected. He maintained that the common schools should be made preparatory for the high schools, that the latter should be made preparatory for the colleges and university, and that teaching methods should be made uniform and must be greatly improved. He expressed the belief that many of the county superintendents had done remarkably well, but had been handicapped by a mixed school system, poor laws, lack of uniformity and lack of all concerted action. County teachers' institutes had been held and the schools no doubt had been benefited. He insisted that these institutes should be held regularly and should be made still more valuable and attractive. He asked, "Can we get a public school library system?" He believed that public libraries stimulated scholars to advance and seek higher education, that university studies were needed for broad scholarship, that the State University must be helped not only with funds but with students, and that high schools should be made in part at least preparatory departments for colleges and universities. What the state needed he believed, was an educational newspaper, one devoted to the cause of education. Already the Dakota Educator had been established and was doing well but its work should be extended, it should be given a wider circulation and should be made more valuable and useful. On the second day the subject, "What is the best state school system?" was discussed generally by the association. On the same day General Beadle read a paper prepared by Superintendent Barker, of Webster, which favored the township system of schools. Supt. C. B. Isham, of Canton, came out strongly in favor of the district system. Supt. Charles Robinson, of Brookings, favored the township system. Supt. Cortez Salmon, of Centerville, favored the district system. Present was Hon. J. H. Smart, president of Purdue University, Indiana, who described the public school system of that state. Prof. H. L. Bras, of Mitchell, delivered an address on "Free Text Books." Other papers of great value were read and other discussions of great interest occurred. The officers of the association elected for 1890 were as follows: President H. E. Kratz, of Vermillion; corresponding secretary, Professor Davis, of Sioux Falls; recording secretary, Miss Esther A. Clark, of Yankton; treasurer, R. C. Enos, of Scotland. On the evening of the second day there was a discussion on the topic of "Segregation in Schools." Professor Kratz read a paper on "Licensing Teachers," to which Miss Hattie Whalen, of the Madison Normal School, made response.

On the third day the principal question considered was "School Lands and Funds, shall the lands be sold or leased?" Nearly all the leading educators of the state present expressed themselves on this important question. All favored leasing the major part of the land. Several favored leasing it all. A few favored some sales but mostly leases. On this date Judge Isaac Howe, of Redfield, and Gen. W. H. H. Beadle, addressed the association at length.

Judge Howe said that from the admission of Ohio in 1803 to the admission of South Dakota in 1889, the question of how to conserve and handle the school

and public lands, had been the most important problem in all the states carved out of the Northwest. He said that methods adopted were a part of the history of the country and that the unfortunate and ruinous management of the school funds of the states served as an enduring monument to the folly and venality of the men who were entrusted with their management. He declared that all the states had tried to change the ruinous methods, but had failed. He declared that if the school lands originally given to Ohio, Illinois, Indiana, Wisconsin and other states, had been rented or leased instead of sold, the school funds of those states would now be so large that the interest alone thereon would be sufficient to maintain in splendid style their educational institutions and systems. However he did not show how the pioneers of all these new states could have secured enough money by renting their school lands in pioneer times to educate their children. He did not show that perhaps the preservation of the school lands of South Dakota in early years may have meant depriving the children of the pioneers of their rights to an education and that the present result of such a system may have been the cause of the peculiar conduct of many of the legislatures ever since and the subsequent high percentage of illiteracy throughout the state. The question was then, whether it was best to save all of this fund for future generations and let the children of the pioneers and even of later dates grow up in ignorance and thus retard the proper and adequate mental development of the young state. On the other hand he pointed to the fact that in 1838 the City of Chicago divided its school section into 142 blocks and sold 138 of them for \$38,600 and that fifty years later one block retained by the city paid into the school treasury an annual income of \$162,000. It can be stated in 1915 that if Chicago had thus rented its school lands instead of having sold them, it would now have a school fund so immense that the interest alone would pay all its school expenses. While this is true it does not explain how the early children of Chicago could have been educated as well as they were nor how that education has influenced the growth and morals of that wonderful city. He noted that Watertown, Huron and Redfield had school sections near their limits and might in the end occupy the same position relatively as Chicago then occupied.

General Beadle said the important question was, "Should the state act as landlord and lease its school land which amounted to about one twenty-fifth of the whole state?" He referred to the tremendous sacrifices that had been made of the school lands of many of the western states, and declared that while the leasing system might contain some hardships and faults, yet as a whole it undoubtedly was the wiser course for South Dakota. He did not deny that it might be well to sell a limited quantity of school land in order that the children of pioneers might be suitably educated and in order that the schools of the state might at the start receive the right direction and momentum. He dwelt particularly on the importance of not permitting the price to fall below \$10 per acre, and showed that if necessary enough state school land east of the Missouri River could be sold for over ten dollars per acre to educate all pioneer children. He said that in Iowa and Illinois the total fund from the sale of school lands did not exceed about five million dollars, and that after the land was gone other methods such as taxation, fines, etc., were necessary to maintain the schools. The leasing system had been tried in Ohio and Indiana, but did not have good



STATUE OF GEN. WILLIAM H. H. BEADLE
Erected by the school children of the state at Pierre

management. Much of the fund there was lost through imperfect and inadequate leasing methods. He believed that school lands should be appraised every five years at least so that the proper leasing figure could be thus ascertained. He believed that the lessee should be required to pay one year in advance. He thought at this time that not less than fifteen million dollars could be secured for the state school lands if they were properly handled. He called attention to the fact that, under the constitution, there would be about thirty thousand lessees of 500 acres each if all the school lands were leased. Was it practical to secure that number of borrowers? Would not the leasing system have to be changed? His remarks set all educators to thinking. He believed that renting would bring in money as fast as the population increased and the schools developed. He stated that it was easier to lease the land and collect the rent than to sell the land, invest the money and collect the interest; besides there was far greater danger in the latter course. He said, "When the Sioux Falls constitution was written I liked the sections on this subject (school lands and funds) and had much to do with formulating them, except those relating to investment. We did not then fully entertain the lease idea that has come into clear view since. Studying this whole subject with extraordinary anxiety for ten years, I labored to perfect the old plan of sale as it was directed in the constitution, but that very study and labor have convinced me entirely that we ought never to sell one square foot of the school lands."

"Our system of education must provide that the boy in the country can enter his district school, receive a certain amount of instruction of a quality as good as the city or village can give, pass to the next higher grade in the town, finish the course in that school, and, if he desires, enter the regular course of the normal or college, doing all this without a slip or a break anywhere. Each school must have its appointed work and be prepared to do it; have a distinct field which it occupies to the exclusion of all others. The bringing of such a state of affairs into existence is a subject of some magnitude, calling for sacrifice and work on the part of us all, but it can be solved and because of its importance will be solved. * * * Our country schools need that the teachers have a feeling of permanence in their positions. This cannot be so under our present conditions. Our teachers should bear diplomas from professional schools possessing public confidence and genuine merit. I do not think the average young man or woman competent to instruct youth until he or she is at least eighteen years old. It needs something besides knowledge and muscular strength to teach school. There should be four grades of certificates—three for the country and one for the state, the latter being professional or for life. However, you may throw all the safeguards you think expedient around the examinations, yet 'sticks' will continue to teach. Our country schools need a liberal financial spirit on the part of their supporters—that is they need dollars put in teachers. I believe that we should have free text books, that every school should have adequate apparatus and that there should be school libraries."—(Prof. Ralph C. Enos, of Scotland, before the Teachers' Association, December, 1889.)

In his paper read before the educational association in December, 1889, Prof. O. H. Parker stated that thus far more than half the taxes that had been paid had been raised for school purposes. Under the territorial government there were no school lands. Sections 16 and 36 of each township could not be

used for school purposes until after statehood. Thus the settlers in the territory were compelled to raise by taxation the money needed for their schools; but now in 1889, under statehood, all this land suddenly became available and under the constitution it could be sold at not less than ten dollars per acre. There were the two sections in each township, the endowment lands for the state institutions and 5 per cent of the sale of all public lands in the state. This was bound to produce in the end an immense revenue. At the start the new state had available for sale or lease, it was estimated at this time by Mr. Parker, about one million one hundred and thirty-seven thousand seven hundred and fifty acres. This amount was available for the common schools and did not include the endowment lands.

At the close of the session, the association passed resolutions by unanimous vote to the following effect: Petitioning the Legislature to pass an act submitting to popular vote an amendment to the constitution forbidding the sale of any of the public school lands or any of the endowment lands granted to the educational institutions of the state, and to provide for the leasing of such lands; appointing the following committee to represent the association "to the fullest extent possible during the coming session of the Legislature": Gen. W. H. H. Beadle, Judge Isaac Howe, Pres. Lewis McLouth, Brookings, Prof. W. A. Scott, Vermillion, and Prof. A. T. Free, Yankton; instructing such committee to publish the best ideas obtainable upon the methods and results of leasing the public school land; and pledging substantial help from the association to forward and sustain the movement.

At the close of the session, the State Council of Education assembled, there being present the following persons: W. M. Blackburn, Pierre; Lewis McLouth, Brookings; H. E. Kratz, Vermillion; A. M. Rowe, Huron; J. D. Stay, Yankton; E. C. Patterson, Pierre; Professor Davis, Sioux Falls; H. J. Whipple, Sioux Falls; A. H. Adkinson, Mitchell; W. H. Dempster, Madison; State Supt. G. L. Pinkham; Miller A. Sheridan; Joseph Olivette, Yankton; A. McFarland, Madison; C. M. Young, Tyndall; E. A. Dye, Mellette; W. A. Scott, Vermillion; Miss J. M. J. Pryne, Mitchell; and Esther A. Clark, Yankton.

The school lands leasing law passed in 1890 provided for the creation of a board of school and public lands. One of the first acts of this board was to vote that all leases for 1890 should be made for one year only. One important feature of the law was that the governor, commissioner of school and public lands and state auditor should constitute the board of school and public lands. They were empowered to designate from time to time the lands to be leased; to regulate the leasing list for public examination ahead of the date of leasing; to authorize the commissioner to control the leasing; to advertise the sale of leases for sixty days in the newspapers previous to the sale of the leases at public auction; to describe the lands and conditions of lease and state the time and place where they would be sold; to offer for sale at public auction in front of the door of each county courthouse where the lands were leased the use of the property for one year; to authorize the county superintendent of schools to conduct the sale of leases in his county; authorizing him to continue the sale from day to day until all tracts required were leased to the highest bidder; to permit him to adjourn the leasing for three days at a time if necessary; to require the highest bidder to

deposit with the county treasurer the amount of the annual rental; to make the receipt a warrant for the county superintendent to permit the lessee to take possession of the land. It provided further that "any lessee who shall use any tract leased by him for other than pasturage or meadow purposes, shall forfeit his lease, except in cases where and upon such land other crops may have been cultivated prior to the passage of this act."

Much of the time of the Legislature of 1890 was spent on the vastly important educational bill, to secure the passage of which and to insure its value the leading educators from all parts of the state were present. General Beadle and State Superintendent Pinkham met the educational committees of both houses continuously for many days. This new school law was modeled much after that of Indiana. It provided for a county board of education to consist of one member from each township, whose duty was the supervision of the schools in each township, the levying of school tax and the determination of the school terms established by the votes of the people. In addition there was to be a director for each school. It was further provided that the county board of education should meet to consult once a year, and that young men and women who had reached the age of seventeen years and possessed good moral character could be employed as teachers if they could pass the required examination. The bill made education compulsory. All children over six years of age were required to attend, and parents were fined if they violated this provision of the law. This bill was aimed almost wholly to benefit the schools of the rural districts and did not apply generally to those in the towns and villages. The law was favorable to the township system and therefore roused the criticism and opposition of the friends of the district system.

In January, 1890, the board of regents of education chosen under the constitution consisted of nine members who were required to take control of the educational institutions of the state and appoint for each a board of five trustees to have immediate management of such institutions. The regents thus had charge of the State University, Agricultural College, School of Mines and the normal schools. They had an important duty before them and therefore set about their task with much care and concern. First of all it was necessary for them to become familiar with the nature and objects of each institution and then to appoint trustees who were qualified to shape the destiny of each along the lines intended by law. This was no easy task and in the end proved more complex and intricate than could be accomplished successfully and satisfactorily under the law.

Early in 1900 the State Educational Board began the task of preparing a list of school lands for leasing. After this list had been prepared tracts were advertised for lease in the different counties and such leases were sold at public auction at the doors of the courthouse. The right to appraise the land and sell it for what it was actually worth, enabled the school authorities to secure a much better price than \$10 per acre in many portions of the southeastern part of the state. No land could be sold before January 7, 1891, and not more than one-third of the total could be sold during the first five years. Thus the school authorities began conjointly both to sell school lands and to lease tracts of school lands. There was a board of appraisal for each county, but in the end it was found that

the board quite often appraised the school land at much too low a figure in order to secure, no doubt, its sale to friends for less than the appraised valuation. All sales were conducted through the authority of the commissioner of school and public lands and were sold or leased to the highest bidder.

The School of Mines at Rapid City prepared during the summer of 1890 to open with pupils the following fall. Full courses of study were chosen. It was a reorganization and was closed temporarily until October in order to secure a satisfactory faculty and thus start right. The new board of trustees decided to do their utmost to make it the best technical school in the United States.

During 1890 many teachers' institutes were held throughout the state particularly in the southeastern part. One was held in Clay County mainly under the leadership of professors of the university. Instruction was given in teaching, history, physiology, biology, English language, geography, etc.

On December 29, 1890, the annual meeting of the South Dakota Educational Association opened at Sioux Falls. There were in attendance about one hundred and fifty educators from all parts of the state. State Superintendent Pinkham was present, and Prof. H. E. Kratz, of Vermillion, president of the association, presided. There were present among others, Professors Enos, of Scotland, Kyle, of Brookings, Newington, of Watertown, Young, of Tyndall, Frazee, of Lead, and Free, of Yankton. Hon. H. H. Keith, president of the Commercial Club, welcomed the educators to the city. Professor Kratz responded on behalf of the association. The first principal address was delivered by State Supt. G. L. Pinkham on the subject "Our Educational Outlook." He insisted that the higher educational institutions must be kept running regardless of the condition of state finances, and declared that any other course would be a calamity. Other subjects discussed were "Better Schools," "Renewed Zeal," "New Ideas" and "Enlarged Acquaintance." It was noted that there were in attendance many city superintendents notably from Huron, Aberdeen, Yankton, Mitchell, Lead, Vermillion, Watertown and Sioux Falls. President Beadle and three of his assistants were present from the Madison Normal. President McLouth and Professor Kerr, of the Agricultural College, were present and prominent. Doctor Brush and Professor Stout, of Mitchell College, were in attendance. President Grosse and Professor Kratz, of the State University, were also active at this notable meeting. Many interesting and valuable papers were read, and the discussion of the subjects immediately afterward was extremely instructive. The address of President Grosse was conspicuous for its elevated tone and its advocacy of higher education. Present also was Dr. C. M. Woodward, of the Manual Training School of St. Louis. His address was greatly appreciated by the teachers. State Superintendent Pinkham stated that the educational outlook in South Dakota was not encouraging. He declared that the lack of unity in the different fragments of the school system, the control of a large part of the country schools by district officers rather than township boards, the election of county and state superintendents by popular election and not by appointment because of fitness, the financial condition of the state which threatened the curtailment and possibly the life of some of the state institutions of learning, the possibility that the school law of the state would be further complicated rather than simplified, were all menacing and ominous signs. He declared with emphasis that in some places

the common schools were retrograding because competent and efficient teachers could not be secured. "What would be the result," he asked, "if city superintendents were selected by popular elections the same as county superintendents are?" As a matter of fact, he said the whole country should be drawn on for the principals of these important institutions.

Professor Grosse spoke at length on "Unity of the Educational Systems." He declared that not a single city school in the state furnished an adequate education for entrance to college and that additional instruction was needed by such scholars to prepare them for the freshman class. This remark caused a sensation among the city superintendents present, the most of whom believed their courses were sufficient for a college freshman. As a matter of fact several of the cities had already followed the course prescribed by the colleges for freshman examinations. At this time Aberdeen, Huron, Sioux Falls and perhaps a few other cities had a four years' high school course, which was presumed to be sufficient to warrant entrance into the freshman class of the university. Yankton had a high school course of three years and Mitchell a high school course of two years. The Yankton High School had a four-year course until Yankton College started and was then cut down to three years to save cost and to give the preparatory department of Yankton College an opportunity to advance.

Perhaps the address of Doctor Woodward, who was called the "father of manual training" in the United States, was the most important event at this annual meeting. He spoke at length on the details of organizing a school for manual training. He stated that manual training schools were not trade schools where young men were taught a trade, nor a factory where various articles were manufactured, but was a school to train every faculty of the mind and many of the powers of the body, where the young boy was put to school, the only product sought being the symmetrical development of the young man. There were five lines of work in the course of study at his institution: (1) Science, (2) mathematics, (3) language, (4) drawing, (5) shop work. The St. Louis Manual Training School was established about 1880 and was the only one then in existence. By 1890 there were fifty in the United States. Everything connected therewith was practical. It cost about one thousand dollars to build a shop that would accommodate seventy-five boys. This address was very valuable and instructive to the teachers present. The session ended with great enthusiasm on the part of the teachers in spite of the imperfections of the South Dakota system and the lack of cohesion and unity in the schools of the state. Previous meetings of the association had been held as follows: 1887, Huron; 1888, Redfield; 1889, Yankton; and this one of 1890 at Sioux Falls. It was decided to hold the session of 1891 at Madison.

In 1890 there were in the state 73,766 school children between the ages of seven and twenty years. Under the new law of the state, the school age was changed to from two to twenty years. By November, 1891, according to the figures of the school land commissioner, the number of school children in the state was 86,676.

In the spring of 1891 Major Ruth, commissioner of school and public lands, offered for sale school lands in the counties of Yankton, Clay, Union, Lincoln and part of Minnehaha; also a few tracts in Turner, Bon Homme, Hutchinson,

Hanson, Moody, Brookings, Kingsbury, Codington, Grant and Roberts counties. In all, 130 sections, or 83,200 acres, were offered for not less than ten dollars per acre. In accordance with the reports of the appraisal board, all lands that were not sold were offered for lease for the period of five years. The sales were to begin at Yankton on March 24th, and then in succession occur in the other counties.

Late in January, 1891, the city superintendents of schools and the principals of graded schools held a meeting at Huron and passed resolutions to the following effect: Recommending the enactment of a law for the appointment of a committee to select text books to be used in the public schools of the state and to be associated with the state superintendent; providing that the directors associated with county superintendents should select such books as they wished from those adopted by the state committee, but could not change them in less than five years; providing that free text books could be chosen; announcing that the high schools were already fitting students for colleges and universities; deciding that the preparatory departments of the state educational institutions, with a few exceptions, be suspended; maintaining that the normal schools should be supported; specifying that the public school at the county seat should be a graded school to be used as a higher step for the rural schools; providing that boards of education should be elected from city wards where wards had been established, declaring that the schools of the state should be removed wholly from politics, and requiring that the State Board of Regents should have entire charge and control of the state public schools.

At the sale of school lands held in Yankton in the spring of 1891, the lands offered brought an average of not less than twenty dollars an acre, and a few tracts reached as high as fifty dollars an acre. This gave great encouragement to the educational authorities.

By April 29, 1891, there had been received for the two years ending at the time, from the sale of school lands, a total of about \$631,528.20, of which \$164,271.50 was paid into the state treasury. The remainder consisted of deferred payments. The total number of acres sold to secure this amount was 44,933.57. The average price was thus a little over \$14 an acre. These sales were conducted by State Commissioner Ruth and were mainly disposed of in the counties in the southeastern part of the state.

In the spring of 1891, S. H. Bowman, deputy commissioner of school lands, was required to begin the selection of the indemnity school lands due the state owing to the selections of school tracts by the Indians. This step was the inauguration of the movement to select all the school indemnity and endowment lands, a total of about seven hundred and fifty thousand acres, estimated at this time. Commissioner Ruth authorized Mr. Bowman to make the selection, owing to his long experience with the school land and educational situation in South Dakota. Mr. Bowman found little of consequence remaining east of the Missouri River, and under the law he could not yet select tracts from the Sioux Reservation. Accordingly he went to the Black Hills region for the purpose of securing about three hundred and fifty thousand acres.

In June, 1891, Yankton College was exceedingly prosperous. During the previous year there were enrolled 225 students, several of whom were graduated

in June. The institution had good buildings, occupied a commanding position, and attracted much attention to the Northwest at this time. The male students boarded at private houses and the ladies boarded and roomed at Ladies' Hall. The faculty members were young, up to date, able and enthusiastic. The standard of study was high. It was estimated that \$150 a year would take a student through this institution. The college owned a fine telescope at this date, but it had not yet been mounted.

In November, 1891, the board of school and public lands had on hand \$180,000 which they decided to invest in township and city school bonds and to divide the amount among the counties in proportion to the population. This sum was offered to counties at 6 per cent interest. The state board appointed in each county the auditor, school superintendent and board of commissioners, as a special board to have charge of the investment of this money in their respective counties. Each county was held responsible under the law for the money loaned it by the state board. This fact caused the county commissioners in many counties to refuse to act as a member of this county board. In the end the county superintendent became the custodian and manager of the funds loaned to each county.

By December 1, 1891, Commissioner Ruth and Deputy Commissioner Bowman had completed the inspection of all the public school lands in the state that had already been selected, had chosen in addition about five hundred thousand acres of the approximate seven hundred and fifty thousand acres allowed under the special endowments, and had already filed upon 400,000 acres of which about two hundred thousand were in the Black Hills and about two hundred thousand in the counties of Hand, Hyde, Codington, Day, Potter, Edmunds, McPherson, Walworth and Campbell. It was planned by the commissioner to select the other 250,000 acres within a short time. They hoped to get about forty thousand acres of the valuable lake-bed lands in Lake, Kingsbury, and Miner counties.

In 1891 Thomas H. Ruth was state superintendent. He took a different view from that of General Beadle concerning the school lands. He believed it no more than fair that a portion of the school land should be sold from time to time in order to raise means to carry on schools for the pioneer children. However, he agreed with General Beadle that comparatively little should be sold, but that the real policy of the state should be to lease the school lands instead of to sell them. It was a difficult thing to make the mass of people believe that it was best not to sell the school land, but to wait for higher prices. Naturally, the farmer desired to educate his own children rather than tie up the money for the benefit of subsequent generations. The school tax was heavy, the settlers were poor, and they needed and wanted the money then. However, the leasing system steadily gained in favor, and the provisions concerning school and public lands contained in the constitution of 1889 were recognized and observed. The school authorities of the state pointed to Iowa, Minnesota and North Dakota as examples of selling the land and using the funds to conduct the early schools instead of saving the land and raising the fund by taxation. Even R. F. Pettigrew in Congress expressed the belief at this time that \$2.50 per acre was sufficient but General Beadle declared that such an amount was no better than none. This was one of the critical periods in the history of the state school lands and funds. Many persons throughout the whole state agreed with Mr. Pettigrew

that \$2.50 an acre was sufficient. There thus arose another general examination and discussion of the subject. General Beadle stoutly defended the \$10 constitutional clause and maintained that the policy as a whole should be leasing and not selling. In the end his views triumphed. Thus at this time the question was at last settled permanently, because the majority of the citizens sided with General Beadle. His fight at this time had more to do with giving him the title of "father of the schools" than did his advocacy of the \$10 clause at the time the constitution was adopted. In all the school meetings the opinions concerning school lands and funds were discussed warmly, the \$10 clause of the constitution receiving its full share of attention. General Beadle was now given credit for the enactment of that clause in the constitution. The school lands aggregated a total of about three million acres. Therefore in the end the state would surely have a school fund of not less than thirty million dollars. In addition the state was given 5 per cent of the sale of all public lands within its limits to be devoted to schools. This meant in the end, unless a serious mistake should be made, an enormous school fund for South Dakota. At this time the school lands of the state varied greatly in value. One section near Huron was worth in 1889 about one hundred thousand dollars. School lands could not be pre-empted. Over five hundred thousand acres were given as endowments to the educational institutions of the state—to the university, agricultural college, school of mines, reform school, normal schools, etc.

In January, 1891, Governor Mellette made several important suggestions concerning the schools. He recommended that one school officer only should be appointed in each township; that there should be a county board of education presided over by the county superintendent; that there should be a state board of education with from seven to nine members, and that in the schools generally there should be four courses of education as follows: (1) Common school course of eight years; (2) high school course of two years; (3) academy course of two years; (4) college course of four years. He said, "The mistake that is liable to be made in this regard is in developing our educational work too rapidly and in making our machinery too cumbersome and too expensive for the system which it is necessary to build up. Too many school officers, too many school buildings, too many school teachers and too many expensive state institutions are now faults that our present system has, that should be at once remedied." He further observed that "a law should be passed that shall be compulsory in giving to each child in the state an English education and that shall give him his school books free or at actual cost. The present school system is too expensive, inefficient and lacking in that unity and system so necessary in educational matters in order to obtain the greatest public benefit."

In July, 1891, the Educational Association held its annual session at Madison. The program of exercises was long and excellent. At this time G. L. Pinkham was president and Harry L. Bras secretary. The session opened with the convention of the county superintendents called together by the state superintendent. Rev. C. E. Hager delivered the address of welcome and response thereto was made by Cortez Salmon, superintendent of public instruction. The annual address, one of great strength, was delivered by the president, G. L. Pinkham. On the second day the session opened for the school of colleges and high schools,

with Miss M. J. Pryne presiding. Among the subjects considered this day were: "Equipment of High Schools as to Apparatus, etc," by Prof. W. H. C. Newington; the discussion was ably led by Prof. M. A. Robinson; "Sources of Moral Teaching," by Pres. W. M. Blackburn, of Pierre College, the discussion of which was well conducted by Prof. J. T. Shaw, of Yankton Collgee; "Department of Superintendents," discussed under the direction of H. J. Whipple; the question "County Supervision" was well considered under the leadership of N. M. Hill of Yankton; A. W. McClarren led the discussion on the subject "County Superintendents' Records," with A. J. Williams presiding; "Department of Common Grade Schools" was discussed, with Prof. S. L. Brown presiding; "Our Common Schools: Their Place in School Life," with Prof. S. L. Brown also presiding; "The Art of Questioning," with Prof. A. G. Gross presiding. All of these subjects were deliberately and elaborately considered and discussed.

At the general meeting on Thursday afternoon a stirring business session was held and the annual officers were elected. Immediately thereafter a brilliant lecture was delivered by Rev. T. DeWitt Talmage under the auspices of the chaumtauqua. At the evening meeting the following subjects, among others, were discussed: "Denominational Colleges, Their Work," with Prof. L. A. Stout presiding and with Prof. H. H. Swain leading the discussion; "The Value of Psychology to the Common School Teacher," with Prof. H. E. Kratz presiding. On Friday the department of colleges and high schools again controlled the convention. Among the subjects considered were the following: "Promotions, How and When," with Prof. Bruce Fink presiding; "The Relation of High Schools to Business Life," with Prof. E. J. Vert presiding, the discussion being led by Prof. M. A. Taylor; "Shall Certificates be Granted Upon Completion of the Grammar Grades," with Prof. A. H. Yoder presiding. At the meeting of the department of superintendents several important subjects were considered, among which were the following: "County Superintendents and the New School Law," with Supt. Read Matheny presiding, the discussion being led by Supt. R. S. Gleason; "Temperance in Common Schools," with Supt. H. L. Sheldon presiding, and Mrs. H. P. Bryson leading the discussion. Under the department of common and graded schools these subjects were considered: "The Pupil's Preparation," with Mrs. Dora Hawk presiding; "The Teacher's Preparation," with Mrs. E. J. Haynes presiding; "The Purpose of Recitation," with Prof. Edwin Dukes presiding. On Friday afternoon the following exercises were held: "Our Country Schools: Their Needs," with Supt. Kate Taubman presiding; "The Synthetic Method of Teaching Reading," with Miss Clara Wedehase presiding, the discussion being led by Miss Florence Jester; "The Historical Society of South Dakota," with O. H. Parker presiding.

At a public meeting in February, 1892, General Beadle noted that large quantities of the school lands were being sold. He insisted that they should be leased and not sold and that the leases should be on long terms. He pointed out that the development of the state was so rapid that the authorities were unable to loan the money upon the low rate of interest which had been set for March, 1892. Already the money on hand could not be loaned except with extreme difficulty and soon the deferred payments from previous sales would flow in and still further increase the cash idle in the treasury. He suggested that the funds should be invested in municipal securities not only in this state but in

other states. He believed that the interest of 6 per cent was too high, and thought that a lower rate should be adopted and that the range of investment should be enlarged in order to relieve the counties of the responsibility of the idle school funds on hand. Various suggestions were made at this meeting. General Beadle said, "The only ample, permanent, safe and highly advantageous plan is to lease, not sell, the lands upon long terms, the rent to be payable in cash in advance and the rate to be on a valuation established every five years, all the lease incomes to go to the schools of the state the same as the interest from the same fund is now applied." He further said: "We are now marching right into trouble and wasting as we go. In one year the gain in value of school lands is worth five years of interest. The lands that are to be sold in March will make even a greater gain. The leasing system would be fair to the lessee and would yield a steadily increasing income." He severely criticised the state law which obliged and permitted the land commissioner to sell the school lands as soon as he could do so over the \$10 limit.

Other prominent men of the state, among them the commissioner, still took views somewhat different from those of General Beadle concerning the disposal of the school lands. They argued that the United States gave South Dakota about three million acres of school land with which to create a fund and not to maintain an accumulation of land. This fund was required to be kept forever intact, and only the revenue could be used by the state. This was the law of the country. The revenue was to be used for the payment of teachers and for no other purpose. The land could not be sold for less than \$10 an acre, and hence the fund in the end was bound to be at least \$30,000,000. As it was already being sold for an average of considerably over \$10, the fund in the end would no doubt reach \$40,000,000 at least. At this date 6 per cent was the minimum rate of interest for which the fund could be loaned. This would give finally an annual income for school purposes of approximately \$2,400,000, a sum larger, it was thought at this time, than would ever be required to pay the teachers. Therefore it was argued that the theory of the state school management should be that, as long as the revenue from the fund created by the sale of school lands at the minimum price would ultimately exceed the uses which could be made of it, efforts to realize the full intent of the law by disposing of the land at the earliest possible moment should be made. That is, while there was no possibility of detracting from the rights of posterity, why not benefit the present generation at once by selling the land? There was now going on the sale of a small portion of the land and that too without harm to future generations or to the fund or the land in any way. In 1890 the revenue received from the fund created by the sale of the land amounted to 52 cents for every pupil in the state, and in 1892 the commissioner expected to turn over to the various counties a pro rata of \$1 for every child attending school. Statistics at this time showed that the average cost for tuition in the common schools was about one dollar and thirty-five cents for every pupil; therefore the school authorities of the state hoped by the same judicious management to be able soon to pay at least enough to cover the full amount of each county required for teachers' salaries.

General Beadle replied to this view in March, 1892. He stated that he was not attacking the school land authorities, but was simply opposing the system of

selling the lands instead of leasing them. He admitted that it would require an amendment to the constitution to effect a change from selling to leasing. He called attention to the fact that Iowa, Illinois and Wisconsin had operated under a law much the same as the one in South Dakota, and that under such law all the school lands had been sold too low, so that the school funds of those states now amounted to nothing comparatively. He sincerely hoped that an amendment to the constitution to prevent the sales of land would be adopted. He insisted that the demands of the settlers should be fully considered by the authorities. He expressed the opinion that the schools in the cities were improving, but in the rural districts were not and were very poor. In Illinois the great question was how to improve the common schools—the rural schools. That was the one great, vital question yet prevailing everywhere. The reason, he believed, was because the rural schools did not have a sufficient state fund, and therefore were compelled to levy a tax to cover expenses, or do without the schools and the latter they too often did. The whole result was to deprive the rural children of adequate education. In Illinois the school law of 1883 provided for the sale of school lands at \$1.25 an acre. Later the rate was increased to \$2.50. In Northwestern Iowa within the last thirty years school lands were sold in a similar reckless fashion. One generation had seen the school lands advance to \$15 an acre and the price would soon double again. South Dakota was bound to grow and would soon be thickly populated. School lands would be worth large sums of money. Already better schools were demanded for the country, but where was the fund? Soon in the country manual training would be required, libraries would be provided, the schools would be graded, and the houses would be large and well equipped. All this could be accomplished, of course, with the interest from the \$40,000,000 fund, but where could the fund be loaned? The rates would have to be reduced. The fund could be stolen, but if the land was kept it could be leased and would be safe, because it could not be stolen. Who would give security for the \$40,000,000 to be loaned out? The leasing system was far less difficult and much safer to handle. The big fund of \$40,000,000 was difficult to handle, and was almost certain, sooner or later, to become involved and a part at least lost. He did not believe the lands if sold now or soon, would bring \$40,000,000. He believed that a system of selling leases would be the wisest step. Everywhere speculators were buying state lands to hold for the increase in value. Why not hold the school lands and get the increase? This was now the important state issue, General Beadle declared, whether to lease or sell the school lands. He said finally, "The trust is too sacred, the interest too vast and the dangers and waste are too imminent to keep silent, while the reasons for a change are 'whistled down the wind.'"

Deputy Commissioner S. W. Bowman in the spring of 1892 believed that a part of the school lands should be sold now—perhaps 10 per cent within five years. This would yield a sufficient fund with which to educate the pioneer or rural children. Thereafter he thought it wise to sell an additional 10 per cent every ten years; thus the school fund could be operated under both the selling and the leasing propositions. The small amounts received in cash could be loaned, because it came in slowly, one-fourth down. The money was needed throughout the state to pay off school bonds in scores of districts. The latitude of loaning should be widened and the rate perhaps lowered. The state constitu-

tion provided that 7 per cent interest would be charged on school fund loans. This was too high. Farmers and school districts would not pay it. In addition the sum loaned, it was provided, should not exceed one-half the appraised value of the farmer's land. Already schemes were afloat in different counties so to control the public sales that the lands could be secured by purchasers at very low prices. Many counties were unable to loan the school money and returned it to the state treasury, because farmers and others did not want it at 7 per cent interest. But later in 1892 it was noted by the commissioner that farmers in all parts of the state were paying from seven to ten per cent interest on money, when they could secure adequate loans at 6 per cent from the state school fund.

In March, 1892, State Superintendent Salmon announced that two conventions of county superintendents, instead of one for the whole state, would be held that year in order to save the heavy expense to those officials. One was ordered held at Spearfish for the entire Black Hills region during the meeting of the Black Hills Educational Association. The other was ordered held east of the Missouri River, probably at Huron, in May. A special session was ordered held in Stanley County. The primary object of these meetings was to arrange the practical details of the work connected with the course of study and to make that work as nearly uniform as possible throughout the state. At this time a test case was taken to the Supreme Court to see whether the expenses of the teachers' institutes could be paid from the school fund. The court decided that the fund could not be used for that purpose. The state superintendent, in the spring of 1892, named the following instructors to conduct two institutes each that season: Professors A. M. Rowe of Sioux Falls, L. A. Stout of Mitchell, J. S. Frazee of Vermillion, C. M. Young of Tyndall, W. H. C. Newington of Watertown, O. H. Taylor of Pierre, M. L. Abbott of Rapid City, W. H. Dempster of Madison, Edwin Dukes of Parker, N. C. Titus of Madison, R. M. Jester of Crow Creek, E. J. Vert of Miller, W. H. Morrison of Wolsey, B. F. Hood of Huron, J. A. Shannon of DeSmet, J. Jones, Jr., of Chamberlain, and W. W. Girton of Vilas; also the following additional instructors: Professors R. E. Friars of Mitchell, R. B. McClellon of Sioux Falls, S. L. Brown of Sioux Falls, C. B. Isham of Canton, Charles Winchester of Gayville, A. N. Van Camp of Highmore, M. A. Taylor of Alexandria, A. G. Cross of Plankinton, B. Fink of Elk Point, M. A. Robinson of Brookings, J. W. Whiting of Scotland; also Mrs. Flora Jester of Bowdle, Miss Esther A. Clark of Yankton, Miss Anna Emerson of Sioux Falls, Miss Belle Anderson of Huron, Miss Josephine Harrison of Huron; also for primary work Miss Clara Cressy of Huron, and Miss Flora M. Wilson of Sioux Falls.

The following persons were appointed county school institute conductors for 1893: E. J. Vert, Milbank; Edwin Dukes, Parker; W. W. Girton, Vilas; J. A. Shannon, DeSmet; W. H. C. Newington, Watertown; J. Jones, Jr., Chamberlain; R. M. Jester, Crow Creek; A. G. Savage, Kimball; W. H. Dempster, Madison; L. A. Stout, Mitchell, R. E. Friars, Mitchell; J. S. Frazee, Vermillion; George M. Smith, Vermillion; C. M. Young, Vermillion; B. F. Hood, Huron; A. M. Rowe, Sioux Falls; R. B. McLennon, Sioux Falls; S. L. Brown, Sioux Falls; Lewis McLouth, Brookings; M. A. Robinson, Brookings; Miss Esther A. Clark, Yankton; Mrs. Alice LaDue, Britton; Mrs. Ella B. Chassell, Sundance, Wyoming. Also the following assistant instructors were employed: J. M. Whiting, Scotland; A. N. Van Camp, Highmore; S. K. Clark, Tyndall; Alexander

Hinckley, Centerville; D. B. Flickinger, Webster; G. J. Schellenger, Bangor; Charles E. Prather, Madison; Mrs. Flora Jester, Crow Creek; Miss Fannie A. Foster, Yankton; Miss Dell Noble, Yankton; Mrs. W. H. Newington, Watertown; Miss Anna Emerson, Sioux Falls; Miss Clara Cressy, Sioux Falls; Miss Flora A. Wilson, Sioux Falls; Mrs. Hattie T. Hood; Miss Belle Anderson, Huron; Miss Hattie S. Grant, Huron; the latter five being special instructors in primary branches and physical culture.

It should be noted that in early times as well as later times, the patrons of rural schools were not usually consulted as to what they wanted taught in their districts. The views of higher educational advocates were always employed to determine what studies should be pursued in the schools of the rural districts as well as in all the schools of the state. Thus the farmer had little or nothing to say as to what studies his children should pursue. He submitted or acquiesced because he thought the school authorities knew what was best. This was the one conspicuous weakness of the rural school plans. It resulted in lack of interest in the rural schools, because the studies required were generally not what was wanted and were thought to be useless. The whole plan was so to shape the rural schools that the pupils thereof could step at once into the high schools of the towns and cities. Thus the country pupil was required to take studies that were of no use to him, because he was expected to attend the high schools. It was not figured by the authorities that 95 per cent of the rural pupils never go higher than their home schools. Thus they planned the rural school studies for the 5 per cent that might attend the town and city high schools. Apparently it had not yet come to the understanding of the school authorities that the education of farmers' boys and girls should be along the line of their requirements in after life. In the high schools the education of the child was shaped for general culture, or for some useful occupation such as teaching, the practice of law or medicine, merchandising, engineering, surveying, etc., but the child of the farmer was not given the instruction needed by him on the farm. Every effort of the educational authorities thus contributed to the movement to take the child from the farm and from farming and place him in the city permanently. It remains for a later period to develop the studies that the great mass of children should take to make them successful on the farm; to develop an education suited to the wants of the rural districts, a problem that can be and should be solved in a month's time by the right educational authorities.

The school fund distributed or apportioned among the counties in 1892 amounted to \$78,108.64. This amount was derived from the interest on the school money loaned and from the leases of school land. It was a comparatively small sum, but it was a good start. Not much of the school land had yet been leased, mainly because range land was yet abundant and thus grazing land could be obtained for little or nothing. It required time before the school lands in the western part of the state could be leased at good rates. Cattlemen and farmers refused to lease the land when they could use it free without leasing. At this time many school bonds were out all over the state drawing from seven to ten per cent interest, while at the same time large amounts of the school fund could be obtained at 6 per cent. These facts were not generally known. A little later the fund had no trouble to find investment at the legal rate.

The state university in June, 1892, showed a total attendance of 251. This was a decline of one-third as compared with that of 1891. The loss was be-

lieved to be due to the discontinuance of the normal and *delsarte* instruction and to the embarrassment resulting from almost a complete change of faculty in the spring of 1891. The regents recommended many repairs and improvements to buildings and made other important observations. At the Agricultural College the attendance for the year 1891-92 was 279. There were three full four-year courses and study: Agriculture, domestic economy, mechanic arts. There was also a two-year course in pharmacy. The regents recommended important improvements to the buildings and generally an extension of all facilities. The School of Mines was small, which fact was mainly due to its technical character, but already it was doing important work. The normal schools were in excellent condition. The pedagogical studies were fully prescribed and were pursued with enthusiasm by a comparatively large attendance. In the Training School at Spearfish were 218 pupils, and in the Normal School proper were 161. The attendance at the Madison Normal was 180.

The report of the trustees of the state university in November, 1892, showed to what extent that institution had been handicapped and circumscribed by lack of funds and unnecessary restrictions. The trustees upon taking charge in July, 1891, proceeded to reorganize the faculty, which was accomplished by September, the old faculty having been retired in June. The trustees found that the funds were inadequate to defray the necessary expenses, and, accordingly, in order to keep in operation throughout the year and at the same time meet expenses, left two of the leading chairs vacant, and all assistants and instructors were dismissed though greatly needed. The chairs of geology and mineralogy and of political science and history were left vacant. In the spring of 1902 Clark M. Young was appointed to the chair of political science and history, and James E. Todd to the chair of geology and mineralogy. The board stated that the university had suffered seriously from the limited appropriations made by the last Legislature. The buildings were sadly in need of repairs, the campus should be graded and fenced; the chemical department needed a separate room or building; the science department required additional room; a department of civil engineering was wanted; the library was wholly inadequate for the demands of the institution; a secretary was needed, and appropriate salaries were asked for those who were employed. Owing to the reduced number of professors and assistants, the faculty was compelled to cut down the elective and post graduate courses. The normal and *delsarte* departments were wholly eliminated. The military department was efficient owing to the liberal considerations of the Government.

President Mauck in November, 1892, called to the attention of the regents the following needs of the university: (1) Equipments for the laboratories, cabinets and libraries; (2) facilities for field work in the state by the physical science department; (3) laying out the university grounds; (4) ampler funds for repairs; (5) assistants in mathematics and Latin; (6) provision for the regulation of office hours in the business office; (7) elimination of distinctive tuition without reducing the local revenue; (8) reasonable appropriation for representing the university at the World's Columbian Exposition; (9) an additional building that would guard against destruction by fire of the library, laboratories and cabinets.

The president of the Agricultural College in the fall of 1892 stated that the total enrollment for the year 1890-91 was 271, of which number 182 were

pursuing college studies and 89 were in the preparatory class. The enrollment for 1891-2 was 279, of which number 190 were pursuing college studies and 89 were in the preparatory class. At the close of the year 1891, 23 students were graduated, 12 in agriculture, 6 in domestic economy, 2 in mechanic arts and 3 in pharmacy. At the close of 1892, 18 students were graduated, 9 in agriculture, 6 in domestic economy, 2 in mechanic arts and 1 in pharmacy. The work of the students in every department was satisfactory. Few changes in the courses of study had been made. The annual farmer's institute was omitted in 1892, its place being taken by a series of farmer's institutes in various parts of the state. Such institutes were held in Moody, Turner, Grant and other counties. Few changes had taken place in the faculty. The last Legislature had appropriated \$2,000 for a dairy building and for a dairy school. The building was erected and the school set in operation. In 1891 a small building for practical work in entomology and experiments in bee keeping was erected from experiment funds. A small astronomical observatory was likewise built. Repairs were made in 1892 to the two dormitories. A considerable sum under the first payment of the Morrill act was used to purchase apparatus for the departments of agriculture, horticulture, dairy science, mechanic arts, natural history, chemistry, physics, astronomy and domestic economy. The library at the close of 1902 contained 2,886 bound volumes and about 5,000 pamphlets. The Morrill act was signed by the President of the United States August 30, 1890. This act provided for a first payment of \$15,000 to the Agricultural College and thereafter for ten successive years an additional sum of \$1,000 over the amount for the preceding year, after which the annual amount was to be \$25,000. This appropriation, the act stated, was "to be applied only to instruction in agriculture and the mechanic arts, the English language and the various branches of mathematical, physical, natural and economic science, with special reference to their applications to the industries of life and to the facilities for such instruction." The expression "facilities for such instruction" was construed to mean not buildings or ordinary furniture or fuel, but the special apparatus, books and material used in giving instruction. At this time, as shown by Thomas H. Ruth, commissioner of school and public lands, about ninety thousand acres of agricultural college lands had been selected in the following counties: Potter, Faulk, Codington, Clark, Day, Fall River, McPherson, Edmunds, Walworth, Meade and Harding. The president reported that the finances of the Agricultural College were in good shape and that the institution as a whole was prosperous. A few of the needs of the institution were as follows: Repairs for the buildings; a pure and proper water supply; buildings to accommodate the chemical and physical laboratories and for the shops; a greater supply of fuel. He said that in view of the fact that under the Morrill act no money appropriated by the Government could be used for the payment of salaries the Legislature should include in the appropriation the salaries of assistant instructors who were imperatively needed but were not otherwise provided for.

The state normal school at Madison, of which the president was W. H. H. Beadle, was doing excellent work in 1892. The graduates of 1892 represented ten counties of South Dakota and one county of North Dakota. Already the institution had turned out 180 graduates. The object of the school was to train teachers for the public schools of the state. Accordingly every study on the curriculum was chosen with that object in view. At the close of 1902 there

were six grades of pupils from the first primary up. The latter was called the Model School and was composed principally of pupils living in the immediate vicinity of Madison. Many students attended the normal half a year and devoted the other half to teaching. Although the faculty numbered seven there was need for other instructors.

The legislative assembly which met at Yankton in 1881 established a normal school at Spearfish on condition that the town should donate forty acres of land for a site within six months. This condition was not complied with, whereupon the act became inoperative. The matter was again taken up by the Legislature of 1883 and an appropriation of \$7,000 was made for the erection of a building and the maintenance of the school for one year. The required site was secured, a building was erected and on April 14, 1884, the school was opened with Prof. Van B. Baker as principal. At first the attendance promised to be considerable, but later dwindled to almost nothing. This was mainly due, it was alleged, to the incompetence of the principal. The legislature of 1885 appropriated \$5,000 for the maintenance of the school for two years, and a new board was appointed—H. M. Gregg and Albert Powers of Spearfish and Samuel Cushion of Deadwood. Under their management the institution was opened for students in September, 1885. During the first week only seventeen names were enrolled, but after that time the attendance greatly increased. In 1892 the enrollment was 161 and the average daily attendance 112. The enrollment in the training department of the Model School was 218, thus making the total enrollment of the institution 379. At the legislative session of 1887 an appropriation of \$25,000 for the construction of a suitable building was made and the structure was duly erected. The normal schools in 1892 reported many needs, if their growth, development and usefulness were to continue.

The work of the school of mines in 1892 was broader and better than during the year before; the studies were much better classified and covered advanced and elementary algebra, geometry, trigonometry, geology, surveying, mechanical drawing, mineralogy, assaying, general chemistry, qualitative analysis, physics, English literature, composition, rhetoric and arithmetic. Thus it will be seen that the curriculum was broad and at the same time technical. The buildings were not equal to the wants of the institution, so that the dean, W. P. Headden, asked for an additional structure. The total number of students at the close of 1902 was ten, and the total number, including those studying bookkeeping and a special course in chemistry, was fifty-six.

During the early years the first efforts of importance were made in the city schools. This was a natural step and was not a reflection upon the farmers, nor were they certainly wronged by this procedure. The city grammar schools were soon in prosperous condition, and the demand arose at once in the various towns and cities of the state for still higher instruction. This demand occasioned the organization of high schools. All of this had taken place during territorial times, but upon the organization of the state vast improvements were promptly made under the direction of competent school authorities. Perhaps the studies prescribed for the high schools cannot better be shown than by giving here the courses of study in the Aberdeen High School in 1892. Particular notice is called to the numerous studies for which rural children who expect to remain on the farm cannot and will not ever have any practical use:



CENTRAL HIGH SCHOOL BUILDING, ABERDEEN

Erected in 1911

		LATIN COURSE	ENGLISH COURSE
First Year	First Term	{ Algebra Latin Physical Geography	{ Algebra English Physical Geography
	Second Term	{ Algebra Latin Physical Geography	{ Algebra English Physical Geography
	Third Term	{ Algebra Latin Physiology	{ Algebra English Physiology
Second Year	First Term	{ Arithmetic Latin Physiology	{ Arithmetic Rhetoric Physiology
	Second Term	{ Arithmetic Latin Electives { Book-keeping Rhetoric	{ Arithmetic Rhetoric Book-keeping
	Third Term	{ Arithmetic Latin Electives { Book-keeping Rhetoric	{ Arithmetic Rhetoric Book-keeping
Third Year	First Term	{ Geometry Latin English History	{ Geometry American Literature English History
	Second Term	{ Geometry Latin General History Reviews	{ Geometry Psychology General History Reviews
	Third Term	{ Geometry Latin Physics Botany	{ Geometry Psychology Physics Botany
Fourth Year	First Term	{ Botany Latin Physics Electives { German French Chemistry	{ Botany Chemistry Physics Electives { German French Latin
	Second Term	{ Civics Latin English Literature Electives { German French Chemistry	{ Civics Chemistry English Literature Electives { German French Latin
	Third Term	{ English Literature Latin Electives { German French Astronomy Methods of Teaching Reviews	{ English Literature Electives { Astronomy Methods of Teaching German French Latin Reviews

The state superintendent stated in 1892 that at the present time the schools appeared to be isolated bodies without mutual support or community interests, and governed by diverse and antagonistic policies. Under such a condition of affairs a single controlling body, with power to survey critically the whole system and to unite all for a common and harmonious purpose, was greatly needed. Some authority should be empowered to exercise general supervision over all the public schools of the state. At this time the university, agricultural college and normal schools were in as prosperous condition as they could be with their limited appropriations. All were expanding their courses and the curriculums were constantly being improved and new departments were being added. However, every educational institution in the state was compelled to do from one to three years' preparatory work before it was able to secure pupils for its freshman class. It was claimed that this was due to the lack of unison between the lower and the higher schools and that the higher schools had caused the lack of unity. As a matter of fact it cannot be truthfully said that the higher educational institutions had moved away from the line of progress for educational instruction in the state. No such line had ever been formed. When the country was new, rural schools started and were made to conform to the wishes of their patrons and teachers. Finally the higher institutions opened with curriculums obtained from the older institutions farther east. Thus there were three or four distinct educational movements without any unity of action whatever in their work or designs. This was the condition in 1892. It remained for the authorities to correct at once this broken educational system and to transform it into one broad enough to give all classes of pupils the education they desired. At this juncture the first serious mistake was made. The apostles of higher education, without considering what was wanted or needed, aimed to shape the studies of the rural schools so as to prepare the children for collegiate education. To this day, 1915, this design has been more or less carried out by the continuous efforts of the friends of higher education, and during this period the farming community has held back, has refused to advance along the line proposed, has denied the right of the higher educational authorities to prescribe what studies their children shall pursue. In addition, no effort had been made to prepare teachers for instructing rural children in the studies they require for their labors, duties and future lives on the farms. For nearly a quarter of a century the school authorities have stumbled along blindly, realizing the actual conditions, but being unable to devise practical plans to make rural education successful and satisfactory. For the last ten years at least such a system has been well known, but the school authorities have not been brave enough nor strong enough to force it into operation. Another General Beadle is needed at this opportune moment.

At the meeting of the State Educational Association at Sioux Falls in 1890 there was appointed a committee to prepare a uniform course of study for the common schools. This committee consisted of County Superintendents L. H. Bras, R. S. Gleason and M. A. Lange. The committee carefully performed their work, and the course was introduced promptly into nearly every school of the state. This system was prepared with the object of fitting students of the primary schools for final entrance into the freshman classes of the higher educational institutions. Little or no thought was given to the future occupation of the children, but the results were not such as had been anticipated. A harmonious

course of study necessarily requires a series of years for trial before it can accomplish notable improvement and effect unison among the schools. Accordingly changes of more or less importance were made annually, but still the hoped for results lagged behind and were finally seen to be more or less imaginary and evanescent. By 1892 the question of consolidated schools was duly and elaborately considered by the State Educational Association, state superintendent and all county superintendents. Here and there, occasionally, an effort to carry such plans into effect was made in the country, but the neighborhoods were too poor, scattered and fragmentary to effect any satisfactory results. Year after year the laws constantly enlarged the powers of the county superintendent until he became and is to this day largely the dictator of county educational methods and management. Teachers' institutes for normal purposes were a conspicuous feature of education immediately after the formation of the state. Almost every county had them and where a single county was unable to do so, several counties united for the purpose, and quite often groups of counties were formed into educational districts with the same object in view. The people were blindly doing their utmost to secure suitable education. The fact that brought out much complaint concerned the inadequacy of the school methods originated by the men and women who had presumed to dictate what the people might want. Reading circles were formed in many neighborhoods even in the country and particularly in the villages and cities. The special training schools such as school of mines, reform school, school for deaf mutes and school for the blind were likewise duly considered, expanded and put in operation by the educational authorities. Kindergarten, primary and manual training departments were formed this early and gave promise of great usefulness. But in the meantime the real wants of the farming community for business and occupational training were lacking or withheld. Uniformity of text books was another question considered immediately after the formation of the state, but did not help the rural situation. There was not a legislative session that did not pass additional laws or amendments that were expected to improve the rural schools, but still all was more or less experimental because the real wants of educational progress had not yet been studied out, defined and prescribed by the people themselves.

For the year ending June 30, 1891, the number of graded schools in the state was 80 and the number of ungraded schools 3,115. Of these schools 207 had libraries containing 3,836 volumes. The total number of school houses was 3,117 and the total number of teachers 4,313. The total amount paid teachers was \$580,125. The total number of unmarried persons between six and twenty years was as follows: Male 38,730, female 34,818. The total enrollment of pupils was 63,975. The total receipts were \$1,264,969.63 and the total expenditures \$1,035,209.47. The city schools containing more than two hundred pupils were as follows: Sioux Falls, Huron, Yankton, Pierre, Aberdeen, Rapid City, Mitchell, Brookings, Canton, Vermillion, Madison, Scotland, Chamberlain, Milbank, Deadwood, Redfield and Flandreau.

The course of instruction in the state normal schools was from the start thorough and efficient, so far as the school system of the state was concerned. The teachers were prepared to instruct in the studies recommended or dictated by the educational authorities of the state. The normal schools were required to give instruction in the studies which the teachers were expected to teach in the

rural schools as well as in other schools. The following is given as the course of study of the Madison Normal School in 1892:

	FALL TERM	SPRING TERM
First Year	Arithmetic, with methods	Algebra
	Grammar, with methods	Elocution
	Geography, with methods	United States history
	Penmanship, with methods	Civil Government
	Vocal music	Penmanship and book-keeping
Second Year	Algebra	Geometry
	Composition and rhetoric	General history
	Zoology	Physical geography, 10 weeks
	Physiology	Botany, 9 weeks
	Drawing	American Classics
Third Year	English Literature	Physics
	Psychology	Pedagogy
	Methods	Methods
	Practice	Practice
	Rhetorical exercises throughout the course	

The following quantities of land were donated to South Dakota for the several educational purposes, as indicated, viz.:

Number of acres common school land.....	2,823,320
Number of acres School of Mines	40,000
Number of acres Reform School	40,000
Number of acres Deaf and Dumb Asylum	40,000
Number of acres Agricultural College.....	160,000
Number of acres State University.....	86,000
Number of acres State Normal Schools.....	80,000
Number of acres other educational and charitable purposes.....	170,000
Number of acres for public buildings at capital.....	82,000
Total	3,521,320

The number of acres of school lands sold from January 1, 1891, to December 31, 1892, was 101,879.56 and the amount of the sale was \$1,387,318.71. The number of acres of land leased from January 1, 1891, to December 31, 1892, was 908,103.29 and the amount received for the same was 48,572.65. The number of acres of endowment lands selected and assigned to each state institution by December, 1892, is shown in the following table:

Agricultural College	64,658.16
Deaf and Dumb Asylum	28,998.60
Educational and charitable purposes.....	63,462.33
Normal Schools	49,835.22
Public Buildings	55,961.74
Reform Schools	27,341.23
Schools of Mines	23,761.51
University	77,052.16
Military Reservation not assigned	82,000.00
Total	473,070.95

The report of the land commissioner showed that on January 1, 1891, there were forty-nine mining, stone and other claims for as many quarter sections of school lands pending before the general land office. Thereafter until December, 1892, eleven additional claims were filed for quarter sections east of the Missouri River, thus making a total of sixty adverse claims for portions of the school lands. Of these cases thirty-six had been heard before the commissioner of the general land office and decision in all cases had resulted in favor of the state. One case known as the Rapid City School Section, had been before the secretary of the interior for two years and was one of the most important ever tried by that department. The claimants spent over seven thousand dollars in prosecuting their claim to the land involved, but in the end lost. It was coal land variously estimated to be worth from ninety thousand to one hundred and fifty thousand dollars.

The commissioner recommended that suit should be commenced against the Dell Rapids Mining Company to set aside a patent which it had secured for 200 acres. Should the state win this case, many others of similar character could likewise be won. The commissioner asked for authority to commence action against several railway companies to determine whether they should pay for the right of way across school sections occupied by them prior to the admission of the state. There were about four thousand acres going under this head. He stated that the law relating to trespassing on school lands was incomplete and should be made more effective. Under the existing law state's attorneys in many counties refused to act on cases of trespass. The commissioner stated that under the present existing law the cutting of timber in the Black Hill counties on school lands could not be stopped; grand juries would not indict, and it was next to impossible to convict no matter how strong the evidence. The existing law was not sufficient to stop the cultivation of leased school lands, nor to collect damages for violations of that character. The commissioner asked for an act legalizing the proceedings of several counties for loans of the permanent school fund and providing specifically to which the securities should run, state or county. He suggested that laws should be enacted empowering the commissioner to conduct the public sale of all school and public lands belonging to the state, and that the county auditor of each county should be empowered to lease the school and public lands. He called attention to the fact that the constitution provided that the permanent school funds should be invested in first mortgages and well improved farm lands within the state; the bonds of school corporations within the state; bonds of the United States, and bonds of the State of South Dakota. He recommended that this constitutional provision should be extended to embrace county bonds. The commissioner pointed out many other discrepancies in the laws and in the constitution concerning the detailed management of the school funds. He estimated that the indemnity lands would amount to about 69,215.61 acres and that he had already selected 40,880 acres. He estimated that land from Indian filings and mineral claims would reach from 20,000 to 30,000 acres.

In the '90s H. E. Kratz, professor in the state university, undertook to solve the question, "Does college education pay?" It was at this date a momentous question and was doing the rounds of the press. Andrew Carnegie had recently said: "The total business of the college graduate in many departments of affairs should be deeply weighed. I have inquired and searched everywhere, but find

scarcely a trace of him. Where, then, is the college made man?" Professor Kratz, upon investigation, learned that nearly two-thirds of the presidents, United States senators and members of Congress were college bred men. His investigations led him to believe that one man in every two hundred in the United States was college bred. Others placed the number at one man in every 100. Professor Kratz sent a letter to fifteen of the largest cities and towns of South Dakota, asking that the following steps be taken: "First make out a list of five leading men in each of the following professions and occupation, viz.: Ministry, teaching, law, medicine, journalism, banking, merchandise and manufacturing, the last two to be considered as one class; these leading men are not to be selected with reference to college men as such. Second, ascertain from them whether they are college men or not; regard all who have pursued a regular college course two years or more as college men." These inquiries were sent to Sioux Falls, Yankton, Pierre, Aberdeen, Huron, Watertown, Mitchell, Deadwood, Rapid City, Madison, Elk Point, Vermillion, Brookings, Canton and Milbank and the result represented the canvass of 533 leading men of the state made up as follows: Ministers canvassed 67, college bred 60; teachers 65, college bred 55; lawyers 78, college bred 53; doctors 85, college bred 52; bankers 66, college bred 26; editors 53, college bred 16; merchants and manufacturers 119, college bred 31. Thus out of the 533 leading men of South Dakota engaged in the above pursuits 293, or 55 per cent, were college bred. It seemed, therefore, that there were great odds in favor of a college education, in view of the fact that only one man in every 100 to 200 in the state was a college bred man. If the college bred man had no advantage over his fellowmen, there would have been found only 1 per cent of them, or about 6 in 533, whereas in reality there were 293, or nearly fifty times the proportionate number. It was thus announced by Professor Kratz that a college education improved chances of success and prominence from twenty-five to fifty times. He further found that out of 15,138 biographies in Appleton's *Cyclopedia of Biography* 5,322 were of college graduates. As these men had been written up owing to their prominence it was clear that college graduates had much the better chance to become prominent.

The State Educational Association met at Brookings late in December, 1892, and continued in session three days. The program was interesting and instructive. The mayor of Brookings welcomed the teachers to that city and President Young responded. The proceedings were opened by President Young with an address on the subject of "Some Problems in Education." He showed that modern education, when tested by its result upon society, was open to serious criticism. He discussed how education was related to all social movements and programs. He asked for a greater effort in character building, for more training and less cramming, and showed how education was destroyed by politics or diverted from its high purposes. A paper on "Educational Fads," by Prof. George M. Smith, was much enjoyed. Concerning this paper the official press report said, "This was one of the best papers ever presented before the association and was listened to with great interest. Professor Smith struck some vicious blows at the senseless methods which to a large extent characterize modern education. The paper was thoroughly discussed and in the discussion it appeared that the professor had stirred up an educational hornet's nest, but the expression heard on every hand was one entirely complimentary to Professor

Smith. The paper served to enliven the thought and discussion of the convention." The South Dakota Educator said, "Its intent to provoke criticism fully met its intention. It was a valuable paper and dealt heavy blows against the prevailing tendency to substitute a time worn method for individuality. The discussion that followed was spirited and roused the association to a high degree of enthusiasm." Professor Dukes and others ably discussed the subject of "Psychology in the Class Room." B. F. Hood read a strong paper on the "Need of Our Public Schools." He showed the weaknesses of the existing educational system and strongly advocated its removal from politics. He further asked for a higher standard of teaching and for a better supervision of all schools of the state. Doctor McLouth discussed the subject of "High Schools and Colleges; Their Mutual Relations." His remarks were warmly welcomed by the teachers. He showed the utter want of unity of system in South Dakota and likewise disclosed its importance. The reading circle gave a most interesting and valuable exercise on Wednesday. Its work as a whole for a year had been satisfactory. Professor Dempster was the practical and efficient manager of this department. Prof. Susan W. Hassell read a valuable paper on "English Literature and How to Teach It." The paper was so exceedingly well written and ornate that all realized it well exemplified her subject. Department meetings were held by the superintendents of high schools and valuable papers were read and critical remarks were made. Professor Orcutt read a paper on the "Science of Alcohol" which elicited great interest and called out numerous questions. He declared that alcohol was a narcotic. The questions asked by the teachers were designed to secure information so that they could return to their school charges well armed with arguments and statistics against the use of alcoholic liquors. Prof. C. M. Young, of Vermillion, was re-elected president of the association; Kate Taubman, secretary, and H. L. Bras, treasurer. The association petitioned the governor and Legislature to revise the school law in several important particulars. A legislative committee to lobby for the measure wanted was thereupon appointed. They were: J. K. Faling, Kate Taubman, A. M. Rowe, K. L. Gleason and Prof. C. M. Young. The Council of Education was organized at this session, with President Mauck of the University as president and Professor Hassell, of Redfield, as secretary. It was decided to hold the next annual meeting at Parker.

The president of the board of regents stated in 1892 that the common schools generally had adopted the course of study prepared by the committee of the State Teachers' Association. In the city and village schools throughout the state there was found a wide diversity of methods and courses. Each independent district had devised its own curriculum. As the university and other higher educational institutions were compelled to rely chiefly on the city and village schools for their students, the president recommended that the courses of study in all such schools should be made to conform to or harmonize with the courses at the state university. With this object in view the educators of the state had recently met and prepared uniform courses for the high schools so adapted that students graduating therefrom could at once secure admission to the freshman class of the university. In order to establish a suitable stepping stone from the high schools to the university, the preparatory department of the university was instituted. All the advanced schools in the state at this time had preparatory departments, owing to the fact that there was no unison in studies or courses by which pupils of the

lower schools could enter the higher institutions. These preparatory departments were needed as a part of the general unit system for the colleges and universities which gave courses wholly independent of the requirements of the common schools. It was different with the university, which simply was designed to be the culmination of the education furnished in the common and the high schools.

The faculty of the University of South Dakota in September, 1891, consisted of the following persons, nearly all of whom were newly chosen: Pres. William A. Scott, professor of history and political economy; Lewis A. Akeley, professor of physics and chemistry; J. S. Frazee, professor of mathematics and astronomy; C. P. Lommen, professor of biology, zoology and botany; S. G. Updyke, professor of Latin language and literature; F. I. Merchant, professor of Latin language and literature; O. E. Hagen, professor of modern languages; George M. Smith, professor of Greek language and literature; Miss M. McCalla, lady principal. The chair of geology and mineralogy was yet to be filled. The institution was divided into four departments, collegiate, sub-freshman, commercial and music. The collegiate department was subdivided into classical, philosophical, scientific and literary.

The board of regents in 1892 investigated affairs at the Agricultural College. A memorial of the Brookings people arraigned President McLouth and the old board of regents for irregular conduct. The committee of the Legislature made a thorough investigation and reported on January 31. The trouble in the Agricultural College had been brewing for two years and an insurrection similar to the one at the State University a year or two before had occurred there. It was charged that President McLouth had gone into politics for Governor Mellette, of Watertown, and that he had discharged able and satisfactory professors and put in their places political heelers or friends; also that he had covertly pulled wires in order to elect his own friends to the board of regents. It was charged that he had secured the dismissal of Professor Kerr to make room for a Mr. Martin, one of his friends. Lieutenant Frost had been dismissed and Ed. Hewitt had been appointed in his place. In this investigation, while no serious crookedness could be shown, it was proved that there had existed in the faculty and among the trustees, regents, students and citizens for several years a continuous pulling and hauling largely through personal, private and local motives; that there had been a total absence of any genuine effort to unite in action for the benefit of the college. Many small irregularities and personal intrigues and ambitions were exposed by the legislative committee. During the investigation there was unearthed a small scheme which had been partially developed to remove the Agricultural College from Brookings to a tract of land between Miller and St. Lawrence.

In 1893 the state superintendents recommended to the Legislature that, inasmuch as the interest charges had been reduced, the school fund lying idle in the treasury should be loaned to individuals on much more liberal terms. He asked that the state be permitted to borrow school funds at 5 per cent. Thus far the restrictions on the fund had been iron-clad, but now the superintendent argued that more liberal methods would work to the advantage of both schools and the state. As it now was the state was often compelled to borrow of individuals or banks at a far higher rate of interest than the school money could be loaned for under the new law. In order to keep the school money engaged and earning

interest, he recommended that this step be taken. He further recommended that graduates of South Dakota schools be given first grade certificates only upon receiving diplomas from normal schools, and that such diplomas be exchanged for the first grade certificates without examination only after three years of service of the teacher. He also asked that country children who were graduates of rural schools be given free high school privileges. He stated at the same time that he asked this because the children of rural schools were entitled to the same high school privileges as city pupils, but did not have such at the present time although the school fund warranted such privileges.

"The common schools still suffer from lack of uniformity in our school system, which is a compromise between the township and the district plans. The state or public schools can never assume first rank without the entire abolition of the district plan, which is but one step toward the public school system that furnishes the facilities for the more intelligent communities to have excellent schools and permits those who prefer to raise their children in ignorance to do so. The former class of people would not need any public school system, as their first effort in life is to provide for the education of their children. It is to compel the fulfillment of this duty by parents who fail to recognize its importnace that the public school system has been created. The larger the unit of primary organization, thus combining in taxable districts parents with radical, progressive ideals with those who are ignorant and conservative, the better will be the results. The school township should never be less than the voting precinct. Every attempt to foster and keep alive a single independent district organization will but result in the denser ignorance of the backward communities, the very ones intended to be reached by the law.

"With the foundation already laid for the most munificent school fund of any state in the Union, or any people in the world, South Dakota cannot afford, in her legislation upon this subject, to be controlled by selfishness and bigotry. The failure to secure benefits for the rural schools in every degree equal to those in the more densely populated communities, is the acknowledged weakness of the public school system. The modern plan of public conveyance of the children in sparsely settled districts which has been adopted with satisfactory results in some eastern states, is commended to your careful consideration as it would seem to be especially feasible in this rigorous climate and in our sparsely settled country. The law passed by the last Legislature to secure uniformity of text books and escape the annoying and burdensome exactions of the school book trust, has but poorly accomplished its object, although it has not been without good results. Nothing short of school books furnished by the state will meet the demands upon this subject."—Governor Mellette, 1893.

In April, 1893, ninety students of the Agricultural College came out in an article in the local newspaper and endeavored to explain their views of the trouble at that institution. When they left school the previous fall several of the professors had been dismissed, and when school opened in the spring the students did not know whether they should return or not. However, they had nearly all come back, and soon afterward Professors Dawson and Foster were dismissed. At this time about one-half the whole faculty was discharged. The proceedings, whatever the cause, roused every student in the institution. They ascribed much of the troubles to quibbles over personal matters. After his dismissal, Professor

Foster was elected president of the Montana Agricultural College. It was claimed by the students that incompetents were appointed to professorships, and that good men were dismissed. The students declared that President McLouth was the chief cause of all the trouble. They thus took the position that the Senate Committee had made a great blunder in upholding him and in dismissing Professors Foster, Frost and others. About this time nearly all the students of the Agricultural College were in open rebellion against the regents, trustees and new and remaining members of the faculty.

At this date J. W. Shannon was president of the Board of Regents of Education. Concerning the trouble at the Agricultural College he said that seven students guilty of some misdemeanor had been dismissed by President McLouth and that this fact or circumstance had caused the turmoil. A demand for the resignation or dismissal of President McLouth was made, but Mr. Shannon and Governor Sheldon told him to continue his work. The enrollment at the Agricultural College was about one hundred and twenty, and by reason of the various troubles about thirty left the institution, but did not expect to remain away permanently, believing that they would be reinstated when the turmoil was over. Mr. Shannon asserted in his report that President McLouth was doing well and building up a strong institution and that he was clearing out and patching up a lot of obstacles which had hampered the institution for some time.

In early times Dr. D. K. Pearson, a philanthropist of Chicago, gave Yankton College \$50,000 providing the institution would raise \$100,000, or would donate \$25,000 if the institution would raise \$75,000. In other words, he offered to give \$1 for every \$3 raised from other sources. By June, 1893, the institution had succeeded in raising \$75,000 and thus was given \$25,000 by Doctor Pearson.

In July, 1893, Commissioner Roth reported to Governor Sheldon that the county commissioners generally throughout the state did not comply with the law concerning the loaning of school funds. Regardless of the law they loaned much larger amounts to certain men than the law permitted. He noted that this was the practice quite generally throughout the state.

On October 15, 1893, the main building of the State University at Vermillion was destroyed by fire. There was no insurance, and the total loss amounted to about one hundred thousand dollars. The fire fighting apparatus was inadequate, and although great effort was made the building and considerable of the contents were destroyed. This was a serious loss, but the people of Vermillion and Clay County overcame the difficulty. No sooner was the old building burned down than immediate steps to build another to take its place were taken. The work on the new structure was commenced in the spring of 1894. The County of Clay donated \$30,000 to the new structure, and the city of Vermillion raised from \$12,000 to \$13,000 for the same object. Late in October, 1894, the institution needed only about five thousand dollars more for its completion. During the progress of the fire, when it was seen that the building was doomed, students and others united in carrying out the apparatus as far as possible—books, furniture, geological specimens, etc. About one third of the library was saved. All public documents were destroyed. The building was three stories high, 72 by 105 feet, and had two wings each 46 by 62 feet. Several departments lost all their apparatus, but in a few nearly everything was saved. The origin of the fire was unknown. On the 17th the recitations were resumed in other university buildings.

Late in December, 1893, the State Educational Association assembled in annual session at Parker. At this time Professor Young of the State University was president. He delivered an elaborate address on the subject "American School System." He said there was a great deal of administrative functions in the American system. There was too much politics and too great a lack of centralization of power. The requirements as to the qualifications of teachers were too narrow and insignificant. He believed it would be better to abolish county certificates and enforce compulsory education.

A law passed by the Legislature of 1893 made attendance at public schools throughout the state compulsory. It was made the duty of the presidents of all boards of education and the chairmen of all school boards to be on guard for violations of the law, to file complaints and to arrest school children who haunted public places, had no occupation and were playing truant. Every officer whose duty it was to enforce the law and failed to do so was subjected to a fine of from ten to twenty dollars for each offense. The law required that all children from eight to fourteen years should attend school at least twelve weeks each year, either at private or public school.

In April, 1893, school lands were sold all over the state, particularly east of the Missouri River, by Commissioner Ruth and his assistants through the county superintendents. At Tyndall he sold 3,700 acres for \$56,000, or about \$15 per acre. The highest sale was for \$22.50 per acre. All of this was unimproved land. At Canton 2,800 acres were sold for an average of about \$12 per acre. The highest price received was \$29.50 per acre. At Sioux Falls 1,800 acres were sold at an average of \$13 per acre, the highest price being \$27 per acre. All of this land was sold to farmers and not to speculators. At this time Commissioner Ruth offered 100,000 acres for sale. The school fund on April 7, 1893, amounted in round numbers to \$1,400,000. Nearly all was invested and drawing 6 per cent interest. Commissioner Ruth planned to sell during 1893 a total of about 150,000 acres. Even at this rate of sale he called attention to the fact that it would require twenty years to sell the 3,000,000 approximate acres of school land in the state.

"The public school lands belonging to the state at the commencement of this administration amount to 2,823,320 acres, of which 101,879.56 acres have been sold and contracted at an average price per acre of \$13.64, amounting to \$1,389,637.19, leaving 2,721,440.44 acres which, at an average price of \$10 per acre, the minimum price at which under the law of Congress and the state constitution they can be sold, will realize \$27,214,404.40; and this amount added to the sum already realized as above stated, fixes the minimum permanent school fund to result from the sale of lands at the enormous sum of \$28,604,041.59, yielding upon 6 per cent securities, \$1,716,242.49. The income from present sales and leases enabled the commissioner of school lands to disburse 52 cents for each school child for the year 1891 and for the year 1892 the apportionment will be 86 cents to each child."—Governor Mellette, 1893.

In January, 1894, Prof. George M. Smith delivered an address on "German Life and Schools" before the Yankton County Teachers' Association. A short time previously he had spent a year or more in Germany studying educational methods, and was prepared to illustrate what had been accomplished by Germany for the cause of the common schools. He corrected many false impressions con-

cerning German customs and habits. He said that there existed in this country a wrong impression concerning German drinking customs, that it was a rarity to find any German who ever drank anything stronger than beer, and that he never drank beer or other liquor in excess. He said that the German was warmly attached to his country, and that the relations on the farms were pleasanter and better than in America. Filial obedience of boys and girls there was better than in America. There education had a definite point of view, especially the education of girls for motherhood and the boys for labor. The schools were models of excellence and the teachers were licensed by the government—were really government officers and had to be specially educated and fitted for their duties. In America anyone was good enough and perhaps knew enough to teach school. In Germany there was expert supervision over all schools by men trained for that specific duty. No person there had a political pull, and therefore there were no changes due to extraneous causes in the management of schools. "Once a teacher, always a teacher," was the rule in Germany, and held good until the teacher was unfitted by old age. School there was compulsory, the teacher being authorized and required by law to enforce the compulsory provisions. This lecture was greatly appreciated and enjoyed by the teachers present. At this time Professor Smith was doing extensive institute work in the southeastern part of the state. He continued at this work for many years and probably in all conducted not less than eighty institutes.

The Intercollegiate Oratorical Contest of South Dakota was held in May, 1894. Richard Locke of the Baptist College, Sioux Falls, won first prize. The contestants were from Yankton College, Mitchell College, Agricultural College, State University, Redfield College and Sioux Falls Baptist College. Mr. Locke was older than the other contestants and was already a preacher and an experienced public speaker and had been for several years. Later on he was charged with plagiarism from Dr. Josiah Strong's book. Mr. Locke's theme was "The Preservative Element in American Society." An investigation was ordered and many similarities were shown between Locke's production and passages in Doctor Strong's book. The institution winning the first prize was entitled to a chalcedony slab.

At the Tenth Annual Commencement Services of the Madison Normal School, held in June, 1894, a larger class than usual was graduated. General Beadle was still president of the school, which at this time numbered 209 pupils in the normal course proper and ninety in the model school. At this date the school was in flourishing condition. There had graduated from this institution in the last four years a total of forty four pupils representing about thirty two counties of South Dakota. In 1892-3 the school enrolled a total of 262 pupils from thirty South Dakota counties.

At the November election of 1894, eleven women in South Dakota were chosen county superintendents. Throughout southeastern South Dakota during the nineties, teachers' institutes continued to be one of the strongest and most conspicuous features of the educational movement. Every county had its institute and in addition there were district institutes as well as state institutes. They usually lasted about two weeks and teachers were required to attend.

The schools of the state suffered much from the general financial depression which swept South Dakota in 1894. One of the principal drawbacks was still

the lack of unity of purpose resulting in part from the absence of a central authority vested in a state governing body. It was suggested that a board composed of the governor, the attorney-general and the superintendent of public instruction, would be advisable as a state governing body, and that they should be given authority over other boards composed entirely of professional teachers or educational specialists. The state body, it was thought, should create a supervisory body with power to unite and co-ordinate all the educational institutions of the state. It was suggested that such state board should have power to appoint for each state educational institution a local trustee to inspect monthly the expenditures, to appoint and remove members of faculties, to establish courses of study in the public schools, to provide for the examination of pupils desiring promotion, to designate accredited high schools, to regulate the issuance of teachers' certificates and of all diplomas to graduates, etc.

The reports from the colleges and special training schools late in 1894 showed all to be in a fairly satisfactory condition. The most noticeable advance in the schools was the improved grade of instruction that had been placed in the village and rural schools. The only important study lacking was that of agriculture. Only a few years before a college or normal school graduate was rarely seen in the schools of the smaller villages and towns. In the rural schools, particularly, three-fourths of the teachers lived in the immediate vicinity of the schools and usually had the merest rudiments of a common school education. By 1904 normal graduates were found teaching in nearly all villages and towns and in a few of the better rural districts.

During the period from 1890 to 1894 inclusive, the State Educational Association of the Black Hills region, of the southeast South Dakota region and the northern South Dakota region were active and did a great deal to advance the general interests of the schools. The reading circles were likewise well advanced and made to do a vast amount of good. There were teachers' reading circles and pupils' reading circles and the work of each was specific and excellent.

The law of 1891 entitled "An act to establish county uniformity of school text-books and supply the same at cost," was acted upon by every organized county of the state. Under its provisions the county boards of education by 1894, had wrought many changes in the school books used by the pupils of the state. In all the town and village schools and in many of the rural schools definite and fixed courses of study were in operation. Particularly was the high school course well defined and improved. But the rural schools were not supplied with what they needed. In many localities throughout the state where pupils lived at inconvenient distances from the schoolhouses, they were already transported to and from school at district expense. The normal institutes did much to stimulate interest among the teachers. Almost every county conducted such instructive courses, but the school law was still sadly deficient in many important particulars. The superintendent of public instruction made many important recommendations to the Legislature of 1895. His aim was to secure uniformity of instruction and books, and to make the schools from the lowest to the highest a steady movement forward and upward. He apparently did not consider what the rural children needed and wanted.

The State Educational Association met at Huron late in December, 1894. There were present about three hundred and fifty teachers, professors, superin-

tendents, and others. They passed resolutions to make the State Reading Circle funds available for the use of the Reading Circle; to recognize the excellent work of the Reading Circle by accepting its diplomas in lieu of the usual requirements of candidates for first grade county certificates or state certificates in either literature or didactics; to favor a law that would foster a more complete integration of the whole state educational system as a means of returning value to the state for all it cost; to deprecate the spirit of lawlessness that trampled upon the state prohibitory law; to admit that the duty of the schools was to make good citizens; and to endorse the National University that had recently been established at Washington. General Beadle gave notice that he would offer an amendment to the association's constitution, severing the Educational Council from the State Educational Association. This step was favored by the association. President Shannon, of the Board of Regents, addressed the association at length on the work, duties and accomplishments of the board. General Beadle gave a practical example of the flag drill which he had inaugurated in the Madison Normal School. Numerous papers of great interest and importance were read by various educators from different parts of the state. The burden of all was the improvement necessary to be made in the rural schools by uniting them in a general system for the accomplishment of higher education. Thus the association had not yet grasped the wants of the rural districts, and continued to "rail-road" rural pupils along the tunnel to higher education. J. W. Watson was elected president of the County Superintendent Department; Edward Dukes, president of the High School and College Department; Mrs. Mary Cowen, president of the Common School Department; and Kate Taubman, president of the association, for the coming year.

Yankton College won the seventh and last oratorical contest of the series and consequently the chalcedony slab in May, 1895. This slab was prepared by the Drake Polishing Company, of Sioux Falls. Yankton secured it by winning first prize three times in succession. A. Bart Rowell was the winner. At the commencement exercises of June, 1895, at Spearfish Normal School, there were seventeen graduates. Governor Sheldon was present and addressed the graduating class. At the State University, Vermillion, in June, 1895, there were a total of 314 students enrolled. In July, 1895, 300 teachers attended the summer normal school at Aberdeen. The session was closed with an excursion to Big Stone Lake. In July, 1895, the newspapers of the state generally and several of the leading public speakers maintained that the trouble in the Agricultural College was caused almost wholly by politics. Accordingly there again arose a great demand throughout the state that the educational and other state institutions be retired wholly from politics. Dozens of newspapers declared that the regents and trustees were at all times entangled in the questionable nets of political wire pulling and promotion. Late in July, 1895, Governor Sheldon removed Mr. Shannon from his post as president of the State Board of Regents. He was removed in spite of a court injunction prohibiting such a step. The governor was thereupon cited to appear before the court to explain why he should not be fined for contempt. This act created a great sensation throughout the state. Governor Sheldon maintained that he was actuated by just motives, and that Shannon had been guilty of irregularities if not worse. Mr. Shannon

announced that he would continue to act as president of the board in spite of the order of removal from Governor Sheldon.

The difficulties at the Agricultural College were settled in 1895. President McLouth was reelected. James H. Shepard, Albert H. Wheaton and E. C. Chilcott were dismissed from the faculty and Robert L. Slagle, John M. Truman and John A. Craig were appointed in their places. It was declared by several newspapers that the new faculty did not wear the collar of Governor Sheldon. Apparently Mr. Shannon also did not wear Governor Sheldon's collar. The Agricultural College trustees won over the state authorities on the removal question. They thereupon notified Lieutenant Frost, of the United States Army, military instructor at the Agricultural College, to leave that institution. The lieutenant submitted the matter to the war department and asked for instruction.

In the nineties the Methodist College at Hot Springs was under the management of President Hancer. This institution was founded in 1885, the first building costing \$35,000. The campus was donated by the City of Hot Springs and was worth about \$15,000. The institution did well until about 1892-3 when the panic caused the stoppage of funds, whereupon the institution became indebted to the amount of about forty-five thousand dollars, with a shortage in the teachers' fund of about three thousand dollars.

In December, 1895, there were eight educational institutions in South Dakota under the control of the board of regents, namely: State University, Agricultural College, School of Mines, Experiment Station at Brookings, State Geological Survey School and three state normal schools at Spearfish, Madison and Springfield.

In December, 1895, the State Educational Association assembled at Aberdeen. At this time Miss Kate Taubman was president and Professor Shaffer was corresponding secretary. The session was held in the Methodist Church. The teachers were cordially welcomed by citizens and city officers, and response to the greetings was made by Dr. J. W. Mauck, president of the State University. Among the important papers read were the following: Kindergartens, by Mrs. F. H. Granger; Literature in the Grades, by Miss Jennie Rudolph; Brains in Teaching, Rev. H. K. Warren; Nature Study, F. A. Williams; Relative Value of Studies in Common Schools, J. Jones, Jr. Addresses were made by A. M. Rowe, Edwin Dukes and Prof. Joseph Carhart, of Minneapolis, the latter on the subject, "The Old and the New Education." H. H. Potter read a paper on "Our Educational System from a Citizen's Standpoint." Professor Hartranft read a paper and was followed by President Graham of Dakota College, and he by President Mauck of the State University. As a whole the session was one of great interest and importance. The attendance was large, the enthusiasm great and the reforms demanded were numerous. The association passed resolutions asking the Legislature to purchase the site of the first schoolhouse built in South Dakota in a ravine near Vermillion and restore as nearly as possible the original building in stone.

In 1895-6 the educational associations and teachers' normal institutes were active in all parts of the state. The former held two meetings, one in December, 1895, at Aberdeen and one in 1896 at Vermillion. Both meetings were largely attended by county superintendents and teachers. The papers read by the most prominent educators in the state were published generally by the newspapers.

The Black Hills Educational Association held two interesting sessions in 1895-6. Three well attended summer schools were conducted in 1896 at Aberdeen, Hot Springs and Watertown. The state superintendent reported that the State Teachers' Institute was no longer an experiment, and that each county in the state should be the "Normal" required by law. Superintendents and teachers were required by the new law to attend and maintain these institutions each of five days' session. Thus every county in the state, with the exception of one, held normal institutes varying in length from two to six weeks. In a large measure they supplemented what the state lacked in normal instruction for teachers. The large attendance and the enthusiasm proved the earnest design of the teachers to elevate the standard of education and perfect themselves in their chosen profession. The superintendent suggested that at least three institute examinations should be employed during the months of June, July and August, and that the state department should be given funds to employ a sufficient force to visit two institutes held in the state. At this time the course of study adopted by the educational association was being pursued in nearly all counties. Graduations from the common schools had become the pride of the rural districts. The school law which became operative July 1, 1895, provided for uniform text-books in all counties, but failed to make provision for continuing the board of education which had power to adopt and contract for books. Thus the state was practically without a text-book law. Nearly all counties of the state still retained the books adopted five years before, and the books used in each county were uniform, which obviated the necessity of pupils purchasing new books upon removal to another school district. County uniformity of text-books had therefore been tried and had proved satisfactory in South Dakota. On the other hand township and state uniformity had been abandoned, because the former was too small and the latter too large.

Under the law of 1895 the state superintendent had no supervision over the normal schools. Notwithstanding this fact close and friendly relations between the department and the normal schools were maintained. As fast as teachers graduated from the normal schools they were promptly and permanently employed at good wages. It was said that every dollar appropriated for the maintenance of a normal school was directly beneficial to the common schools of the state.

In 1896 Dr. Joseph W. Mauck, president of the university, stated that a considerable number of teachers had availed themselves of the advantages of the regular class at the university for reviews and advanced study and many had received instruction in the special class in didactics. They were given free instruction in music, drawing, penmanship and bookkeeping at a nominal cost. They were also favored with an elective course in advanced pedagogy based upon prior or parallel study of psychology of the senior year which had been added to the academic courses and had been taken by a large percentage of the graduates of 1895-96. Professional instruction in the two grades prepared graduates to take examinations required for certificates. This produced good results in spite of the fact that the state had practically discredited the diplomas of the university by a failure to recognize it as applying in any manner upon the requirements for teachers' certificates. At this time the diploma of the university was evidence of the completion of the course of the normal study which was much longer than that of the state normal schools, the diploma from which entitled one

to a state certificate. In other states diplomas of the graduates were regarded as sufficient to entitle the holder to a teacher's certificate. While the education given by the university contained all the elements required by teachers, the graduates were still unable to receive certificates entitling them to teach. Accordingly, South Dakota, which had borne the chief burden of their education, now lost them as citizens and teachers. President Mauck maintained that the university graduates were as competent to teach and instruct as were the graduates of the normal schools who had really received from three to six years less of general intellectual training. He said: "If successful experience in teaching and independent management of schools is not to be made a condition of state certificates in all cases, the proposition is submitted that the academic diploma of the university should be in itself a legal basis for the issuance of a state certificate." He hoped that at no distant day the university would have a regular department in pedagogy, whereby its graduates could receive full and complete professional training for teaching, which was already given the classes in didactics and advanced pedagogy.

In 1886 the South Dakota Teachers' Reading Circle was organized and put in operation. For ten years, down to 1896, although the growth of the circle had been slow, yet it had been steady and upward. Every effort to find the best means of promoting the work and accomplishing the aims had been put forth. Many of the circles had advanced far beyond expectations. In other localities they had slowly faded and finally died. By 1896 the reading circles of the state would compare well with those of the older states even if they did not lead. All educators regarded the circle as a permanent feature of the established system of public education. The authority of the circle was derived from the educational association, and the management and direction were committed to a board of directors selected from the different departments of the association. The circles of the various counties were considered as always organized. No formal action was necessary for the commencement of work in any locality. The local circle was merely an aid or stimulus to education. The aims of the organization were as follows: (1) Improvement of its members in professional as well as literary and scientific knowledge; (2) promotion of habits of culture; (3) encouragement of individual study on definite lines; (4) to furnish the best books at the lowest prices; (5) to arouse a deeper and broader professional spirit; (6) to make the schools of South Dakota second to none. It was admitted generally in 1896 that the circles were steadily approaching those higher aims and accomplishments. Almost every state in the union at this time had a similar organization. The plan in this state was to exempt from examination in didactics those applicants who held a diploma from a reading circle. During the first year the enrollment of the state circle was fifty-four, but only six counties were represented. In 1896 twenty-three counties were represented and the aggregate membership was 736. The circle had a four years' course, and by 1896 ninety-eight persons had received diplomas therefrom. Many of the most prominent teachers of the state held these diplomas. All educators took interest in this feature of educational advancement. In 1896 Miss Mary Wright of Gettysburg held the post of honor among the graduates. She held a diploma and six seals, having done the required work for each year.

In 1896 the Madison State Normal had a total enrollment of 353, of whom 208 were in the normal department and 145 in the model school. The course of study had been steadily improved and a number of innovations for the future were in readiness. Mr. Beadle conducted the school. A special course was provided for graduates of colleges and universities who aimed to make teaching their profession. The board of regents were requested to authorize this course and provide that the degree of master of pedagogy be conferred upon all college and university graduates who completed the course. The school year was divided into two equal half year terms. The course was largely classical. The sciences however were well represented.

At the close of the fiscal year 1895-6 the amount of permanent school fund on hand from all sources was \$2,044,835.49. The interest and income fund consisted of the moneys derived from the interest received on the permanent school fund invested in school bonds and first mortgage loans, from interest on deferred payments, and from leases of common school lands. This fund continued to be apportioned to organized counties in proportion to the number of children of school age residing therein. The grant of lands to the state for the use of common schools, which lands had already been located, aggregated 2,150,400 acres. By July, 1906, there had been sold of this land 145,685 acres. This did not include common school lands in any part of the state, which had not yet become a part of the public domain. On June 30, 1896, 379,000 acres of school land were under lease contract. The greater portion of the common school lands which had been leased were located in the settled portions of the state. The board of appraisal consisted of the commissioner of schools and public lands, the state auditor and the superintendent of schools of the county in which state school lands were situated. Up to this time parties in arrears had been required to pay interest upon deferred payments from the time they became due until paid. No other proceedings had thus far been instituted, although it was provided by law that the lessee of any tract, who should fail to pay the annual rental when due, should forfeit his lease. The commissioner of school lands believed that this law should be enforced. At this time the demand for school land was steadily increasing year by year. Particularly as the eastern part of the state became settled the demand grew stronger, because many wanted homes in settled communities where they could secure the advantage of education, where land could be bought, and where additional land could be rented at a comparatively low price. It was quite generally believed at this date that the time was not far distant when the proceeds from the school lands would be so large that taxation for school purposes would be reduced to a comparatively small sum.

The endowment lands from Congress for the various educational and charitable institutions, aggregated, when finally counted up, 698,080 acres. During the fiscal year of 1905-6, 61,708 acres of this endowment land was held under lease contract. These tracts of land were generally large bodies, remote from settlement, and admirably adapted to stock grazing purposes. Thus far only a small extent of these lands had been leased, and even when leased the rate was very low owing to their remoteness from settlement. The commissioner had used earnest endeavors to attract the attention of stockmen to the advantages derived from these lands for grazing purposes, and his efforts had resulted in increasing materially the number of tracts that were leased. Many inquiries from stock-

men concerning these tracts came to the office. It was believed that in the near future the revenue derived from these lands would materially lessen the appropriations necessary to be made for the state educational institutions.

About this time the commissioner of school and public lands, with the help of the delegation in Congress, secured the passage of an act authorizing the state to select from any Indian reservation thereafter to be opened, the lands which might then be due the state for educational purposes. Accordingly, when this act became a law, selections in the Yankton Indian Reservation were made to complete the grants made by Congress for the benefit of educational institutions and to indemnify the state for losses of common school lands arising from the numerous Indian allotments from squatter settlements thereon, and from other causes. The secretary of the interior rejected the selections made by the state on the ground that the act of Congress was a violation of the rights of the Indians under certain treaties which were named. This act embarrassed the operations of the commissioner and resulted in a considerable loss to the common school fund, as well as to the endowment fund of the state. He had great difficulty at this time in finding suitable indemnifying land.

The act of Congress gave the state the prior right of selecting and filing upon the Fort Randall military reservation within one year after the survey of the same should have been made by the department of the interior. The act provided that if the state desired to secure any portion of the reservation, it must accept the whole, which consisted of about fifty-seven thousand acres. After a thorough investigation of the property, the commissioner concluded, as the tract consisted largely of barren bluffs and lands which would be of little value to the state schools, not to accept the proposition. The act of Congress giving the state the option of selecting the Fort Sully Military Reservation as a part of its school lands as soon as it should be restored to the public domain, was being considered at this time. This reservation consisted of about twenty-six thousand acres.

After the selections of land made on the Yankton Indian Reservation had been rejected by the interior department, the commissioner spent much time in determining the character and value of all public lands in the state still remaining open to selection for endowment and indemnity purposes, with the view of selecting such lands as would, at the earliest practical date, produce substantial revenue, either by sale or lease. Already the state schools had lost some of their best lands from Indian allotments, settlements before surveys, mining claims, etc. The object was to secure for the schools the best lands possible that were open for indemnity. Already the commissioner had chosen about thirty-five thousand acres on the old Winnebago Reservation.

At the legislative session of 1895 there was passed an act appropriating 40,000 acres of the endowment lands for the support and maintenance of the State Normal School at Springfield. The state authorities were required to make the selections within one year after the act became a law. Accordingly, on January 9, 1894, 24,610 acres of such lands were marked and set apart for the purposes of the act. On June 29th the remainder of the land so appropriated was likewise selected. The same act appropriated 40,000 acres of the endowment lands for the Northern Hospital for the Insane. These lands were duly selected on March 3, 1896.

The amount of endowment funds included in the defalcation of W. W. Taylor was not embraced in the bonds sold by the state to make good the deficiency and up to June, 1896, the amount was still due the funds. The state commissioner asked for a transfer from the funds received by the state, from Taylor and his bondsmen, of an amount sufficient to restore this sum to the proper funds. The Legislature ordered issued sufficient bonds to make good the losses to the school fund on account of such defalcation. These proceeds were applied as follows: Permanent school fund, \$45,519.54; interest and income fund, \$52,480.46. Thus with the exception as above stated, provision for the entire loss was made.

About this time there was much annoyance and loss over trespasses on school and public lands. Many people seemed to think that as the immediate owner of these tracts was somewhat remote and indefinite, they could therefore do about as they pleased with the land. Accordingly, they made no scruple about taking therefrom wood, timber, stone, hay and anything else of value present and desired. The law was strict enough, but it was difficult to secure the evidence to convict. It was made the duty of the state's attorney in each county to bring suit in the name of the state to recover such damages to school and public lands within the county. However, it was not made his duty to prosecute for such violations excepting for damages. Other complaints, where the rights of the state were somewhat in doubt, were not considered by the state's attorney. The commissioner asked that this official be empowered to prosecute all violations of the act at the request of the state commissioner and that a penalty be provided for neglect to do his duty. The penalty for trespass on private land was extremely severe, and this fact added much to the difficulty of enforcing the law, because neighbors were not only unwilling to make complaint, but were unwilling to tell the truth on the witness stand, and local state's attorneys were hard to find who would prosecute the cases, and juries were still more difficult to obtain who would convict. Therefore, the Legislature was asked to make more effective the laws in regard to punishment for trespass on these lands. Many who had allowed their stock to range at large over the school lands, had been required by the state commissioner to pay the regular leasing price for such privileges. He secured a conviction in Lyman County for trespass on timber lands belonging to the state, and one in Brule County for trespass on common school lands. The commissioner commended the efforts of officers in these counties to thus enforce the law.

It was figured in 1896 that if all the common school lands that had been granted to the state should be then sold at the minimum price named in the constitution the total obtained would be \$31,504,000. In addition the 5 per cent of sales of public lands allowed the state for school purposes by the Government, the proceeds of which could not be told exactly, would probably increase the total to about thirty-three million dollars. In addition there were the 698,080 acres of endowment land granted to the state for charitable and educational purposes to be sold or disposed of in the same manner as the common school lands. If this endowment land should be sold at the minimum price named in the constitution it would yield \$6,980,800. Thus it was figured now that in the end the school fund of South Dakota would aggregate about forty million dollars. Thus far the land that had been sold had brought considerable more than the minimum price of ten dollars fixed by the constitution.

Under the law the permanent school fund was invested throughout the several counties of the state. The counties were held responsible for both principal and interest. Up to the summer of 1896 several counties had been compelled to pay interest on the permanent school fund which had been invested by them in farm loans, on account of the default of borrowers. This worked a considerable hardship upon the counties. The state commissioner regarded the method of investing the fund a very dangerous one, and as the fund was certain to increase it would become more hazardous and very burdensome to the counties. The law provided that not more than 50 per cent of the assessed valuation of any farm lands should be used as the basis of loans, and not more than five hundred dollars should be loaned to any one person. The commissioner believed at this time that it was unsafe to loan 50 per cent of the assessed valuation of many tracts of land. Here and there land was decreasing in value. It was not improbable that here and there tracts were assessed at more than half their value. There was no provision of law giving the commissioner authority to prevent such loans from being made. The requirement was that the apportionment should be made to each county in proportion to its population according to the last census. Thus legislation to remedy this condition of affairs was needed in 1896. It was believed proper to permit the commissioner to determine the amount of funds which would be invested in the various class of securities mentioned in the constitution, and to give him power to decide in which counties safe investments of the permanent school fund could be made and the amount of money that should be apportioned as well as the per cent of the assessed valuation that might be loaned upon farm mortgages in the several counties not exceeding in any case 50 per cent of the assessed valuation. It was further believed that the commissioner should be given authority to invest as much of the fund as possible in school bonds of the several counties. The commissioner thus far had favored investment in school bonds. He believed that investment of the fund was safer in state, county and school bonds than in farm mortgages. However, in order to reach this result, an amendment to the constitution would be necessary. The commissioner was of the opinion that as the school funds were recognized by the constitution and by all the people as a most valuable and sacred trust, too many safe-guards could scarcely be thrown around the method of their care and investment.

During the fiscal year 1895-96 no school lands were offered for sale by the department, for the reason that money for investment purposes was extremely scarce, and for the further reason that large tracts of other lands in the state could be purchased at lower prices than the school lands could be sold for under the constitution. During the year the department received many inquiries relative to the date when the school lands would be offered for sale and the terms thereon. There was quite a demand for this class of property, therefore the commissioner decided to advertise sales in March, 1896. On that occasion 2,860 acres were sold at an average price of about thirteen dollars per acre. While making these sales the commissioner learned that persons from other states who desired land had come here to examine the school tracts and had purchased cheaper lands elsewhere not far from the school lands.

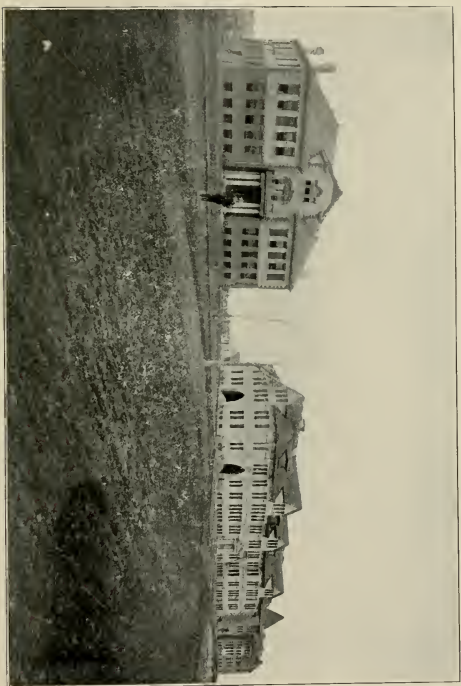
There was another strong controversy in the state as to the advisability of selling any more of the school lands at this time. Many still believed that the educational progress of the state would be better subserved and promoted by

leasing the lands rather than selling them. They based this view upon the belief that the land would greatly increase in value and that some time in the future the land could be sold at high figures. Others contended that this view was beautiful in theory but would not thus work out in practice. They held as many persons had from the start, that such a course removed the benefit of the fund from the people who had been and were still enduring the hardships of pioneer life. The commissioner at this time believed that it was no more than just to the present generation to sell a sufficient quantity of land so that the interest derived therefrom, together with the proceeds from the regular leasing of school lands, would be sufficient to pay a large part of the present expenses of the common schools and lift a considerable burden from the burdened tax payers of today. He believed that the interest derived from the proceeds of the sale of these lands would accumulate faster than the land would increase in value. The rights of future generations were well protected by the constitution that prohibited the sale of such lands for less than ten dollars per acre, and that further provided that not to exceed two-thirds of such lands should be sold within fifteen years after the admission of the state into the Union. He believed that Congress in making these grants for common school and endowment purposes took into consideration the rights of present citizens as well as their posterity by authorizing the sale of their lands whenever they would bring as much or more than the minimum price named, subject to the foregoing limitations.

In order to show the advantage of selling land in 1896 instead of leasing it, the commissioner cited the following instances: A section of land sold at the minimum price of \$10 per acre would yield \$6,400. The interest thereon at 6 per cent would amount to \$384. The lands thus far sold had averaged nearly four dollars per acre in excess of the minimum price. In addition the land as soon as sold became liable to taxation for all purposes and the improvement of the lands enhanced the value of all other tracts in that vicinity. On the other hand the proceeds derived from leasing the lands up to 1896 had not averaged more than one-tenth of the amount which would be received as interest on the same quantity of land if sold.

Upon executions issued on a judgment secured by the state against W. W. Taylor and his bondsmen a large amount of farm lands and city property came under the control of the commissioner of school and public lands. This land had been duly appraised by the state board after a thorough investigation of the property in the different localities and a conservative estimate of the value was fixed. Among the tracts were improved farms, wild lands, town lots and city residence property, nearly all of which was good. As the Legislature failed to make any provision for leasing or selling this property, the commissioner leased the same on the best terms obtainable. He thereupon asked the Legislature for a law authorizing the sale or leasing of this property and fixing the terms.

In 1896 the commissioner of school and public lands said: "It will be a matter of surprise to most of the citizens of our state that in the very infancy of South Dakota, environed as we have been by many adverse circumstances and by the financial depression prevalent throughout the entire country, we have a permanent school fund consisting of \$2,044,835.49, and that during the fiscal year ending June 30, 1896, we have collected and apportioned to the common schools of the state from the interest and income funds the sum of \$140,439.15



NORMAL SCHOOL BUILDINGS, SPEARFISH

and the sum of \$1,753.28 for endowment purposes, besides turning into the general fund of the state fees to the amount of \$2,041.50."

A law of the state passed in 1895 provided that in case any school land, on which there had been loans of the state educational fund, should be in default, the land should be bid in in the name of the state. Before the passage of this law such lands were bid in in the name of counties. After this law took effect it was the duty of the board of county commissioners to pass upon the loans; in case of default the state took the land for the claim. The vicious phase of the matter was that some of the back or remote counties assessed their lands at three or four times what they would sell for.

On January 26, 1896, Redfield College was destroyed by fire. It was first opened September 21, 1887, and was built under a charter from the Midland Association of Congressional Churches. It was a four-story structure and was worth about thirty thousand dollars. Many valuable books were destroyed at this unfortunate fire.

Late in April, 1896, Doctor McLouth was removed from the presidency of the Agricultural College. This appeared to be the culmination of the troubles in that institution, which had been going on for about thirteen years. It began first in about 1883 in Yankton when Councilman Scobey sold out to the capital removal advocates in order to establish the Agricultural College at Brookings. The Scobey bill passed both houses, but Governor Ordway refused to sign it unless the capital removal bill should also be passed. Accordingly Mr. Scobey agreed to support the capital removal bill in consideration that the governor should sign the agricultural college bill. Scobey's partner was a member of the capital removal committee. In the end Mr. Scobey voted for the capital removal bill and the governor signed the Agricultural College bill.

The South Dakota Educational Association met at Vermillion late in December, 1896, and occupied Assembly Hall at the university. Welcoming addresses were delivered by Gov.-elect A. E. Lee, President J. W. Mauck, City Superintendent Townsley and County Superintendent E. E. Collins. The association was warmly and cordially welcomed to Vermillion by these able speakers. Response equally appropriate and apt was made by City Superintendent E. J. Quigley of Mitchell. The annual address was then delivered by W. W. Girton. Among the interesting exercises on this important occasion were the following: "The Value of Literary Training," by C. E. Howard; "What Do the Problems of the Present Suggest to the Teacher?" by Gen. W. H. H. Beadle; "What Is Apperception, and How Applied?" by E. E. Granger; a discussion of the paper on Apperception by Prof. Geo. M. Smith; "Ideas and Ideals of Education," by Prof. F. C. McClelland; "Organization of Higher Education in the Twentieth Century," by Prof. J. W. Heston. Many papers were read while the four departments of the association were in session. The proceedings in each of these departments were of great interest and reached every avenue of educational progress. The question of "Science in Ungraded Schools" was ably analyzed by Superintendent McFall. Others participated in the discussion of this subject. The subject of "Musical Instruction" was well presented by S. E. Brown, and so great an interest was taken in the subject, construction and line of thought that the teachers asked for a second reading of this important paper. It showed the keen interest which all felt in the problem of musical instruction

in the public schools. An extended and critical discussion and analysis of the South Dakota school law as it then existed, was participated in by many of the ablest state educators present. General Beadle read an able paper, as did Professor Holmes. The latter's essay was one of extreme polish and culture. A paper on the "Ideals of Education" was read by F. E. C. McClennon; it was an able production and was well received. W. I. Graham read a meritorious paper. During the discussion at the business session, the problem of appointing a committee to wait upon the Legislature to secure needed changes in the school law was considered. It was declared that the school laws were too complicated, prolix and difficult to understand and that great reforms were necessary. This committee were Messrs. Mauck, Rock, Webster, Meyers, Hind, Kingsbury, and Solem. On Thursday evening more than five hundred persons listened to Prof. H. E. Kratz's lecture on "Child Study." Professor Kratz did not live in Vermillion at this date, nor was he connected with the university. It was stated in the newspapers that his lecture was one of the chief events of this annual meeting.

This was the fourteenth annual convention of the association. It had the largest attendance and enrollment of any convention up to this time. All bills were paid and \$150 was left in the treasury. While in Vermillion the teachers were cordially entertained by the citizens and university authorities. It should be borne in mind, however, that this convention like all others did little for the benefit of the rural schools. Almost every paper and nearly every discussion dealt with higher forms and ideals of education in the upper schools. The new officers elected were as follows: For the General Association, E. Dukes, president; Jenny H. Rudolph, recording secretary; A. R. Brown, corresponding secretary; Mrs. M. I. Turner, treasurer; for the Department of High Schools, H. E. French, president; for the Department of Public Schools and Colleges and of High School Supervision, I. D. Aldrich, president; for the Department of Graded and Common Schools, W. R. Davis, president. The committee on resolutions were Prof. George M. Smith, Miss Kate Taubman, Supt. O. P. Myers and Deputy State Superintendent M. A. Lange. They reported as follows: That in the future a time limit be fixed on papers and discussions; that certain amendments to the present school law should be secured, one changing the legal qualifications of county superintendents; that the high schools of the state should be induced to establish a training course for the better preparation of teachers for the common schools both in subject matter and methods of teaching; that the state school system should be so unified that there would be a uniform course of study from the primary schools to the colleges and university; and that a board of examiners composed of four persons should be organized to act with the state superintendent in issuing state certificates and diplomas.

In May, 1897, Miss McVay won the first prize at the state oratorical contest. Her subject was "Civilization and the Profit." She received \$40 and a gold medal. She was a student at Mitchell College. At this contest Yankton College was second, Brookings, third, Redfield, fourth and Sioux Falls, fifth.

On August 31, 1897, School Land Commissioner Lockhart announced that the school fund amounted to \$2,140,000 and that the income therefrom amounted to \$128,000. In addition the leasing of the school lands brought in a sum closely estimated at thirty-five thousand annually.

The State Educational Association met at Sioux Falls late in December, 1897. This was the fifteenth annual session and it was looked forward to with much interest by members. The teachers were called to order in Germania Hall by President Edwin Dukes of Huron College. Rev. W. H. Jordan was introduced and in an eloquent and cordial address welcomed the teachers to the city. E. Fitch of Aberdeen responded in fitting terms to the address of welcome. President Dukes delivered the annual address which was listened to with great interest. He was followed by State Superintendent Frank Crane, who addressed the teachers generally on the subject of education in the state. Interesting papers were thereupon read among which were: "Tendencies of Modern Education," by Supt. R. F. Kerr; "Practical Value of the Education of Boys," by J. E. Tsechantz; "Functions of a State Normal," by W. W. Girton; "Superior Attainments, Their Value to the Teacher," by Emily W. Peakes; "What Should Be the Professional Requirements for Entering Upon the Work of Teaching," by Prof. E. J. Vert; "Music as an Educational Factor," by Margaret Smith. Other important papers were read at the meeting of the four different departments of the association. The tendency of all papers, addresses and discussions was along higher educational lines. Few, if any, references were made to the rural school; and hence to the great mass of pupils and schools throughout the state.

President Mauch was authorized to name a committee of ten to investigate the "question involved in securing a better articulation between the secondary schools and the higher education." This committee called to their aid leading teachers from all parts of the state for conferences on Language, Science, Mathematics, History, and Civics. The meetings were held and the reports were made in writing and laid before the committee of ten, who thereupon sought to harmonize the various conference reports. The finding was referred to the Department of High Schools and Colleges of the Association at this convention and was succeeded by pungent criticism, though in the end the report of the committee of ten was adopted without a dissenting vote. This was one of the first times in the history of the state when the teachers looked at the educational situation from the point of view of the common schools. The committee said, "First of all, our claim has been to set forth the courses best adapted to fit the student for the duties of life, believing the best fitting for life is the best preparation for college." They further said that they believed if the higher institutions had been setting up a theoretic standard for education the time had come for them to look to the actual conditions and requirements of the state and to meet the secondary schools at least half way in an attempt to secure greater harmony in the courses of study. Thus they took the position that higher education should adapt and adjust itself to the needs of secondary education when the latter should have succeeded in establishing itself. The report of the committee completely answered the current objection that they had prepared courses merely for the purpose of fitting students for college. The committee reported the advisability of adopting three courses as follows: Classical, Scientific and Literary. In the Classical course were the usual studies. In the Scientific course were the Sciences, Mathematics, Modern Languages, English and History. In the Literary course were English History, Mathematics, Science, Elementary Psychology, and Language.

At the annual convention of the State Educational Association at Sioux Falls late in December, 1898, there were enrolled from three hundred to three hundred and fifty teachers from all parts of the state, but only about half that number were present. On the first day was held the county superintendents' meeting, on which occasion the annual address of President Aldrich was the chief event. On Tuesday the question of School Supervision was duly and thoroughly considered. Doctor Jordan delivered the address of welcome, to which reply was made by Professor Filch. President Dukes delivered an elaborate address denouncing many of the present educational tendencies and innovations and demanding more utilitarian and vocational studies in all schools of the state. His remarks were fully appreciated, and generally all teachers present agreed to his conclusions. Thus the movement for the common schools was still advancing. The next day the subject "Common and Graded Schools" was considered in all detail, with the result that numerous changes and improvements in regard to the upbuilding of education in the rural districts were suggested. This meeting was held in Germania Hall and called out the best talent, ripest experience and soundest judgment of the teachers present. Previous sessions of the association for several days had considered "Literary Training," "Manual Training," "Language vs. Science," etc., but much of the time, energy and ability of this convention was devoted to an attempt to unite all schools of the state in a single concrete system and in a measure to make the high schools accept and harmonize the instruction established and dispensed in the primary and rural schools.

In a review of the proceedings of the convention, Prof. G. M. Smith said, "This report of the committee of ten was needed for several reasons. The high school courses in this and many other states have been too largely affected by the personnel of those in charge. A change of principal and superintendent has in numberless cases been followed by a complete change in the course of study. A strong teacher with a bias in a given direction has generally been able to turn the educational current of the town or village in the direction of his own personal preference. So too it has often made a difference whether the lawyer, the doctor, or the minister was the ruling spirit on the school board; and the election of any one of them has often marked an entire change in the subjects emphasized in the high school course. Courses subject to such changes and fickle influences could have little uniformity and were not likely to be organized on a sound pedagogic basis. To remedy this and render the passage from the high school to the higher institutions of learning easier was the purpose of the committee. . . . The college has been gradually pushed upward until it is becoming harder and harder for the children of parents in moderate circumstances to attend the institutions of higher learning. It is time to call a halt in this respect. The college is today too select and aristocratic an institution, and if it is to be supported at public expense it should be kept in touch with the common people." It may be said that these remarks of Professor Smith embodied the spirit which ruled this session of the association. The object was to improve the rural schools and to make the colleges and other institutions of higher learning carry out the wishes of the rural communities to a considerable extent.

Prof. H. E. French, of Elk Point, was elected president of the General Association; Prof. G. M. Smith, of Vermillion, president of the High School

and College Department; Prof. H. C. Davis, president of the Common School Department, and Superintendent Kerr, president of the Department of School Supervision. There were present at this session nearly five hundred teachers from all parts of the state. This was one of the largest assemblages ever held thus far. S. L. Brown of Centerville became the new president. It was voted to hold the session of 1899 at Redfield.

In June, 1899, the amount of public school money apportioned was \$155,108, the largest amount thus far ever dispensed in any June. It was estimated at this time that the school population numbered 112,118.

The state oratorical contests from 1889-1898 inclusive were won by the following cities: 1889, Yankton; 1890, Mitchell; 1891, Mitchell; 1892, Redfield; 1893, Yankton; 1894, Yankton; 1895, Yankton (at which time that city won the chalcedony slab); 1896, Yankton; 1897, Mitchell; 1898, Mitchell. While it is true that the influence of normal school training permeated in an indirect way the common school work of the whole state by contact of teachers in institute work, yet the direct effects were not seen beyond those schools which were taught by teachers who had taken normal training. By 1898 the superiority of teachers who had secured normal training over those who had not, was shown by the persistent and unanswered demand for their services. Generally the school boards of cities and towns refused to employ teachers who had not received this training. The country schools yet were taught almost wholly by teachers who had received no normal training and were employed because they were cheap and could pass the examination. The directors in the country school districts realized the value of normal training, but because such teachers were not available they were forced to be content in employing others who seemed competent. The cities and town schools, however, insisted on hiring teachers with normal training, and generally by 1908 all towns and city schools were supplied with such instructors at higher wages. In 1898 there were employed in the state 4,775 teachers, one-fourth of whom had no previous experience in teaching and about one-fourth were employed each year as new teachers. During the previous ten years there had been graduated from the state normal schools and the university 445 students, many of whom had engaged in teaching. Also trained teachers from other states were here and were employed in the work. Notwithstanding all this, a large majority of the teachers of the state had received no special normal training.

In 1898 the people of South Dakota generally were anxious to have and to support better schools. The common schools were still maintained almost wholly by direct taxation. The average school tax levied in each district was a little over fifteen mills annually. The regents suggested that an additional levy be added to help support the institutions of higher learning. They thus took the position that the children of the common schools would eventually reach the higher institutions of learning or that a way should be provided by which they could do so.

In 1898 the rapid accumulation of the state schools fund demanded that the restrictions upon the manner and range of investment were too inflexible, and as a consequence the purposes of the constitution and the wishes of the people could not be carried into effect. It had been provided that the fund could be invested in state and national securities and in bonds of school corporations, yet

it was manifest that farm loans were favored more than any other. The limitation of \$500 to one person, no matter what security he could give nor how much he desired, prevented the making of many desirable loans and therefore to a considerable extent, restricted the loaning of the funds. By 1898 the farms in the eastern part of the state had become so valuable that a loan of \$500 was comparatively small and undesirable. Consequently the farm loans had begun to decrease in number and much of the money that should have been loaned out remained idle in the treasury. This was bound to continue and augment as time passed and the lands of the state became more valuable. The fund was rapidly increasing from sales of land, from deferred payments and from leases. On July 1, 1898, there was on hand of the school fund \$947,152, of which amount \$144,329 was cash lying idle in the treasury. In addition lands had been sold upon which deferred payments amounting to \$1,302,373 were due. The unsold lands were worth over twenty million dollars if sold at the minimum price of \$10 per acre. Thus already the school funds were so large as to demand a wider field for investment. Many people who desired the funds could not use them to advantage owing to the limitations. Thus farm loans were decreasing. It was therefore recommended by the state authorities that the Legislature should take steps to greatly widen the field of investment while maintaining the security of the fund.

Up to 1898 the fund for each of the state institutions was not sufficiently well classified, but was heaped together in the various departments without regard to specific uses. This created considerable confusion. Where an appropriation was made for a certain purpose the fund was maintained intact, but quite often it was diverted temporarily to other uses without loss and no complaint was made. This was pointed out as a defect that should be remedied by special legislation. At each of the three institutions, penitentiary, insane asylum and reform school, was a large farm which raised, not only the food consumed by the inmates, but much surplus product from which a profit was realized. The custom thus far was to sell the surplus and expend the proceeds for the uses of the institution, in addition to the sums appropriated by the state. The institutions were required to report to the board of charities and corrections only, and the board reported once in two years to the governor, but the report was seldom ever printed in time to be of service to the following legislative session or to the public. The reform school received several thousand dollars each year for taking care of inmates from North Dakota, and this money was expended in like manner. The appropriations of the state were made without reference to these incomes, consequently neither the Legislature nor the public knew accurately what it cost to run the institution, nor what was done with all of the receipts from these various sources. In any event the public, it was now insisted, should know the extent of this extra fund and how it was expended. It was also recommended by the state auditor that all state officers receiving special funds should be required to account for the same.

The State Educational Association assembled at Redfield late in 1898. There was a large attendance, larger in fact than ever before, except perhaps in 1897. The local attendance was also large, thus furnishing an audience of nearly eight hundred people at each general session. Many papers were read and all were

unusually strong and excellent. The department of supervision assembled one day earlier than the meeting of the general association. County superintendents were there from all parts of the state. Prof. G. M. Smith presided over the College and High School Department, and Professor Tschantz, over the Department of Graded and Common Schools. The afternoons and evenings were devoted to the general work of the association. The meetings were held at the opera house. A new constitution presented by the special committee previously appointed for that purpose, was strenuously opposed by the teachers. After much debate, parliamentary play and quibbles over technicalities, it was defeated. It contained many innovations and as a whole could not be improved, but the association was not ready for such radical changes. Prof. S. L. Brown of Center-ville was elected president for the coming year; Mrs. Cowan, secretary, and Mrs. I. Turney, treasurer. The Musical Department of Redfield College supplied the music for the session. On the first evening they delighted the audience with a brilliant concert, and rare musical numbers from the masters were furnished throughout the session. Professor Cook, of the Illinois State Normal School, was present and lectured. The faculty of Redfield College, assisted by the ladies of the city, gave a grand reception to all the teachers on the closing evening. Refreshments were served, and a pleasant informal social time was enjoyed. It was admitted that the social features of the session were among the most interesting. Prof. H. E. French was the presiding officer at the general meetings. This was the sixteenth annual session. It was regarded and published as a great success.

The character of the papers in strength and compass had probably never been excelled. The conspicuous ability of the teachers of the state was shown at this session as never before. The debates were usually brilliant and always spirited and eloquent. The storm center of the convention had two features; culture as opposed to bread and butter. Professor Young of the university espoused the cause of culture, while Doctor Heston of the Agricultural College, assumed the utilitarian or bread and butter side of the controversy. Both sides presented pungent, logical and powerful arguments in support of their theories. The debate on this question was the most momentous, far-reaching and elaborate ever conducted by the state association. It touched and involved the great problem of today—vocational education. Doctor Young's paper was one of great beauty and logic. Doctor Heston's was able and convincing. Many listened to this discussion. Miss Conrow later read an attractive paper before the convention. State Superintendent Collins was a prominent figure at this gathering. The next meeting of the association was fixed at Hot Springs. The committee of ten, unaccountable as it may seem, did not attract the attention this year that it did the year before, because, owing to the stupid and stringent criticism, they had greatly simplified, modified and benumbed their report. As a matter of fact, their previous report was true and excellent, highly commendable and attractive and requiring and compelling vast improvement, but possessed too many innovations and radical changes from the cultural view to the utilitarian view to be acceptable on short notice to the teachers of the state. When finally prepared their program met with little opposition, because it was restricted, neutral and lifeless. The courses recommended by the committee were as follows:

SCIENTIFIC COURSE

First Year
 Physiology and Botany 4
 Algebra 4
 History 4
 English 4

Second Year
 Zoology }
 Geology } 4
 Algebra }
 Geometry } 4
 History 4
 English 4

Third Year
 Physics 4
 Geometry 4
 Physical Geography }
 Civics } 4
 Latin, German or French 4

Fourth Year
 Chemistry 4
 Trigonometry }
 Higher Arithmetic } 4
 Political Economy }
 Elementary Psychology } 4
 Latin, German or French 4

CLASSICAL COURSE

First Year
 Latin 4
 Physiology 4
 Algebra 4
 History 4

Second Year
 Latin 4
 Algebra }
 Geometry } 4
 English 4
 History }
 Civics } 4

Third Year
 Latin 4
 Geometry 4
 Physics 4
 Greek or English 4

Fourth Year
 English 4
 History 4
 Political Economy }
 Elementary Psychology } 4
 Higher Arithmetic }
 Book-keeping } 4

ENGLISH COURSE

First Year
 English 4
 History 4
 Physiology or Botany 4
 Algebra 4

Second Year
 English 4
 History 4
 Civics }
 Physical Geography } 4
 Algebra }
 Geometry } 4

Third Year
 English 4
 History 4
 Physics 4
 Geometry 4

Fourth Year
 English 4
 History 4
 Political Economy }
 Elementary Psychology } 4
 Higher Arithmetic }
 Book-keeping } 4

President Garret Droppers still further amplified the condition of the university as shown by the report of the board of regents. He noted that the university was now in its eighteenth or nineteenth year; that the first assembly of students was begun in 1882-3 in the courthouse at Vermillion; that the first class was graduated in 1888 and consisted of but three students; that Dr. Edward Olson had taken control in 1887-8 and had immediately raised the standard of the institution. He continued in charge with excellent results until 1889 when he acci-

dentially lost his life. Then came a period of confusion which resulted in a serious split, in a diminished number of students and a new faculty, and in 1891 in a fresh start for the university. Another serious handicap followed in 1893, when University Hall was destroyed by fire, though this loss was in a measure restored by the energy and liberality of the citizens of Vermillion. Since 1893, the president said, the progress of the university had been regular and sure. The registration in 1893 was 232; in 1895, 325; 1897, 345; 1899, 386. He noted that there was a large body of alumni which possessed a warm attachment for their alma mater and usually on commencement day attended the proceedings. All were anxious for the advancement of the institution. Not only had the number of students steadily increased but the courses of study had been as steadily enlarged every year. In January, 1901, there was a faculty of eleven full professors and eleven regular instructors, besides several assistants in certain departments. He insisted that the general curriculum of studies would compare favorably with the high standard of those of other universities. He noted the great demand for university education both East and West and the fact that such institutions were then growing at a stupendous and unexpected rate. In the university at this time were courses in Latin, Greek, Sanscrit and Hebrew; in French, German and Scandinavian; in mathematics; in the national sciences such as chemistry, physics, biology, zoology, physiology, geology and mineralogy; in history both ancient and modern; in political economy, finance, sociology, literature, philosophy, and pedagogy. These studies formed the backbone of all collegiate courses. In addition instruction was given in art, drawing, music and business methods. Provision was also made for the physical education of young men and young women. The military department had been extremely successful and had received the special commendation of United States Inspector Phillip Reade of St. Paul. The president called attention to the moral elevation of the whole body of students. All were loyal and enthusiastic supporters of the university. Social institutions had already been organized on the side and contributed in a marked degree to the improved conduct of the students. He called particular attention to the fact that the university had now reached the point of departure from primary and preparatory conditions to the higher outlook and broader field of university education. At present there were three buildings, two dormitories and the main structure. The main edifice was substantial, contained the library, class rooms, laboratories and the business, music and art departments. The number of students had now become so large that on every hand inconveniences ruled and hampered the effective operations of the faculty. The halls were crowded to such a degree that the students passed with great difficulty from room to room. In the various laboratories, chemical, physical, biological, and geological, the crowding was so extreme that no department could carry on work to the satisfaction either of the students or the professor in charge. The president suggested that a new Science Hall should be constructed at once. He described somewhat in detail how the interior of a structure should be arranged. He pointed out the importance of removing the laboratories with their chemicals, poisons and perfumes from the main building to a separate hall. He likewise asked for an appropriation for the establishment of a department of law. Such a department, he insisted, would be an impossibility without the construction of a suitable hall. The law school, he said, was a natural adjunct of all state uni-

versities. All that was needed was the building, a law library and a professor of law. He also requested the establishment of a separate scientific laboratory, perhaps in the same building with the law school. At this time the gymnasium for the young men was an old building down town, which was not suitable for the purpose, besides the department had few gymnastic appliances. The young women of the university used the basement of the main building for their gymnastic exercises. An armory or general purpose building would be advisable, he thought. Concerning the functions of the university he said, "The state university should be recognized as the chief center of learning by all citizens of the state, one absolutely indispensable to its growth and prosperity. In the State of South Dakota, where local interests are powerful, there is no recognized rallying point for all the interests of the state; it is difficult to get a proper recognition that should obtain for a state university. It is generally agreed at present by all educators in America, that many high schools aim at too expensive a course of study. Sometimes their program of studies almost overlaps that of the university or colleges, with the result that students are bewildered both by the variety and intensity of the studies laid upon them." He suggested that there should be greater co-operation between high school principals and the university faculty in order to prevent any overlapping of the systems. The president further said, "At the last session of the Legislature, in 1899, an attempt was made to pass a law making the finances of the state institutions largely independent of the State Legislature and the exigencies of political changes. This bill provided that a tax of eight-tenths of a mill should be assessed for the support of all the higher educational state institutions and that the money should be apportioned according to a certain percentage; the percent of the State University being 34 of the total income under the law. Unfortunately this bill was amended so that the total sum that could be spent should not exceed \$100,000, and this limitation upon the funds caused the bill, after passing the Senate and the House, to be vetoed by the governor. It is agreed, however, that this was an excellent bill in its inception and should have become a law as originally framed without the amendment. I strongly urge the board of regents to secure, if possible, the passage of a similar bill so that the state institutions may be as far as possible taken out of the whirlpool of political strife."

At the oratorical contest held at Mitchell in May, 1899, the following institutions were represented: Huron College, Redfield College, Yankton College, State University, Agricultural College and Dakota University of Mitchell. The latter won the prize, its orator being H. A. Rodee, who spoke on the subject "Our Social Crisis." W. R. Hubbard of Huron College, took second prize and S. A. Munneke of Yankton, third prize.

At the session of the Legislature in 1899 State Superintendent of Schools Collins figured prominently as an advocate of rural high schools, having for several years written and spoken frequently in favor of this proposition. He supported with all his power the bill to that effect, which was introduced by Mr. Kingsley. The bill provided that the question should be submitted to the voters at any township meeting upon the petition of ten free holders, and if it prevailed a board of three high school directors should be chosen to serve for three years. If this board should find that there were in the township eighteen scholars having the qualifications of high school pupils, they should at once proceed to establish

a free high school near the center of the township. All pupils who had completed the eight-year course of the common schools were made eligible. The bill provided that the course of study should embrace the ordinary English academic studies, particularly the application of the natural sciences to practical agriculture, also manufacturing mechanics, bookkeeping, constructive drawing and political economy, but ancient and foreign languages were excluded from the course. Teachers therein were required to possess state certificates. Superintendent Collins was thus the leader and principal advocate of rural high schools in South Dakota. He made a special study of the proposition and worked out in detail how it could be put in successful operation.

"The plan of centralization is this, it may be changed of course to suit various conditions: To invite into one school at a central location, all the schools of a township, making of the school a graded one, of two or more departments as the needs demand, and hiring the scholars of the district transported from their homes to the school. * * * This plan gives the pupils of the subdistricts the same advantage for obtaining an education as the village pupils, and paid for at public expense as it should be. The design is to combine all sub-district schools of a township into one school. The argument for it is that it reduces the expense by reducing the number of buildings it is necessary to heat and keep in repair, and by reducing the number of teachers needed. It improves the country schools by giving them better teachers, better accommodations, more regular and larger attendance, and helps the community socially by bringing the whole township into closer relationship. It is argued and is admitted that a teacher can do better work with forty or even fifty pupils than with ten, and there are hundreds of country schools in this state where the average attendance is less than ten. By consolidation it becomes possible to pay a larger salary to a teacher and thus to get a more competent one. The importance of this can hardly be overestimated, because in every school and more especially in every country school where close supervision is practically impossible the education, capacity, and refinement of the teacher is of the utmost concern. The benefit to a pupil of attending a school of forty or fifty pupils, instead of one having from eight to ten is also not to be lost sight of, while the economy of the arrangement is not without its importance, even in a state having in ultimate view a school fund of nearly forty millions of dollars. Thus such schools will solve these problems: (1) Makes it possible to systematize the work; (2) grades the schools; (3) does away with tardiness; (4) reduces irregular attendance; (5) gives better schools at less expense; (6) gives all country children the advantages of a graded school; (7) does away with the agitation of removing schoolhouses; (8) stops the paying of tuition in other districts; (9) equalizes teachers' salaries; (10) socially and morally it elevates the schools."—P. D. Kribs, Columbia, South Dakota, July, 1899.

In 1899 teachers' county institutes were held in the counties by the following educators: Aurora, S. L. Brown; Bon Homme, J. S. Frazee; Beadle, C. E. Holmes; Brookings, A. H. Avery; Brown, E. T. Fitch; Brule, E. M. Stevens; Buffalo, E. M. Stevens; Clark, A. A. Farley, Charles Mix, J. A. Ross; Campbell, L. J. Walters; Custer, R. H. Lord; Codington, E. T. Fitch; Davison, L. A. Stout; Day, E. A. Miller; Deuel, E. A. Miller; Douglas, G. W. Rephart; Edmunds, J. F. Armstrong; Faulk, F. A. Panburn; Fall River, Pennington, Lawrence, Butte and Meade combined, R. F. Kerr; Grant, I. D. Aldrich; Gregory,

D. F. Small; Hanson, M. A. Lange; Hutchinson, C. H. Ley; Hughes and Stanley consolidated, J. Jones, Jr.; Hand, G. W. Kephart; Hyde, W. R. Davis; Hamlin, A. H. Avery; Jerauld, A. H. Avery; Kingsbury, S. L. Brown; Lake, R. B. McClenon; Lincoln, G. W. Nash; Lyman, J. B. Emery; Miner, J. H. Davenport; McCook, C. H. French; Minnehaha, F. McClelland; Marshall, G. W. Kephart; McPherson, J. F. Armstrong; Moody, L. A. Stout; Potter, E. Dukes; Roberts, M. A. Lange; Sanborn, A. H. Avery; Spink, H. E. French; Sully, M. A. Lange; Turner, S. L. Brown; Union, H. E. French; Walforth, J. F. Armstrong; Yankton, E. Dukes; Clay, C. M. Young.

In 1899 the commissioner of school and public lands relinquished in the Huron District, 19,744 acres taken for the Agricultural College; 27,605 acres taken for education and charity; 18,935 acres taken for indemnity school lands, and quit-claimed 18,655 acres of indemnity lands taken in the Pierre District. These lands were in the old Winnebago Reservation and the filings were not acceptable to the Government. The lands could be taken as homesteads only. The commissioner filed on other lands to make up the loss.

"Here are four state institutions—the university at Vermillion, the Agricultural College at Brookings, and the normal schools at Madison and Spearfish—located in different parts of the state, under the expense of separate buildings and separate organizations, and each at every succeeding session of the Legislature is clamoring for increased appropriations. No manager of any private business would conduct it in the manner in which the State of South Dakota conducts its educational institutions. The first thing he would do would be to consolidate the four institutions into one, thereby saving the cost of four separate organizations. The same work which is now done by four institutions could be done by one-half the present number of instructors and employes and at a third of the cost which is now incurred, if the four institutions were combined into one. Instead of four weak institutions there would be one which would be a credit to the state, and the cost of the educational system of the state would be reduced certainly one-half and probably two-thirds. Instead, however, of acting as would a prudent man of economy, the Legislature, influenced by the selfish interests of the localities in which the institutions are located, continues to make increasing appropriations for the four separate institutions. It may also be questioned whether, in a new state like South Dakota, it is just to the tax payers that institutions like the normal schools be maintained at state expense, when practically they serve only as high schools for the localities in which they are situated.

"In addition to the educational institutions, our state supports the penal institutions, the School of Mines, the Blind Asylum, the Deaf and Dumb Asylum and the Soldiers' Home. All these are luxuries which cost the people large sums of money each year and which, for the present at least, the state could fairly well get along without. Were it advisable to carry on the course of instruction provided for the School of Mines it would be consolidated with the State University and a course on mining subjects be added to the curriculum of the university. The Deaf and Dumb School and the Blind Asylum are undoubtedly institutions which appeal most strongly to the charitable instinct, but all of the deaf and dumb and blind children who are in need of instruction could be provided for in the schools of neighboring states at an annual expense of less than one-half of what it costs to maintain the institutions in South Dakota. The Soldiers' Home

is an admirable institution from a sentimental standpoint, but outside of this sentiment for the old soldiers there exists no reason why the people of South Dakota should be taxed for the support of its inmates, any more than they should be taxed for the support of all the people of the state who are of advanced age and are not in prosperous financial condition.

"There exists undoubtedly a feeling of state pride that South Dakota should have public institutions on a par with older and richer states, but the fact remains that our state cannot have such institutions without imposing upon the people an excessive burden of taxation, and that in order to raise the moneys which are required to support these institutions the rate of taxation must be raised to a point where it amounts to confiscation and where the only recourse of the property owner is in perjury as to his personal property and in bribery of the assessing officers as to his real property."—C. O. Bailey, Sioux Falls, before the State Bar Association, December, 1899.

CHAPTER XXII

EDUCATION FROM 1901 TO 1915

There was much criticism throughout the state in 1901 not only from school authorities, but from the state press as well, concerning the action of the Legislature which passed an act providing that graduates of the denominational schools of the state should be entitled to first grade certificates good in the state for five years. The criticism was that the bill did not provide for like privileges for graduates of state educational institutions. The Sioux Falls Press said: "This law is the result of as smooth a piece of lobbying as was ever witnessed at Pierre. The railroads, Standard Oil Company and American School-Book Trust combined could not hatch a more harmful job than was put through by a few ministers who spent the winter at the state capitol. They were wise as serpents, if not exactly as harmless as doves. The law is an outrage on the state and should be condemned by all people, regardless of party or church affiliation. It was done for the purpose of drawing students to denominational schools who otherwise would go to the state institutions. The Press has no prejudice against schools conducted under the auspices of the great religious denominations. Such schools when well sustained financially and carefully guarded as to requirements before diplomas are granted, are usually preferable to schools maintained by the state; but that state certificates good for five years or for five months for that matter should be granted to graduates of these schools without further examination as to their mental and moral equipment for teaching is not only absurd, but is fraught with all kinds of danger. The courses of study as laid down in the catalogues of denominational schools are always pretentious in appearance, but appearances count for little. The main object for some schools is to add a list of alumni. The graduate may have skimmed over higher mathematics without even knowing arithmetic, and have superficial knowledge of Latin and a glance at Greek, frequently covering up a ridiculously inadequate knowledge of how to write and speak English. There are schools in this state with power to grant diplomas entitling holders to first grade teachers' certificates good in the state for five years, whose courses as pursued are not nearly as good as that of the Sioux Falls High School. No school, state or denominational, should be allowed to usurp the power of the state and county superintendents. Certificates should be granted only after examination as to the fitness of the candidate. Too much care cannot be exercised in that respect. This state has an excellent educational system. It has a great school fund now and that fund is growing year by year. Nothing that may cripple our public schools should be permitted and the work of the "preacher lobby" should be among the laws referred to the people for their approval or disapproval before it is allowed to become effective."

At the legislative session of 1901 a new school code was adopted. It created something of a revolution in school procedure, particularly in the primary grades, in fact in all grades up to the period of entrance into the freshman class of colleges or the university. By this code the country schools were graded into eight courses which have been maintained to this day.

The Legislature enacted that the care and control of the Fort Sisseton Military School Section should be placed in charge of the state department of school and public lands. Under this law the land and buildings were leased for the sum of \$200 per year, the lessee being required to give a bond in the sum of \$5,000 for the care and protection of the buildings. He was paid an additional sum for making certain repairs. The second lease was a three-year term. There were fifteen buildings on the tract, grouped on the four sides of a square which contained about twenty acres, and most of the buildings were in a fair state of preservation.

Early in 1901 the state superintendent of public instruction reported the following statistics: Children of school age in the state, 119,579; total seating capacity of all schoolhouses, 119,743; number of schoolhouses, 3,646; cost of maintaining the schools, \$1,130,914.38. In addition, \$158,701.41 was paid for the redemption of bonds. The total indebtedness of the school districts of the state, including cities, was \$1,231,561.57. Enrolled at the teachers' institutes during the year was 5,516 persons. The cost of conducting the institutes was \$13,283.92.

The State Journal of Education early in 1901 said that in the case of a uniform course of study for high schools, uniformity and centralization meant practically the same thing; that it had been learned in recent years that each community was best served when it was allowed complete freedom of choice; that educational doctrine was undergoing radical changes; and that it was reasonable to presume that before ten years should elapse the course of study from the first to the twelfth grade would be changed more than during the previous twenty-five years. The important changes that had been recently made were the result of an urgent demand on the part of progressive school papers. In a few instances the changes were forced upon the schools in spite of the conservatism of the teaching fraternity. It was generally admitted that the state university was the head of the school system of the state. What was meant by the term "head" was not specified. While it might be true it began to be recognized that the system of which the university was the recognized head was not only narrow but prejudicial to both the university itself and the school system generally. The Journal of Education took the position that the view which would make the whole system from the elementary school through the high school directly contributory to the university by means of legislation, had many objectionable features. It said: "The same objectionable features exists if the plan contemplates only the high schools. The influence of a state university does not depend wholly on the number of its students, and even if possible an attempt to legislate students into the state university would be of doubtful propriety. The university is and should remain the head of the state school system, not because the courses of study in the lower schools have been made through legislation to point directly toward the university, but because it affords free, higher educational advantages to those who wish them. In this sense and in this alone should it be recorded as the "head" of the system.

"In this relation to the rest of the system the university occupies a much broader position than it could ever occupy if it exercised control over education in the elementary and secondary schools. In the consideration of the various schemes to bring about greater uniformity in the state, the failure to include the necessities of the agricultural college and the normal schools has been conspicuous. Any plan that fails to recognize the work these schools are doing is glaringly defective. In point of number and importance of work, they are worthy of first consideration, yet no attempt has been made up to the present to shape the courses of high schools so as to make them feeders for these state institutions. That they have suffered as has the university on account of lack of scholarship of those seeking admission, cannot be doubted. They have been obliged to take whatever came to their doors or suffer the lowering of reasonable standards. Any plan that recognizes the present trend of educational legislation must make uniformity possible without forcing it on any community. The reaction which has come against the attempt to enforce adherence to state uniformity in matters of courses of study, suggests that this is the only safe way. It can be accomplished by preparing courses of study for the 7th and 8th grades and the high school, which recognize the needs of the normal schools, the agricultural college and the state university. Let the question of the formal adoption of the courses be left optional with the preparatory schools, but let them know exactly what they must do in order that their pupils may have credit at the receiving school. If there is a considerable number in a town wishing to enter one of the higher schools, there is offered sufficient inducement in that place to shape the course of study accordingly, or at least as far as local conditions will permit. As a part of the plan the receiving schools should require those seeking admission to hold certificates of proficiency in all studies in which they seek credit. Each certificate should contain (1) name of the pupil; (2) name of the study; (3) description of the year's or half year's work covered; (4) general description of method employed in teaching the subject; (5) the number and length of the recitations; (6) the standing attained; (7) the name of the instructor of the particular branch signed by himself, and (8) the seal of the board of education." Thus, while the university might be considered the "head" of the educational system of the state, it was not the only "head," because many, no doubt, would aim to finish their education in the agricultural college or the normal schools; and their studies in the primary schools should correspond to the courses in these "heads."

On July 1, 1901, the permanent common school fund amounted to \$3,945,-109.36. The number of acres of common school land that had been sold aggregated 269,535. This land had been sold at an average price of about eighteen dollars per acre. There were yet to be sold in the state 1,880,875 acres. Of the endowment lands of the state institutions there had been sold by 1901, 718 acres, and there were yet to be sold 697,362 acres. Thus the condition of the school fund and school lands was excellent and it was clear that if the average price per acre could be maintained in the sales, the total amount realized would in the end exceed all former expectations.

In 1901 the total local taxation for public schools in South Dakota was \$1,347,512. To this was added by the department of school and public lands \$253,235, which sum was apportioned twice during the year. There was appro-

priated this year by the Legislature for the various state educational institutions a total of \$144,000 and to this was added \$11,388 from the sale of endowment lands. This gave the grand total spent for education \$1,756,135. Particular attention is called to the large amount raised for the schools by special taxation. The schools were far from being supported by the income from the school lands of the state. The constitution of South Dakota provided that all fines for violations of the state laws after Dakota entered the Union in 1889, should be paid into the interest and income fund, but up to the year 1900, extraordinary as it may seem, no statute had ever been passed giving effect to this clause or provision. Up to 1900 many thousands of dollars had been collected by the state and county courts for violations of the law, especially during prohibition times, but none had been paid into the state school fund as provided by the constitution. In 1901, however, the state authorities determined to make an effort to secure for the schools what was due from such fines, forfeitures, etc. An amendment to the school law of 1901 provided for the repeal of that part of the school clause in the constitution and permitted the several counties of the state to invest the school money over a much broader field. There was a general feeling that the fund could be invested with absolute safety and to the great advantage of the people, in the bonds of school corporations, municipalities, counties and even in first mortgages on real estate; but it was believed that no farm loan from the school fund should exceed \$1,000 to any person, firm or corporation.

One of the first experiments in school centralization in South Dakota was made in Twin Lake Township, Sanborn County, in 1901. The movement was actively and earnestly supported by the school superintendent of that county. Two schoolhouses were planned to be moved to the center of the township and there built into one structure and the school was to be conducted in two departments. Before this occurred there were four schools in the township. The new movement made an apparent saving of two teachers and the heating of two schoolhouses. The pupils of the township were transported to and from school at the expense of the tax payers of the township.

For the school year ending June 30, 1901, the wages of male teachers in the rural districts averaged \$34.70 and of female teachers \$31.17 per month, while during the year ending June, 1902, male teachers received \$36.07 per month and female \$32.31. This was a higher average than had ever before been paid in the state. In no other pursuit was unskilled labor so expensive as that of teaching. School boards and patrons now at last recognized this fact and demanded a higher grade of teachers. At this time the demand was backed by the willingness to pay even better wages than the above figures in order to secure better and more efficient teachers. Generally throughout the state there was a determination to advance the standard of instruction in all the schools and to require teachers better qualified even though it was necessary to pay much better wages.

For the biennial year ending June, 1902, there were then being built 129 modern country schoolhouses; there were at this time a total of 3,544 in the state. In the meantime many small schools had been closed, and the pupils had been transferred to neighboring schools. Generally in all parts of the state there was a slight advance in village and district school taxation, in order that more beautiful and more convenient schoolhouses could be erected. In 1901 the

levy for school purposes in the rural districts averaged 6.1 mills, the lowest in the history of the state; and this, too, in spite of the fact that \$1,791,153.55 had been paid out for school purposes, the largest sum thus far ever paid out in a single year. In many counties heavy bonds and numerous warrants burdened the school districts with debt, so much so in places as to interfere with educational development. However, the rural districts of twenty-one counties had a surplus in their treasuries above all debts, and five others had less than one thousand dollars' deficit per county. The decrease of net indebtedness in the rural school districts during 1901-2 was marvelous. The net debt in 1901 amounted to nearly two hundred and sixty-eight thousand dollars, but a year later it was only a little over one hundred and fourteen thousand dollars. Another year of debt paying like that and the rural schools would have a large surplus of cash in the treasury above all debts. The cities and villages did not make as good a showing as the country districts toward the payment of school debts. However, there was a general decrease in school debts throughout the whole state.

In 1901-2, exclusive of village and city children, over four thousand pupils did eighth grade work. Of this number 740 passed final examinations in the eighth grade and received diplomas of graduation from their county superintendents. Annually the number of graduates from the rural schools was rapidly increasing. Said the state superintendent: "When we consolidate our schools each pupil may have a creditable high school in his own township. It will give opportunity to many young men and women who now must close their educations with the country school, to take the advanced studies which are so depended upon to increase their usefulness in the world." The state superintendent in 1902 was greatly in earnest and determined and was enthusiastic in his efforts to consolidate the schools. He had previously reported what had been done during previous years. He recommended that the township be made the school unit and that each township maintain but one school. They could have as many departments as they desired and all united would have the following advantages: (1) Disappearance of small and consequently uninteresting schools; (2) rural pupils would have the advantages of graded schools, each department of which would be taught by one who had specialized for that particular grade; (3) the transportation feature of the plan would greatly increase the attendance and decrease the tardiness; (4) close supervision would be made possible, because principals would visit each department every day; (5) in the most thickly settled sections it would greatly reduce the cost of maintaining schools and thereby permit the lengthening of the school term, which was at this time too short. Notwithstanding the state superintendent made great efforts in a general way to effect this result, few localities took action toward the establishment of central graded township schools. It was too difficult, too expensive and too revolutionary a task for the ruralist alone to handle and make successful. He thought that evolution rather than revolution would eventually be necessary to effect the change.

A short time before 1902 new efforts to build up school libraries were made. It was planned that the treasury of each county should set apart annually from the apportionment of each district a sum equal to 10 cents per capita for each person of school age residing in the district, for the purchase of library books, etc. The Legislature finally passed such a bill which became a law early in 1901.

Within one year thereafter, county superintendents, teachers, parents and pupils were unanimous in praise of their new school libraries just started. Reports from half of the counties in the state at this time showed that rapid development of the school libraries was being made under the law.

By 1902 it was claimed that politics was not allowed to dictate in school affairs. This was claimed not only in the matter of selecting teachers, but in the method of electing county superintendents. Quite often one party convention endorsed the nomination of the opposing party candidate for the office of county superintendent. It was also true recently that when one party's zeal placed an unfit candidate on the ticket the voter scratched his name in favor of the opposing party's candidate, providing the latter was better qualified. It was thus claimed that recently there had been great improvement far above the whims of politics. People seemed at last determined to have good schools regardless of political contentions and squabbles.

It was clear in 1902 that the state schools were efficient in direct proportion to the number of educated and progressive persons who were chosen to the membership of the school boards. It was declared by the state superintendent, "that a good school board makes a good school and a poor school board makes a poor school." Generally the school law of 1901 was excellent, although it was experimental in some features. One of the best features was the section which called all school boards of the county together once a year for consultation regarding school needs and plans. Much good resulted from these conferences. Progressive boards stirred up non-progressive and lethargic boards. Those that were non-progressive were shaken from the ruts and made to see the miserable and unwise economy which was contented with an unpainted schoolhouse, weed grown grounds, and utter lack of apparatus. In 1902 it was generally acknowledged in South Dakota that the normal training given teachers in Wisconsin and Minnesota was better adapted for the children of this state than any other. Already the normal schools of South Dakota were imitating the excellencies of the normal schools of those states and were even improving many of their features. The state superintendent at this time said that the time had almost or quite arrived when some normal training should be required of every person licensed to teach in this state. While the four excellent state normal schools could train many for this work, they should be enlarged in order that every teacher in the state as soon as possible could be required to have had a normal training before being granted a certificate. At this time denominational colleges and academies throughout the state were giving normal training to teachers, and thus supplementing the state normal schools and the university. In 1902 the state superintendent recommended that a law be enacted requiring that after July 1, 1905, no certificate should be granted to any person to teach in the public schools of South Dakota who had not had at least one year's normal school training or its equivalent, and that after July 1, 1907, no certificate should be granted to any person to teach in the public schools in South Dakota who did not possess at least two years' normal school training or its equivalent.

Generally throughout the state at this time there was a demand for free school text books. One of the principal authorities to earnestly advocate this measure was M. M. Ramer, superintendent of Grant County. He prepared and published an article showing the advantages derived from free text books. His six prin-

cial points were as follows: (1) The efficiency of the schools would be greatly increased; (2) at the opening of the school there would be no delay in getting organized and in operation; (3) it would do away with the old mischievous custom of studying together; (4) it would evade the mischief usually brewed when two boys or girls put their heads together behind some book pretending to study; (5) when each child could have his own individual books the teacher could consistently insist on better prepared lessons; (6) by making the books free it would remove the habit of parents to think that there was no need for a certain study when they were required to pay for the books. The cost of these books amounted to very little or nothing comparatively. He urged the inauguration of the system at the earliest possible moment. At this time E. E. Collins was state superintendent.

The State University by 1901 had passed through fire and drought, had encountered and mastered spite and jealousy and now at last was a state university in fact as well as in name. During these years it was the important work of the university authorities to assemble a strong student body, establish traditions, collect and prove a competent faculty and become a fixture as the university of the state. The early work was well and brilliantly done by Dr. Edward Olson. After his death, Dr. Joseph W. Mauck took up and completed the difficult problems well started by Doctor Olson. He greatly enlarged the scope of work and multiplied the efforts of the institution. Under Doctor Droppers great advance was made in attendance and in the usefulness and magnitude of all departments. The number of students of collegiate grade more than doubled, owing to the reputed stability of the institution and to the exceptional scope of its curriculum. Far more students than ever before were taking the full college courses prescribed by the faculty. It was to be deplored, however, that still too many were taking low grade or preparatory studies. This fact showed that there was abundant room for assistance from the primary schools. The institution was crowded with students, the class rooms were full to overflowing. The apparatus, the books and the equipment generally were only a fraction of what was actually needed to accommodate the students that were flocking here for instruction. Advances in elementary and advanced chemistry and in chemical analysis and new classes in organic and medical chemistry were duly planned and considered. There was a rising and pressing demand for instruction in mechanical and electrical engineering. In these particulars the university was far behind, could not give the instruction demanded; and accordingly many young men went elsewhere to secure instruction in these branches, thus draining the state of its best brain and blood, a condition that has had a deleterious effect upon the state ever since.

Already the university was talking of permanent postgraduate work. Up until this time no instruction of that kind was possible, and students who required such additional instruction were compelled to go to Madison, Wis.; Chicago; Ann Arbor, Mich., or the educational institutions farther east. Thus many of the brightest minds of the state were compelled to leave to secure the instruction they required. All of this was due to the fact that the Legislature did not, would not, provide proper facilities of the State University. It was realized that young men who thus left the state would probably remain away permanently. They were driven out because they sought further intellectual light and were

certain to form new life associations outside. The minds that were sure to become leaders here were thus driven away leaving mediocre talent to become permanent leaders in state affairs. These results were not duly weighed and measured at the time. The masses could not realize the effect of this drainage from the intellectual resources of the state. Nothing short of the university could meet the requirements; and yet the Legislature, with its masses elected from the bulk of the people, were unequal to the duty of shaping the possibilities and problems of legislation to meet the advanced instruction demanded by the young men and women of the state. Up to this date no young man or woman could obtain a legal or medical education in South Dakota. They likewise were compelled to go outside. This drain upon the intellectual material of the state was greatly deplored by the better educated class of citizens. The effect upon the state schools was more or less disastrous. When the best minds left the second and third rate minds became the best, but did not measure up to the standard of the best in outside states. These facts were repeatedly called to the attention of the Legislature and the citizens by the educators of the state, but the Legislature could not be brought to the emergency of promptly and effectively improving this unfortunate and deplorable condition. They did not do any better, because they did not know any better. Many of the faculty here in 1901 had labored with the institution for ten years with salaries fully \$400 less than those paid for the same services in other universities, and had shouldered all burdens and steadily raised the college to permanence, prominence and a fair degree of success. All departments were cramped for books and crowded into small quarters, but all members of the faculty had worked on with the hope that the state sooner or later would rise to the occasion, the opportunity, and the necessity and make the institution what it should be.

The State University furnished for the war with Spain eleven officers. Two of its noblest representatives, Morrison, who was killed at Marilao, and Neary, the instructor in military tactics, who was mortally wounded on the field of El Caney, were but two of the distinguished soldiers sent out by this institution. Every department lacked numerous facilities and requirements to make it fit for the many students that were now flocking here for instruction.

At this time the educators of the state dwelt with much emphasis on the importance of starting the higher educational institutions along the most advanced lines. It was noted that the citizens generally were natives of every country in Europe, were already rapidly amalgamating and thus forming a new, vigorous and auspicious civilization, that would make itself conspicuous in the future history of the state and the nation. It was thus argued that the state, situated as it was in the Middle West and in the center of great possibilities, would make wonderful strides in intellectual uplift with the proper surroundings and facilities.

The South Dakota Educational Association assembled at Yankton late in December, 1901. It was a notable gathering. The record of attendance was the largest in history. The papers and discussions were forcible, and the spirit of harmony, interest and goodwill were marked at every stage of the proceedings. In addition to the splendid general program, there were numerous attractive extemporaneous exercises. The cordial addresses of welcome were delivered by Bartlett Tripp and President Warren, and were responded to in appropriate terms by Doctor Graham. The address by Superintendent Hartranft was able

in the extreme and most highly appreciated by all who heard it. His subject was "In the Doorway of the Twentieth Century." The exercises and proceedings throughout were interspersed with delightful music. State Superintendent Collins delivered an annual address of great power and practicability. One of the most notable features of his remarks was his earnest advocacy of rural concentration of schools, consolidated schools, and the transportation of children to central points where they could be more economically and efficiently instructed in the higher branches. Another paper of great interest was one by President Heston, of the Agricultural College. The subject was "The Kind of Education for the Boys and Girls of South Dakota." He urged many radical changes in the courses of study, particularly in the town and city schools. His paper was listened to intently by the teachers present. The newspapers of the time noted with what power he swayed the great audience that listened to him. President Norton, of Sioux Falls, discussed in a masterful way the subject of "Ethical Culture in Our Public Schools." No teacher present heard this splendid address without feeling the spiritual uplift underlying its eloquent language and its high ideals. Superintendent Hamlin, of the Santee Indian School, of Nebraska, read an attractive paper on "Educating the Indian." It was particularly distinguished by its simplicity and by its practical delineation of what was necessary to be done to make the Indian youths civilized and law-abiding. Another leading feature was the lecture to the association given at the Congregational Church by Dr. Samuel Smith, of St. Paul, Minnesota. He was one of the principal speakers and thinkers on philosophy in the United States at this time. He gave a most interesting and valuable address on the subject, "Point of View." In this address he took an unusually broad and practical view of life, education and destiny. An important adjunct of the association at this time was the Reading Circle Board, consisting of nine members. As a whole this was a session of great value and importance. The exercises were attended by many teachers who sought improvement in methods of instruction and in educational progress.

The South Dakota Teachers' Reading Circle was established in 1886, at which time its first important work was done. For a year or two previously the advisability of the movement had been considered, with the final result of organization. That year it met at Pierre. A committee was appointed to draft a constitution and effect an organization. At is said that the organization was in fact accomplished on board the train near Pierre, July 3, 1887. Gen. W. H. H. Beadle was elected president, and Prof. W. H. Dempster succeeded General Beadle as president. Professor Kratz resigned in 1891 to become city superintendent of schools, Sioux City, Iowa. At the meeting of the State Educational Association at Mitchell in December, 1891, H. J. Whipple was elected president of the Teachers' Reading Circle and Prof. W. H. Dempster was chosen secretary and treasurer. These two officers faithfully and efficiently shaped the destiny of the circle until March, 1902, when Professor Dempster gave up work, but Superintendent Whipple still continued as president. The members of the Circle Board for several years up to 1902 had been eight in number, two from each of the four departments of the State Teachers' Association. During the first year of the Circle's existence the membership embraced only nine counties, with a total of eighty-seven readers. In 1902 every county in the state was embraced, and during the year the readers numbered over two thousand, and besides there were

scattered readers in almost every state in the Union, and in several of the foreign countries. It was the unanimous testimony of institute conductors and others that the counties which had the largest and strongest reading circles had likewise the ablest and best teachers. The books studied in 1902 were: Hinsdale's "Art of Story-Telling;" McNeil & Lynch's "American Literature." The study was conducted along two lines, one professional and the other literary or scientific.

In 1902 David Eastman, commissioner of school and public lands, demanded the repeal of the fence law then in force west of the Missouri River. He held that the fence law, greatly to the detriment of the public school fund, converted the whole country west of the Missouri River into a range, and thus prevented the lease of the school lands located there. For this reason the school fund was not getting anything near what it should receive from the lease of its lands in that portion of the state.

In 1902 South Dakota had 3,544 schools. The average wages paid to male teachers was \$36.07 per month, and to female teachers \$32.31. At this time the schools of the state cost in one year a total of \$1,791,153.55.

On September 9, 1902, the Northern Normal and Industrial School at Aberdeen was opened. At this time there were in the universities and colleges of South Dakota a total of 2,750 students.

In 1902 the permanent school fund of South Dakota amounted to \$4,084,566.59, of which \$50,887.66 was received from the sale of Government lands, \$2,190,799.31 was paid in from the sale of school lands and \$1,842,899.62 consisted of deferred payments. As fast as the money had been received it had been invested in school bonds and first mortgage loans. The money derived from such loans, also from interest on deferred payments and from the leasing of common school lands, constituted the interest and income fund which was apportioned to the various organized counties in proportion to the number of children of school age residing therein. There had been a gradual increase in the acreage leased up to this time. But it cannot be denied that the amount thus leased was far below the acreage that would have been leased had it not been for the free range law in force west of the Missouri River. The state authorities, therefore, at this time favored the repeal of this law. The department set at work several clerks, for whose services an appropriation had been made, to inspect the work in the field and see that there were no trespassers on school lands and that the lands were properly guarded. During the fiscal year 1901 there were employed two clerks who examined sixteen counties in the southeastern part of the state and the following year inspected sixteen other counties in the northern part east of the Missouri. At the same time they begun the same work in the Black Hills district.

At this time, 1902, the endowment lands of the state for educational and charitable institutions aggregated 698,720 acres. Gradually as time had passed this acreage was patented to the state, the tracts were selected and still other tracts were to be chosen in the future. During the fiscal year 1900-01, 374,411 acres of endowment lands were leased, and the next year 405,231 acres were leased. The proceeds of the latter were \$29,141. There was a large demand for school endowment lands at this time and for a few years previously. Particularly east of the Missouri River was the demand strong, and the price of sale and rate of lease was steadily increasing. A few school tracts in the Black Hills

country were heavily covered with timber. The last Legislature passed a bill providing for a constitutional amendment to be submitted to the voters in November, 1902, to amend the rate of interest from 6 per cent to 5 per cent, owing to the fact that interest rates were decreasing, money was plentier, and it was difficult to loan all the school fund on hand at the high rate of 6 per cent. In June, 1902, there was on hand unloaned in the treasury \$538,511 of this fund drawing no interest for the benefit of the schools. The efforts of the authorities were therefore directed to the task of seeing that all of this fund was properly loaned, and the above proposed constitutional amendment was one of the steps toward that end. It was further proposed now, as it had been in the past, that the amount to be loaned to any individual be increased from \$500 to \$1,000, and even to greater sums where the security was excellent. The authorities at this time did not press to secure deferred payments on lands that had been purchased, providing the interest was promptly paid when due. They preferred to have the payments remain deferred while drawing interest rather than have them in the treasury drawing no interest; yet during the past year ending June, 1902, there had been paid into the treasury in full payments and deferred payments the sum of \$596,670. The full payments numbered 1,292 and aggregated \$424,190. The average price had been greatly increased during the years from 1900 to 1902, inclusive, showing a marked appreciation of the value of land throughout the state. This increase during those three years amounted to an average of \$15.19, \$18 and \$19.52, respectively.

It was believed at this time by the department that within a short time the state, if it so desired, could sell all its school land at an average price of not less than \$14.60 an acre, which would produce a fund of nearly \$31,500,000. The department recommended at this time that, in view of the present conditions and the excellent prospect of the future, no more than 50 per cent of the lands donated to the state by Congress and located in any one county, except public buildings land, should be offered for sale. At the same time they further recommended a provision for the leasing of lands withdrawn from market, both for agricultural as well as grazing and hay purposes, for a term not exceeding ninety-nine years, with a provision for reappraisalment every ten years. This action was taken in view of the fact that the state was well provided with the nucleus of a common school and endowment fund for all of the state public institutions, which would, if wisely guarded, support the common schools and public institutions in the not distant future. It was believed this course was wise because there were indications that the school lands for leasing purposes on long time and liberal terms would bring a larger revenue than any other plan. With about one-half of the land sold on this program there would be received a total of nearly \$16,000,000, which the department believed would furnish far less interest to the state than would be obtained on the balance of the lands under lease contracts. In recent years there had been quite a number of recoveries of state lands through forfeitures and other failures to make good. A considerable sum had been received from the Taylor defalcation tracts. Timber in considerable quantity had been sold from school tracts in the Hills.

A notable fact connected with education in the state in 1902 was the vast improvement in the high schools. The number was greatly increased and their efficiency and compass were surprisingly improved. Outside of South Dakota

the improvement in high schools was even more marked. In Minnesota all high schools of the state which attained a certain standard of efficiency received annually a definite sum of money. Already this system had been adopted in North Dakota. Many educators of the state believed that South Dakota should at once pass a similar law. No state had a greater variety of high schools, both as regards development and course of study. All of this needed reconstruction and reorganization. In Minnesota the state appropriated \$1,000 to each high school that attained the full standard of four years; the same was done in North Dakota by extending the course of study and preparing the graduates therefrom for entrance into colleges and universities. It was suggested that a committee consisting of the superintendent of public instruction, the president of the university and a third member, should be appointed and should be given authority to pass final judgment as to whether a given high school was fit for this additional appropriation; other tests could be instituted. Examination questions on a given subject could occasionally be made out by the committee, and the papers be examined in full to determine the status of the students in the schools. In this and other ways the standing of the high schools in the state could be ascertained. It was claimed that in the states where this system was in force and in addition to this elevation of the standard of high schools, many students were induced by the impulse thus acquired, to attend the higher institutions of learning. This plan provided that a graduate of any accredited high school would be admitted at once to the colleges without further examination. It was believed that this program would induce many young men and women to attend college when they would not do so under ordinary circumstances. President Droppers recommended that an appropriation of \$400 for every high school adopting a four-year course of study should be made, and further that a board of examiners, who should be paid a small sum for their services, should be established or created.

The schools of the public school system and of the higher institutions of learning in South Dakota were not only the ones to furnish broad and liberal educations for students wanting such. From the earliest time private and denominational educational institutions had sprung up in all parts of the state. By 1890 many were in prosperous condition with large attendance and with an excellent curriculum for those requiring instruction along stated and specific lines. In 1902 the following denominational and private schools were in operation in this state: Under the Catholics were Sacred Heart Academy, Aberdeen, under the Presentation Nuns; Sacred Heart Parish School, Aberdeen, Rev. B. Early, principal; St. Joseph Academy, Watertown, under Sisters of Mercy; Holy Family Parish School, Mitchell, Rev. H. Maher, principal; St. Lawrence Parish School, Milbank, Rev. P. Cassidy, principal; Immaculate Conception Industrial School, Rev. P. Boehm, principal; St. Edward's Academy, Deadwood, under Sisters of the Holy Cross; St. Patrick's Parish School, Lead City, Rt. Rev. N. Redmond, president; St. Mary's Parish School, Salem, Rev. Joseph Heidelberger, principal; St. Martin's Academy, Sturgis, under the Benedictine Sisters; St. Francis' Industrial School, Rosebud, Rev. F. Digeman, principal; St. Rose's Academy, Sioux Falls, under the Ursuline Nuns; St. Michael's Parish School, Sioux Falls, Rt. Rev. G. Sheehan, principal; Holy Rosary Industrial School, Pine Ridge, Rev. J. Jutz, principal; St. Peter's Parish School, Jefferson, Rev. C. Saint Pierre, principal; Sacred Heart Academy, Yankton, under the Benedictine Sisters; Sacred Heart

Parish School, Yankton, Rev. Ed. Jones, principal. Methodist Episcopal: Dakota University, Mitchell, L. A. Stout, president; Black Hills College, Hot Springs, J. W. Hameher, principal. Free Methodist: Wessington Springs Seminary, J. K. Freeland, principal. Congregational: Yankton College, Yankton, A. T. Free, president; Redfield College, Redfield. United Norwegian: Lutheran Augustina College, Canton, Anthony G. Tuve, president. Presbyterian: Pierre University, Pierre, William Blackburn, president. Baptist: Sioux Falls University, Sioux Falls, E. B. Meredith, president. Episcopal: All Saints' School, Sioux Falls, W. H. Hare, president. Norwegian Lutheran: Lutheran College, Sioux Falls, A. Mikkleson, principal. In addition there was Watertown Kindergarten, Watertown, with Sara B. Bodtker as principal.

In January, 1903, the Agricultural College taught the following course: (1) agriculture and horticulture; (2) botany, zoology and bacteriology; (3) chemistry; (4) pharmacy; (5) physics and its application; (6) mathematics and surveying; (7) all English branches; (8) French, German and Latin (optional); (9) history and political and social science; (10) mechanical, electrical, civil and agricultural engineering; (11) domestic science and industrial art; (12) business and amanuensis; (13) music and physical and military culture; (14) short courses of twelve weeks early in each year as follows—(a) agriculture, (b) dairy, (c) horticulture, (d) steam engineering, (e) home reading for farmers.

The South Dakota School of Mines was planned and equipped for imparting technical knowledge in mining, metallurgy and engineering. Literature, language and commercial courses were added. During the summer there was much practical field work. In 1902 the institution had two old buildings and a new one, and had enrolled about one hundred and twenty students from all parts of the United States. At this time Robert L. Slagle, Ph. D., was dean and professor of chemistry; Charles H. Fulton, M. E., professor of metallurgy and mining engineering, also of assaying; Howard L. McLeary, teacher of mathematics; C. C. O'Harra, instructor in mineralogy and geology; E. M. Stevens, instructor in German and other languages; Anna R. Slagle, instructor in English and history. She had charge of the ladies' dormitory.

At a meeting of the State Teachers' Institutes at Canton in May, 1903, an entirely new course of study for the public schools was adopted. This course proved so satisfactory to the county superintendents that the schools throughout the eastern part of the state prepared to put in operation at once the course of study thus adopted. In June, 1903, there was held at Rapid City a joint teachers' institute for the counties of Butte, Meade and Pennington. More than two hundred teachers were present, and a program of great interest and value was carried into effect.

In early years the school authorities had great trouble in keeping the school fund invested. Often many thousands of dollars were idle in the treasury. Gradually as the state settled up this condition changed so that by the middle of July, 1903, not a dollar of the school fund remained uninvested; the whole had been taken up by school and municipal authorities. In previous years the commissioner's office often received complaints that the school authorities were forcing school funds on the counties which they did not want and compelling them to pay interest thereon. By November, 1903, the complaint was just as severe that the counties could not get enough school money, and that the farmers were unable

to secure loans from the school fund. This transformation occurred within from three to five years. Previous to 1903 no complaint for this fund had come to the commissioner's office. Before that date other steps to invest this fund had to be taken. Much of the trouble in early years concerning school funds was due to the carelessness of counties in not returning the funds according to law. There was then no co-operation between the county authorities and the state authorities concerning the investment of the school fund. Out of this condition of things the state board, consisting of Governor Herreid, Land Commissioner Bach and Public Examiner Hemmingway, devised plans to force the counties to comply with the law. They thoroughly investigated many counties concerning school fund management and found great carelessness existing. At this time the state authorities opposed making loans at 5 per cent in order to take up old loans which were drawing 6 per cent.

In September, 1903, Commissioner Bach learned that in numerous cases where the interest on deferred payments for school lands had been neglected by the purchasers for a year or more, some as far back as 1900, no action had been taken by county authorities to remedy this condition of things. Accordingly he prepared on an extensive scale to take legal steps to bring all delinquents within the requirements of the law. As the crops of 1903 were excellent, one of the best thus far in the state, he announced that there was no excuse for the detention of money, and that the sums must be paid, because they were needed by the schools. By 1903 there were immense leases of lands to cattle growers in the range section of the state west of the Missouri. During that year up to September, there had been received \$17,054 for new leases from homesteaders who were securing large quantities of the land in that portion of the state.

According to law, school district officers were required to meet once a year in each county at the call of the county superintendents to consider various educational questions. In October, 1903, it was concluded, in view of the fact that these county meetings were held at the same time, to provide that no two should be held jointly in the state, and furthermore to require the state superintendent to be present at each one of these meetings. This was arranged by the state superintendent, who prepared to meet the school authorities of every county in order to get in touch with the movements of education in all parts of the state.

In 1903 the state examiners were selected by State Superintendent Nash to mark under the new law the papers of teachers that came from all parts of the state.

On November 19, 1903, the state school fund idle in the treasury amounted to nothing, and was thus the lowest since statehood began. Every dollar was out drawing interest among farmers, villages and towns. One year before this time there was in the treasury about \$400,000.

At the legislative session of 1903 a bill was introduced to give the state superintendent power to issue uniform certificates to all teachers, and that such certificates should be good in every county of the state. A recent amendment to the constitution permitted school funds to be loaned at a minimum interest of 5 per cent, and immediately thereafter nearly a half million dollars of the school fund was loaned. Thus in 1904 all school money was busy drawing 5 per cent interest. At this time the Regents of Education and the Board of Charities and Corrections were paid salaries. Previous to this time they received nothing.

The conferences with county school officers did more to unite the educational authorities into a general movement for advancement than anything done in the state thus far. It did more good really than the teachers' institutes, because the latter were isolated, did not cover the practical instruction and methods in the rural schools, and were held for but short periods in each year. If the institutes had any weakness it was that they did not give the teachers practical knowledge along advanced lines, something that was actually needed by them every day in the schoolrooms.

At this time the country school debt throughout the state had been greatly reduced, and in many counties, particularly in the eastern part of the state, had been wholly liquidated. All state educational institutions at this time were more prosperous than ever before. All had a larger attendance, state, private and sectarian. By this time even the Indians had made great progress in education. The old time village custom among them was nearly broken up. Each family at last was alone, owned a good home, had families and live stock and were law-abiding like the whites.

"The plan recently adopted of having a board of examiners grade teachers' papers for the granting of certificates, appears to be practical and well advised. Local favoritism which has had debilitating effects on our educational system in the past, will by this method be done largely away with. No member of the examining board is permitted to grade papers from his own county. Out of 657 applications for certificates at the recent examinations, 279 were rejected. As a consequence of the weeding out process, many districts will be without teachers this coming winter."—*Dakota Herald*, September, 1903.

No doubt the bankers of the state were largely instrumental in having the school fund rate of interest reduced to 5 per cent. Through their influence the fund was then secured by them and loaned on municipal and township securities so that farmers were unable to get it, which fact enabled the banks to raise their rates to farmers to 10 per cent and 12 per cent. However, the net result to the schools was about twenty-five thousand dollars more than it had been before, and all of the fund was safely invested. Why did not the farmers take it at 6 or 7 per cent when they could do so? The school fund drawing interest in December, 1903, closely approximated four million dollars, and no considerable amount was idle in the treasury. Comparatively small loans were held by farmers. There was loaned to the counties alone about two million five hundred thousand dollars. At this time there remained out in deferred payments \$1,344,595 from the sale of school lands, and there was outstanding and past due in deferred payments about two hundred twenty-four thousand nine hundred and seventy-nine dollars. All the deferred payments yet outstanding drew 6 per cent interest, so that the school authorities were not complaining. In December, 1903, there were in the state 132,150 children of school age. The only loss that ever occurred to the school fund was the Taylor defalcation, and nearly or quite all of that was secured at a later date.

At a meeting of the Southeastern South Dakota Teachers' Association, at Yankton, in May, 1903, State Superintendent Nash announced that he intended to call a meeting of the state educators to consider all phases of the new educational law. The many important changes demanded prompt attention in order that schools should be ready for them during the summer terms. The main

object of the meeting, he said, was to formulate a revised plan for a uniform system of study in the high school. He further said that the high schools at this time had each its own course of study, arranged by local superintendent and containing many contradictory and varying provisions. Mr. Nash spoke with much emphasis of his intention to enforce uniformity of work in all the schools of the state. Therefore, he thus called together the superintendents of the high schools to assist in the movement. At the same time he issued a circular calling specific attention to the requirements demanded of teachers who desired certificates. Those who received certificates, he stated, must be graduates of courses fully equivalent to the complete collegiate course of the state university, or of a course having the same requirements as the advanced course of the normal schools. After July 1st, the state superintendent was permitted under the law to grant all first and second grade certificates. The county superintendents, as formerly, were required to grant third grade certificates. Under the law children of the rural regions were entitled to free high school privileges, the clause of the law concerning this change reading as follows: "Any pupil who shall successfully complete the work of the Eighth grade as established in the state course of study is privileged to continue his school work up to and including the Twelfth grade; by attending neighboring schools furnishing courses of study, and the tuition charges therefor shall be paid by the board of his home district, provided his home district does not furnish instruction in such higher grades." The new law provided for the establishment of township high schools upon the petition of fifty free holders and it was concluded that consolidation or centralization would prepare the way for these schools. Beginning with March 1st of this year the salaries of county superintendents were provided under new regulations. The law also required that all school officers should be elected in June each year. These officers consisted in each district of a school board composed of a chairman, clerk and treasurer for the term of one, two and three years respectively, and annually thereafter one member was to be elected for the term of three years. It was further provided that no district board should buy any chart, globes or similar devices in any one year, the cost of which should exceed \$10 unless authorized to do so by a majority of the school board at any regular or special meeting, and unless said purchase should have been approved by the county superintendent.

On September 1, 1903, the total amount of cash that had been realized from the sale of school lands and from the other school fund sources was \$4,079,439.22, all of which was drawing interest. Up to this date there had been invested in securities the sum of \$2,413,421.91, which made an annual income of \$123,671.09, providing the full amount remained on interest at 5 per cent. This amount, together with the interest on the deferred payments, still constituted the interest and income fund and was distributed to the schools of the state pro-rata during the months of January and July of each year. The apportionment of July 1, 1903, amounted to \$266,758.30. In 1903 it was decided by the board at their January meeting that it was best to sell no more school land, because it seemed impossible for suitable investment of the rapidly accumulating fund. The leasing of the school and endowment lands was placed in charge of county auditors of the counties where the lands were situated. The leasing price per acre during 1903 ranged west of the river from 6 to 8 cents and east of the river from 8 to

28 cents for hay land and 50 cents to \$1.75 for cultivated land. A small fee was collected with each lease. In 1903 it was decided to make only two and four-year leases which were really term leases at the option of the lessee, as he was required to pay for only one year at the time of leasing and to pay for each subsequent year in advance. In the leasing of the common school lands a lease could not embrace more than one section, but in the endowment land as many sections as the blanks would conveniently hold were permitted. The endowment lands existed mostly in large bodies, which could more readily be leased for grazing purposes by owners of large herds. By January 1, 1903, the endowment lands had thus realized a total of \$26,979.64, which sum had been distributed to the Aberdeen, Madison, Spearfish and Springfield Normal schools, State University, Agricultural College, Deaf and Dumb School, Reform School, Northern Hospital for the Insane, Blind Asylum and School of Mines.

On July 1, 1904, there was in the treasury idle only \$13,871.59 of the permanent school fund and even this amount soon afterwards was invested and applications had been filed for \$64,500 more of the fund as soon as it should become available. This satisfactory result was due to the excellent work of the public press and the hearty co-operations of county auditors and treasurers throughout the state. The last apportionment of the interest and income fund amounted to \$289,627.50 and was the largest ever made this far. Owing to the rapid increase of the school population the commissioner doubted whether this proportionate amount could be maintained. On July 1, 1904, there was only \$86.40 of delinquent interest on deferred payments for 1903, as against much larger sums for all previous years. The conclusion was that the people of South Dakota were far more prosperous than ever and in a position to promptly meet their obligations.

Through the efforts of the South Dakota congressman that portion of the state lying within the boundaries of Gregory County had been thrown open to settlement, and there had thus been added to the school lands of the state 29,544.14 acres, a portion of which was very valuable. The Legislature formally gave this department charge of all the lands acquired in settlement with the defaulting state treasurer, Taylor, and at this time the commissioner made a detailed report concerning the disposition of these tracts. Every sale of these lands had been made with the approval of the board of school and public lands and the attorney-general. During this biennial period the commissioner had continued the work of his predecessor in ascertaining the topography of the school and public lands of the state. He believed that the state would lose considerable of the lands in Lawrence and Pennington counties on account of provisional survey and the liberal interpretations given the United States Mining Law. He protested earnestly to the commissioner of the general land office and to the secretary of the interior and expected to secure as many of these tracts as possible. He recommended several important changes in the school and public land laws. One of the recommendations was that the law relating to the leasing of school and public lands be so amended as to require the lessee for a term of years to give security for the payment of the rental annually during the life of the lease. As the law then existed the lessee could default in the payment of the rental and the state had no recourse except to re-lease the land to other parties, which proceeding often resulted in loss to the state.

The most important duty of the commissioner was to superintend the investment of the permanent school fund and to collect the interest on the amount invested and interest on deferred payments of school lands sold. As this fund now amounted to over four million dollars and as it was necessary to protect in every way this sacred trust, the commissioner again asked for an additional clerk whose duty should be to visit the several counties and check up the permanent school fund; examine the notes, mortgages and bonds given to secure the same and ascertain whether they were in proper form; and see that proper accounts were kept by the county auditors and treasurers. There were indications that in several of the counties, grave mistakes had been made in handling the school fund, which could have been avoided if such a clerk had been specially detailed for this important duty, as the fund would continue to grow year by year, and as it constituted a permanent trust it was absolutely necessary to handle it in a safe and businesslike manner.

On June 30, 1904, the total number of acres of common school land owned by the state was 1,776,533.52; the number of acres of endowment school lands was 696,569.47; the total acreage of all the school lands was 2,600,393.50. The total acreage of common school lands under lease was 1,197,898.91 acres. The total rentals amounted to \$143,277.64.

During the biennial period ending June, 1904, perhaps the most important educational question was the consolidation of rural schools or the establishment of township high schools. The latter measure was provided for by a bill introduced by Senator Stoddard. Another bill granted other free high school privileges to eighth grade graduates of country schools. This was introduced by Representative Carroll. Representative Kehm at the same session introduced the uniform certificate bill under the operations of the Stoddard bill. The consolidation of rural schools had commenced and was slowly progressing with what seemed to be resulting advantages. It was now generally believed that this measure was one of the best and wisest ever established in the state, because it gave equal advantages, it was believed, to the children of the country districts to secure the best education provided in the towns and cities. The new measure provided that several adjoining school districts might unite and construct a suitable house for the benefit of all; grade the school and a little later transform it into a high school; transport the children regularly at the consolidated district expense to this school and thus secure by the employment of better teachers and the adoption of better methods, an education which could not be secured elsewhere owing to the great expenses of attendance. At this centralized school, it was planned that the children could attend daily and return to their homes at night. Thus the cost to each pupil would in the end not amount to as much as it had under the old district system. The state superintendent cited a centralized school at Clear Lake, Iowa, where consolidation had been effected after a difficult fight and where a four-year high school course was provided. At Volga a portion of the township was centralized with the same satisfactory results. The superintendent noted that everywhere over the more thickly settled portions of the state the people of the rural sections were showing increased zeal in providing better educational advantages at home than their children had hitherto enjoyed. Another advantage of the centralized school was that the children were not removed from the immediate care and influence of their parents and neighbors

during the most impressionable years of their lives. The old Carroll law was regarded in high terms, and hundreds had already taken advantage of its provisions; but only a comparatively small percent of the rural children, after graduation in their home schools, had taken advantage of that provision which permitted them to attend high schools in villages, because the cost and loss of time were too great to be borne. It was not correct, as the superintendent stated, that this old act was a most beneficent one and had given wonderful uplift to rural education. That seemed to be the case at the start; but in all instances of rural education the school authorities still failed to take into account the fact that the farmers generally would not send their children to schools of towns and cities because many of the studies were not wanted, and the expense and loss of time were too great a burden. Thus all the former utopian hopes and gilded theories of the school authorities under the old law were wholly impracticable and undesirable as far as the education of the rural child was concerned.

The superintendent thought that the Kehm uniform certificate law had exceeded the most sanguine expectations of the department in its effect upon the standard of the teaching force of the state. He said, "In fact it has produced a veritable revolution in its brief history. Only three examinations have been held under its provisions but these have conclusively proved the progressive and elevating influence of the law." He gave statistics to show that the examinations indicated how teachers had been inspired to higher attainments and better qualifications at each succeeding examination. The statistics showed that 92.3 per cent of the applicants wanting state certificates were successful; that 97.2 per cent of those who applied for first grade certificates were awarded either first or second grade certificates; that 68.2 per cent of the applicants for second grade certificates succeeded; and that 72.5 per cent of all applicants succeeded in securing certificates. The superintendent said: "The new law dignifies the profession of teaching, places every candidate entirely upon his merits, destroys all possibility of favoritism and gives to the worthy teacher a credential in which he may take pride and which is good or may be made good in any county of the state."

The superintendent noted the value of the work being done by the state university, agricultural college, school of mines, the four normal schools and several sectarian colleges of the state. He believed that the graduates of all these institutions should be recognized by giving them certificates upon their diplomas without further examination. In view of this fact the state superintendent had adopted the following rules: To grant five-year certificates to (1) graduates of any of the four South Dakota state normal schools who should file with the department certified copies of their diplomas; (2) graduates of the collegiate department of the state university, who had taken the course in pedagogy as given in that institution and who should file certified copies of their diplomas; (3) graduates of any of the colleges in the state, who had taken a course of study equivalent to the collegiate course to the state university and a course in pedagogy equivalent to the course required in that institution and who should file a copy of their diplomas, copy of courses of study pursued, specifically showing the amount of class work, and the standing in each branch, each of the three copies to be certified by the institution of which the applicant was a graduate; (4) graduates of a normal or teachers' course (equivalent to the advanced courses in the state normal schools) in any higher institution of learning in this



Girls' dormitory
West wing

East wing
Gymnasium and Science Hall

BUILDINGS OF THE STATE NORMAL COLLEGE AT MADISON

state maintaining such a course and who had received model school training in all respects equal to the model school training in the state normal schools; provided that in lieu of such model school work applicants might furnish satisfactory evidence of nine months' successful teaching experience in the public schools; (5) applicants who should present satisfactory evidence of twenty-four months' successful experience in teaching and should pass a satisfactory examination in each of the following branches: Algebra, geometry, physics, psychology, hygiene, drawing, civil government, didactics, general history, American literature, English, grammar, orthography and penmanship. In addition, the possession of a good moral character was deemed to be a necessary requisite for the granting of any of these certificates, and satisfactory recommendations establishing such character were to be submitted by each applicant. A fee of \$5 was required of applicants who should seek state certificates by examination. Graduates as above indicated were to receive their certificates free of charge.

The superintendent noted at this time that measures were being carried through reciprocal measures which had been proposed and were to be adopted, into effect whereby the teachers in the schools of this state could secure certificates of high degree should they remove to other states. Already a new movement to this end had been inaugurated and was being duly considered.

It should be noted in this connection, that notwithstanding the stringent law that had been passed for the advancement of rural education, the superintendent had not performed a single act looking to the education of rural children in scientific agriculture, which step at this time was being agitated in almost every state of the Union and had already been put into effect and operation in several of the states. The former school authorities who had considered this question had been displaced by other officials who were not familiar with this view. The present school authorities had not yet reached the elevation whence they could see that the education granted in the town and city high schools and in the colleges and universities was not suited and not wanted by the rural child who expected to pass his life on the farm as his father and mother had done. Thus the school authorities of South Dakota still failed to meet the wants of four-fifths if not nine-tenths of all the school children of the state. The entire thought of the state educators at this time was almost wholly along the line of higher education and was not applicable to the rural districts. Even in the few cases where the higher educational view might possibly be accepted, the rural children were forced to receive an education that would be useless on the farm and would take them permanently from the farm in order to be of any use. They were thus putting in operation a school system that was not wanted by four-fifths of the school children of the state and that would rob the farming community of many of its best and brightest students. This was a fact in spite of the splendid provisions of the bill introduced by Senator Stoddard of Turner County, which provided for the establishment of township high schools. At the same time no thought was given the requirements necessary for teachers to have to be able to instruct country children in the studies they wanted to know and needed on the farm. Graduates of classical colleges and universities who knew nothing of farming and other country occupations, were given first grade certificates and yet not one of them was competent to teach even the rudiments of scientific farming, studies that were demanded by the rural pupils. Even in the state

normal schools at this time, the instruction given the prospective teachers almost wholly evaded any reference to the teaching of scientific agriculture, or at best made only a superficial and wholly inefficient reference to such instruction. The only teachers who were qualified to teach what the rural pupils wanted were the graduates of the agricultural college.

At this time the state superintendent was doing excellent work for the high schools and the higher educational institutions, but was failing utterly and absolutely in his attempts to improve the rural schools, except when he made advances to carry into effect the township high school project. He could not see, nor could the higher educational authorities of the state see, that it was out of the question to expect the rural schools to consolidate or centralize and form township high schools, except after many experiments and after quite a long period of years. They did not seem to realize that even the high schools in towns and cities had undergone conflicting development and experimentation for many years, that at this date the existing high schools were far from being perfect, in fact had many faults; and that even the courses in the colleges and universities were far from being what time, experience and study would yet make them. Because the farming community did not at once generally adopt the consolidated or centralized system, was no proof that they did not want it, nor that they would not accept it when it became manifest that the instruction and the teachers therein were all that was necessary to make the schools conform to the requirements of rural education. Thus instead of pursuing a steady, persistent and practical method of gradually but surely establishing in all the rural districts of the state such consolidated or centralized schools, the authorities seemed to consider the problem impracticable because it was not adopted and put into operation instantaneously or at least expeditiously.

At the convention of the National Educational Association in February, 1904, a committee consisting of state superintendents G. W. Nash of South Dakota, W. W. Stetson of Maine, E. A. Jones of Ohio, W. T. Carrington of Missouri and C. P. Cary of Wisconsin, was appointed to confer with the state superintendents of the United States with the object of carrying into effect the plan of validating teachers' certificates of high degree so that the holders could teach in any state. This committee received encouragement from many of the states, but a few announced that they were unable at present to grant such concessions.

The state superintendent made at this time a thorough examination of conditions existing in the common schools throughout the state, and by direct contact with school managers of all the counties succeeded in formulating a plan that would secure as good results in the country schools as had recently been reached in the high schools. He began co-operating with the several county superintendents in order to meet in succession the school officials of each county to consider these important questions. The department recommended that stated programs be arranged for each county meeting and suggested to county superintendents that the following topics as well as others should be discussed at such county conferences: Schoolhouses and appliances; ventilation of rooms; decoration of schoolhouses; improvement of grounds; relation of teacher to board; relation of board to county superintendent; how to induce the larger pupils to remain in school; how may patrons assist in the management of schools; reports of district officers; teachers' reports and wages; how to improve the country

school; transportation and its problems; regular and special board meetings; tuition of eighth grade graduates; formation of township districts; salary of school district officers; purchase of apparatus; penalty for not attending teachers' institutes; moral instruction in schools; school libraries; duties imposed in connection with compulsory education; township high schools; application of school law to contracts; removal of schoolhouse; consolidation; division of districts; boundaries changed; the voters; subjects of a local character, etc.

On July 1, 1904, there was on hand in the state treasury only \$13,871 of the school fund. On June 30, 1902, there had been on hand idle in the treasury, \$538,511.06. It was estimated that the interest loss to the school fund that was idle in the treasury amounted in 1902 to about sixteen thousand dollars. For the fiscal year ending June 30, 1904, the teachers of South Dakota were paid \$1,303,824.37. Thirty-seven new school buildings were erected in the state during this fiscal year. There were in the state at this time, 136,996 children of school age and of these, 106,822 were enrolled. The number of female teachers was 4,079; male teachers, 946. In 1904 Prof. R. B. McClennon was president of the South Dakota Educational Association. The semi-annual apportionment of the school fund in June, 1904, was \$289,627.50. This was about \$2.19 per capita. In 1904 Doctor Chalmers was president of the agricultural college.

During the period from 1883 to 1904 the following departments were established from time to time at the state university: College of Arts and Sciences; College of Law; College of Music; Department of Engineering; Commercial Department; Art Department, and Special Courses for Teachers.

In 1904 the State Agricultural College offered a four-year course in the following branches: Agriculture, horticulture, mechanical engineering, electrical engineering, agricultural engineering and domestic science. It also offered a two-year course in pharmacy, a one-year course in commercial branches and stenography, a two-term course in steam engineering and a one-term course in butter making.

In October, 1904, the Y. M. C. A. and Y. W. C. A. of the state university, held a joint mass-meeting to consider the best interests of both organizations. Prof. G. M. Smith was chosen to preside. He announced that the juniors would forego the publication of the annual that year and give all the money to a house for both organizations. During the previous three years \$3,000 had been spent upon the annual, but now it was determined by the juniors that they would devote the money to the movement for a combined association building. Other speakers who addressed encouraging remarks to the two associations were President Droppers, Dean Young, Dean Sterling, Miss Fee and several of the students. Dean Young dwelt on the importance and strength of co-operation in this movement. Of course these organizations were independent of the state government and therefore were obliged to rely upon their own resources, as they could expect no appropriation from the state. Their work was religious and private so far as the state was concerned. This was a period of reconstruction and readjustment. It was the last of the nineteenth and the first of the twentieth century. Like the Renaissance this was a time reconstruction, when all human efforts in industry, politics, society and education took new leaps and bounds, and when religion broke from its fetters and became what it is today the consolation and hope of mankind. Science had caused the reconstruction of religious ideals, aspirations

and logic, but the reconstruction was an improvement. It was broader, higher, more humane. In a hundred years the whole system of civilization had been reconstructed and constituted anew. There had been great changes in religion, and the two organizations represented at this meeting were the result of brighter religious aspirations and hopes. It was right that they should unite and build a fine hall for their mutual instruction and consolation. Independence in religious thought had been demanded and had arrived. Truth was better than blind faith after all. He further said:

"I am one of those who believe that the truth needs no guardian. The history of the world shows that no set of men have done so much to hinder progress as those who may be styled self-appointed guardians and sponsors for truth. If there is any class of people entitled to a frank and fair statement of the truth, it is those who are devoting themselves to the work of students, as are the young men and women of this and similar institutions. The present relative indifference to religious truth is undoubtedly due to the changes and reconstruction in religious thought which have characterized the past fifty years. Unwarranted conclusions have been drawn from what may be called scientific rationalism in this reconstructive period. But the fact is that in this process of readjustment and re-statement of religious truth, not one single essential principle of religion had been abandoned, and the sum total of all this revolution is a change in emphasis and viewpoint. The fundamental principles of religion are entirely intact and no essential religious truth has been attacked. * * * The Y. M. C. A. and Y. W. C. A. have stood staunchly by the essentials of our Christian religion, while holding themselves in a receptive attitude toward every new phase of religious truth. They stand in the very front of the great agencies working for a general revival of religious interest, and are doing a mighty work in strengthening the religious convictions of this generation."

"Where can such associations do more good than at an institution of learning—an organization whose initiative springs not from the officers of control nor from the instruction of the institution, but from the student body itself—to welcome the newcomer, to guide the unwary, to spread the truth that our university is an integral part of a Christian civilization. No wish should be more sincere or stronger than that the Young Men's and the Young Women's Christian Association of the state university should flourish. May the organization grow in numbers and in vigor until its reputation extends to the remotest boundaries of the state and utterly annihilates the charge that our state university is a Godless institution."—From address of President Droppers, October, 1904.

This effort, though praiseworthy in the extreme, finally failed, but left influences behind that have resulted in great progress in the Y. M. C. A. and Y. W. C. A.

The annual meeting of the State Educational Association was held at Deadwood late in December, 1904. There was a large attendance and many new and vital questions were introduced and discussed. Prof. G. M. Smith took a prominent part in the proceedings. One of the principal addresses was made by C. H. Tugg of Parkston. He said that the dream of the school authorities of South Dakota was to unite all the common schools and the higher schools into one uniform system, that there should be a direct path leading from the primary schools through the high schools and academies to the colleges and universities.

This plan could not be made a success unless the masses took interest in higher education. He dwelt on this point, but did not show how the masses could be or would be interested. Already in the state was a fairly well articulated system: (1) Common schools, (2) high schools, (3) colleges and universities. A continuity of study or thought united all by natural interest and process. Higher education was doing well throughout the state, but too many dropped out of the primary schools at the end of the seventh and eighth grades, and took no further interest in education. The common schools were designed to furnish the education for the masses, but thus far they were really the end of education for the masses. It seemed, therefore, that the bulk of the citizens were willing to admit or concede that the education furnished by the common schools was sufficient for the mass of people. The country school, in other words, measured the educational advance of the population. Educational boards and superintendents could invent such courses and methods as they pleased, but it remained for the patrons to select what schools, studies and teachers they wanted. At this session the association favored state health inspection of the public schools, and asked the Legislature for a law to place the inspection of high schools in the State Department of Public Instruction.

Really, the parents in the country were the ones who terminated the education of their children at the seventh and eighth grades. Mr. Tugg correctly insisted that this custom could not be changed unless the ideas of the patrons were changed. All that could be done was to work for betterment gradually. One step at a time. It was really an education of the patrons as well as of the children. Unless the patrons were improved and were imbued with more advanced ideals and wishes concerning education, the masses would continue to be graduated from the seventh and eighth grades. Even yet teachers in the country districts, he maintained, were hired to keep school instead of to teach school. They were not educators but keepers of order. Besides there were only six months of school per year generally for the rural districts. The idea still in the country districts was a cheap education—one that did not cost much, because the farmers did not wish to be taxed, needed the money, needed the child's services and hence took them at the end of the seventh or eighth grade and practically made beasts of burden of them on the farm. Some schools did not go beyond the fourth year and the children were then withdrawn as if they already had gone beyond the limits of what was necessary. In many schools compulsory education as required by law was not observed. The law required an attendance of but three months each year, such attendance to continue until the child reached the fourteenth year, when the education could be ended because the compulsory law then terminated. In many schools, of course, there was a higher standard, but in too many there was little of merit in any grade beyond the fourth. Even then there were the stupid patrons who acted as a drag through ignorance and prejudice. In fact, a few schools of the state were dominated by this class of patrons. These were the conditions which the friends of a uniform system had to encounter and overcome. Should the schools be wholly independent and without uniformity? It was necessary to regard common schools as independent, because in fact they really were. That is, they were dominated by ignorance and stupidity. All this was strange but true, and here, wonderful to state, was the only education furnished for the majority of the citizens of this great common-

wealth. While the cities were boasting of their high schools, colleges and universities, nine-tenths of the children were mentally yet in Egyptian darkness, without a solitary gleam of sunshine through the clouds. Should not, therefore, special tactics be employed to change this lamentable and disastrous condition of affairs. How could the rural patrons be advanced in ideas. Before a reform of any consequence could be effected, it would be necessary he declared, to cast light upon the benighted minds of the patrons of the rural districts.

In January, 1905, Pres. Garrett Droppers was asked to tender his resignation as president of the State University to take effect at the end of the school year. Later the time of his retirement was fixed at January 1, 1906. Dr. James Chalmers of the Agricultural College was appointed president in his place. At the same time Dr. Robert L. Slagle, president of the School of Mines, succeeded Doctor Chalmers as president of the Agricultural College. At this time W. H. H. Beadle resigned from the presidency of the Madison Normal School and accepted the chair of history in that institution. Dr. J. W. Heston became his successor. Doctor Heston had formerly been president of the Agricultural College. George W. Nash, state superintendent of public instruction, succeeded Dr. C. F. Koehler as president of the Aberdeen Normal and Industrial School. Prof. M. M. Ramer, superintendent of the Mitchell city schools, was appointed superintendent of public instruction to succeed Mr. Nash. Thus there was a great change made in the heads of the different state institutions at this time. The State Board of Regents rearranged the heads of all the institutions and changed faculty members which required a month's work. These changes placed Doctor Slagle at the head of the Agricultural College, Doctor Chalmers at the head of the State University, G. W. Nash at the head of the Aberdeen Normal, J. W. Heston at the head of the Madison Normal School. It was believed that these changes would quiet the dissension which had prevailed in nearly all institutions and place them on a firmer and better foundation.

The dismissal of Doctor Droppers from the presidency of the university after five or six years of superior service occasioned then and does yet much curiosity and question. No one at the time disputed his fitness for the place and the benefits he was steadily conferring upon the institution. It came out that the real trouble was due to a variety of personal or local causes and did not arise within the institution as such. Certain social observances on his part, though not serious, were objectionable to a few other members of the faculty and to a number of the citizens. Numerous small circumstances finally culminated in 1906 in such a strong feeling against him that he was asked to resign by the Board of Regents. In about five years he had revolutionized the courses of study, the efficiency of the institution, and the standing of the university among the other state educational institutions of the West. At the time many believed that his dismissal was a calamity to the university, and it would have been had not the regents been fortunate enough to secure the services of Dr. F. B. Gault in his place. Under Doctor Droppers the whole institution was recast and modernized. In six years from 1899 to 1905, the number of college students more than doubled. This result was largely due to his efforts. Many elective courses were added, and the university had recently become such in fact as well as in name. Through his efforts largely the College of Law was added. The morale was never better than in 1905 under him. He was scholarly, broad minded and had

done the institution a vast amount of good. He was charged with being pessimistic, and thus it was declared was not a safe counselor of hopeful youth. By dividing the course of study the university had already been brought into harmony with the high schools and the high schools had been brought into closer relation with the universities. The preparatory department was still important, but already the university was depending largely upon the high schools for students in its freshman class.

At the end of 1904, the Spearfish Normal School was short \$6,000 of having enough to meet actual expenses. This \$6,000 had been cut out by the Legislature from the recommendations of the State Board of Regents. The Legislature of January, 1905, was asked to make good this amount.

Mr. Tugg believed that, in spite of all this, uniformity from the lowest to the highest schools should prevail, because if it did the rural children could at least have the opportunity to go higher and a few would no doubt do so. The remarks of Mr. Tugg were directed almost wholly to rural schools along these lines, because they were the ones which were making no progress and were perhaps in reality retrograding. The consolidation of the rural schools might help. Formation of township high schools would no doubt aid the movement. In any event, the patrons must be first stimulated into action before a reform could be effected. Township high schools, with graded courses and consolidated schools with the same, if persisted in, would in a measure, no doubt, overcome the difficulty. In the same way the teacher in the rural schools should be required to teach the studies wanted by the rural children, that is, the studies needed by people who expected to live permanently on the farms. But this meant additional study for the teachers, improved knowledge of educational requirements in the rural districts, higher salaries for teachers, higher taxation for school buildings and equipment, all of which no doubt would at first, at least, be discouraged by the rural patrons. He suggested three important steps of development in the rural schools: (1) a far greater amount of reading books, newspapers and everything else proper to make the student enjoy and adopt the habit of reading; (2) cultivation of a sentiment of pride in local, county and state affairs; better knowledge of the government; thorough knowledge of citizenship; better knowledge of the duties of life; (3) practice in composition and the use of language that would fit them for speakers, social circles and business. This paper of Mr. Tugg attracted great attention at the time and was published throughout the state in part or in whole to show the conditions of rural education.

The statement of Governor Elrod in his message to the Legislature of 1905 that there was too much Latin taught at the Agricultural College was taken up not only by the press of the state but by the farming communities. The farmers generally were of the opinion that not enough practical knowledge of farming was dispensed at the Agricultural College, and that too much time was devoted to matters that did not enter into the practical operations of the farm. There was a growing tendency which had almost reached the culminating point throughout all the western states that the agricultural colleges should be made more helpful to practical agriculture, and there was a general demand, particularly in the state, that the school officials of South Dakota should restrict the institution to the line of duty marked out by the Morrill bill and by subsequent legislation. Thus the governor and the farmer were united in opinion, and the newspapers

in a large measure sustained their point of view. The Sioux Falls Press said that the public had a right to believe that the chief executive of the state would scarcely make a statement of that kind without reasonable assurance that the college was not fulfilling its aim as an educational institution for agriculture.

In January, 1905, the Legislature considered whether the State University should be deprived of its engineering department. This step was no doubt taken in response to the statement of Governor Elrod that in his opinion there was too much engineering taught at the State University and too much Latin at the Agricultural College. It was asked what would there be left to distinguish the university from the denominational colleges of the state if the industrial and professional departments of the State University should be removed. No strong college, it was asserted, could be built up without professional studies. Modern engineering covered almost the whole field of applied science and were it taken from the university half the value of the institution would be lost. But it was insisted that the university had the law classes, and that the Agricultural College was founded in part on the basis of instruction in engineering. In the end no change was made in the courses at either institution.

In the spring of 1905, General Beadle again publicly urged that the school lands should be leased and not sold. He pointed out that the maximum price of school lands in Bon Homme County was \$52 per acre and the minimum price \$38 per acre. He considered that this fact and others of a similar nature were powerful arguments in favor of not selling the school lands. He stated that the commissioner was justified in placing a high estimate on the value of these lands. At this time much of the land was already appraised by law. It was a fact that much of the school land that had been sold fifteen years before was now worth from two to five times what it was then sold for. He said in March, "The policy of early sales even at a lower figure to help the schools and to relieve the people in part from heavy taxes for the common schools, has perhaps been justified. Much of the land sold from seven to fourteen years ago is now worth from two to threefold the price then received. When the land is sold the gain in value to the state ceases except by the help to the common schools from the interest upon the fixed sum. It was a great and heroic decision of the people of South Dakota in 1885 and later to save and hold these lands and their income. The self denial involved was far greater than would be the present decision to sell no more of these lands. Then help was more needed by a population relatively poor and struggling hard and no immediate income could be seen from rentals. Now the leasing promises an immediate income from interest on loans and the certainty that the income from rentals will steadily increase. We ought to sell no more of the public school lands, but by constitutional amendment should provide for their lease."

But the sale of the school lands continued rapidly during the spring of 1905. Often the lands sold high above the appraisement. Now the average price of selling was much nearer \$20 than \$10 per acre.

In April, 1905, there arrived at the office of the state superintendent 769 sets of teachers' papers, embracing 8,388 individual papers, all of which were duly handled by the marking or examining board. Twenty-nine persons tried for state certificates and eighteen secured them. One hundred and eight tried for first grade certificates but only forty-three secured them; the remainder

obtained second grade certificates. Of 632 persons who applied for second grade certificates, 402 were successful. All of this examination placed an immense burden upon the office of the state superintendent. In all there were given 525 certificates out of 769 that were applied for. It was noted by the superintendent that poor spelling was one of the greatest defects. Three of the words that were most often misspelled were bilious, exhilarate and ecstasy.

In May, 1905, School Land Commissioner C. J. Bach purchased with school money \$50,000 worth of the county courthouse bonds at Faulkton. He paid one-half down and the balance as needed. At the end of May of this year, there was in the treasury only \$437.42 cash of the school fund. In June the semi-annual apportionment of public school funds was the largest on record. It amounted to \$305,097.75. The school population at this time was 135,599. This fund gave \$2.25 to each pupil.

The state superintendent noted at this time that the statistics received from many of the counties were padded, with the expectations no doubt of securing larger apportionments. An investigation showed that this practice had been going on for some time. During the investigation it was asked, "Should normal students be listed?" A few contended that they should not, because they were already drawing help from the state.

In June, 1905, the State Board of Regents at Pierre sent out diplomas to graduates of the different state educational institutions. In all, 179 were sent out at this time; 47 to the State University, 40 to the Agricultural College, 22 to Madison Normal, 22 to Springfield Normal, 21 to Spearfish Normal, 20 to Aberdeen Normal, and 8 to the School of Mines.

State Commissioner Bach in June directed ten counties to make annual leases after July 1 in tracts of less than one section. The leases were ordered as follows: For 40-acre tracts, 15c per acre; 80-acre tracts, 12c per acre; 160-acre tracts, 10c per acre. On five-year leases he fixed the rate at 8c per acre. These counties were located east of the Missouri River, but in the northwestern part of that portion of the state.

In September, 1905, George W. Nash withdrew from the office of state superintendent and was succeeded by Prof. M. M. Ramer of Mitchell.

In September, the Agricultural College opened with the largest enrollment in the history of the institution. Students were present from almost every county in the state and from several neighboring states.

At this time there was a great change in educational views. The old style method dwelt upon the classics, culture and discipline. Now the efforts were aimed mainly at the professions, industries, vocations and discipline. Few at this time asked for an aimless culture, but nearly all educators now maintained that culture should be secondary to the vocational studies. In addition it was now required that the studies should concern moral character, government, good citizenship, athletics, scientific agriculture, domestic science, etc. Culture would follow these studies, it was claimed, as surely as it would the classics.

In 1905, the South Dakota Educational Association held its annual meeting at Brookings. There was a large and interesting program. Many educators from all parts of the state were present. Interesting papers and important discussions were enjoyed. At this date George W. Kephart was president of the association.

A conference of the city superintendents of schools of the whole state was held at Mitchell in November, 1905, with the object of revising the set course of study for high schools and graded schools. State Superintendent Ramer appointed committees to prepare the revisions and the conference after some debate adopted the reports. They provided that the schools of the state should be classified as follows: (1) High schools maintaining a 4-year course to be of the first class; (2) high schools maintaining a 3-year course to be of the second class; (3) high schools maintaining a 2-year course to be of the third class. A first class high school was construed to be one with eight constants and eight electives; a second class high school to have six constants and six electives; a third class high school to have four constants and four electives. The term constant was defined to require that a study be pursued for thirty-six weeks of five periods each; and the term elective was defined to be an optional study selected from the board of education and city superintendent and pursued for thirty-six weeks of five periods each; the term period being defined as requiring not less than forty-five minutes of class work. The committee recommended that under ordinary conditions no student should carry more than four studies of five periods each, or receive credit for more than twenty periods per week. The committee further recommended that a complete syllabus of English work should be prepared. This task was placed upon a committee consisting of Messrs. Schellenbarger, Cochrane, Thompson, Dunlevy, Otte, Emm, Hoff, Brown and Matheny.

A committee which had been appointed previously by Superintendent Nash and which consisted of Messrs. Lugg, Brown, Olander, Ramer, Lange and Mrs. Oliver Heron, reported at this meeting on the revision of the course of study for the rural schools. Their report was also adopted, but there was made a reservation for additional suggestions from county superintendents which could be filed by Mr. Lugg before the meeting of the state educational association in December. At the meeting of the state association the sub-committee, consisting of Messrs. Byers, Lawrence and Eddy, made their report which provided for additions to the rural school course of study. This course was divided into six grades and each grade was subdivided into nine sections, making a total of seventy-two sections below the high school.

During the years 1905 and 1906 great efforts to have religion taught in the public schools were made throughout the state by people of religious tendencies. In the end the Legislature refused to make the change. Generally the people of the state had come to the same conclusion a little earlier. Even State Superintendent Ramer advocated religious instruction in the common schools. His course was opposed by many of the most prominent educators in the state, who insisted that such a course would be unwise and that the public schools should be strictly secular.

It was circulated throughout the country in 1906 by the editor of *Who's Who in America*, that one-fifth of 1 per cent of the men in the United States were college graduates, and yet from that small group came 30 per cent of the legislators, 50 per cent of the senators, 70 per cent of the supreme judges and 75 per cent of the presidents. It was therefore concluded that in round numbers there were 300 times the chance for college graduates to reach these positions than for others. The editor of *Who's Who* further showed that of 8,000 persons

whose services and achievements had placed their names among the public notables and benefactors, over four million five hundred thousand adult uneducated men furnished 31; 35,000,000 with only a common school education furnished 808; 2,000,000 high school graduates furnished 1,345; and less than one million college bred furnished 5,768. Thus it was concluded that a college education seemed to increase a person's opportunities for larger service over the high school graduates by 1,000 per cent; and over the common school students by 24,500 per cent. It was therefore asked why a good education was not a good investment.

On June 30, 1906, there were only 7c of the permanent school fund uninvested and idle in the treasury; the balance consisting of \$3,267,489.52 was loaned in the several counties of the state. The deferred payments on school lands amounted to \$1,540,097.56. This made a grand total of \$4,807,587.08 drawing interest. Part was drawing 6 per cent and part 5 per cent. All loans since January 21, 1903, were made at 5 per cent in compliance with the law adopted at that time with an emergency clause. This act had caused a loss to date, due to the difference in percentage, of \$22,691 in one year. It was expected that within a year or two all 6 per cent loans would be converted to 5 per cent loans. The law changing the interest from 6 to 5 per cent added greatly to the clerical expense of the department. There was much enthusiasm throughout the state concerning the rapidly growing school fund, its judicious investment, and the rapid increase in the value of school lands. There was being prepared at this time by the department a complete record of every loan made of the school fund in the state. This was made possible by an additional clerk allowed by the Legislature, who had visited each county seat and checked up the permanent school fund, lists of securities, number of loans, names of borrowers, description of security, date of loan and when due, abstracts of land offered as security, in order to indicate to county officials any errors or irregularities which had crept into their methods of handling the school funds. This was deemed necessary in view of the fact that the state now has nearly five million dollars thus invested in numerous counties in all parts of the state, that each handled the fund in a different manner, and that it was necessary that the methods of all should be understood. Thus the department systematized the handling of the fund; and this was what the people and the Legislature demanded. This fund was not for charitable and benevolent purposes, and therefore was handled wholly and absolutely from a safe, sane and substantial business standpoint.

For three years ending June, 1906, not \$1,000 of the permanent school fund had been idle for thirty days. This desirable condition was the result of unity of action between the different county officials and the commissioner. The most important state problem was to safely handle this permanent school fund and keep it all invested. The old question of whether it was advisable to continue selling the school lands was still before the people. There were good arguments on both sides of the question. Generally the people were adverse to selling the land, because they believed it was rapidly increasing in value. Generally, also, it was thought that it would be best to sell a limited amount each year. It was not believed best for the state to discontinue entirely the selling. Many began to think now that the minimum price should be raised to \$20 per acre. The commissioner himself thought that while this view might startle some of the people

in the state, yet the position would stand investigation in view of the following statistics:

Periods	Acres Sold	Amount sold for	Av. per acre
1891 to 1894, inclusive.....	140,765.23	\$1,909,147.64	\$13.56
1895 to 1898, inclusive.....	17,770.00	226,779.23	12.76
1899 to 1902, inclusive.....	116,265.32	1,844,438.48	15.86
1903 to 1906, inclusive.....	26,867.13	721,286.90	26.85

The permanent fund of the state institutions was being slowly increased by the sale of the endowment lands. These tracts generally were situated in thinly settled districts, because when the lands were selected the state was unable to secure tracts in the older settled parts of the state. The following table shows the institutions which had a permanent fund in 1909 from the sale of endowment lands:

	Loans	Deferred payments
Normal School	\$ 3,543.24	.....
Springfield Normal	498.91	\$ 1,496.00
Agricultural College	17,801.07	44,561.02
Reform School	1,540.00	4,620.00
Educational and charitable institutions	400.00	1,380.00
Total.....	\$23,843.22	\$52,057.71

The apportionment of interest and income fund on June 15, 1906, was \$325,001.96, which amounted to \$2.34 for each child of school age in the state. This sum was derived from the interest on deferred payments of school lands sold, rental of school lands leased, and interest on the fund loaned out by the several counties of the state. The following table shows the amount of interest and income fund apportioned to the counties from 1890 to 1906, inclusive:

1890 to 1893, inclusive.....	\$ 321,284.16
1894 to 1897, inclusive.....	595,143.40
1898 to 1901, inclusive.....	1,073,872.90
1902 to 1906, inclusive.....	1,538,890.91

During the biennial period ending in 1906 the department had continued the work of procuring the topography of the school and endowment lands of the state and had finished the work in Fall River, Pennington, Custer, Lawrence, Meade and Lyman counties, leaving some work yet to be done in Gregory, Stanley and Butte counties. When this work should be finished the office would have a complete record of the topography of every piece of land owned by the state and devoted to the interest of schools. The commissioner said that they had been kept busy looking after trespassers on school lands, and that in several counties they had found it somewhat difficult to convince some of the people that the state lands were not individual property and had been compelled to enforce the law strictly to the letter without fear or favor to anyone in a few cases. It was apparent in 1906 that a different method of leasing lands, particularly in the southern and eastern parts of the state, would have to be adopted within a few years. In some of the states the following was the rule: "Each piece of land is valued or appraised and the lessee pays as rental a certain percentage of this valuation. The commissioner was not certain that this method would prove satis-

factory in South Dakota. In many counties east of the Missouri River, the department was getting but little above the minimum price for rental. The fees collected during the biennium amounted to \$12,378.50. This was transferred directly to the state funds. Endowment lands selected during the two years were in the following counties: Campbell, Day, Edmunds, McPherson, Pennington, Meade, Potter, Sully, Stanley and Walworth, the total acreage being 22,925.61. In regard to the Taylor lands the commissioner pursued the same course as in previous years, using his best efforts to keep the town lots and lands rented and selling whenever he could do so to advantage. The Taylor lots in Watertown, Huron, Madison and Deadwood were offered for sale in 1906 at public auction. Capt. Seth Bullock offered to take charge of the disposal of the dead and fallen timber on the school sections in the Forest Reserve, and his successor offered to do the same. From this source the proceeds during this year were \$471. The commissioner believed that the time had come for the Legislature to authorize him to sell all matured timber belonging to the Black Hills Forest Reserve.

During this biennial period several mineral cases came up to test the ownership of school lands in Lawrence, Pennington and Custer counties. The court held that it was necessary to prove only that the land was known to be mineraled before the survey. It did not seem fair to the commissioner that valuable mineral lands, the richest in the world, should be permanently lost to the school fund simply because it was mineral. Why thus discriminate against the schools? He believed that the chief reason why this land was claimed as mineral was because of the timber growing thereon. The enabling act said: "All mineral lands shall be exempt from the grants made by this act."

At this time, also, alleged homesteaders laid claim for a considerable portion of school and state lands in the western districts. The commissioner took the position that, when a squatter failed to file his homestead entry within ninety days after the filing of the plat in the United States land office where the land was situated, he lost his right. This was the law when the state was admitted to the Union, the law on the subject being as follows: "And such lands shall not be subject to homestead entry whether surveyed or unsurveyed, and shall be reserved for school purposes only." It was shown that the act of 1891 amended the enabling act as follows: "Where settlements with the view to pre-emption or homestead have been or shall hereafter be made before the survey of the lands in the field, which are found to have been made on sections 16 and 36, those sections shall be subject to the claims of such settlers." Also an amendment of April 15, 1902, held: "When claimant has failed by reason of ignorance of the proclamation of the President, or of the filing of the township plat of survey, or from unavoidable accident or conditions, or from misunderstanding of the law, to place his claim of record, said claimant may be permitted, within a period of two years from and after the passage of this act, to file his claim and receive patent." The commissioner took the ground that while Congress had the right to pass a law for the relief of any settlers on Government land, it did not have the right or power to pass a law affecting the school lands in this manner without the consent of the people of South Dakota. The secretary of the interior held that the above quotations applied to the school lands of South Dakota within the Forest Reserve. The commissioner believed the matter should be carried to the

highest court, in order that the rights of the state might be determined without doubt. It was true that indemnity lands for the school tracts lost in the Forest Reserve could be secured acre for acre, but the same value could not be secured. The bulk of the lands lost was worth from \$20 to \$50 per acre, while the state was obliged to take often as indemnity the land that sold for 50 cents per acre. The commissioner demanded a change from this injustice. The constitutional board of appraisal consisted of the state auditor, commissioner of school and public lands and superintendent of the schools of the county where the land was situated. Inasmuch as the land varied greatly in value, increasing or decreasing with the construction of railroads, etc., the appraisement of school lands was necessary almost annually. This necessitated visiting every piece of land at least once a year. All such matters had to be duly considered in order to reach the best results with the school lands of the state.

By 1906 the development of the common schools of South Dakota was so phenomenal that their fame had passed far beyond the limits of the state. Even in the East the care of the school fund and the character of the educational system here were noted and commended. By this time even the rural schools had begun to employ the more advanced methods of instruction and had begun to assume more pretentious and commanding appearances and results. The graded country school in many places had taken the place of the pioneer school which had been kept by almost any person. Teachers were required to report and make a complete exhibit of their work. However, notwithstanding the progressive work already done, the whole system was still in more or less of a fundamental or transitional state, with the main object still unaccomplished. No one at this time had a higher appreciation that the system needed revision than the state superintendent. There was yet little cohesion or uniformity between the lower and high schools of the state. The work of grading the rural schools so as to terminate in high schools and of grading the high schools so as to terminate in the university was yet a thing to be accomplished. All educators of the state looked forward with anxiety to the time when this important change should become an accomplished fact. Already nearly two million dollars was spent on the public schools annually, which fact demanded that no longer should incompetence rule either as to teachers or methods. The superintendent urged all persons interested in education to contribute to the perfection of the system that would give equal educational rights to country and city schools. At this time the law required the state superintendent to visit as many counties as possible for the purpose of conferring with county superintendents and other educators, and further required him to attend as many county institutes as possible, in order to get in communication with the practical work of all the teachers. He reported that in 1896 "large and enthusiastic institutes have been held in all the counties, which indicates that superintendents and teachers are thoroughly alive and imbued with the spirit of this progressive age."

The Northern South Dakota Educational Association covered the counties of Brown, Campbell, Clark, Day, Faulk, Grant, Marshall, McPherson, Potter, Spink and Walworth. In 1906 it held its session at Ipswich in April. There were present superintendents, principals, teachers and parents from every county. State Superintendent Ramer was present and delivered an address that occasioned much comment by the newspapers. He insisted that fathers should remain

at home evenings, attend church regularly and thus set a better example to their children. At this time he was a strong advocate of putting an ethical course in the common schools. Never before had advanced educational methods taken such a hold on the state as at this time. In every school there was a notable awakening to the importance of education. Never before had advanced methods, particularly industrial education and manual training, taken so strong a hold upon the people. However, the farming community still remained more or less unconcerned, uninterested, untouched and inactive. They refused to be awakened to the alleged value of a high school or college education for a farmer. They could not see the necessity for such learning on the farm. Yet there remained only three essentials to satisfy them with the education now proposed in the consolidated schools.

The Legislature of 1907 passed a new school law based upon the recommendations of the revision committee of the State Educational Association. Before this date the school laws were scattered through the South Dakota Code. They were now collected and published together.

In 1907 education in South Dakota made great progress. Times were much better, crops had been good for many years, and business of all kinds was flourishing. Farmers, although not satisfied, already began to send their children away to high schools and colleges. In fact, farmers' children now were registered at all the higher institutions of learning throughout the state. At this time, 1907, nearly all disputes and quibbles at the state educational institutions had been permanently ended, with the result that they all assumed new life and grew rapidly. However, an investigation showed that 265 students of South Dakota, during the winter of 1907, were attending colleges and universities outside the state. As each one spent an average of about four hundred dollars per year the total thus taken away from South Dakota amounted to \$106,000. This was one of the results of the bickerings that had so long ruled in the state educational institutions. Why not improve the facilities and keep the young men, women and money at the home here, it was asked.

In the spring of 1907 Dr. F. H. Gault, president of the State University, reported the institution in prosperous condition. Several new departments had been introduced, the general expenses were steadily increasing and larger appropriations were urgently needed. The medical course had become an important feature. The law department was making steady progress. The new departments demanded additional room. By March, 1907, the law college had enrolled over four hundred students. In the medical college was a course in anatomy, which included dissection. There were also courses in physiology, histology, embryology, pathology, bacteriology, materia medica and chemistry. All of these studies were either already introduced or about to be put on. The institution must have a regularly established medical college or the graduates therefrom could not expect to enter other medical schools. The plan was to educate here well enough so that the student could enter the junior year of a standard medical college.

During the past fourteen years previous to 1907 only \$14,551 had been appropriated for books for the college library. At this date the library had very few reference books, and the president now asked for \$15,000 at once for an increase. He insisted that it was the duty of the Legislature, in justice to the faculty and

institution, to make this appropriation. As a matter of fact the faculty at this time was almost in open revolt, because the institution had no library of consequence. President Gault, in a dignified and becoming manner, expressed the opinion frankly to the Legislature that the meager salaries of the professors should be increased, and declared that they were not receiving as much as similar professors were paid in all similar institutions elsewhere. The institution also needed a \$10,000 addition to East Hall. It was declared by the press at this time that politics or parsimony was at the bottom of the refusal of the Legislature to make decent and adequate appropriations for the state educational institutions.

For five years previous to 1907 the school books of the state were uniform and had been secured from a book trust under a five-year contract, the object being not only to effect uniformity, but to obviate the necessity on the part of patrons of having to purchase new books too often. "It is time for reform and the placing of educational interest upon a plain business basis, whatever may be the merits of publicly supported schools for advancing learning. * * * The system is built up and complicated with an army of superintendents, supervisors, directors, wheels within wheels, cliques, cabals, soft snaps, school-book grafters and spongers, for all of which the public puts up a price and dares not protest, because it is done for the sacred cause of popular education, although the fundamental proposition of the training of the child for useful citizenship is quite lost sight of in the incumbersome process."—Pierre Dakotan, June, 1907. This paper further demanded that educational provision should halt at the point when a good elementary education ended. The paper did not seem to think that for the masses provision beyond the eighth grade should be made. It held that while there could be no serious objection to higher education, yet when the schools generally were supported by special taxation it was not fair to the farmer to spend most of the money on high schools, colleges, academies and universities. Such a course was a reversion, it declared. Vocational training was the popular effort at this time, not Latin, or Greek, or even algebra, for farmers' boys and girls. No studies should be introduced in the country schools that had a tendency to take the children away from the farms permanently.

"The deplorable part of the administration of higher educational processes is the methods that bring it down to the level of intrigue, manipulation, the operation of the jealousies of small minds and their petty revenges and rewards. The entire higher educational scheme is wrong, and so long as it remains wrong it will feed the sentiment that is beginning to demand the elimination of advanced education from the calculations of the state."—Sioux Falls Press, June 11, 1907.

At the National Educational Association, July, 1907, Prof. G. W. Nash, president of the Aberdeen Normal and Industrial School, read a paper that attracted much attention. It was entitled, "Teacher's Compensation Other Than Financial." During the annual meeting of the national association the commissioner of Indian affairs told the members that he was in favor of turning over to the states all of the Indian schools within their borders now conducted by the general Government. He favored the mixing of the red and white pupils in the schools so that the reds could better learn the habits and customs of the whites. At this date there were four Indian schools in South Dakota.

It was noted in September, 1907, that 50 per cent of the applicants for teacher's certificates failed, although they were high school graduates. It was therefore admitted that a high school education was not sufficient to qualify for teaching. At the same time it was concluded that something was wrong with the present school system because the high school students made so poor a showing. It was maintained that a history of current events should be conducted in every school; that an hour every morning should be devoted to discussing newspaper articles and the occurrences that were then happening.

In January, 1908, O. C. Dokken, commissioner of school and public lands, predicted that in the end South Dakota would have a school fund of \$100,000,000, the largest in the United States. This would furnish an annual income of \$5,000,000, an abundance for a state population of 1,000,000. He contended that this had been made possible by the unusual foresight and insistence of Gen. W. H. H. Beadle, the "Father of the School System of South Dakota." He said that in the constitutional convention of 1889 General Beadle had fought persistently and successfully for the \$10 minimum price at which school lands should be sold and had won the fight. At that time much of the land would not bring half that sum, but enough was sold with his permission to give every pioneer child a fair education.

At the annual meeting of the county superintendents held in Rapid City late in 1908 it was decided to appoint a committee to appear before the next Legislature to ask for a change in the school law, so that there could be presented or incorporated in every rural school in the state a course in progressive agriculture. The plan was two-fold. First, a textbook on agriculture must be adopted. Second, teachers should be required to pass an examination for at least a rudimentary knowledge of progressive agriculture, etc. The committee was instructed to ask further that there should be a series of tests or experimental work conducted in connection with every country school. They particularly asked that every county should have an experimental station, or, where the settlement was meager, several counties could unite or group and secure the same privileges. All of this was to be supervised by the superintendent of public instruction and his staff (a mistake) in order to secure efficiency and uniformity. The committee appointed to formulate this plan was appointed at a meeting held in Canton, July 3, 1907. They were Charles J. Anderson, Myrtle B. Farmer, Gerald E. Muller, P. F. Nolan and W. M. Mair. "We would further recommend that steps be taken to establish an agricultural school in each county of the state and would suggest that the county poor farm which is found in many counties be used as an experiment farm for that purpose." This was one of the most important suggestions concerning rural education ever made in the state. Bath Township, Brown County, constructed a township high school where six country school districts were combined.

In November, 1908, it was planned to open a new school of agriculture at the Agricultural College. The institution thus far had been too much of an agricultural college in name only. It was really a literary institution, because agricultural studies had not received the attention intended by the Morrill Act, and this was a movement to place the studies in agriculture where they at last would be taught in earnest. The plan was to train both boys and girls for the farm in every particular, the boys for work in the soil and girls for work in the house-

hold. Dr. A. A. Brigham, of Maryland, was made dean of the new school, and Miss Jessie Hoover, of Topeka, Kansas, was made preceptress of the department. At this time Dr. Robert L. Slagle was president of the Agricultural College. Thus in 1908 the Agricultural College of South Dakota began offering at last to young men and women practical education in farming through short courses and other methods. Already the studies were popular and the classes were crowded with students. The instruction in special crop raising and in stock judging was excellent and appreciated. The institution took up the problem of hog cholera in January, 1909. Senator Curtis introduced in the United States Senate a resolution calling upon agricultural colleges to undertake the work being performed by the Bureau of Animal Industry in the immunization of hogs from cholera. At this time Doctor Slagle said the Agricultural College had two hogs that had been rendered immune from cholera attacks.

In 1908 State Superintendent Hans A. Ustrud began a concerted movement to build up and improve the rural schools along more practical lines. He favored the well-known consolidation of the districts where several pupils were employed and where high school facilities could be obtained. He favored the transportation of all children to the schools at public expense. His principal object was to educate the country children at their homes, give them the studies needed in their occupations and keep them on the farms. He prepared an elaborate lecture on this subject and accompanied it with illustrations. During the spring and summer of 1908 he delivered this illustrated lecture to about twenty-five thousand teachers, superintendents, directors and patrons in all parts of the state. His stereopticon views illustrated all phases of school management. Particularly he showed better schoolhouses, schoolrooms, chairs and other equipment. He also showed how the schoolyards could be made attractive, how the playgrounds should be arranged for convenience and use generally, and how many attractions as well as improvements could be added to the rural schools. At this time there were about four thousand rural schools in the state, and less than five hundred in all the towns and cities. The school census of the state in 1905 showed 138,695 children of school age, and in 1908 showed 152,846 children of school age.

It was still a fact in January, 1909, that young men and women of South Dakota were leaving the state to secure their collegiate education. The old feeling that had existed since territorial days to the effect that higher institutions of learning in South Dakota were not sufficiently efficient to give a broad education still clung mildly to the university and agricultural college. The normal schools were well spoken of at this time, but it was thought that the university at Vermillion and the agricultural college at Brookings should be the centers of educational activity in the state, because the two institutions at this time, all things considered, were probably as efficient as similar institutions of other neighboring states. The university was well situated at the City of Vermillion; the campus comprised 100 acres and was surrounded by large trees and cement sidewalks. Five large buildings occupied different points on the campus and all were lighted with electricity and heated with steam. University Hall was three stories high and was used for offices, library and auditorium. East Hall furnished the home for seventy-five young ladies who at this time were attending the university. Science Hall was built of pressed brick and was a fine structure and a credit to

the state. The armory contained a large drill hall, gymnasium, indoor running track, besides bathrooms, restrooms, offices, etc. The new law structure was one of the finest public buildings in the state. It was new and was dedicated February 2, 1909. In January, 1909, the enrollment at the university was 425. At this time the university embraced: (1) The College of Arts and Sciences, including departments of education and art and the School of Commerce; (2) College of Law; (3) College of Music; (4) College of Medicine; (5) College of Engineering. Instruction in athletics was well advanced in the institution.

State Superintendent Ustrud in 1909 made great efforts to attract the young men and women of the state to the Agricultural College. He showed in his lectures how great had been recent improvement in the conditions of farm life.

In 1909 the school population of South Dakota was 160,526. In May there were in South Dakota a total of thirty-seven consolidated schools. During this year, boys' corn-growing contests were one of the popular features in the state. Professor Holden, the great corn authority of the Iowa Agricultural College, came to Brookings and showed there what had been done to improve corn conditions in Iowa. Governor Vessey addressed the audience on this occasion, and many educators and agriculturists were present to hear the corn king explain his methods.

It came to be recognized by 1909 more than ever before that women should be broadly and thoroughly educated, because within their care was placed the proper training of children. It was declared that she should have sufficient time to devote to this important duty. It was believed that the right of suffrage would assist women by making them more assertive and independent, more progressive in thought and method. No one disputed now that every opportunity that would the better fit her for the training of children should be given woman. Men teachers had decreased from 41 per cent in 1870 to 22 per cent in 1907 in the public schools of the state. It was asked, "Can a woman be a good teacher if she is a slave and is crushed down?" Domestic science in the home was argued as an important step in the advancement of woman as an instructor of children. It was believed to be just as important in the home as progressive agriculture was on the farm. Prof. A. E. Chamberlain, superintendent of farmers' institutes, took the position that there should be branches of farmers' institutes devoted wholly to the instruction of women. Thus far in the history of the state such steps had been discouraged, owing more to the unsettled condition than to any other. Accordingly the institutes thus far had been conducted almost wholly for the benefit of the men, with the idea of aiding them in farming methods and knowledge. Now, however, a great difference had suddenly arisen. Women of the rural districts needed superior education as one of the necessary steps to the intellectual advancement of rural children. However, when this subject was first broached the women of the rural districts were as hesitating about accepting instruction in domestic science from colleges as their husbands had been and were to accept agricultural instruction from such institutions. The Department of Agriculture at this time suggested that counties should organize specially for the teaching of domestic science to farmers' wives and families. The great importance of pure food, sanitation, home creameries, etc., were duly presented to the people. Children should be instructed in all of this work. They could not be unless the parents knew enough to instruct, and no parent at

this time was sufficiently advanced along modern and scientific lines to give the necessary instruction. In all parts of the country vocational training was the growth of a few recent years. Thus rural education within a short time had departed forever from the classical style and had become or was becoming largely vocational and practical.

In December, 1908, the South Dakota Educational Association appointed a committee to investigate the subject of teaching sociology in the public schools. The members of this committee were as follows: President Gault, of the State University; Pres. H. K. Warren, of Yankton College; President Nash, of the Aberdeen Normal; Professor Cook, of the Spearfish Normal; Professor French, of Huron College; Superintendent Byers, of Vermillion; Superintendent Ransom, of Mitchell; Mr. Seymour, of Lake Preston; Mr. Parsons, of Watertown; Mr. Lugg, of Parkston, and Mr. Brown, of Mitchell. This whole movement was cordially supported by R. O. Richards, who declared that the objects of the public should be the moral, technical and practical training of children. In 1909 the State Teachers' Association, instead of holding their session in December, as formerly, changed the time to November, and in that month assembled in the City of Lead. There was a large attendance and many interesting exercises were conducted.

There went the rounds of the press in South Dakota in 1909 comments which severely criticised the public school system. This seemed to be the culmination of many years of rural opinion. In a measure, it was brought out by an account of the meeting of the National Educational Association in Denver a short time before. The numerous papers read on that occasion revealed the unmistakable note of discontent with the existing educational system. Educators on that occasion noted that teachers no less than parents recognized the fact that the American school system, while sound in principle, was neither sound nor desirable in practice. One of the educators at the Denver convention expressed the prevailing sentiment in a neat epigram when he said that "a preparatory course to the presidency was not the object of the public school system." Some of the boys were going to be laborers, mechanics, artisans, farmers, and what not. Not all of them could become President. It seemed reasonable, therefore, that these boys should be given in school the things that would be useful to them in after-life, instead of trying to make possible Presidents of all of them. The practical nature of the age and utilitarian tendencies of modern civilization demanded something more than mere elevation of culture. The grade schools were developed to prepare youth for the high schools. The high schools, in turn, were closely articulated with colleges and the universities, and the latter two aimed mainly at culture, with scarcely a thought or glance at practical and useful occupation. It was agreed that it was well to have such higher institutions, but that the fact should not be ignored that the great mass of school children finished their education without either high school, academy or university courses; therefore far more attention should be given to the studies, management and practical character of the schools where the great majority of children assembled for instruction. This procedure did not place an impediment in the progress of the higher institutions of learning. It merely as an additional movement for education assisted the farmers' children to secure an education suited for their walk in life.

At the close of 1907 there were in South Dakota 5,358 teachers, of whom 1,010 were in the cities and the others in the country districts. At the State Teachers' Association in November, 1909, a prize was offered to the county that should have present the most teachers, superintendents, principals, common teachers and graded teachers. At this session there were considered the five following important subjects: (1) High school courses of study; (2) units of elementary instruction; (3) demarkations of the spheres of work of the higher educational institutions; (4) denominational or private schools of secondary and collegiate rank; (5) public libraries instead of city authorities to have control of school boards. At this session a committee to raise funds for a statue of W. H. H. Beadle, the father of the public school system, was appointed. The following year General Beadle posed for his statue before the sculptor at Sioux Falls. The sculptor was H. D. Webster, who performed the work under the authority of the State Educational Association. In January, 1910, there were 391 teachers in the high schools of the state; forty-three schools employed city superintendents at an average salary of \$1,380 per year. January 21, 1910, was called "Beadle Day" in all the educational institutions in the state. That day was devoted to raising funds for his statue and to making known what he had done for the public schools.

In August, 1910, the educators of the state assembled at Huron to formulate a report on changes in the school system to be submitted to the State Teachers' Association, which was scheduled to meet at Huron in November following. It was planned to revise the entire educational system. State Superintendent Ustrud said, "We have felt for some time that the school system is not what it should be. There is a waste of money, energy and a failure to get value received for the expenditures. By reorganization of the system upon business principles, we hope to obtain better results and to avoid the leakage in effort and money."

At the meeting of the Teachers' Association in November, there were present over one thousand persons. To all teachers present there were submitted for preliminary consideration booklets which specified the proposed changes. A. H. Bigelow was president of the committee of school officers who prepared these pamphlets. On this occasion it was announced that a total of \$4,600 had been raised for the statue of General Beadle; this exceeded the cost of the statue by about two thousand dollars. Pierre was chosen as the next place of meeting of the association, and C. W. Swanson was elected the new president. Present at this session was Prof. P. P. Caxton, of the University of Tennessee, who delivered an able address. Other prominent speakers were State Superintendent H. A. Ustrud and Dr. R. L. Slagle, of the agricultural college. Prof. George M. Smith served as chairman of the committee on resolutions.

At this meeting of the association the following resolutions were passed: (1) Appreciating the efforts of the legislative committee in formulating a new educational code; (2) noting that the great demand of the hour was the improvement of the rural schools, with consolidation as one of the most promising movements; (3) making important changes in high school courses, the plan being to keep them near the people and to make them the poor man's college; (4) eliminating all schools and educational institutions from politics; (5) carrying into effect an up-to-date system of ethical and moral training; (6) favoring the suppression of the liquor traffic and the passage of an option law; (7) favoring suffrage

to woman; (8) providing that appropriations of public funds for educational institutions should be restricted to those controlled by the state; (9) urging the Government to assist the national bureau of education; (10) "We believe that the ideas of education are changing; that the ideas of past centuries are not adapted to the demands of the present day. We therefore believe that the introduction of industrial and vocational training into secondary and higher schools is a necessity; that both state and nation should make the appropriations needed to introduce into these schools such instruction as will tend to bring agricultural methods to the highest efficiency;" (11) carrying into effect the plan that the education of girls should be differentiated from that of boys; that they should be taught domestic economy, child psychology and the duties of wife and mother; (12) declaring that no more dreadnaughts should be built, but that the money should be spent on education.

By 1910 the leasing of school land had greatly increased. Better prices were secured for individual leases than from other sources. One year leases were the rule. Five-year leases were slowly becoming popular for agricultural and grazing purposes. The sales of endowment lands did not reach the average price paid for other school lands. However, large tracts of endowment land in McPherson, Marshall and Edmunds counties brought an average of \$20 per acre. Marshall County averaged \$23 per acre, McPherson, \$16 per acre; and Edmunds over twenty-five dollars per acre. In November, 1910, there were over six thousand teachers and about one hundred and seventy thousand children of school age in the state. All cost nearly four million dollars annually.

In the spring of 1911 the commission for completing the course of study for the elementary schools of the state, finished its work. The principal changes were in grammar and arithmetic. Cube root and foreign exchange were cut out entirely from the grade work and put in the high school work. Other old features were eliminated in like manner. United States history as a separate study was cut out of the lower grade, though certain features were retained. A course of home economics was adopted for the sixth and seventh grades. This was an important change, because it simplified the work of the small scholars.

At the legislative session of 1911, Aberdeen made every effort in its power to secure for that city a normal school that could confer degrees and would become one of the prominent state educational institutions. Those who opposed it declared that the institution would be nothing more than a high school for Aberdeen. For this reason the city openly maintained that it desired a state institution, one that would correspond in every way with the Madison Normal and the Springfield Normal. It was declared at this time, and, in fact, was openly stated by the members of the Legislature, that the object of Aberdeen was to secure an educational institution that could be transformed at a later date into a second state university, or a second agricultural college, and that for this reason the industrial feature was added to the normal department in the bill.

A recent law provided that ethics should be taught in the common schools, and by July, 1911, a text-book covering the subject had already been adopted. The committee appointed by the State Board of Education had recommended that ethics be taught in the common schools, and this recommendation was accordingly acted upon by the Legislature which passed a law to that effect. However, the course was not generally taught, because in the rural districts the need

of it was not felt. The plan of the course was to teach with emphasis, honesty, sobriety, patriotism, good citizenship, truthfulness, etc. "Moral instruction intended to impress on the minds of pupils the importance of truthfulness, temperance, public spirit, patriotism, respect for honest labor, obedience to parents, and due deference to old age, shall be given by every teacher in the public service of the state."—Section 2358, Laws of South Dakota, 1911. Notwithstanding this law these subjects were not specially taught. It was another attempt of the educational authorities to engraft upon the common schools a course of study that was not appreciated nor wanted, because in the rural district it was not needed—was almost wholly out of place.

In the spring of 1911, Dean Perisho delivered a popular lecture on "Centralized Township Schools," at several places in the eastern part of the state. He described how the people of a township could centralize their schools, place their little pupils in primary grades with the teacher devoting all her time to them, with an intermediate grade having the same advantages; and how the seventh and eighth grades could thus secure all of one teacher's time and effort. He explained how a one or a two-year high school course could be put on as soon as the school was ready. Thus pupils of the rural districts would have the advantage of secondary education without going away from home. Wherever he spoke there was much enthusiasm concerning the establishment of higher classes in the local schools. He brought out fully the transportation problem, and showed how completely it could be handled at light cost and with much added comfort and help to the pupils. Wherever he went the sentiment seemed strong for the establishment of such centralized township schools. In 1911 there was a great shortage throughout the entire United States of competent teachers in scientific agriculture. The State College at Brookings received a letter from the United States Department of Agriculture asking for the names of recent graduates who might be available to teach agriculture in high schools and offering a salary of \$1,000 to \$1,500 per year for beginners. At this time the members of the last year's class of different agricultural colleges were offered fancy salaries in the schools of Iowa and Minnesota. There was a great demand for instruction in progressive agriculture. Generally there was a demand that the science of agriculture should be given a separate and exhaustive course in the colleges and universities.

In 1911 Hon. A. E. Hitchcock, of Mitchell, a member of the State Board of Regents, took the position that all normal schools should be kept within their scope and not be permitted to do college work. He found upon examination that the Spearfish and Springfield normals were doing at state expense, the work of high schools for those two cities, and that a large number of the students at the Aberdeen and Madison normals were really high school students likewise taking courses at the state's expense. He stated that the total number of graduates trained to teach school, from the four normals in 1910, was 168, and that the total expense of operating the four schools for the year was \$171,000, or an average of more than one thousand dollars for each graduate. As but 146 of the 168 took only one year of real normal work, it followed that it cost the state \$1,000 to give each of the normal graduates a year's training. He pointed out that the same results could be secured at a cost of \$200 each, if the state should

send the normal students one year to a private college to secure similar instruction, and that thereby \$175,000 each year could be saved to the state.

In May, 1911, the third revision of the course of study in elementary schools was completed by an authorized commission of county superintendents. This revision is now (1915), in use in all rural and village schools as well as in nearly all of the city schools. It greatly helped in reaching the level of higher ideals, but fell far short of actual rural necessities and requirements. Other revisions were planned to follow rapidly until all objectionable and ineffectual methods and studies should be cut out and every available new method should be introduced and put in practice. It did not follow that because the teaching of scientific agriculture should preponderate in the rural schools, the city schools, therefore, or the schools of higher education anywhere should be slighted or neglected. Just the reverse. Since agriculture is the basis of all prosperity in the United States, the study of agriculture should be at least one of the vital bases of education at every school in the land. This does not mean that special courses for the professions or trades may not be introduced, pursued and perfected. In fact such courses should be provided, because the business of the country is greatly diversified and requires specialization and therefore educational courses should be broad enough to provide adequate boundaries for the instruction of every person.

In 1911, rural schools in the state to the number of 245 had less than six months' session in each school year. Six months was the lowest limit allowed by law, the average term of all rural schools being 7.2 months. In towns the average was about nine months. However, as higher taxes were levied in the towns, they were therefore entitled to longer terms than the rural schools, but were not entitled to special appropriations from the state. On the other hand, there were many rural school districts where the tax was as high as in any town and where the schools had as long terms as those in the city.

At the Canton conference several years before it was suggested how probably the high schools could be vastly improved along modern lines. Two years later the school movement inaugurated at Mitchell still further perfected the work of the Canton conference. One object was the establishment of a proper and practical centralization of all the schools in each county. It is true that consolidated schools are not yet practical in all parts of the state. In many counties the population is so scarce that they are out of the question. In the more thickly settled portions consolidated schools are not only practical, but have become a necessity, if the scholastic welfare and advancement of the rural children are the first consideration. There were in the state in 1911-12, 700 schools, each with ten pupils or less enrolled, or with less than six average attendance. This made the per capita cost very high comparatively. Nearly all of these schools can be consolidated and should be. During 1911-12 the state superintendent held four public conferences with the county superintendents of the state on the important question of improving the country schools.

The city and town schools, as a whole, have advanced to a high standard of perfection. The reverse is true of the rural schools. In part this is due to the unconcern of the farmers themselves, or due to their lack of education and social culture. Rural people who are not thrown into community movements as often as those in the cities are, do not realize or feel the need of modern education and

neighborly sociability as do the citizens of the cities. Accordingly they have not felt the necessity of securing higher education and social polish, but this result is not because they would not enjoy and welcome all the advantages of refined society and polite culture in vogue in the cities. They have found this course highly impracticable owing to the high cost and the loss of time required for the children to go to the cities to secure these improvements. It follows as a conclusion that such social and mental improvement, so far as practicable, should be taken to them on the farm. This can not be accomplished except through township or community social organizations and high schools. They must be brought together in mannerly and cultured groups near where they live or the desired objects can not be attained.

In the city schools manual training, domestic science, and similar courses are now well advanced both in the secondary and elementary grades. But the teaching of scientific agriculture is a farce. High school standards for town and city pupils have been raised gradually during the last few years. Formal inspection of every department is an important feature, particularly health supervision. It has been found that 75 per cent of school children are defective in some bodily function—heart, eye, ear, lung, spine, breath, nutrition, teeth, tonsils, glands, adenoids, etc. In later years sanitation is considered equally as important as mental progress. Even in the rural schools this is observed. All agree that health comes first and is the chief asset of the growing child. By 1902 only eleven cities in the country had adopted medical inspection in the public schools. By 1912 over four hundred and forty-two had adopted this improvement. Of these only two were in South Dakota, namely, at Sioux Falls and Aberdeen. No one now questions the right and duty of the state to supervise the health of the children in the public schools.

Although the Legislature of 1907 authorized the state superintendent to inspect and accredit high schools, that body failed to appoint an inspector, and hence the law became a dead letter. In 1912 there were 193 schools in the state offering work beyond the eighth grade, 102 of them offered four years' work, forty-eight two years' work and ten one year's work.

In April, 1911, a conference of city school executives was held at Pierre to revise the approved course of study and adopt the standards which were to govern accredited high schools. The following high schools were placed on the accredited list of the North Central Association of Colleges and Secondary Schools; several years earlier: Deadwood, Lead, Mitchell, Sioux Falls, Watertown, and Yankton. A little later the following were added: Aberdeen, Brookings, Canton, Huron, Madison, Pierre, Rapid City, Redfield, Vermillion, and Webster. Still later forty-nine others were placed in line for the same honor. Of these schools, thirty-one offered other work than regular preparatory college courses; fourteen offered domestic science, sixteen manual training, eleven commercial training, ten normal instruction and nine agriculture. The reason there was not more of such courses was because there were no competent teachers available to give instruction in the extra branches. It has come to be admitted that suitable teachers are of the greatest importance and should merit the prompt consideration of the authorities. Whatever cost is necessary should not offer the slightest excuse or apology. Particularly are teachers competent to instruct in scientific agriculture needed.

The State Teachers' Association met at Pierre in 1911. The resolutions adopted asked for increased national aid for agriculture and the mechanic arts and endorsed the consolidation of rural schools and state aid for the more partially settled school districts. The loving cup which went to the county with the best reputation based on percentage of attendance and schools was given to Hyde County, which had held it for several former years. The County Superintendents' Department elected the following officers: President, Prof. C. G. Lawrence; vice president, Joseph Swenson; secretary, Della Wimple, member of the reading circle, Florence Glenn. The Common and Graded School Department selected for president, J. A. Johnson; vice president, B. F. Steece; secretary, Lilly Patterson. The State Librarians who met at the same time chose for president Miss Edle Laurson; vice president, Miss Nettie Current; secretary-treasurer, Maude R. Carter. The County Superintendents' Division had the state superintendent as ex-officio president. They elected Miss Della Wimple for vice president, and Mrs. Florence Glenn, secretary-treasurer. J. W. McClinton, superintendent of the Mitchell schools, was made president of the College and High School Department, and J. E. Johnson of Centerville, the head of the Department of Common Schools.

An interesting event in November, 1911, was the unveiling of the statue which was erected in the capitol building at Pierre in honor of Gen. W. H. H. Beadle, the "Father of South Dakota Public School System." The principal address was delivered by Prof. George M. Smith, of the state university, one of unusual literary and historic merit. The honor of the formal act of unveiling was conferred upon Mrs. Mae Beadle Frick, of Eugene, Ore., a daughter of General Beadle, and Miss Katherine French, of Vermillion, who drew aside the flags which covered the ornate work of H. Daniel Webster as a perpetual memorial to General Beadle. The statue was built at the expense of the school children of the state. After the ceremony General Beadle formally received his hundreds of friends who sincerely and proudly congratulated him on the occasion.

In the summer of 1912 the Government traded with South Dakota a tract of land in Custer County about eight by twelve miles, containing 60,000 acres for a corresponding number of school sections, Numbers 16 and 36 in each township in the Black Hills Forest Reserve.

During the year 1912 and previous years, it was found necessary to conduct special normal institutes throughout the state in order to increase the number of teachers who were qualified to impart instruction along normal school lines. During 1912 and earlier, kindergarten instruction was imparted in nearly all the cities of the state.

In 1912 the agricultural college, under the head of "College Extension Work," conducted an elaborate course of agricultural instruction by mail. These courses were sent out and were pursued by students in almost every state of the Union. Among the subjects covered in the course were the following: Elementary agriculture, animal industry, poultry culture, elements of botany, horticulture, fruit culture, vegetable gardening, biology, home economics and home sanitation.

In November, 1912, the freshman class at the Agricultural College contained ninety-eight high school graduates. At this time the record was investigated and the following facts were learned: That in 1907 there were in the freshman class at the Agricultural College 40 per cent of high school graduates; in 1908,

57 per cent; 1909, 58 per cent; 1910, 72 per cent; 1911, 72 per cent; 1912, 98 per cent. In this year the enrollment was about eight hundred, which was a 30 per cent increase over that of the previous year.

A state system of inspecting schools in order to maintain the health of the pupils was well in operation in 1912. The object was to prevent disease rather than cure, and to maintain a certain and fixed standard of health in all the public schools. The call was for more doctors of public health and fewer doctors of medicine. "Our system of paying doctors to do something when we are sick ought to be largely discarded for the Chinese system of paying them to keep us from getting sick," said Dr. F. B. Dressler of the United States Bureau of Education. He maintained that there should be state supervision of health, and declared that a thorough investigation which had been in progress in the various cities for a number of years had accomplished wonders in preventing any serious sickness.

At a meeting of the educational association in Mitchell in 1912, the subject of "Normal Training in the High Schools" was elaborately considered. The plan was encouraged in order to increase the number of competent teachers of industrial education. From all counties at this time came calls for normal graduates to teach in the public schools. The normal schools could not furnish more than one-tenth of the number needed. The plan now proposed was to have a department of normal training attached to each high school and to sustain such department with funds furnished by the state. It was again earnestly advocated at this time that a special tax for the educational institutions in place of the usual appropriations should be adopted. It was also urged that normal schools should confine their whole attention to the preparation of men and women to teach school. The voters were asked to decide the future policy of the state schools at Vermillion, Brookings and Rapid City. It was a difficult matter to state the definite needs of the state educational institutions. Perhaps no man was qualified to judge as to the size of the appropriation necessary. Each legislature plunged more or less blindly into the appropriation field, and often cut out appropriations that were absolutely needed. This condition of things had gone on so long that the people generally began to demand a fixed sum for each institution, the sum to be graduated as the years passed to meet the increase in size and the corresponding increase in demand. The board of regents were often in doubt as to what sums were really needed for the state institutions, and, of course, the Legislature knew less concerning the matter than the board of regents and accordingly, as no one really knew, mistakes were made. However, it was not often the case that the mistake of making too large an appropriation was made. The president of the board of regents at this time admitted that they could not certainly determine nor decide on the proper course to pursue. Often when they had decided on a fixed sum, the Legislature would change it entirely, and thus defeat all calculations that had been made. The only way out of this dilemma seemed to be an annual levy upon a certain basis whereby each institution would secure what it actually needed for advancement. As it was, each institution had nothing definite to advance on, but was subject to the caprices and lack of knowledge of the Legislature and the board of regents. With a regular levy or a fixed sum, this mistake could be remedied. A bill to this effect was introduced in the Legislature of 1911, but failed to

become a law. This Legislature, however, amended the school law so that three courses of study were made practical in the normal schools, as follows: (1) A 2-year normal course after the high school course with a state certificate to the student; (2) a 2-year course of normal study of a grade of the third and fourth years of the high school including some professional training, with a first grade certificate to the pupil; (3) a 2-year course of study of the grade included in the first and second years of the high schools with a certificate showing the account of the training, with a second grade certificate to the student.

It was planned to have the courses of study so arranged that the graduate of a high school could take a normal course of one year and then secure a first grade certificate. It was further planned to have the board harmonize the work of the normal schools with the law of 1911 and with the duties of the state superintendent and the presidents of the various normal schools. The board adopted definite courses of study in July, 1911. The object was to give the normal schools a chance to serve the common school system by confining its work to the preparation of teachers, leaving higher education to the colleges and universities. Thus the plan was to drop the general academic work of the normal schools. There was a general demand that rural schools and grade schools of the cities below the eighth grade should give to students such training as was needed by boys and girls who were unable to take high school courses. Teachers were required to give instruction in the new elementary courses of study. The important question was, Should the state elementary institutions be readjusted? If so, then the plans should be (1) To consolidate the State University, Agricultural College and State School of Mines and form therefrom one immense university; (2) to keep each institution separate as it was, but so unite or co-ordinate them and their courses of study that they would be a unit in method and effect. Before action, all of this, of course, was planned to be submitted to the voters after a campaign of education. It was suggested that a commission of five members under authority of the Legislature should be appointed to examine the merits of this problem, to publish the same and to report in full to the governor by January 1, 1914. After that, whatever action was necessary could be brought to the attention of the voters. But all these well-meaning plans were abortive; no action was taken.

In November, 1912, the board of examiners for teachers gave certificates to 62 per cent of all applicants. This was a larger percentage than had ever been given before. Usually the percentage was about 50. At this time there were 1,231 applicants, of whom 425 received second grade certificates; 339, third grade certificates, and 4, primary certificates.

In November, 1912, State Superintendent C. G. Lawrence delivered an address before the educational association, in which he said that public education was not a philanthropy but an investment by the state. He criticized the usual fault finding, but said it was no worse than were complacency and inaction. While moving pictures had great influence on youth, they were not objectionable if properly censored. He insisted that homes and schools should be brought closer together, and that pupils should be taught what they would require in the pursuits of after life. He urged the formation of corn clubs for boys, home culture clubs for girls, and favored special training where all had an equal chance. During the years from 1901 to 1911 inclusive, the schools of South Dakota had

enjoyed vast improvement, said the superintendent. The average term of the rural school had increased from 5.9 months to 7.5 months each year and the average salary had increased from \$32 to \$49. He urged better teachers and higher wages as the only effective method of securing greater efficiency. He urged the training of teachers in high schools. On this point he was at a variance with other educational authorities of the state.

In December, 1912, South Dakota had 5,167 teachers. The normal schools of the state turned out this year 319 graduates qualified to teach. There was thus still an enormous lack of normal graduates to teach in the rural schools. In 1912 there were a total of 4,725 schools of all kinds in the state. There were 4,689 schoolhouses in the rural districts and 5,167 rural teachers. The total enrollment was 184,389. There were enrolled in the high schools of cities and towns 7,507 pupils and in the high schools of country districts 1,400. There were 193 high schools, of which 102 gave four years' work, 33 gave three years' work; 48 gave two years' work, and 10 gave one year's work. Fourteen offered courses in domestic science, 16 in manual training, 11 in commercial courses, 10 in normal training and 9 in agriculture.

Of the total of 4,725 schools in 1912, 4,584 had only one teacher, 141 had two or more teachers, 293 had no sessions during the year, 253 had sessions less than six months, 4,472 had over six months' session. Within the state were 4,481 frame houses, 27 brick houses, 76 log houses and 74 sod houses. The number of male teachers was 845 and the number of female teachers 4,322. In the rural districts the male scholars numbered 63,563 and the female scholars 58,423. In the rural schools below the high schools were 90,389 scholars. The average daily attendance in the rural district was 55,138. There were 4,451 school libraries with a total of 343,117 volumes. The rural school annual apportionment was \$542,341.51. The district tax amounted to \$2,120,435.78. The district school receipts from all sources were \$3,676,513.81. The teachers' wages amounted to \$1,605,457.65. The independent districts of the cities and towns had 275 buildings, with a seating capacity of 48,648 pupils. In these districts were 226 male teachers and 1,171 female teachers. In such schools the children of school age were: males, 24,253; females, 25,478. Also in such schools the scholars below the high school numbered 33,468, high school pupils, 7,507. In such schools the eighth grade graduates numbered 1,929 and the high school graduates 836. At this time (1912) county institute work was in vogue in every county of the state except eight. Compulsory education prevailed. No parent could lawfully refuse to have his child instructed in the branches required by law, according to an opinion of the attorney general.

In 1912, of the total number of teachers in the state, there were in the rural districts 4,800. Of the latter one-third were teaching their first terms—about one thousand six hundred. At the June commencement, 1912, there were only 319 normal graduates sent out in the state. Not all of the 319 were employed as teachers. It was estimated that perhaps only about one hundred normal school graduates began to teach each year, so that about one thousand five hundred teachers without normal training were hired each year in the rural schools. This fact caused the school authorities to plan that high schools should supplement normal schools with normal courses, in order that qualified teachers could be turned out as soon as possible in sufficient number to supply all schools of

the state. Thus it appeared that rural schools not only were deprived of normal teachers, but also were deprived of the special studies or courses the parents and pupils wanted. Steadily for about a decade the high schools had been gradually turned in the direction of normal teaching. A general normal training law for all schools was recommended. This program has been agreed upon by state superintendents and high school principals who have recommended at their meetings the following courses: (1) Agriculture and the industrial arts to be improved by the State Department of Education; (2) each school adopting the normal training department to receive aid from the state to the amount of \$500 per year; (3) such school to have at least eight students to secure such normal training department; (4) high schools in counties where normals are located not to have such appropriations; (5) teachers having charge of normal training courses to be graduates of the State University or a school of equal rank; State Agricultural College graduates to have had a 4-year course in a normal school and two years at least of successful school work; (6) students taking normal training courses to be pledged to the teaching profession, be required to complete the high school course and be examined for their teachers' certificates.

Recently attention has been called to the fact that teachers' institutes have fallen short of the demands required by the teachers of various grades. The institute work, it is claimed, was too much routine along certain definite lines and did not reach or effect many practical problems which the teachers were required to compass and overcome in the school room. It was claimed that by reason of this state of affairs, few teachers in the institutes took much interest in many phases of the proceedings. Apparently their wants and ideas were not satisfied or supplied by the institutes as conducted by the representatives of higher education.

In South Dakota as in many other states county superintendents are unwisely overburdened with work, the most of which could be performed by clerks at small wages, while the valuable time of the superintendents could be much better employed day after day in the inefficient school rooms throughout the county. The time is coming, if not already here, when new ideals concerning rural schools at least are bound to prevail. All county superintendents will soon be required to master the branches which the farmers require in the rural schools. Now as never before the teaching of all branches of practical and scientific agriculture is becoming imperative and paramount. The greatest problem at the present time is to produce normal teachers who can give proper and practical instruction to rural children in the studies they require and must have to fit them for life and labor upon the farm. A certificate should not be granted to a rural teacher at least unless it embraces a mastery of the primary principles of scientific agriculture as established by the agricultural colleges, the experiment stations and the United States Department of Agriculture. It is true that agricultural school books have been already introduced and primary work in agriculture has commenced in the country schools, but very few if any agricultural school text books now in use are suitable, correct or comprehensive enough to be of any practical value. Special field experiments already in operation throughout the state, particularly in practical corn growing, possess the highest merit, but it is extremely difficult to place scientific agriculture in text book form so

that the country pupils, after having mastered such books, can readily apply their teachings to the practical operation of all farm work. Thus it would seem that teachers in rural schools must understand practical and scientific agriculture, the text books used there must teach it, so that the children month after month on the farm will be thereby able to put the knowledge thus gained in actual operations. Until this result is reached the wishes of the farmers and the wants of their children will continue to go begging.

An entirely different curriculum for the country schools is now being evolved and put in practice. New instructors along different lines and according to the new standards will take the place of the old teachers. It has come to be believed that the solution of the rural school problem will be furnished by consolidated schools. Whether the rural schools are consolidated, or whether the townships or communities establish high schools, the same result probably will be accomplished. The high schools or consolidated schools of the rural districts must adopt entirely different standards of education, because the ends sought are entirely different as the occupations to be followed by children are entirely divergent. Even though the city high schools should adopt courses agreeable to the rural pupils, still the consolidated schools or the rural high schools must be established, because the farmers will not, perhaps cannot, stand the expense of sending their children to the city high schools. As it is all children of the rural schools are bunched together like a bushel of potatoes or onions. It would be unwise to mix together flour, sugar, salt, butter, eggs, baking powder, etc., and expect to produce from such a mixture bread from one bunch, cake from another, pie from another, etc., as it is to lump into the same school courses the studies needed by children aiming for different pursuits. Unless instructive methods have definite objects and are planned for all pursuits, many children, as now, will continue to come from the school ovens half baked. The whole system at present is objectionable from the standpoint of the rural schools. The studies generally are unfitted for rural children. The teachers themselves, having been trained in almost all cases under the old program, have wrong ideas and practices and hence cannot be suitable instructors in the rural schools. Fully half of the rural children's time is wasted on studies they will never need and will soon outgrow or forget from disuse. Either teachers who can teach what rural children want must be graduated from the normal schools as they now exist, or special normal schools adapted for teachers who can instruct rural children must be established.

In November, 1910, the people at the polls voted in favor of leasing the school lands for farming purposes. An agreement had been entered into between South Dakota and the Federal Government, whereby an exchange of school sections in the Black Hills national forests for other tracts of more compact areas elsewhere was effected; and while much work had been done the exchange had not wholly been carried into effect. Congress had enacted laws for the opening of Mellette and Bennett counties, for the opening of portions of Rosebud and Pine River reservations, and for that the selection of about fifty-eight thousand acres of "lieu lands" that were necessary to indemnify the state for losses occasioned by the allotment of school sections to Indians. All the desirable lands in the unopened sections of Pine Ridge Reservation had been taken or applied for by the Indians, and therefore it was necessary to make "lieu selec-

tions" of Government lands elsewhere within the state to indemnify the schools for these losses.

In 1911 Mr. Brinker, who desired important changes made to remedy these defects, brought pressure to bear upon the Legislature for a complete revision and codification of all the school land laws. The matter was referred to a joint committee and a bill to regulate the leasing and sale of common school and endowment lands was introduced. It provided for the apportionment and investment of the common school and endowment land funds, arranged for the sale of timber and coal, and repealed certain laws relative to these subjects; this bill became a law. Under it the commissioner at once eliminated the old uniform rate of rental for all the lands within each county, and adopted the plan that all the lands should be classified and appraised and that the rate of rental should be a certain per cent of the appraised value. During the summer of 1911, in order to carry out the provisions of the new law, two groups of men were placed in the field and kept at work during the remainder of the summer and fall to complete the classification of counties and twenty-two were thus finished. As a result of this work, the official appraisers managed affairs so that the rental received from the common school lands for the fiscal year ending June 30, 1912, amounted to \$329,371.96, an increase of \$52,798.74 over the preceding year. This excellent result was rendered more conspicuous because the season was unusually dry and leasing conditions were very unfavorable. In addition, the decrease in rental from sixteen different counties in the western half of the state amounted to a large sum, and 22,460 acres of the most desirable lands were sold.

Under the provision of the new law, which permitted leasing school lands for farming purposes, 7,327 acres were leased for farming purposes for the aggregate sum of \$17,630.58. All of this land was first class for agricultural purposes and located in thrifty farming communities, the minimum price per acre being \$2, with an advance payment on the rental. The commission in 1912 believed the present term of five years was too short to warrant the lessee in putting on permanent and substantial improvements. He recommended that a constitutional amendment should be submitted to the next session of the Legislature providing that school lands for farming purposes should be leased for a period of twenty years or longer.

In 1911 the Legislature also modified the law so that the commissioner could not offer for sale less than 50,000 acres nor more than 150,000 acres in one year. Under this provision he sold over nineteen thousand acres in 1911 at an average price of a little over fifty-two dollars an acre; and sold 22,460 acres in 1912 at an average price of \$47.23 an acre. The average price at these sales, owing to the large sales in the counties where the tracts were located, was less than the average price in other counties. In 1911 and 1912 all the land offered was carefully examined and appraised, and several tracts of inferior and low-priced lands were sold. The commissioner believed that the sale in 1912 was the most successful ever held by the department.

Ever since 1889, the title to school land sections within the Black Hills had been a matter of dispute, owing to the minerals contained in several of the tracts; and after the creation of the Forest Reserve in 1898 the Government held that the state had no right to the lands within the boundaries of the Forest Reserve.



View of campus from Ladies' Hall

Administration Building
Ladies' Building

BUILDINGS OF THE NORTHERN NORMAL AND INDUSTRIAL SCHOOL, ABERDEEN

In January, 1910, the state and Government agreed that the title to several sections which had been surveyed prior to the creation of the reserve should pass to the state, and that the other school sections, ninety-five in number, should be exchanged for other forest lands within the Black Hills, to be located in such manner as to exclude them from the national forests, in order to correspond as nearly as possible with the school sections in value as well as in area. The commissioner found upon careful examination that the tracts which were planned to be exchanged for the Forest Reserve tracts did not correspond in value with the former school sections on the reserve. He thus was obliged to measure up an entirely new "lieu tract" or to go entirely outside of the Black Hills for a portion of the school lands. He finally determined on the latter step, and in the end accepted a tract of 12,212 acres in the Short Pine Hills in Harding County. But this selection was strenuously opposed, not only by the Forest Reserve officers, but by the people of Harding County, who succeeded in enlisting a portion of the South Dakota delegation in Congress against such disposal of the lands. This obliged the commissioner and his assistants to go to Washington, D. C., to settle the matter. In the end he was wholly successful, and the above tract was passed to the school and public lands of South Dakota. The proclamation of the President to this effect was issued February 15, 1912, and the filings were made for the Short Pine lands at Belle Fourche on May 9th, and for 47,937.65 acres in Custer County and Rapid City later. Thus the matter was settled. The acquirement of these two tracts of timber land necessitated the creation of a state department of forestry. A thorough examination of the new acquisition showed that in the Custer County reserve tract there were over 200,000,000 board feet of merchantable timber, besides a large quantity of young timber. As these forests needed care and protection, the commissioner asked the Legislature to provide means for the necessary agents. The revenue, he said, to be derived by such care would be far in excess of any expenditure that might be involved. In the summer of 1912 there were pending between the commissioner and lumber dealers contracts for about half of the mature timber on the Custer tract.

The law which provided that "lieu selections" for school sections should be made elsewhere in the Rosebud and Pine Ridge reservations in the proposed Mellette and Bennett counties, specified that they were to be made in the townships where the loss occurred. As in several of the townships nearly all the land had been allotted, the South Dakota members in Congress were asked to make other arrangements, and succeeded in having the law so amended before the opening as to permit the state to make selections anywhere within the respective reservations. Under this law 30,646 acres were chosen and filed on in Mellette County. In Bennett County the commissioner was not so lucky and was compelled to take 27,328 acres of land that was too sandy for farming purposes, but was fair grazing land. It was stated by Charles H. Bates, special allotting agent for the Pine Ridge reservation, that there would be a shortage of at least a quarter of a million acres of desirable lands for the Indians, and that when the allotments were completed very little, if any, good land would be left. The commissioner thereupon determined to make "lieu land selections" elsewhere in the state under the general indemnity law, which permitted such course before the reservation had been opened for settlement. The commissioner learned at this time that the remaining unallotted lands in the Rosebud, Cheyenne and

Standing Rock Indian reservations were chiefly grazing lands. He thereupon prepared to select "lieu lands" instead of filing on tracts within these reservations.

By June 30, 1912, there had been sold of the common school lands of the state a total of 396,096.76 acres for the aggregate sum of \$9,037,755.90. The sale of endowment lands aggregated the sum of \$1,106,075.33, making the total permanent school fund of \$10,143,831.23. Of this amount \$3,916,874.87 was still outstanding as deferred payments on land sold and was drawing interest. The balance, \$6,226,956.36, was all loaned out. Thus the entire school fund was drawing either 5 per cent or 6 per cent interest annually. At this time not only were all school funds loaned out, but there were on file applications for several hundred thousand dollars more, which could not be supplied for lack of funds. The commissioner at this time believed that the common school fund of over \$10,000,000 had a decided beneficial effect in keeping down the rate of interest exacted by private loaning concerns of all kinds.

The apportionment of the interest fund for the fiscal year ending June 30, 1912, gave to each child of school age in the state \$4.48, or a total of \$780,705.38. This was the largest amount ever apportioned in one year to date. It was over \$178,000 more than the amount apportioned in 1910. In addition the endowment funds apportioned to the educational and charitable institutions amounted to \$82,144.10, making a total of \$862,849 collected as rent and interest from the proceeds of lands sold. At this date a grand total of \$7,374,901.76 had been thus apportioned since 1889 when the state was admitted.

At the legislative session of 1913 there was introduced a bill for an act entitled "An act authorizing school corporations to provide for medical inspection in the public schools." While this was pending there were received by the Legislature several petitions opposing the measure upon the following grounds: (1) It was unconstitutional; (2) it bridged the rights of the pupils by compelling them to submit to inspection when it was not necessary; (3) a large sum of money would be spent unnecessarily; (4) it would render the school system subservient to the medical trust.

In 1913 an important problem again before the Legislature was whether to unite in one large institution the educational schools of the state or leave them scattered as they were. A. E. Hitchcock, president of the Board of Regents, favored consolidation, but with the understanding that each institution should remain where it is. This measure occasioned a severe contest in the Legislature; and generally throughout the state many persons actually favored centralization because they believed it would increase efficiency and decrease the cost. But the Legislature refused to take any decisive action on the problem.

In the spring of 1913 the subject most discussed in the state was the movement being made by the Board of Regents to referend the act just passed by the Legislature whereby a second South Dakota State University was to be established at Aberdeen. This action of the regents would postpone the creation of such an establishment at least two years, or until the people could be given an opportunity at the polls of judging whether they desired and needed another such institution. The circulars sent out by the regents to be signed recited the manner in which the Aberdeen normal was changing the course of study outlined for a strictly normal school to one more suitable for a college or university. The legislative bill covering this subject became known over the state as the Aberdeen

Course of Study Bill. It provided that in addition to the normal course the studies should embrace the arts and sciences and permit branches of learning equivalent to the studies given in the first two years of a college course. This was regarded generally as a movement by Aberdeen to secure a second state university.

In May, 1913, President Gault, of the State University, was asked to resign his position. He had been engaged in educational work for thirty-three years and had spent nineteen of these years as college or university president. When he took charge of the State University about one-half of the students were in the preparatory department. In 1913 at the time of his resignation there were registered 424 students, of whom nearly four hundred were pursuing college courses. Up to this time a total of 607 had graduated from the university, and of these 342 had graduated under the presidency of Doctor Gault. Great improvements had been made to the institution during this time. From 1906 to 1913 he remained at the head of the university, building up every department, widening the courses of study, improving the standard of instruction, and fulfilling as well as possible the splendid destiny which the people prayed the institution might soon reach. He did this in spite of the fact that he did not possess sufficient authority to carry into execution invariably his own orders as university head. A small faction of the faculty failed to support him and tried to put into effect their own plans and schemes which the law permitted them to do. At last came the straw that broke the camel's back. He was asked to resign. Accordingly he sent his resignation to the regents. Among the improvements made under his presidency were the following: Erection of the law and library buildings; establishment of the heating and lighting plants; twice had East Hall been remodeled; establishment of an independent light and water system; a new chemical laboratory had been authorized; a college of medicine and one of engineering had been founded; state health laboratory had been established; also the state department of food and drugs; to the College of Arts and Sciences had been added a department of philosophy, public speaking and education; the library purchase fund had been greatly increased; the total amount for salaries had been raised from \$40,000 to \$70,000.

The following resolution was passed by the Regents of Education soon after they were informed that Dr. F. B. Gault had resigned the office of president of the state university:

"Resolved, That the Board of Regents of Education, in behalf of the State of South Dakota, tender to Doctor Gault an expression of kindly good will manifested by the pleasant relations existing between the board and the president; that the board of regents, in behalf of the State of South Dakota, express its appreciation of the efforts made by Doctor Gault to improve the general condition of the institution during the past seven years. The attendance at the university has doubled in the last seven years, despite the elimination of the Preparatory Department, and practically all students now registering are of college grade. About two-thirds of the alumni body of the university has been graduated during this period. Splendid material advance had been made by the institution during this period, including law building; heat, light and power plant; the entire renovation of East Hall with extensive additions, and the appropriation by the last Legislature for a \$75,000 chemistry building to be erected during 1913-14.

The State Health Laboratory and the State Department of Pure Food and Drugs have been established in connection with the university. The number of university graduates teaching in the high schools of the state has increased more than three-fold, the standards of scholarship and instruction have been greatly advanced, the athletics have made unusual progress, and scientific equipment has kept pace with other improvements. The growth of the institution during the period has been marked and decided."

It is believed that Doctor Gault did the university as much good as any president ever connected with it. The results he accomplished were well known to all who were sufficiently on the inside to understand the meaning of what was going on. He was so clean in character that he chose to resign finally, rather than to continue longer to be a mere factotum.

In 1913 attention was called to the fact that the United States, particularly South Dakota, was passing through the elementary state of the new education just as Germany and other European countries had passed through it many years before. Germany, by 1913, had surprised the world with the efficiency of its vocational training system, particularly in progressive agriculture. It was known that when the schoolmaster there first began to advocate industrial specialty, domestic science, manual training, progressive agriculture, sloyd and other handicraft for the schools, he was assailed with charges of "fads," "bread and butter courses," "commercialism," etc. It was shown now that America was passing through precisely the same experience. In 1913 similar questions were put in South Dakota and the same sneering remarks were made. Domestic science for girls, progressive agriculture for boys, were at first considered "fads" in South Dakota and are in some sections yet, just as they had been so considered years before in Germany.

The Legislature in 1913 passed an act giving the Northern Normal School at Aberdeen, permission to include a two years' college course. This was the first decisive step to transform this institution into another state university. At this date there were seven prominent and useful state educational institutions receiving support from the Legislature. They were the university, agricultural college, school of mines and the four normal schools at Madison, Springfield, Spearfish and Aberdeen.

The State Educational Association met at Sioux Falls in November, 1913, there being present over one thousand four hundred educational supporters. C. A. Christopherson delivered the welcoming address to the association. Supt. B. Andrews answered on behalf of the association. State Supt. C. G. Lawrence, delivered his annual address, which embraced two important points: To keep the schools out of politics, and to have health inspection in the public schools. He also favored the teaching of sex hygiene and greater improvement and expansion in the training of teachers. President Perisho addressed the association at length. Dr. Charles Zeublin, of Boston, rendered an interesting lecture on "Democratic Culture." Prof. B. L. Lick delivered a stereopticon lecture on "The Panama Canal."

In the fall of 1913 the State Teachers' Association strongly urged a non-partisan election of state and county superintendents and the formation of a new and general educational policy for the state. Dean Elwood C. Perisho, of Vermillion, president of the association, favored this movement. In one of his

addresses he gave the following credit in classified form to the pioneer educators of the state: (1) Establishment of a public school fund from land grants; (2) development of the rural school system; (3) establishment of the state educational institutions; (4) provision for high schools which now numbered about two hundred; (5) establishment of independent school districts; (6) supervision and standardization of high schools by the state educational department; (7) preparation of a state course of study; (8) examination and graduation of eighth grade pupils by the state; (9) opening of the high schools to eighth grade graduates; (10) legislation to establish consolidated schools; (11) passage of a school library law; (12) providing for a state reading circle; (13) certification law for teachers' certificates; (14) introduction of vocational training in the public schools. He spoke particularly of what, in his opinion, was needed in the common schools of today. The great question was, he said, what to do with the 95 per cent of all children who never went beyond the high schools, and what to do with the 85 per cent who never went beyond the eighth grade. He presented the following startling facts to the association: The schools lost in round numbers, 20 per cent of the pupils at the end of the first year of the graded schools, 40 per cent at the end of the second year, 50 per cent at the end of the third year, 60 per cent at the end of the fourth year, 70 per cent at the end of the fifth year, and over eighty per cent at the end of the sixth year, leaving only about fifteen per cent to finish the seventh grade. The big problem, therefore, in the country school must be to improve the course of instruction so that it would be far more attractive and far more valuable to the rural children. He recommended the following: (1) Removal of state and county superintendents from politics, particularly the latter; (2) more vocational training in the common schools; (3) teach the rural pupils progressive agriculture; (4) better care and observance of the health of children. He noted that statistics showed that one-twentieth of the children had spinal trouble, one-twentieth defective hearing, one-twentieth defective eyesight, one-twentieth tubercular trouble, one-fourth were weak in nutrition, one-fourth had throat troubles, one-half had defective teeth; (5) establish social, industrial and educational science in the rural districts by means of consolidated schools. He recommended the appointment of a committee to report on the most feasible plan to establish vocational schools; provision by the Legislature for the formation of rural aid and educational centers to be consolidated as a part of the common school system; the selection and adoption of a definite and well matured common school system which should be well maintained and divorced wholly from politics.

At one of these meetings State Supt. C. G. Lawrence said, "There is more dissatisfaction with the public school system than ever before, and there is a greater number of unsolved educational problems than ever before. But this is entirely in accord with the spirit of our times." He declared that the marvelous changes in social and industrial life made vast changes in school needs and methods imperative. During the past decade, he declared, the following improvements in South Dakota had been effected. The average rural school terms were increased from 5.9 months in 1902 to 7.2 months in 1912, and in towns the term had increased from 8.5 months in 1902 to nine months in 1912. Since 1907 over nine hundred new modern school buildings had been erected in the state. The law of 1907 required that plans for school buildings should be approved by the

superintendent of public instruction. In six years about one thousand modern heating and ventilating plants had been installed in the rural schools. From 1902 to 1912 the value of school property had increased 260 per cent, while the total annual expenses had increased only 109 per cent, and school property had increased only 25 per cent. The law of 1911 required that the course in the normal schools should lead to a state certificate or a life diploma, and Mr. Lawrence now advocated that this law be extended to two years beyond a four-year high school course, and that in normal schools there should be instituted two and four-year courses beyond the eighth grade. This would result in raising the standard of teaching in the state and in turning out a larger number of professionally trained teachers. Now the great question was, how to improve the teachers for the rural schools as well as how to improve the schools themselves. This could not be accomplished until there was an entire change in the administration of such schools and until adequate provision for their management and advancement had been made.

He said, "In many districts there is so little interest taken in school affairs that it is very difficult to get the most competent persons to serve on a school board, and this results very often in those being elected whose only interest in school matters is to keep school taxes as low as possible." He recommended a much stronger school unit, that of the county possibly, which should be in the hands of a county board upon nomination by the county superintendent. He stated there should also be uniform school taxes; but above all he recommended the consolidation of country schools whereby the high school course specially provided would accomplish more than all else put together. The great object was to give the children a chance to obtain a good education at home without having to go to the towns and cities. All this could be easily accomplished by the consolidation of the rural schools. There should be superintendents of township units; also superintendents of county units. There should be consolidation of from four to ten schools. Each county should have a city or town superintendent and a rural superintendent, because the schools and their requirements were so vastly different. It might be best not to have a county superintendent of city schools. Place city, town and village schools in charge of the principal, and put a county superintendent qualified in charge of the rural schools.

In 1912, out of 5,647 teachers in the fifty-six counties of the state, not including cities of the first class, only 822, or 14 per cent, held state certificates or life diplomas granted on normal or college credentials. Of the total number of teachers only 267, of 4.7 per cent, held first or second grade certificates granted on normal school credentials. Of the 4,125 teachers in the rural districts of the state, only 863, or 3.9 per cent, held state certificates or life diplomas granted on normal school credentials. Everywhere among the schools was shown the great lack of trained teachers from normal schools. Especially was this the case throughout the rural districts. This condition was due mainly, Mr. Lawrence believed, to poor wages, poor houses, poor equipment and poor accommodations for teachers.

Mr. Lawrence favored normal training in the high schools, better wages, and therefore better teachers, and health supervision of the schools. As the state compelled a child to go to school, it was the duty of the state to make the health

conditions right; and the only provisions practical in South Dakota for health among the pupils was to have better buildings, proper ventilation, adequate heating floor space and sufficient air space. He stated that an examination of the children in the schools of Sioux Falls and Aberdeen had shown many physical defects, and therefore believed that there should be prudent sex education and sex hygiene. He said: "It is no longer the purpose of public education merely to produce men and women of culture for culture's sake, but rather to produce men and women equipped to go out into the world to do something for somebody. It is because of this new ideal that the demand is becoming ever stronger that the high schools, the people's college, must give more consideration to the needs of the boys and girls who will go out into the world to make their living at the end of their high school days."

In May, 1913, the State Medical Association passed the following resolution: "That the South Dakota Medical Association endorses the movement for sex education already on foot in the state, and we declare our belief that the schools should no longer delay in sharing the responsibility of giving a safe and decent sex education to the young." At the same time the association pledged its best efforts to help the movement. It considered the textbook problem important, and believed that an efficient law on the subject should be passed.

At the meeting of the Educational Association in November, 1913, Dr. Robert L. Slagle, president of the Agricultural College, indicated what that institution could do for the rural schools. He said that the science of agriculture could be taught in the elementary schools just as well or better than arithmetic or grammar was then being taught, by beginning at the bottom instead of at the top. Dr. Franklin Jones, of Vermillion, read a paper on the subject, "What University Research Can Do for the Rural Schools." Another interesting article was read by Superintendent McDonald on the subject, "How the High Schools Can Aid the Rural Schools." Doctor Seaman read another on "The Denominational College." C. C. O'Harra, president of the School of Mines, read a paper on "Industrial Training in the Rural Schools." Prof. F. L. Cook, president of Spearfish Normal, read an article on "Normal Schools and Rural Teaching." Similar papers were read. Agriculture in the rural schools was the principal topic at this important session.

"In order to introduce agriculture into the public schools its subject matter must necessarily have a pedagogical standing. It must classify a subject requiring down-right study and hard work. School people should see to it that agriculture takes the same pedagogical standing as any other subject in the curriculum along with other subjects. Whatever system of education we shall adopt in South Dakota, let's have a system leading in the direction not merely of more skillful workers on the farm but in the direction of a full fledged cosmopolitan citizenship on the farm. The time is coming when South Dakota schools will be made measurably adequate—when the state will supply the schools with the newest and most necessary information about agricultural problems by means of the state experiment station. The people will have then done their duty in adopting such a system. The state can neither shirk its responsibility nor shift it. It can neither delegate it to corporations nor to the Federal Government. It is the business of the state to educate the citizens of the state."—Dr. A. N. Hume, of the State Agricultural College, Brookings, before the Educational Association, November, 1913.

In December there was issued throughout the state an agricultural book for agriculture day with a regular program of work prescribed. This program embraced among others the following subjects: Poultry culture, corn, alfalfa, animal husbandry, good roads, soils, weeds and insects, and drouth resistant crops. The issuance of this book was made by the state department of education.

In December, 1913, Dr. Robert L. Slagle, president of the State Agricultural College at Brookings, was appointed president of the State University at Vermillion, his term to begin February 1, 1914. This position was tendered him because he had been so highly successful at the Agricultural College. At this time there were registered at the Agricultural College 571 students, not counting those taking short courses. In 1895 Doctor Slagle was professor of chemistry at the Agricultural College. In 1897 he became professor of chemistry at the School of Mines, Rapid City, and in 1898 was made its president. In 1906 he was elected president of the Agricultural College.

In the spring of 1913, the settlers in the northwestern part of the state formed an organization known as the Northwestern Academy Association with the object of doing effective work in keeping the young people on the farms through additional and attractive inducements. They secured forty acres at the head of Rapid Creek on the line between Perkins and Harding counties, and there erected a stone high school building for the young people in that part of the state. In the fall of 1913 the association put into effect instruction in practical agriculture on the forty acres connected with the school. This school was planned to be supported by the people who designed and built it.

The agricultural course of study was placed at the Aberdeen Normal School by the regents of education early in 1914. The Aberdeen Commercial Club said in one of its circulars in this connection: "This announcement by the board of regents, while the change had not been requested by the business interests of Aberdeen and comes as a surprise to them, is none the less gratefully received here, as it is right along the line in which they have been bending their energies in the work of the better farming conditions and they believe that it will speedily justify the expenditure."

For the fiscal year 1913-14 the revenue derived from the school funds and paid out for the support of the schools amounted to \$987,359. By this time the state had sold a total of 455,956 acres and had derived therefrom a permanent school fund of \$10,735,505, which drew interest for the benefit of the schools. There were left at this time in round numbers a total of 3,000,000 acres yet to be disposed of, worth approximately \$45,000,000. At this time the school authorities had no trouble to find investment for the fund. In fact, applications in advance were made for the funds. Of recent lands chosen about three hundred and forty-five thousand acres were chosen in Harding County, because the Indians had taken up school land sections within the various reservations.

In June, 1914, Elwood C. Perisho was elected president of the Agricultural College, Brookings. The attendance at the Agricultural College at different periods was as follows: 1884, 61; 1889, 319; 1894, 276; 1899, 446; 1904, 488; 1909, 734; 1912, 851; 1914, nearly 1,000. In the latter year there were provided regular four-year courses in agriculture, civil engineering, mechanical engineering, electrical engineering, home economics and pharmacy. All departments of the college were standardized.

In August, 1914, 1,971 persons applied to the state superintendent to be examined for certificates to teach school; 558 secured third grade certificates; 598 secured second grade certificates, and 13 secured primary grade certificates.

In October, 1914, the state board of regents asked the Legislature for a total of \$1,452,700 for the various educational institutions for the school years 1915-16 and 1916-17. The amount asked for 1915-16 was \$933,334. At the session of the Legislature in 1915 a bill concerning the question of teaching eugenics in the public schools was introduced, but after due consideration was finally defeated. It was believed best by the members to wait a few years longer in order to see how the same problem was settled in other states. A watchful waiting policy was therefore deemed wise.

It has come to be the opinion of many educators in recent years that the unintentional policy of keeping back the rural schools and leaving 99 out of every 100 rural children uneducated became in the course of time a deadly stroke at all forms of higher education. The country children have not been stimulated in education, because they do not need it on the farm. It is now believed that if the old policy could be reversed there would be such a stimulant for education given to the rural schools that the high schools, colleges and universities would now be overflowing with students.

At the legislative session of 1915 Representative Rinehart, of Pennington County, introduced series of resolutions asking the board of regents: (1) Whether a course in normal instruction is maintained in the State University at Vermillion; (2) whether a course in normal instruction is maintained in the Agricultural College at Brookings; (3) whether the highest diploma granted by either of the state normal schools at Springfield, Madison, Aberdeen or Spearfish entitles the holder to employment as a teacher in an accredited or four-year high school in this state; (4) whether a certificate or diploma granted by either of the normal schools of the state entitle the holder to any privileges or preference in employment in schools of the state not granted holders of certificates or diplomas granted pupils of certain private or denominational schools located in the state; (5) whether a graduate from the schools taught by a holder only of a normal certificate or diploma would be accredited on his standing, for instance, to the State University or Agricultural College, credit for credit, equally with a student from the schools taught by the holder of a certificate or diploma granted by the State University or Agricultural College, and if not why not; (6) whether there exists between any of the state educational institutions and any of the public or private schools of the state any system that might be termed interlocking accredits, which operates to the prejudice of the normal schools or renders a certificate or diploma granted by a normal school less desirable than a certificate or diploma granted by either the State University or Agricultural College. At this legislative session an attempt to establish an additional normal school at Bonesteel in the Rosebud country was defeated by the vote of 16 to 18. A strong fight was made for this institution.

Early in 1915 Prof. Alfred N. Cook, of the State University, formerly state food and drug commissioner, published a valuable and interesting article in the *Alumni Quarterly* on the subject of South Dakota college attendance. In order to secure the statistics embraced in the article he wrote letters of inquiry to all students in the arts, engineering and law, who were attending college from

South Dakota in other nearby states. Letters were also addressed to about one hundred students within the state. It appeared from the facts thus gleaned that South Dakota had only just begun to go to school. Only two out of every thousand of the population were attending schools of collegiate grade at any one time, while in the older adjoining states the number was found to be about twice as many. The average cost of board and room at the University of South Dakota was \$4.73 per week, while the students who went out of the state paid an average of \$5.90 per week. This included only the nearby states and not the colleges and universities further east. The average expense per year of each student of the University of South Dakota was \$391, while those who left to attend college in nearby states spent an average of \$529. Of all the students who left the state to attend college in 1914, 31 per cent attended state schools and 69 per cent attended denominational colleges. The percentage of students leaving South Dakota to secure an education was decreasing, being now 7 per cent less than it was seven years before. The percentage of students now leaving Minnesota, Iowa, Nebraska and other nearby states was on the increase. During the past seven years the University of South Dakota had had greater increase in attendance of college students than any other institution of the state. While Yankton College, Dakota Wesleyan and the State College had had an increase of 66, 67 and 69 college students respectively, the University had had an increase of 144 college students. The large enrollment of the other schools of the state was due to the fact that they maintained elementary courses, while the State University at this time maintained only advanced courses. Forty-eight per cent, or not far from it, of all degrees conferred in the state in 1914 were granted by the State University; 34.5 per cent of all college students were found in the State University. At this time the Agricultural College had a much larger income than any other state educational institution.

The National Educational Association at its annual meeting in San Francisco in 1915 took the stand that rural schools should be provided with teachers for special rural courses. Up to this time it had been claimed by educational authorities that the only requisite qualification for a rural teacher was a fair academic education. It was held now on the contrary that such qualification is wholly inadequate, and that in all colleges which prepare teachers there should be a separate course for rural teachers to prepare them for the special work that alone can make rural schools successful. When the teacher from the city who has studied only the usual academic course prescribed in the high and normal schools opens school in a farming community he is in a new and strange field of labor and wholly unacquainted with its wants and ideals. The pursuit of life problems of such a community are wholly different from anything with which he has ever come in contact and he is therefore unprepared to meet them. The National Educational Association at this time noticed particularly what had been said for some time and was being said concerning taking children from the farm permanently. The association took the position that a teacher, whether man or woman, who came to a country school from the city with only an academic education, unknowingly but certainly carries an influence in directing the ideals of the children away from the farm and to the city, and that even in spite of themselves such influence is largely irresistible from the student's standpoint. It was held, of course, that teachers of rural schools must have a complete command of the

fundamental elements of an academic education, but above all it was necessary for them to have a somewhat different and to a certain extent a broader education than possessed by teachers in the cities. The association pointed out the fact that while this was true the country school teacher had always received less wages than the city teacher. The association therefore reasoned that the first step toward improvement in rural schools must be a material increase in the pay of the teachers if competent teachers were secured.

The prospect for a large attendance at the State University was never brighter than in the summer of 1915. During the vacation many improvements were made. The faculty added five new departments as follows: (1) Fine arts; (2) sociology; (3) journalism; (4) secondary education; (5) commerce, finance and home economics. The department of fine arts was placed in charge of Rossiter Howard, who for nine years had been in Paris as a lecturer. He was secured to open the university extension work by lecturing on fine arts. Dr. Craig S. Thoms, of Sioux Falls, who for about fourteen years had served as pastor of the Baptist Church, of Vermillion, was placed in the department of applied sociology. He was well qualified to lecture to high schools, woman's clubs and business organizations. Alfred M. Brace was placed in charge of the department of journalism. He had been a laborer in the newspaper field for many years, and recently for a time represented the Associated Press in China and the far East during the present European war. James B. Shouse, a graduate of the university in 1901, was given charge of the department of secondary education. He had specially fitted himself for this work. The department of commerce, finance and home economics was placed in charge of A. M. Peisch, a graduate of the university.

The new school law which went into effect July 1, 1915, advanced the compulsory age of students from the fifteenth to the sixteenth year. It provides that every boy and girl in the state must attend school every day until the sixth grade shall be passed. After the completion of the sixth grade, the student is required to attend school at least four months of each year until he reaches sixteen years of age. C. H. Lugg, state superintendent, said in June, 1915, in an address at Aberdeen, that only one-half the children of school age in South Dakota are attending the schools. This remark was made to the teachers in attendance at the normal institute. He stated that one-half the students left school at the completion of the sixth grade—the expiration date fixed under the compulsory law. He urged the teachers to co-operate with the parents in a determined effort to keep more of the students in the schools until they should become old enough to realize more thoroughly the advantage and importance of education.

In 1915 many summer schools in South Dakota did important and radical work for students who desired advanced and specific instruction or entrance to higher institutions and for those who were unable to attend during other months of the year. Such schools were held at Brookings, Huron, Madison, Mitchell, Sioux Falls, Spearfish, Vermillion and Yankton. County institutes were held in almost every county in the state; and conductors were named in advance to guide and control these institutes.

Over one hundred teachers were trained at the Madison Normal School in 1914-15. The other normals did proportionately as well. The summer schools at the university, Agricultural College and denominational institutions throughout the state had large enrollments and attendance. In June, 1915, the state

apportionment of school funds was \$730,097, or \$4.27 per pupil. This was a considerable and encouraging increase over the June apportionment of 1914. As the interest on the 1915 sales was not paid in advance and thus was not taken into consideration, this increase was due to the improvement in rentals.

In the summer of 1915, State Supt. C. H. Lugg announced that "state examinations in the future are to be planned to favor the elimination of useless material in every subject." He delivered an elaborate address at the summer session of the State University, and announced other important changes and reforms. The object was to secure greater efficiency in the public schools of the state. The superintendent and other prominent educators began this year a systematic pruning of all studies that had encumbered the common schools from time immemorial. The time honored square root and cube root, proportion, greatest common divisor, and least common multiple were among the studies slated to be removed. Much of the work in fractions was planned to be replaced by percentage. During the summer of 1915 the educational authorities prepared to discuss these changes at the State Teachers' Association which would convene at Aberdeen in November. The progressive committee having this and other important work in charge were Dr. W. F. Jones, State Supt. C. H. Lugg, Supt. H. C. Johnson, of Aberdeen, Prof. A. H. Seymour, of the Aberdeen Normal School, and Supt. J. W. McClinton, of Mitchell. It was announced in advance that one of the subjects to be considered by the association was "economy of time."

Never before in the history of South Dakota is the need for the services of competent teachers so apparent as in 1915. All normal graduates who wish to teach have no difficulty in securing a permanent position; and still the demand is not one-fourth supplied. Few rural schools have trained teachers. If this be true of the rural schools under the old curriculum, how much more is it true where the courses and studies are undergoing a process of evolution and the teaching of scientific agriculture has become all important and paramount. If vastly more competent teachers are needed, what will secure or supply them, is the most serious question to answer. A correct answer can be given in a few words. It is by paying such teachers adequate wages for the special education they are expected to secure and for the sacrifices and efforts they are compelled to make in order to meet the requirements. If the wages be thus fixed at an adequate and commensurate figure, all that will be necessary thereafter is to enact a law that will require all teachers, instructors, principals and professors to pass an examination in the studies demanded by the needs of the rural schools, at the head of which is scientific agriculture as developed and expounded by state governments experts.

School teachers make the state and the nation. They mold the plastic minds of the children and assist materially in shaping their characters and destinies; but what respect can a pupil have for his teacher who receives a salary but little more than is paid the hired hand on the farm or the laborer in the street? The child knows that the clerk in his father's store, one with no education, no ambition and no bright or hopeful prospect for the future, receives better wages than the learned teacher or profound scholar who presides over the schoolroom or schoolhouse which he attends. What respect can a professor have for himself when he hears education ridiculed by every loafer in town and knows that such ignoramus receive better pay than he does? Is it not depressing to realize that not

only is such honorable and noble service often not appreciated, but is just as often depressed and crushed to the basis of pay for digging in the dirt of the streets? Can a teacher under such ignominious treatment and under urgent bodily want, build lofty towers of imagination for the children who look to him for radiant guidance on the difficult path leading to the heights of culture and fame? There is little inducement for men or women of superior mind and character to enter the profession of teaching children, unless the wages are placed high enough for eminent respectability and dignity and unless the esteem and appreciation for education becomes prevalent, universal and renowned.

It may be presumed that the wishes, needs and desires of the farmer and his family should in a measure be taken into consideration when preparing courses for the rural schools. There is nothing to show that 95 per cent of the farmers and their families who intend to pass their lives on the farm either need or want a so-called higher education. The splendid school system of this state gives readily to all who want and need it a higher education at low cost and along lofty standards. It would be better if all farmers and their children could have a college education; but when it is known that from 95 to 99 per cent of them will never get it under present methods, the remedy must be found either by correcting the methods of the system or by taking the education to the township high schools or to the consolidated country schools where they can get it at little cost in time and money. There is not a husk of evidence to show that the farmer's children are doomed to a life of misery and anguish because they will never be able to secure a higher education. There is nothing to prove that the farmer is wailing with despair because he cannot or does not send his children to a college or university. Let the farmer have at his home what he wants and needs for his mode of life and not force upon him at his great expense the glamour of an education that will be of no use on the farm. Such a change will in no way interfere with the few farmer boys and girls who may want a higher education.

An analysis of the problem of rural education in South Dakota lays bare to an expert the whole situation and reveals what is best to be done. The changes believed necessary may be learned in the following paragraphs:

(1) The farming or rural community wants and will accept a good education suited to the farm, providing it does not cost too much in time and money and does not occasion too much inconvenience. It will not cost too much nor be too inconvenient if conducted in a township consolidated or high school. What, then, should be the education suited to the farm? It may be divided into the following four groups: First—reading, writing, arithmetic, and a fair knowledge of the English language; second—continuous instruction in scientific farming from first to last during the whole scholastic period; third—geography, history, world's products, commerce, laws of health and primary medical instruction, primary legal instruction, good citizenship, form of government—state and national, business methods and systems, etc.; fourth—domestic science—including cleanliness, sanitation, disinfection, nutrition, food, digestion, cooking, dietary standards, canning, care of the household, clothing, the kitchen, the bedroom, care of children, domestic relations, good manners, social functions, politeness, how to entertain, preparation for marriage, ethics, eugenics, etc.

(2) Before the consolidated school or the township high school will serve the purpose it must be so elevated and be made so attractive in scholastic, social and

moral tone as to command the respect and enlist the favor and support of the farmers, their wives and their children—must be for the community a thought and social center, a delightful and instructive rallying point of the highest respectability, where all will love to assemble for the purpose of mutual improvement in mind, morals and social observances—must supply in the social world what the rural young men and women now seek in the cities, social practices and ceremonies.

(3) The rural teaching staff must be wholly changed if not revolutionized. Of the present state teachers and instructors (except those in the experiment stations and in certain departments of the Agricultural College) not one in ten is competent to instruct along the above requirements. They cannot instruct a farmer in scientific agriculture any better than they can a doctor or a lawyer, because scientific farming is even more intricate and complex than is the practice of medicine or law. There should be, must be, a state superintendent of rural schools, presumably an instructor with the same knowledge as the director of the experiment station at Brookings; also a county superintendent of rural schools with the same qualifications, a graduate in progressive agriculture and a practical farmer according to modern scientific standards. Every experiment station should provide special normal training for teachers in the rural schools—training where science and practice go forward hand in hand.

(4) The present state school system should be divided into—(a) a state rural school system, and (b) a state city school system. In the same way the state school income and fund should be divided into two proportionate parts for rural and urban pupils and schools.

(5) The instruction in scientific agriculture should be based upon the reports, bulletins and other documents of the United States Department of Agriculture, the agricultural colleges and the experiment stations of all the states, numbering in all about seventy. The entire subject of scientific farming has been fully mastered by these three institutions or authorities, and by them alone, and has been set forth in their various documents. Three-fourths of the teachers of the state do not know that this is a fact. Suitable text books should be prepared from these documents at state expense by a special commission of experts from the experiment stations or elsewhere. The text books on scientific agriculture now in existence are wholly inadequate and unsatisfactory—are looked at with unconcern, if not disdain, by the farming community.

(6) The state itself must carry these changes into effect. It will not be done by the present educational authorities of the state, who are unequal to the unusual, difficult and expert task. Three-fourths of the farmers are yet unaware that all they wish to know about progressive farming is contained in the above mentioned documents. They must be educated up to the standard of modern farming methods along scientific lines. Even the Legislatures are far behind and may be unwilling at present to take this vitally important step. However, the Legislature should at once provide for the rural superintendents, carry into effect the rural school consolidation, make the whole movement compulsory if necessary, establish practical training schools for rural teachers at the experiment stations and the Agricultural College, and make the necessary appropriations to secure the right text books and the correct start.

(7) Just as the state now appropriates a large sum annually for each state institution, so should it appropriate each year a large sum, not less than \$100,000, to strengthen, fortify, encourage, build up and make strong and efficient the township and county rural school leagues. This course by the state is deserved and alone will make the whole rural school movement successful, if placed in charge of agricultural experts, who alone know what will command the respect and support of the farming community.

(8) The moment all the rural children of the state are made broad and efficient scientific farmers will see the dawn of the day when every foot of soil in the state in suitable position will be cultivated, not even excepting the gumbo or the alkali tracts. This is a fact known and acknowledged by the 2,000 experts connected with the department of agriculture, the agricultural colleges and the approximate seventy experiment stations. When the majority of farmers realize this fact, the revolution will commence in earnest.

CHAPTER XXIII

ADMINISTRATION OF JUSTICE, COURTS, BAR, ETC.

The Supreme Court of Dakota Territory held its spring session at Yankton in May, 1888; there were fifty-six cases on the calendar. There were present about a dozen lawyers, among whom were Boyce & Boyce, Coughran & McMartin, of Minnehaha County; Bossard & Corliss, and Noyes & Noyes of Grand Forks. Several important cases were heard at this session of the court. Up to this time there were six judicial districts in Dakota Territory, but in May of that year Congress increased the number to eight. The old Fifth District was divided into the Fifth and Seventh districts, and the old Third into the Third and Eighth. The new Eighth District included Grand Forks; the new Seventh included the counties of Hughes, Hyde, Hand, Sully, Faulk, Potter, Edmunds, Walworth, McPherson and Campbell, and embraced a portion of the Sioux Indian Reservation. At this time there were before the Supreme Court many cases concerning squatter rights, homestead rights, cattle rustling, stealing live stock, etc.

In July, 1888, Congress passed a law providing for the election of two additional Circuit Court judges in districts Seven and Eight. There were thus in the territory one chief justice and seven associate justices. The Supreme Court was thus composed of all the district justices acting as one body. This bill provided that a term of the United States District Court should be held at least once a year in each of the eight districts. This gave Dakota eight United States courts instead of four, and was found necessary owing to the rapid growth of the territory. At this time the courts were wholly under the jurisdiction of the United States. It was before the organization of the state, and before the creation of the State Supreme Court and the various circuit courts.

In July, 1888, nearly all the lawyers of the territory met at Huron and passed the following preambles and resolutions:

Whereas, We deplore the inadequacy of our territorial courts to transact the business before them, as our present judiciary system is not suited to the present need of the people and justice is often denied because so long delayed, owing to the vast amount of business which our overworked judges are made to transact; and,

Whereas, The people are and have too long been denied the right which they have to self government, and it is time that action was taken to secure this end, therefore,

Resolved, That we heartily favor the division of Dakota Territory and the speedy admission of the two states, and concur in and approve the action of the convention held at Huron, July 10 and 11, 1888, looking to that result.

On the same occasion the farmers and business men in convention passed similar resolutions.

In September, 1888, Judge Crowfoot became one of the new associate justices of Dakota Territory. During the session of the court in the winter of 1888-89 the odd question came up whether a man could be imprisoned legally for one-half of his life. The statutes of Dakota Territory provided that wherever an unsuccessful attempt was made to commit highway robbery, the penalty should be one-half of the greatest penalty for a successful commission of crime. The severest penalty for highway robbery was imprisonment for life. Under the law John Telford, in a trial at Sioux Falls, was sentenced to the penitentiary for fifteen years for an unsuccessful attempt at highway robbery. He was sentenced in 1889, but was released in 1891 because his sentence was too vague and indefinite under the law.

At an adjourned meeting of the bar of Sioux Falls in March, 1889, Melvin Grigsby presided and W. H. Wilson served as secretary. A letter was read from Judge John E. Carland confirming his resignation from the bench and thanking the bar association for its approval of his official conduct. At this meeting there were present forty-four members of the bar of the Fourth Judicial District and nine from other points. The meeting was called for the purpose of voting for a successor of Judge Carland. The informal vote stood as follows: H. H. Keith, 23; W. A. Wilkes, 10; Park Davis, 7; J. W. Jones, 3; B. G. Wright, 2; F. L. Boyce, 2; C. S. Palmer, 1; T. B. McMartin, 1; E. Parliman, 1; F. R. Aikens of Canton, 1. On the first formal vote the result was as follows: Keith, 43; Wilkes, 18; Jones, 3; Davis, 1. For some reason not known this vote was declared illegal, because irregular, and another was taken with the following result: Keith, 32; Wilkes, 21; this vote was made unanimous and accordingly Mr. Keith was elected to the judgeship in place of Judge Carland, resigned, but it does not appear that he served.

In May, 1889, the Supreme Court of Dakota Territory consisting of D. W. Corson, A. G. Kellam and J. E. Bennett met at Yankton. There were present among others, the following attorneys: Tripp, Thomas, McConnell, Spencer, Templeton, and Aikens. In all over twenty lawyers attended this session and many important cases were adjudicated. In March, 1889, Frank R. Aikens was appointed judge of the Circuit Court vice Carland resigned. Mr. Aikens lived at Canton. His appointment to this position was said by the newspapers to have been a surprise to the bar of the Fourth Judicial District. He seems to have been a compromise candidate. There were fifty-seven cases before this session of the court.

In 1889 the Judiciary Committee of the Constitutional Convention recommended for the new state a Supreme Court of three judges, and six judicial districts to be attended by six judges. They also recommended the retention of the justice of the peace system, but opposed County Courts. They further recommended that the Supreme Court should meet at the state capital, and that each of the supreme judges should be elected for the term of six years. South Dakota was attached to the Eighth Judicial District of the United States Court, and was attended by a district judge, a United States attorney and a United States marshal. Each United States judge received a salary of \$3,500, payable in four installments each year. The District Court was the successor of the old Territorial Supreme Court. Thus the State Circuit Courts and the United States District Courts were the successors of the Supreme Court and District Courts

of territorial times. The old files and records were continued. In 1889 provision for the election of judges of the Supreme Courts was made.

Under the constitution adopted in 1889 there were eight judicial districts. Three Supreme Court districts were established at the same time as follows: (1) All that part of the state west of the Missouri River; (2) all that part of the state east of the Missouri River and south of the Second Standard Parallel, corresponding to the northern boundary of Sanborn and Miner counties extended; (3) all that part of the state east of the Missouri River and north of the Second Standard Parallel. The nominees of the republican party for supreme judges in 1889 were as follows: First District, Dighton Corsin; Second District, A. G. Kellam; Third District, J. E. Bennett.

Judge John E. Carland came from Michigan to North Dakota in 1877 and practiced law in that portion of the territory until 1885, when he was appointed United States district attorney for Dakota Territory. He held this position with credit until 1888, when he was appointed associate judge of the Territorial Supreme Court, but the following year resigned the office and became a member of the constitutional convention from North Dakota. In 1889, when the territory was divided into the two states, and they were admitted to the Union, he removed to Sioux Falls where he practiced actively until 1896, when he was appointed judge of the United States District Court of South Dakota.

In November, 1889, Senators Moody and Pettigrew presented the name of Judge Alonzo J. Edgerton to President Harrison and formally recommended his appointment to the position of United States district judge for South Dakota. A little later Senators Moody and Pettigrew were joined in Washington by Governor Mellette who also urged this appointment of Judge Edgerton. He brought with him similar recommendations from nearly all the state officers, judges of the State Supreme Court, many members of the State Legislature, and a dozen or more prominent citizens—an act very unusual, very strong, and almost overwhelming in its effect upon the President. On November 19th Judge Edgerton was duly appointed United States district judge for South Dakota. At the same time William B. Sterling was appointed United States district attorney for South Dakota. Soon after this event Judge Edgerton was tendered a magnificent reception at Mitchell in honor and appreciation of his appointment to this important post. This reception was held irrespective of political party and was attended with music from bands and with eloquent speeches from members of the bar and from prominent citizens.

The republican candidates for the State Supreme Court, Corson, Kellam and Bennett, met after the election of October, 1889, and decided on their terms. Judge Corson became chief justice for one year. He was succeeded by Kellam of the Second District and the latter by Judge Bennett of the Third District. Cyrus J. Fry of Vermillion was appointed United States marshal in December of this year.

In December, 1889, Senator Moody made a brilliant and elaborate speech in the United States Senate in opposition to the confirmation of Judge Brewer of Kansas as a member of the United States Supreme Court. He succeeded in securing the vote of twenty-five senators against the confirmation, but Judge Brewer received enough votes in his favor and accordingly was chosen.

On February 5, 1890, the Supreme Court of South Dakota opened with a large attendance, there being present several ladies. Sheriff Guthrie called to order. Judge Corson requested that attorneys who had been formally admitted to practice in the Territorial Supreme Court should stand up and be sworn in as attorneys of the State Supreme Court. About fifty lawyers complied with this request. Judge Corson thereupon announced that the roll of attorneys admitted would be ready in the afternoon. C. H. Winsor, of Sioux Falls, being the oldest practicing attorney of the Territorial Supreme Court, asked the privilege of being the first to sign his name to the roll of attorneys. His request was unanimously granted. The list was signed by the following lawyers: C. H. Winsor, N. J. Cramer, H. H. Keith, C. S. Palmer, S. B. Van Buskirk, Edwin Van Cise, J. F. Dillon, F. Volrath, C. H. Wynn, T. H. Null, R. H. Brown, N. B. Reed, W. S. Jay, W. C. Fawcett, C. H. Price, C. T. Howard, G. A. Mathews, A. B. Melville, O. H. Conniff, W. B. Sterling, T. J. Walsh, E. W. Martin, R. J. Gamble, C. D. Elliott, A. W. Burt, W. G. Rice, J. E. Mellette, N. P. Bromley, H. E. Dewey, H. R. Horner, A. B. Kittredge, S. E. Young, W. B. Kent, Thomas Sterling, C. I. Crawford, A. W. Bangs, E. C. Ericson, L. B. French and J. L. Jolley. All of the above and others had been admitted previously to practice in the Territorial Supreme Court. The following who had not been admitted to the Territorial Supreme Court were now admitted to practice in the State Supreme Court: U. S. G. Cherry, H. Hoffman, J. F. Hughes, H. S. Mouser, H. C. Hinckley, H. H. Potter, J. S. White, C. C. Upton, R. M. Bates, S. E. Whitcher, C. F. Seward, J. P. Cheever, A. N. Van Camp, C. G. Sherwood, L. C. Dennis, W. R. Thomas, Edward Brown and R. W. Stewart.

The United States District Court and United States Circuit Court met at Sioux Falls April 1, 1890. There was in attendance several hundred persons, including many witnesses. Judge Edgerton called the court to order at 10 o'clock A. M., and immediately adjourned to await the arrival of Judge Foster, of Leavenworth, Kans. There were not many cases on either docket. In the United States Circuit Court there were five cases and in the United States District Court there were six cases. The following attorneys were admitted to practice before this court on this occasion: C. H. Winsor, C. O. Bailey, J. W. Donovan, Gottlieb Engel, E. H. Hanson, J. W. Jones, H. H. Keith, A. B. Kittredge, W. H. Lyon, G. P. Nock, P. J. Rodge, T. L. Rowland, R. J. Wells, E. G. Wright, I. B. McMartin, S. E. Young, A. Brizzel, all of Sioux Falls; John R. Gamble, of Yankton; E. H. Dillon and D. G. Macey, of Mitchell; W. H. Ellis and H. Hoppaugh, of Castalia; H. Robertson, of Dell Rapids; W. B. Sterling, of Huron; L. E. Whitcher, of Highmore; and E. H. Wilcox, of Salem.

John Van Metre, a Sioux Indian, was admitted to practice before Judge Fuller of the Circuit Court, in May, 1890. He had been sent to the public schools of Philadelphia in 1883, and had graduated at the head of his class. Later he was sent to London, England, to attend Queen Victoria's jubilee as a specimen of the North American Indian. He read law in the office of Dillon & Homes, Pierre, for three years and then formed a partnership with a young white man and began the practice at Fort Pierre. At this time he was the only Indian lawyer among about twenty-five thousand of the Sioux Nation. He practiced later with considerable success. His excellent training and superior education enabled him to secure many cases in which Indian rights were involved. In June, 1890, the

San Francisco Alta said, "A full-blooded Sioux Indian is practicing law in South Dakota with great success. His prior training with the scalping knife is of great use in his new profession."

"The court of justice as now organized, without a provision to that effect, affords practically no protection to the rights of the citizen of small means as against the unlimited resources of the corporation. The state should furnish counsel and conduct litigation necessary to protect the citizen from the operation of the artificial person of its own creation. These officials should all be appointed until the first general election, after which they should be elected by the people."—Governor Mellette, 1891.

The State Bar Association held its annual meeting at Pierre in January, 1891. Several interesting addresses were made by state members and by prominent lawyers from abroad. The occasion ended with a splendid banquet at the Locke Hotel. The officers elected for the ensuing year were—President, Thomas Sterling; vice president, E. C. Ericson; second vice president, A. W. Burt; secretary, J. H. Voorhees; treasurer, I. W. Goodner. The delegates appointed to attend the National Bar Association were C. H. Dillon, E. C. Ericson and D. Haney, the latter being a member of the Supreme Court. The retiring president delivered his annual address and made several important recommendations concerning the past history and the future prospects of the association. At the legislative session of January, 1901, the question of when to hold judicial elections throughout the state was duly considered. The plan was to elect the judges at the same time the officers of the state were chosen. It was believed that this course would save from twenty-five thousand to fifty thousand dollars annually to the state.

People often do not consider the legal profession a private concern, which it really is, just the same as banking, merchandising, practicing medicine, etc. They often unconsciously give to the legal profession the consideration, respect and dignity which should be universally accorded the courts. Many see no difference between the functions of the lawyer who is working for his fee and his partisan client and of the judge who is the administrator of justice and the head of an organization which is one of the chief departments of the Government. Accordingly, people generally place too much confidence and trust in lawyers and not enough in judges and courts, the judicial department of the Government, of states, of counties, of cities, and even of justice districts. The court is the servant of the public; the lawyer is the partisan warrior of the individual, who may be fighting against the very justice which the court is endeavoring to administer. This is why law, as such, should not be held sacred, when it is found to be unjust, which it often is. However, lawyers often, in order to influence juries and witnesses, endeavor to assume the importance and dignity of the court. This also is the common practice of newspapers, ministers, physicians, and others.

In March, 1891, Judge Moody declined in advance the appointment of United States circuit judge, which was offered him. President Harrison would have appointed him to this important post, but Judge Moody signified his unwillingness to accept. Senator Pettigrew engineered this movement, but Senator Kyle refused to assist him in securing the post for Judge Moody. The latter refused presumably because he expected to be continued as United States senator.

Late in 1891 Senator Pettigrew formulated a plan for the creation of an exclusively Indian court, in which all cases which concerned the natives should

be tried and all cases where both plaintiff and defendant were Indians. The plan did not succeed. There were too many objections. In October, 1891, there were in the United States District Court at Sioux Falls sixty criminal cases alone, besides many others concerning live stock, Government lands, civil rights, etc.

One of the important cases tried by the Supreme Court in early times was the constitutionality of the state banking law, which permitted private banking. Judge White declared the law unconstitutional, and the Supreme Court upon appeal affirmed his decision. The court held that "banking aside from issuing demand notes to circulate as money is not a franchise and the Legislature cannot make it so. The Legislature had no power to deny the right to loan money or receive deposits and to confer such right or privilege on corporations. It could regulate such right and conduct, but could not prohibit." The Supreme Court really decided that because a bank was a national institution it could not therefore charge unlawful interest or practice usury. About the same time the Supreme Court reversed the decision of Judge White involving the constitutionality of the prohibition law.

In the spring of 1892 there was urgently needed in South Dakota court jurisdiction over many unorganized counties west of the Missouri River where lawlessness reigned and the courts could not interfere. It was called "No Man's Land" from the standpoint of the courts. Another question was how to provide for the election of the Supreme Court judges.

In 1892 Dighton Corson, A. G. Kellam and J. E. Bennett were re-elected members of the Supreme Court. Counties with less than twenty thousand population were given jurisdiction in prohibition matters; in counties with over twenty thousand population the jurisdiction was to be the same as under the old law. The Supreme Court judges elected in 1892 were chosen for four and six years respectively. A bill to raise the pay of Supreme Court judges to \$3,000 and the pay of Circuit Court judges to \$2,500 was defeated in 1893.

In September, 1893, the republican candidates for judges throughout the state were as follows: Supreme judges: Dighton Corson, A. G. Kellam and J. E. Bennett. The candidates nominated by the independents were: J. B. Fairbank, C. B. Kennedy and H. H. Porter. Those nominated by the democrats were: C. L. Wood, W. H. Stoddard and H. C. Hinckley. The nominees for district judges were as follows: First District: E. G. Smith, republican; H. J. Campbell, independent; F. H. Durstine, democrat. Second District: J. W. Jones, republican; W. A. Wilkes, independent; H. H. Keith, non-partisan. Third District: J. O. Andrews, republican; T. L. Bouck, independent; T. L. Bouck, democrat. Fourth District: Richard Haney, republican. Fifth District: A. W. Campbell, republican. Sixth District: H. G. Fuller, republican; C. G. Hartley, independent; J. F. Hughes, democrat. Seventh District: William Gardener, republican; Levy McGee, independent; Levy McGee, democrat. Eighth District: W. G. Rice, republican; A. J. Plowman, independent; C. M. Thomas, democrat.

An important trial in early statehood was that of R. N. Thompson, who was charged with murder. He was accused of killing Mrs. Electa Blighton, a woman who interfered when he was stabbing his wife with a butcher knife. He mutilated Mrs. Blighton horribly and her death resulted. He was duly tried and sentenced to be hung. The murder was committed at Arlington. At the last

moment on the day fixed for execution he was reprieved for fifteen days by Governor Sheldon. At the expiration of that time he was hanged at DeSmet on October 20, 1893. This was the first judicial hanging for murder in the State of South Dakota.

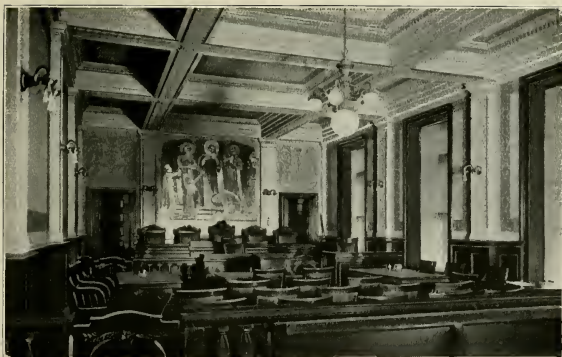
In 1893 Judge Edgerton, while holding United States Court at Pierre, sharply reprimanded States Attorney Miller for not seeing that the law was observed in binding over to court throughout the district defendants in criminal cases. He asked the attorney why certain persons who had been bound over at Chamberlain had not been brought before the grand jury at Pierre. At this time there was only one district of the United States District Court in South Dakota; and criminal cases should be bound over to the first term of the court no matter whether it was held at Sioux Falls, Pierre or Deadwood announced the judge. He said that he had been criticized for the short terms held by his court at Deadwood and Pierre, but it had not been his fault, because he had repeatedly directed that parties were to be bound over to the next term no matter where held.

"Our constitution provides that 'the judges of the Supreme Court, Circuit courts and County courts shall be chosen at the first election held under the provisions of the constitution, and thereafter as provided by law; and the Legislature may provide for the election of such officer on a different day from that on which an election is held for other officers, and may extend or abridge the term of office for any such judges then holding, but not in any case more than six months. The terms of all judges of the Circuit courts elected in the several judicial circuits, throughout the state, shall expire on the same day.' There has as yet been no provision made by the Legislature for the election of any of these officers other than the judges of County courts, and your attention is respectfully called to this subject. The terms of the Supreme and Circuit Court judges now holding will expire on the 1st day of January, 1894, and it is important that you make provision for the election of their successors."—Message of Governor Mellette, 1893.

Judge John E. Bennett, of the Supreme Court, died of heart disease January 1, 1894. He had just been elected supreme judge. He died at Pierre and Governor Sheldon soon afterwards appointed his successor to serve until the next general election. His death occurred a day or two before his first four-year term had ended and before he had entered upon his second term of six years, to which he had been elected in November, 1893. His second term would begin as soon as he was sworn in at the sitting of the Legislature early in January, 1894. The Supreme Court decided that a vacancy existed and that the governor could appoint a successor for the full six years. Governor Sheldon therefore, on January 15th, appointed H. G. Fuller circuit judge of the Pierre District to be Judge Bennett's successor. Judge Fuller had just been elected district judge at Pierre. L. E. Gaffey, a prominent attorney of Pierre, was appointed to succeed Judge Fuller on the Circuit bench.

After his defeat for re-election to the United States Senate Judge Gideon C. Moody was appointed special assistant United States district attorney for the Black Hills District. He had asked for this position and had secured it without much effort and with little competition.

In 1896 the attorney-general reported great increase in the business of his office. Within a few years the number of cases and their importance had quad-



SUPREME COURT ROOM, STATE CAPITOL, PIERRE

rupted and he was unable to attend suitably to all his duties. He had, in December, 1896, pending in the Supreme Court, thirty-two cases on the following subjects, among others: Murder, damages, taxes, debt, fraudulent conveyances, official bond, to quiet title, conspiracy, embezzlement, trespass on school lands, malicious mischief, burglary, on bond of W. W. Taylor in Indiana and New York, and in the Supreme Court of the United States for money fraudulently received. Other cases pending were of great importance and required an immense amount of work and the assistance of other lawyers. One case was the suit begun by attachment against W. W. Taylor and his bondsmen to recover \$350,000 for breach of bond. This necessitated attachment proceedings in thirty-two counties of the state. About twenty-two thousand dollars in cash was recovered by attachment from banks in Pierre. While the attachments were pending, many of the defendants attempted to convey away their property. There were many complications in this large and perplexing suit.

In 1873 C. J. B. Harris, a lawyer of Yankton, was appointed by the territorial governor under a law of the Legislature to compile the laws of the territory. This he did for about two years and at last put in his bill, but owing to the demoralization then existing in state affairs and to the contests between the Legislature and the governor, his claim was not accepted, was in fact neglected altogether. He afterwards made efforts to secure compensation, but his claim, strange to say, was invariably turned down by the Legislature. Again, in January, 1896, he put in his claim, but it was disallowed.

In January, 1896, Judge Kellam of the Supreme Court resigned upon request of the governor. He was charged with gross immorality. Frank B. Smith was appointed his successor. This scandal was one of the worst in the history of the state. It startled and aroused everybody.

In November, 1897, in response to the call of the Sioux Falls Bar Association published in the newspapers, about seventy-five lawyers assembled in that city for the purpose of organizing a new State Bar Association. The organization was duly effected with the following officers: President, Bartlett Tripp; first vice president, John R. Wellom; second vice president, H. H. Keith; secretary, C. H. Voorhees; treasurer, I. W. Goodner. The following executive council was appointed: First District, John L. Jolley; Second District, E. C. Ericson; Third District, George W. Case; Fourth District, J. S. Hannett; Fifth District, A. W. Burt; Sixth District, James M. Brown; Seventh District, W. M. Goodner; Eighth District, William G. Rice. Several interesting speeches were delivered, and preparations for regular meetings were made. The meeting closed with a splendid banquet at the Cataract House, where numerous toasts were responded to.

Miss Katie Rockford was admitted to the bar at Pierre in October, 1897. She was the first woman in South Dakota to take the law examination before the Supreme Court.

In October, 1897, the Supreme Court decided in the case of the State v. W. W. Taylor that the ruling of the lower court should be affirmed. The Supreme Court held that the Circuit Court was not in error in directing judgment for \$355,277, the full amount of the shortage, although the real bond was for \$250,000 only.

In September, 1897, E. G. Kennedy became United States marshal by appointment of the President. He had made a long hard fight for the position, but was finally triumphant.

At the November election in 1897 the republicans elected six out of the eight Circuit judges, as follows: E. G. Smith, First District; J. W. Jones, Second District; T. B. Swift, Fourth District; A. W. Campbell, Fifth District; L. E. Gaffey, Sixth District, and W. G. Rice, Eighth District. The democrats elected Julian Bennett in the Third District and Levy McGee in the Seventh District.

On December 7, 1897, a meeting of lawyers was held at Sioux Falls pursuant to call to organize another State Bar Association. Those who called the meeting were Hosmer H. Keith, C. O. Bailey and Rollin J. Wells. There was present a large attendance, and a number of interesting speeches were made urging the formation and continuance of such a society. There were present the following delegates by counties: Beadle—A. W. Burt, T. M. Simmons and T. H. Null; Brown—J. C. Campbell, G. H. Houser and John Perry; Clay—G. J. Gunderson, H. G. Tilton and E. M. Kelsey; Codington—G. W. Case, Lee Stover and Alexander Johnson; Davison—T. B. Smith; Fall River—A. J. Kellam; Hanson—P. S. Zollaran, J. H. Miller and J. T. Groves; Hughes—R. W. Stewart, I. M. Goodner and C. E. Deland; Hutchinson—J. G. Howley, W. Brown and M. T. Halphilde; Lake—G. R. Parmer, C. J. Porter, T. L. Soper, J. H. Williams and William McGrath; Lawrence—John R. Wilson; Lincoln—O. S. Gifford, M. E. Rudolph and A. R. Brown; McPherson—James M. Brown; McCook—M. A. Butterfield, E. H. Wilson and A. C. Biernatzki; Minnehaha—H. H. Keith, R. J. Wills and C. O. Bailey; Moody—J. Q. Adams, H. D. James and George Rice; Sanborn—S. A. Ramsey, U. B. Reed and John T. Kean; Turner—M. J. Quigley; Miner—E. C. Ericson, E. W. Miller and W. J. Bulow; Yankton—Bartlett Tripp, A. H. Orris and R. J. Gamble. The objects of the organization were: (1) To promote and foster social intercourse among the members and other attorneys of the state; (2) to expedite the ends of justice and maintain the dignity and purity of the judiciary; (3) to elevate the standard of excellence of members of the bar and aid and assist young and worthy lawyers and students. R. J. Gamble served as chairman of this meeting. The following officers of the association were thereupon elected: President, Bartlett Tripp; first vice president, John R. Wilson; second vice president, H. H. Keith; secretary, G. H. Voorhees; treasurer, I. W. Goodner. Executive committee—First District, John L. Jolley; Second, E. C. Ericson; Third, G. W. Case; Fourth, J. S. Hannett; Fifth, A. W. Burt; Sixth, James M. Brown; Seventh, William Gardner; Eighth, W. G. Rice.

In January, 1898, the lawyers of the First Judicial District assembled at Yankton and organized a district bar association. Robert Dollard was elected president; C. H. Dillon, vice president; H. G. Tilton, second vice president. The managing committee were L. B. French, N. J. Cramer, H. J. Campbell, J. A. Copeland and R. J. Gamble; committee on ordinances—E. T. White and J. T. Smith.

In January, 1899, a bill providing for the establishment of the ninth judicial circuit was introduced into the Legislature. It was opposed and finally defeated. In 1889 the union ticket for Supreme judges contained the following names: Edmund Smith, Julian Bennett and C. B. Kennedy.

The State Bar Association assembled at Pierre in January, 1899, with Hon. Bartlett Tripp presiding. The report of the committee on requirements for admission to the bar was duly considered and discussed. The report asked as such requirement that the applicant should show at least $2\frac{1}{2}$ years study at a

reputable law school, or in the office of a practicing attorney, and that examinations in writing of applicants should be made by the court. The report was adopted. I. W. Goodner read an able paper on "Mandamus." Bartlett Tripp read one equally as able on the "Source of Sovereignty." He took the position that while the people themselves are the true source of sovereignty, the three branches of the government contained really the basis of sovereignty. He maintained that each of these three branches should zealously avoid interference with the prerogatives of the other two branches. Memorial resolutions in honor of the late F. M. Goodykoontz, of Mitchell, were prepared by Tripp, Hannett and Sollan. Judge Dick Haney of the Supreme Court delivered an address on "Machine-made Law." His remarks were listened to with much interest by his fellow members of the bar. Other important proceedings were enjoyed. The officers for the coming year were as follows: President, Coe I. Crawford; first vice president, J. D. Elliott; second vice president, William Gardner; secretary, J. H. Voorhees; treasurer, I. W. Goodner.

Judge Peter C. Shannon was accidentally killed in California in April, 1899. Formerly he had been prominent in the political and judicial affairs of Dakota Territory. He was born in Pennsylvania in 1821, was well educated, studied law, and began the practice at Pittsburgh. He was a democrat and espoused the cause and supported Governor Curtin of Pennsylvania. During the war he helped raise the Thirteenth Pennsylvania Cavalry, of which he became lieutenant-colonel. After the war he resumed the practice of his profession. He was elevated to the Circuit bench in Dakota Territory and became prominent as a jurist. During General Grant's second term as President Judge Shannon was tendered the position of chief justice of Dakota Territory, which appointment he accepted, came to the territory in 1873 and held the position with distinction for nine years. President Arthur appointed him one of the Sioux commissioners. In very early times he did more than any other resident to help establish sound law and to compel its observance in South Dakota.

At the election of 1899 the populists made great efforts to defeat the republican candidates for the Supreme Court—Corson, Haney and Fuller. The populist candidates were Smith, Kennedy and Bennett. The republican candidates were chosen. The populists wanted a change, because of the fact that they believed and claimed that the existing Supreme Court unduly and unlawfully favored the railway companies.

The re-election of the Supreme judges in November, 1899, seemed an assurance that there would be no delay in the administration of justice in South Dakota. If the opposition ticket had been successful, it would have meant a practical standstill of the court for nearly or quite a year. The delay would have been caused, not by the men who composed the ticket, but by the changes in procedure and the legal complications that would have resulted. All cases which had been argued and not decided would have had to be reargued. The old court could not have heard the calendar of causes then pending before surrendering their offices. No doubt a new court would have been delayed and swamped for several months at least. The newspapers of the state called the attention of the voters to these facts and suggested a course beyond the influence of partisans and politics. Many now argued that the judges should be chosen, a few at a time, at the general elections in order to avoid this possible confusion, the extra

expense required for a special election of judicial officers, and the extra loss cast upon litigants by the delayed cases.

At the May session of the Supreme Court there were 111 cases on the docket, all of which were disposed of. Several were tried, and in all there were 111 written opinions.

In December, 1899, the State Bar Association met at Mitchell and enjoyed unusually strong proceedings and a splendid banquet in the evening. Several important speeches were made on subjects of great interest to the bar. The officers elected were as follows: President, Edwin Van Cise; vice presidents, C. H. Dillon and Thomas Sterling; secretary, J. H. Voorhees; treasurer, I. W. Goodner.

Early in January, 1900, the State Bar Association met at Mitchell. The annual address was delivered by Bartlett Tripp, whose subject was "The Temple of Justice; May the Political Dictator Never Rule Within Its Portals." In 1900 there were elected in the state five republican and three fusion circuit judges.

The Legislature of 1901 considered the establishment of a new judicial circuit in the Black Hills; also one in the southeastern part of the state and one in the northeastern part.

In 1901 Governor Herreid appointed Bartlett Tripp, Gideon C. Moody, and James D. Brown the committee to revise the state laws in accordance with the recent act of the Legislature.

In February, 1901, the Supreme Court handed down its decision in what was known as the "board of charity case." The decision was that the appointees of Governor Lee should hold their offices for their full terms. The opinion was written by Justices Haney who held that the governor alone could appoint persons to fill vacancies on the board without the consent of the Senate; that vacancies existed at the time of the appointment and that the resignation in 1900 did not in any way change the status of the case. The vacancy existed, had to be filled and was filled in a legal manner. This decision left the populist heads of the various charitable institutions in charge of the boards for at least two years more. However, the Legislature abolished the old order and passed a law providing that the governor should have power to remove such appointees.

In 1901 the Legislature enacted a new law concerning requirements for admission to the bar. The examination of applicants, which was required by the rules of the court to be held on the first of each term of the Supreme Court, was postponed to July 10, 1901. The law contained many new provisions which made it necessary for applicants to prepare anew to meet the examinations. It provided for three full years' study in some reputable law school or in the office of a member of the bar in regular practice in this state. A further requirement was that the applicant must pass at least 75 per cent on each of the following subjects on a printed list to be furnished by the court: Law of real and personal property, torts, contracts, evidence, pleading, partnership, bailments, negotiable instruments, agency, suretyship, domestic relations, wills, corporations, equity, criminal law, constitutional law, the code of civil procedure and ethics. The law made examinations in the future more rigid and required of the applicant a much better knowledge of the law than under the old methods of examination.

In regard to the election of judges of the Supreme and Circuit Courts Governor Herreid said in 1901: "Experience has proved that South Dakota can save \$60,000 every odd year by amending the constitution so that the judges of the

Supreme and Circuit Courts may be elected at general elections. The makers of the constitution conceived an ideal non-partisan bench, uninfluenced by partisan considerations, but time has shown us the fallacy of that conception. The courts are in politics to a dangerous degree and are influenced as much by partisan considerations as any other branch of the Government service. I hope that the Legislature will submit an amendment to the constitution making judicial officers elective at general elections and providing for the election of one judge of the Supreme Court every two years.

In 1901 Judge Corson held that an attorney who was practicing law in this state under a certificate of admission from a circuit judge of South Dakota was entitled to admission on his certificate to practice in the Supreme Court after taking the required oath. In regard to the admission of attorneys holding certificates from other states he made the following statement: "An applicant who holds a certificate of admission from another state and who produces satisfactory evidence that he has practiced in the highest courts of such state for a period of three years, must also present satisfactory evidence that he possesses the requisite general education provided for by section 2 in addition to evidence of good moral character. If such applicant is unable to present the diploma or certificate specified by section 2 as to his educational qualifications, he must be examined in the same manner as an applicant who has not been heretofore admitted in any court. Where an examination by the court is necessary the applicant will only be admitted after such an examination made on the first day of each term of court, except for the present term the examination may be had on the 10th day of July next. It will be observed that by the provisions of section 3 an applicant who has been admitted to practice in the courts of another state and has practiced three years therein, is not absolutely entitled to admission in the courts of this state, but that the question of his admission is left to the discretion of the court. In view of this fact the court will require in all cases that such an applicant for admission, except such as hold certificates of admission from the Circuit Courts of this state, shall appear before the court for such examination as the court may choose to make as to the character of such applicants and their just qualifications to practice and require them to take the oath of an attorney in open court."

The first revision of the territorial laws occurred in 1877, was ordered by the Legislature, and Peter C. Shannon, Bartlett Tripp and G. G. Bennett were the committee appointed for this purpose. This code was used until 1901 when the Legislature ordered a new revision and a new commission was appointed consisting of Messrs. Tripp, Moody and Brown.

At the Republican State Convention in 1902 it was declared by the press that there were present fifteen lawyers from Deadwood all of whom were candidates for the judgeship, made vacant by the death of Judge Washabaugh.

Governor Herreid said in 1903 that the attorney-general had rendered fifty-one legal opinions to the state department and other offices upon request and had fifty-five cases then pending in court for the biennium. Nearly all were in the Supreme Court. He declared that the salary of the attorney-general was wholly inadequate considering the high duties and great responsibility of that official, and that it was not proportionately as high by a considerable sum as were the salaries of other state officials. However, for several successive sessions the Leg-

islature had unaccountably failed or refused to raise his salary, although he had been given an assistant, perhaps to equalize in part the deficiency.

In 1904 for the first time in the history of the state, nominations for Supreme Court and Circuit judges were to be made for the general election to be held in November. Prior to this time the elections of judges were held separate from the general elections. The Legislature and the courts had decided that it would be better to choose all judges at the general election and thereby save the state annually from \$30,000 to \$40,000. Another object was to separate the judges and their election as far as possible from politics; however, it was found that there was little difference, because in the election of judges party lines were as closely drawn on general election years as on any others.

The law provided that the Supreme Court should hold annually two terms at the seat of government on the first Tuesday of April and October of every year, and at no other place. At the general election in 1904 the judges of the Supreme Court were chosen for the term next succeeding the term for which they were then serving. The term of the judges elected in 1899 was fixed at six years and six months, and the term of their immediate successors was also fixed at six years and six months; and thereafter the term of each judge was fixed for six years. Each judge received an annual salary of \$3,000 payable quarterly.

In August, 1904, the State Bar Association held a two days' session at Deadwood. At this time E. C. Ericson, of Elk Point, was president of the association. Strong and able papers were read by C. L. Wood, of Rapid City; Thomas Sterling, dean of the law department of the State University; and T. H. Null. Judge Granville G. Bennett, of Deadwood, delivered an interesting address on old times in South Dakota. He told many interesting stories to illustrate the crude practices in early courts. Judge A. J. Plowman, of Deadwood, called attention to the excessive charges of the reporter system of the state courts. At this time the bar association had about two hundred members. This was one of the most interesting sessions thus far held. The papers read covered points of extreme interest to the members of the bar and pointed out weaknesses in procedure and indicated reforms and improvements that should be made.

Late in August, 1904, in the midst of his campaign for re-election as judge of the Third Judicial Circuit, Judge Julian Bennett died suddenly at Watertown.

In November, 1904, the Minnehaha County Bar Association held their meeting at the Cataract Hotel. The speeches were made in the grill room; there were present about fifty lawyers and officers of the court.

In 1904 South Dakota secured a total judgment of \$40,000 in the United States Supreme Court against North Carolina in the famous bond case which had been pending ever since territorial days. The court decided that they were not carpet bag bonds and therefore should be paid. North Carolina took position that a private citizen could not sue a state. They were general bonds and were worth \$1,700 for each \$1,000 invested by February, 1905.

In November, 1904, Judge John E. Carland held a session of Federal Court at Aberdeen. Several cases of larceny, cattle rustling, horse stealing, embezzlement, selling liquor to the Indians, etc., were tried. Many of the best lawyers of the state appeared in the various cases.

Under the law of January 30, 1897, the United States Government held that the Indians who had been admitted to citizenship had the right to purchase

liquor exactly the same as the whites. This case was decided in the United States Supreme Court in April, 1905.

This year S. E. Wilson, former state senator from Fall River County and a lawyer of prominence, supported earnestly the bill which provided for a verdict in civil cases by three-fourths of a jury. He wrote a strong letter supporting the measure, which had considerable influence upon the Legislature and helped to induce them to pass the measure.

Early in 1905 Dick Haney, one of the three Supreme Court judges was appointed to the position of United States district attorney for South Dakota. To fill the vacancy thus caused on the Supreme Bench, Governor Elrod appointed E. G. Smith, presiding judge of the First Judicial Circuit; John Holman, of Yankton, was appointed to succeed Judge Smith as judge of the First Circuit.

"It is generally understood that the big fellows who met with Senator Kittredge in Sioux Falls not many moons ago, decided that Judge Haney, of Pierre, should be United States attorney and Judge Smith, of Yankton, should be appointed supreme judge. They also slated John Holman, of Yankton, for Judge Smith's position. But we understand the lawyers of the First Circuit would not stand for Holman, but are all agreeable to Hon. John L. Jolley, of Vermillion. This is not our fight, but we would be pleased to see John L. Jolley receive the appointment of judge, as he is one of the very earliest settlers of South Dakota. He is square and honest and doesn't wear a machine collar, for if he did he would be in Congress today. Mr. Jolley would make an excellent judge."—Elk Point Leader, April 13, 1905.

In August, 1905, the state banking law was held valid by the Supreme Court. Two cases of great importance were pending in the State Supreme Court and were conducted by Gen. John L. Pyle. They were the Milwaukee rate case and the Great Northern merger case. In December J. D. Elliott, of Tyndall, became United States district attorney.

On January 4 and 5, 1906, the State Bar Association met at Sioux Falls with an attendance of about seventy-five members from all parts of the state. The annual address—one of unusual merit—was delivered by President Horner. He called attention to the fact that the judges in South Dakota were compelled to pay their own expenses out of their salaries, and that for this reason good lawyers in every considerable city had refused to become candidates for judges. He insisted that the law should be amended so that the judges' salaries should be increased. At this time South Dakota had only three supreme judges. North Dakota with less population had five supreme judges, and had only one-half the business of the South Dakota courts. North Dakota paid its supreme judges a salary of \$5,000 and allowed each \$1,200 for additional expenses, and paid the circuit judges a salary of \$3,500. South Dakota paid its supreme judges salaries of \$3,000 per year, and the circuit judges salaries of \$2,500; and allowed them nothing for expenses. Thus South Dakota paid its judges about one-third of what North Dakota paid its judges; and in addition South Dakota had about twice as much work. President Horner brought out in strong terms and sarcastic language these important facts. At this meeting Judge Emlin McClain, of Iowa, delivered a masterful speech on the subject, "Written and Unwritten Constitutions in the United States." The meeting ended with a splendid banquet at the Cataract Hotel.

By 1906 the courts after years of endeavor were slowly stamping out cattle rustling in South Dakota. At every former session the judges of all districts had occasion to handle such cases; now they were rapidly on the decline.

At the legislative session of 1907 a bill was introduced to increase the number of Supreme Court districts from three to five. District 1 was planned to include the counties of Butte, Meade, Pennington, Lawrence, Custer, Fall River, Washington, Washabaugh, Shannon and Lugenbeel; District 2—Clay, Union, Lincoln, Turner, Yankton, Bon Homme, Hutchinson, Douglas, Charles Mix, Gregory, Tripp and Meyer; District 3—Minnehaha, Moody, Lake, McCook, Miner, Hanson, Davison, Sanborn, Aurora, Jerauld, Buffalo, Brule and Lyman; District 4—Brookings, Deuel, Codington, Hamlin, Kingsbury, Clark, Beadle, Spink, Hand, Hyde, Hughes, Faulk, Potter, Sully, Armstrong and Stanley; District 5—Grant, Roberts, Day, Marshall, Brown, Edmunds, McPherson, Walworth, Campbell, and all of the Sioux Reservation north of Armstrong and west of the Butte County line.

At the State Bar Association annual meeting held at Pierre January, 1907, Hon. Charles Elliott, of Minneapolis, one of the justices of the Minnesota Supreme Court, delivered the principal address. At this meeting there was a large attendance. C. H. Dillon was elected the new president. By a vote of seventeen to fourteen they decided against a law requiring a residence of one year in the state to secure a divorce.

In August, 1908, the special Committee on Legal Reforms of the American Bar Association said that the treatment of appeals and writs on strained and purely technical grounds and the too rigid application of strict legal rules by every party, "have made the trial of a case a game in which the one wins who plays most skillfully, the merits of the controversy having no part;" and that the courts themselves, by entertaining writs of error sued out merely for delay, postponed the punishment of criminals "in violation of every principle of justice." The committee recommended a change in this procedure, and declared that money "turned the trick" even in the courts.

In November, 1908, the Supreme Court of South Dakota, through no fault of its own, was far behind with its work. On the docket pending were 225 cases, some of which were four years old. The three supreme judges at this time had much more than they could do and were manifestly and unfairly overworked. At the legislative session of January, 1909, a bill to select two additional supreme judges was introduced. The western part of the state was to be given two judges, owing to the great growth in that portion. It was decided that these two should be chosen from the Hills country. The great delay in the administration of justice occasioned by the small size of the Supreme Court was rightfully looked upon as unfair and unjust to both the court and the people and as wholly inadequate in the settlement of cases. It was further believed that the few judges while doing their best were unjustly charged by many with the responsibility of this delay. It was pointed out by the newspapers and by the Legislature at this time that the courts were independent of the bar, were the vehicle of the people for the administration of justice, which important duty too often fell in the hands of unscrupulous lawyers and were thus made subject to the caprices and interests of private individuals and combines.

At the meeting of the State Bar Association at Pierre in January, 1909, there was adopted a complete code of professional ethics.

In 1909 Watertown had in operation a Municipal Court which that city pronounced a great success. Sioux Falls took steps at this time through the Legislature to secure a similar local court.

At the legislative session of January, 1909, the plan of increasing the members of the Supreme Court was again considered by the Legislature. Five judicial districts were provided in this plan. For a long time the Circuit Courts had been overcrowded with business and it was believed no more than fair to enlarge also the number of circuits.

At this time the annual meeting of the State Bar Association was held at Pierre. There was an elaborate program and many prominent lawyers from all parts of the state were present, in addition to those who were members of the Legislature. Dean Pattee, of the Law School of the University of Minnesota, delivered the annual address. The association was also addressed at length by Judge C. S. Whiting, of this state, who was at this time president of the association. He had recently been appointed to the Supreme Bench.

In 1909 the United States Court of Appeals at St. Louis confirmed the verdict of a jury in the United States District Court at Deadwood, which in 1908 convicted Freeman Knowles, former congressman, and at this time editor of a socialist newspaper in Deadwood, of sending obscene matter through the mail. Knowles was sentenced by the United States District Court to pay a fine of \$500 and took an appeal after serving a brief time in the Pennington County jail. This case attracted wide attention, owing to the prominence of Mr. Knowles.

The law of 1909 required the Supreme Court to promulgate a uniform set of rules of action in civil cases. Accordingly, the court in October of the same year, after due consideration, issued a small work containing twenty-six new rules.

In March, 1910, the State Bar Association met at Sioux Falls. Among the papers read were the following: "State Taxation," by John B. Hanton; "Some Reforms in Criminal Procedure," by C. G. Sherwood. The annual address was delivered by Judge H. B. Deemer, of the Iowa Supreme Court.

In January, 1911, Judge John E. Carland was appointed and confirmed assistant justice of the Court of Commerce. He was succeeded on the United States district bench by Judge James D. Elliott. The latter was warmly endorsed by Senator Gamble and Governor Crawford.

When a bill for the admission of Arizona to the Union was pending in Congress in August, 1911, Senator Crawford attacked the provision in the Constitution which permitted the recall of judges. He said, "I believe in the people, but they need self-restraint built up about them to protect them from the passions of the moment. Do we want our judges and executive officers submitted to the chance of being recalled by a temporarily maddened mob?" He said that the real remedy was midway between the two propositions: (1) The recall to correct everything; (2) the recall by mob rule. Newspapers of the state said, "The county needs something of this kind to bring the courts of the land out of the haze of traditions and precedents and into sympathy with the progressive spirit of the age." About the same time the United States Senate passed the recall measure provided for in the Arizona constitution. In Oregon the recall for other officials than judges had been in use for several years. C. H. Dillon, candidate for Congress, said at this time, "The judiciary should not be above

honest criticism. The court's delays and technicalities should be checked. The encroachment of the judiciary upon the legislative department of the Government should be prohibited."

Judge Bartlett Tripp of Yankton died in November, 1911, of heart failure as the result of a stroke of paralysis which he had suffered a few days before. He came to Yankton in 1869 and was a leader of the democracy of this state for many years, and was often honored by the republicans, his political antagonists, from 1893 to 1897, although a democrat. He held many other positions of trust and honor with both distinction and credit. He was one of the leaders in South Dakota of every movement which meant permanent growth and development. He was born in 1842 in Maine, was a student at Waterville College, later Colby University from 1857-60; in 1867 took the law degree at Albany Law School; was given the degree of LL. D. by the University of South Dakota in 1893; the same by Colby University in 1898, and the same by Yankton College in 1906. He practiced law at Augusta, Me., from 1867-69 and afterwards at Yankton. He was president of the Yankton School Board from 1875-85; was one of the incorporators of Yankton College in 1881; was a member of the first board of trustees of the University of South Dakota; a member of the commission for codifying the laws of Dakota Territory in 1877 and the laws of the state in 1902; was democratic nominee for delegate to Congress in 1878; president of the first constitutional convention in 1883; chief justice of the Supreme Court of Dakota Territory 1885-89; United States Minister to Austria 1893-97; delegate to the Democratic National Convention in 1872 and in 1882; member of the Samoan Commission in 1899; and a lecturer on constitutional law at the University of South Dakota from 1902 until a short time before his death.

Perhaps there was no member of the Supreme Court who was more attentive to business or more faithful in attendance than was aged Judge Corson in 1911. Every day when the court was in session he could be found on the bench with his colleagues and when the court was not in session he was at work in the office on the decisions which he handed down after doing his share of labor. The Supreme Court reports were printed in his office. In Volume 24, the last one issued at this date, eighty-four decisions were handed down by the Supreme Court. Of that number, Judge Corson wrote the opinion of the court in twenty cases. In Volume 25, out of ninety-four decisions handed down, he wrote nineteen of them. He was very industrious, painstaking, able and just. The state was lucky to have a man of his probity and honor connected with its greatest court for so many of its early years.

The State Bar Association met at Aberdeen in January, 1912. James Brown of Chamberlain was chosen the new president. A special committee to assist in revising the school laws was appointed. Whether to abolish the County Court was considered at this time, also numerous changes in the laws relating to taxation. The association asked for the following reforms: (1) Simplification of the record of appeals to the Supreme Court; (2) court judges to be barred from active practice; (3) the Committee on Reforms to consist of five members instead of seven.

In his speeches in Congress Senator Crawford fastened upon that body much of the responsibility for the acknowledged inefficiency of the Federal Courts. He further declared that the Legislature of South Dakota shifted the burden of

corporate control to the courts which thereafter received the odium which came from failure to control such organizations.'

In January, 1913, while the State Bar Association was in session at Pierre, a banquet was given in honor of Judges Corson and Haney at the St. Charles Hotel. About two hundred attorneys and business men of the state participated in the ceremonies on this occasion. The press spoke of it as one of the finest bar association functions ever given in the state. A majority of the circuit judges in the state were present, all the members of the Supreme Court, and the two ex-judges in whose honor it was held. The speeches delivered on this occasion were of unusual strength, power and eloquence. Judges Corson and Haney responded to the great honor done them with much feeling and eloquence. Music was furnished by Fischer's Orchestra, and the table service at the banquet was one of the best ever given in Pierre. At this session of the association, considerable time was spent in discussing legislative reforms. Many suggestions concerning court procedure secured the attention of the bar membership.

In January, 1913, Mrs. Lydia M. Johnson became a member of the State Bar Association and was thus the first woman member. The association at this meeting adopted five of the rules proposed by the executive board, and elected J. H. McCoy president of the association. In January, 1913, Judges Haney and Corson, members of the supreme bench, retired and were succeeded by Judges Polley and Gates.

Dighton Corson was born in Maine in 1827, was educated at Waterville and admitted to the bar upon arriving at manhood. He came west and settled in Wisconsin, and in 1857 was elected to the Legislature from Milwaukee, and served on the judiciary committee. In 1858 he served as district attorney of Milwaukee County, being elected by the votes of all parties. In 1861 he went to the Pacific Coast, finally settling in Virginia City, Nev. Here he was appointed district attorney for the First District when that territory was organized. He held the position for five years, but in 1877 came to the Black Hills and continued the practice of law. He was a member of the constitutional conventions of 1885 and 1889, and upon the admission of South Dakota in 1889 became one of the Supreme judges, and was later chosen chief justice. He passed away at his home in Pierre in 1915. He was a gentleman of the old school, reserved but cordial, dignified but friendly, a man honored and respected above the average citizen for his recognized intelligence and sterling qualities. He retained his unusual faculties of mind to the last.

The state was divided into the twelve circuits, the judges of which held office for four years and received an annual salary of \$2,500 payable quarterly. The First Judicial Circuit consisted of the counties of Bon Homme, Charles Mix, Douglas, Hutchinson, Turner and Yankton; two terms were held in each county annually; Second Judicial Circuit—Lincoln, Minnehaha, McCook, Moody, Lake and Union, two terms held annually; Third Judicial Circuit—Brookings, Clark, Codington, Deuel and Hamlin, two terms were held annually in each county; Fourth Judicial Circuit—Aurora, Davison, Buffalo, Jerauld, Sanborn, Hanson and Brule, two terms were held in each county annually; Fifth Judicial Circuit—Brown, Day, Grant, Marshall and Roberts, a term was held annually in each county; Sixth Judicial Circuit—Hughes, Hand, Hyde, Sully and Stanley, terms were held in each county annually; Seventh Judicial Circuit—Custer, Fall River,

Pennington, Lugenbeel, Shannon, Washington Washabaugh, terms in each county annually; Eighth Judicial Circuit—Lawrence, Meade and Butte, terms in each county annually; Ninth Judicial Circuit—Beadle, Kingsbury, Spink and Miner, terms annually in each county; Tenth Judicial Circuit—Potter, Faulk, Edmunds, McPherson, Campbell and Walworth, each had an annual term; Eleventh Judicial Circuit—Lyman, Gregory, Tripp, Bennett, Mellette, Todd and Washabaugh, each had an annual term; Twelfth Circuit—Harding, Perkins, Corson, Dewey and Ziebach, each had an annual session.

Judge H. G. Fuller was born in New York in 1851, but moved to Jackson County, Iowa, and lived on a farm near Maquoketa. He received a common school education and commenced reading law at home. In 1871 he attended his academy at Eldora for one year; then taught school and finally served as principal of one or more union schools for several years. He read law with Henry L. Huff and was admitted to the bar in 1881. Immediately thereafter he served two terms as county superintendent of Hardin County. He came to what is now South Dakota in 1886. In 1889 he was elected judge of the Sixth Judicial Circuit, and was re-elected in 1893. He resigned in July, 1894, to take a position on the Supreme bench to supply the place recently occupied by John D. Bennett. He passed away in 1908.

Judge Richard Haney was born in 1852 at Lansing, Iowa, and was educated in the common schools there. He attended the Iowa Wesleyan University at Mount Pleasant for three years; then entered the law department of the State University, and was graduated therefrom in 1874. He began the practice of his profession at Lansing in 1885. He later came to Plankinton and there practiced law until South Dakota was admitted to the Union. In 1888 he served as district attorney of Aurora County, and became county judge in 1889. In 1896 he was appointed Supreme judge in place of A. G. Kellam, who had just resigned. He was a democrat previous to 1884, but after that was a republican.

In 1913 Senator Crawford worked through Congress a bill preventing United States courts from interfering or conflicting with state courts over questions of railroad rates, etc.

The annual meeting of the State Bar Association was held at Sioux Falls in January, 1914, with Judge James H. McCoy, president, in the chair. C. J. Morris, president of the Minnehaha County Business Men's Association, delivered the welcoming address and President McCoy responded on behalf of the association. The report of the committee on legal reforms occasioned a sharp and prolonged discussion. Judge Dick Haney was elected the new president. James G. Stanley read an interesting paper and pointed out numerous court reforms that should be made. Several other interesting addresses were made and were published in the local newspapers.

At the election of November, 1914, the following was the result of the judicial contest: First Judicial Circuit—Robert P. Tripp, 9,140; Zenas R. Gurdley, 5,159. Second Circuit—Joseph W. Jones, 9,651, no opposition. Third Circuit—Carl G. Sherwood, 5,922, no opposition. Fourth Circuit—Frank B. Smith, 5,747, no opposition. Fifth Circuit—Thomas L. Bouck, 6,556; H. H. Potter, 3,446; S. A. Cochrane, 267 votes. Sixth Circuit—John F. Hughes, 3,550, no opposition. Seventh Circuit—Clarence L. Lewis, 2,061; Levi McGee, 2,351. Eighth Circuit—James McNenny, 3,745; Claude C. Gray, 1,842. Ninth Circuit—

Alva E. Taylor, 5,500, no opposition. Tenth Circuit—Joseph H. Bottum, 4,316, no opposition. Eleventh Circuit—William Williamson, 4,287, no opposition. Twelfth Circuit—Raymond L. Dillman, 2,681, no opposition. At this election the proposition for a constitutional convention was defeated by the following vote: For convention, 34,832; against convention, 51,585.

A pardon board consisting of the presiding judge of the Supreme Court, the secretary of state and the attorney general, formally organized in 1915 with the judge as chairman and the secretary of state as clerk. At this time the board decided to have specific dates of meeting instead of leaving the date to irregular calls as in the past. The dates selected were the first Tuesdays of January, March, May, July, September and November, with special called meetings in case of emergency. Definite notices to state's attorneys and Circuit judges before whom a case might be called were an additional requirement demanded by the board in all applications for pardons in the future. With this demand there passed the right of any person to appear and protest by paper filed with the clerk of the pardon board, and specific dates were set for hearings in the published notices for applications.

In 1915 ex-President Taft, in addressing the New York State Constitutional Convention, advised that a censorship should be placed on the public press so that there could no longer be a trial by newspapers before cases came to trial before courts. The ex-President declared that under existing laws men were convicted by the public press in advance of their trial by the courts. The newspapers throughout the country took up the charge and pointed out that less than one man out of twenty accused of any crime graver than a misdemeanor was ever convicted by the courts. They thus insisted that newspapers had the best of the argument, because the guilt of such persons in almost every instance was shown up through the columns of the daily press. More than one editor declared that newspapers were greater instruments of justice than were the courts, and that it would be almost impossible to cite a case where a prominent criminal had been apprehended, tried and convicted, in which the newspapers had not played a more important part than the courts in collecting evidence, running down culprits and securing their conviction. It was stated that every public prosecutor who really prosecutes knew this to be true. It was declared that many men who were guilty escaped their just punishment, owing to the fact that all the processes of the courts and all the technicalities and presumptions of the law were in favor of the accused; therefore, the only punishment such men received was the publication of the truth in the newspapers. It was also maintained that the press was the only protection society had against scoundrels and criminals of all kinds and degrees. A Chicago newspaper said: "Men who prey upon society fear newspaper publicity more than they do the jury box, or the judge's bench. To muzzle the press would be their delight and immunity. Innocent men who are convicted by the press in advance of their trial have other recourse. That so few such innocent men ever even attempt to avail themselves of this recourse shows with what injustice and impartiality newspapers try men. There are few appeals from the verdict of the public press. There are always appeals from the verdicts of the courts."

In 1915, after thirty-six years of active practice of the law at Deadwood, Judge A. J. Plowman, one of the best known lawyers and judges of the state,

retired from active practice. He came to South Dakota in 1879 and thereafter for many years took an active part in politics, and was prominent in the ranks of the republicans of the Black Hills Region and of the whole state. In 1882 he served as territorial district attorney and traveled over the territory between the Great Sioux Reservation and Wyoming. He was prominent in Indian affairs, and was denominated by one of the Indian chiefs as the "little man with the big voice." He was city attorney of Deadwood, county judge and circuit judge; and in 1915 was the Nestor of the Lawrence County bar. At the time of his retirement he was president of the Lawrence County Bar Association.

The seventeenth annual convention of the South Dakota Bar Association was held at Watertown early in September, 1915. There was a large attendance and all had an enjoyable time. The Codington Bar Association formally entertained the distinguished guests and furnished them with an elaborate program of amusements. The principal pleasure ground of the association was at the Watertown Country Club on Lake Kampeska, where golf, tennis, boating, fishing and bathing were the attractions. On the program were the following speakers: Charles B. Mills, of Minneapolis, on the subject, "The Relation Between the Banker and the Attorney;" Martin J. Wade, of Iowa, subject, "Back to the Constitution;" H. J. Bushfield, Miller, subject, "Citizenship for Lawyers." Papers were read by Hon. C. A. Christoferson, Sioux Falls; A. K. Gardner, Huron; Olaf Iden, Brookings, and John H. Rich, Minneapolis.

It is doubtful if any state has had a stronger or more efficient bench than South Dakota. It can be shown in almost every instance that where any court failed to administer justice promptly it was due to the over-clogging of the docket by which the judge was overworked. For many years three Supreme judges did the work that should have been done by five, seven and nine judges. But relief came at last. Now court conditions are satisfactory as a whole. Today the able and faithful judges and the brilliant bar will rank well with those of any state of the Union.

The judges of the Supreme Court have been:

Dighton Gorson, 1889-1912; Alphonso G. Kellam, 1889-1896 (resigned); John E. Bennett, 1889-1894 (died); H. G. Fuller, 1894-1908 (appointed in Judge Bennett's place); Richard Haney, 1896-1912; Charles S. Whiting, 1908- (appointed to fill Judge Fuller's place); Ellison G. Smith, 1909- (appointed under the new law providing for additional judges); James H. McCoy, 1909- (appointed under the new law); J. H. Gates, 1913-; Samuel C. Polley, 1913-.

CHAPTER XXIV

RELIGIOUS ORGANIZATIONS

The first religious organization in either of the Dakotas was a small Roman Catholic congregation established among the French Canadian trappers and half-breed Indians in the employ of the Hudson Bay Company at Pembina in what is now North Dakota. A small chapel was erected there in 1812 and various priests attended this congregation from time to time as the years passed. No doubt other buildings there were used. In 1845 Father Belcourt erected a chapel and also a small convent at what was known as St. Joseph's, but what afterwards became Walhalla.

The Catholics through their explorers, fur traders and adventurers were the first to invade what is now South Dakota. LeSeuer no doubt visited this region in the year 1700 and Verendrye is known to have been here in 1743 when he planted a leaden plate on the hill at Fort Pierre. An account of the finding of this plate a few years ago will be found elsewhere in this work. The fur traders who came up the Missouri River from St. Louis were nearly all of the Catholic denomination. The Chouteaus, Manuel Lisa, Reconters and Picottes and many others found their way up the Missouri River, visited the Indians in what is now South Dakota, traded with them and no doubt made known to them the religion of the whites, particularly of the Catholics. As early as 1842 Father Ravoux visited what is now Fort Pierre. At that date what is now South Dakota belonged to the jurisdiction of the Catholic bishop of Dubuque, who, in 1842, went down the Mississippi River to St. Louis and while there was earnestly solicited by Catholic fur traders, who had come down from Fort Pierre and who had married Indian women, to send priests to their homes to give baptism and religious instruction to their wives and children. It was in response to this request that Bishop Grace sent Father Ravoux from St. Paul across the country to Fort Pierre and vicinity. On this trip the Father was accompanied and protected by half-breed Indian guides. No doubt after reaching what is now South Dakota he held religious services at the various camps occupied by him on his journey from the eastern border to Fort Pierre. One such celebration of mass occurred at the crossing of the James River, probably in what is now Brown County. In all probability this was the first formal religious service by the Catholics in what is now South Dakota; it was during the summer of 1842. After remaining here some time he returned to St. Paul, but came back two years later by way of Sioux Falls and Vermillion. No doubt he celebrated mass at all these places including Sioux Falls.

Father DeSmet, another Catholic, was here before 1848. He had previously passed westward along the Upper Missouri to the Rocky Mountains and in all probability held services in what is now South Dakota previous to the summer

of 1848. During the summer of the latter year he came up the Missouri River to the mouth of the Platte, and thence journeyed to the mouth of the Niobrara and there held services among the Poncas. According to Father DeSmet this was the first time the Poncas had ever heard of Jesus Christ from the lips of a minister. When he arrived they were preparing to attack a party of whites who were passing up the river with goods for a fur company, but upon seeing Father DeSmet they refrained from the attack, and instead joyfully joined in welcoming him to their camp. They had learned what his mission was from the half-breeds who lived among them. Continuing his trip up the Niobrara and White rivers he visited the Bad Lands and noted particularly the peculiar formations there. He passed down the Little Missouri to Fort Pierre where he continued his duties as missionary. Father DeSmet continued his labors among the Indians at Pierre and Fort Bouis at the Big Bend until October and then returned to St. Louis for the winter. In June, 1851, in company with Father Christian Hoecken, he came up the river on the steamer *St. Ange* which was owned by the American Fur Company. Both Fathers while on board were stricken with cholera. Father DeSmet recovered, but Father Hoecken died and was buried at the mouth of the Little Sioux River in western Iowa. Many others died on this vessel on its way up the river. When they reached Big Bend they found smallpox was raging at Fort Bouis, and here Father DeSmet, unafraid, gave assistance to the afflicted. While here he visited Fort Union, Fort Pierre and Arickara and baptised numerous children. He passed across the country from Yellowstone to the Oregon Trail and while in the West visited the Black Hills region. On one of the peaks there he engraved a large cross upon a high rock. At Fort Laramie he assisted in a grand council of all the western tribes, which had been called by the Government for the purpose of making a treaty to arrange measures to protect the California trail which already was an important thoroughfare.

Father DeSmet continued his work among the Dakota Indians until 1866 and accomplished a great and important service. The Indians entertained for him the highest respect and consideration and usually were pleased to obey his slightest wish. The Government recognizing his power among the natives, asked him for suggestions as to who should serve as agents among the Indians.

In June, 1850, Father Christian Hoecken, above mentioned, first visited the Sioux Country, where, at Fort Pierre and Fort Bouis, he made many baptisms. The same fall he passed down the Missouri to Vermillion where he baptised several natives and continuing down the river met Major Holton who urged him to return to Fort Pierre. He finally consented, secured a guide at Vermillion, started westward, but was unable to cross the James River, and finally traveled up that stream for several days, but was finally caught in a terrible blizzard and forced to return to Vermillion. Soon afterwards he passed down the river to St. Louis.

It will be seen from a study of the religious history of South Dakota that nearly all the first visits were of a missionary character, more or less self-sacrificing in nature and made for the benefit of the natives mainly and also for the few whites. The Catholics who came here were acting under the authority of the Archbishop of St. Louis. This continued until 1867 when, a considerable number of French Catholics having settled in the Dakota Panhandle, Father Pierre Boucher was sent here by Bishop Grace to organize St. Peter's Church at

Jefferson. Father Boucher became thus the apostolic missionary of the Catholic Church and had jurisdiction over the southern portion of Dakota Territory. While at Jefferson as pastor of that flock he built the first permanent Catholic structure in South Dakota.

The Catholic Church grew slowly at first in this section of the country. The settlers were few and scattered and had many things to think about besides religion. In August, 1879, Rt. Rev. Martin Marty came to the territory as perfect apostolic with the power of an administrator of a diocese, and at this time there were but twelve priests and twenty Catholic churches in all of Dakota Territory. Mgr. Marty established his seat of operations at Yankton where the Benedictine Sisters soon established a large convent and where a bishop's residence was erected west of the city on an eminence which became known as Mount Marty.

In the fall of 1889 Dakota ceased to be a vicarate and was erected into two Episcopal Sees by orders from Pope Leo XIII to correspond with the two new states. Rt. Rev. Bishop Marty up to this date had been vicar apostolic of all the Catholic churches of Dakota Territory, but he now became bishop of Sioux Falls diocese. He transferred his residence to Sioux Falls in February, 1889, and by September the See had become fully established, and another likewise had been founded at Jamestown, North Dakota. Located there was Rt. Rev. John Stanley who was appointed from St. Paul. Rev. O. Zarretti, D. D., vicar general to Bishop Marty, was appointed bishop of St. Cloud, Minn. In 1888 Bishop Ireland was made an archbishop and his jurisdiction was extended over Minnesota and Dakota. At that time Dakota was organized into two dioceses called Yankton and Bismarck.

In the '90s the Benedictine Sisters for North Dakota and South Dakota established headquarters at Pierre. In 1899 they took the Old Park Hotel property, altered and improved it and soon afterwards opened it as a hospital and school. Later they erected a fine brick structure, and at this day are prosperous both with their academy and their hospital.

In July, 1890, Bishop Marty appointed the following priests as members of the Diocesan Schoolboard: Rev. George Sheehan, Mitchell; Rev. Sylvester Maddock, Huron; Rev. Cyrille St. Pierre, Jefferson; Rev. Thomas F. Hopkins, Yankton; Rev. George A. Ricklin, Sioux Falls. This board was authorized to take charge of all the Catholic schools of the state.

In January, 1896, Rt. Rev. Thomas O'Gorman, who was then professor of history in the University of Washington, was elected bishop of Sioux Falls, was consecrated at Washington in April of the same year and was installed in his new office at Sioux Falls in May. Soon afterward he visited Mitchell to inspect matters concerning the church in that city. He spent the day at Alexandria attending the celebration of Father Lawlar's fiftieth anniversary as Catholic priest. The bishop was accompanied to Mitchell by a large number of priests, all of whom were met at the train by a large concourse of citizens and the juvenile state band. In the evening the bishop delivered a lecture in the Corn Palace and congratulated the people of Mitchell on their industrial success and on the fact that friendly relations existed between the Catholic Church and the other religious denominations of that city.

At the end of his first six months' service as bishop of South Dakota, Bishop O'Gorman stated in December that matters in the diocese were improving daily and that, with the exception of Sioux Falls parish, none of the churches was incumbered with debt large enough to cause any annoyance. During this six months the bishop confirmed 2,000 people.

Since 1896 the Catholics of South Dakota have been under his jurisdiction. Within a comparatively short time he succeeded in establishing six important hospitals in the state at the following places: Aberdeen, Cascade Springs, Deadwood, Pierre, Webster and Yankton. He also established Catholic academies at Aberdeen, Elkton, Marion, Sturgis, Vermillion, Jefferson, Tabor, Watertown, Zell and elsewhere. Since the commencement of the twentieth century, he has greatly extended the number of hospitals and academies as well as the number of churches. The following Catholic orders are represented in the state: Benedictine, Mercy, St. Joseph, St. Vincent DePaul, Presentation, and St. Frances Sisters.

In 1903 the Catholic diocese at Sioux Falls was again divided and a See was established at Lead. At this time the new See had a population of about eight thousand. At Deadwood was a total Catholic population of about three thousand five hundred in charge of Very Rev. M. N. Redmond, vicar general. Rev. J. N. Stariha became the bishop of the new See. At this time there were in South Dakota about seventy Catholic churches and seventy other charges.

In 1906 there were in the state 199 organized congregations of the Roman Catholic Church, with a total membership of 61,014, 177 houses of worship, 82 parsonages, 163 Sunday Schools and 6,966 scholars. The state census of 1915 gave the Catholics of South Dakota a membership of 78,769.

In August, 1915, Rt. Rev. Thomas O'Gorman, of Sioux Falls, Catholic bishop of the east diocese of South Dakota, and a large number of other eminent prelates of the church from all parts of the Northwest, assembled in Charles Mix County, South Dakota, to take part in the Catholic congress held at the Yankton Indian Agency in honor of the seventy-fifth anniversary of the landing in South Dakota of Father DeSmet, the famous Catholic missionary, who came to commence the work of christianizing the Sioux Indians. Present were several thousand people to witness the interesting proceedings. At this meeting a few of the older Indians, then mere boys, remembered distinctly the coming of Father DeSmet and the interest shown by the tribe in his teachings and efforts on their behalf. Nearly all the Indians who attended this meeting were the descendants of those who had been converted to Christianity by Father DeSmet and the other missionaries. It was planned at this time to erect a handsome memorial to Father DeSmet. Hundreds of peace pipes were distributed among the Indians present. Father DeSmet landed from a boat on the Missouri River at Vermillion on May 11, 1839, for the purpose of making peace between the Omaha and Sioux Indian tribes and of commencing the work of converting the Indians to Christianity. The work he accomplished is now an important part of the history of South Dakota. He was so successful that he was generally considered one of the most useful and prominent missionaries in the United States. The celebration was held with great ceremony and the church and its influence was greatly strengthened among the Indians present.

The feast of St. Thomas Aquinas, patron of Rt. Rev. Thomas O'Gorman, D. D., is known as Bishop Day's at Columbus College, Chamberlain. On that day a feast is given on the college campus and the students give exhibitions of their class room work, and Thespian training. The program in 1915 was one of much interest. There were rendered oratorical displays, musical productions and dramatic presentations. The program of the day began with the celebration of mass in Sacred Heart Chapel by the president of the college, Rev. M. J. Breen, who delivered an eloquent panegyric on the life and works of Father O'Gorman. In the evening the class of 1915 rendered the following excellent program: Musical selection, College Orchestra; Welcome, J. P. Jordan; "Our Bishop," J. C. Chaloupka; vocal solo, "The Great Beyond," J. Duhamel; "The Ideal Student," J. Larey; "St. Thomas of Aquinas," L. Manley; violin obligato, "Traumerei," P. Maguire, and J. Bradac; "Benefits of Class Organization," W. Murphy. The exercises closed with the rendition of a one act trial entitled, "Circumstantial Evidence," which was intended to show how an innocent man could be convicted by circumstances alone.

Congregationalism appeared in South Dakota at an early date. The Riggs family entertained favorable views of the Congregational Church. Stephen R. Riggs was himself a Presbyterian, but was a missionary of the American Board of Commissioners for Foreign Missions, which society was then operating under a plan of union which was accepted by both Presbyterian and Congregational churches. Thus both Congregationalists and Presbyterians claim as their missionaries men sent out under the auspices of the board. So far as known, efforts of Mr. Riggs were introductory for the establishment of evangelical missionary work among the Indians in what is now South Dakota. He and his associates came here to ascertain the moral condition of the Teton Indians west of the Missouri River.

The first work of the Congregationalists among white people in South Dakota was at Yankton, then the territorial capital, but a rough frontier town with about four hundred inhabitants. The American (Congregational) Home Missionary Society established the church at Yankton in response to requests from people then living in that town. Application for a missionary was sent the society and in response Rev. E. W. Cook, of Ripon, Wis., was commissioned for six months in that field. He arrived in March, 1868, held services and on April 6th of the same year organized the first Congregational Church of Yankton. A month later the Sabbath School was organized. After Mr. Cook's term of service expired, the Congregation was served by Rev. J. D. Bell, who worked without a commission until the arrival of Joseph Ward, who reached Yankton in November, 1868. At once Mr. Ward became pastor of the Yankton church. He possessed high qualities, and in time became a power in all movements to elevate humanity in the state. So rapidly grew the congregation that in 1869 a church building was commenced and was completed the following year. It was dedicated in July, 1870, by Dr. J. E. Roy. Mr. Ward became very active and within six years was considered the leader of a group of twelve Congregational churches in the eastern part of the state.

In the fall of 1869 Rev. Stewart Sheldon came to South Dakota from Michigan. He took a claim near Yankton and in time became a useful citizen. His son, Dr. Charles M. Sheldon, is the author of the book called the "Twentieth

Door," and other works. Mr. Sheldon, at the solicitation of Mr. Ward, took up church work and soon became a prominent minister. He first supplied Vermillion, Elk Point, Richland and Bon Homme. He traveled far and wide with his buggy and ponies. He began work in 1870 and reported the organization of three churches in one day, July 17th, of that year, the three being at Richmond, Elk Point and Vermillion. At Vermillion services were held in a small store building, in an old schoolhouse, and in an old residence on the outskirts. The first church was built there on the river bottom and was washed away at the time of the great flood in 1881. The second church was built on the hill. At Elk Point progress was even less favorable. The first building occupied was soon destroyed by fire. Another occupied for a short time was blown down. In the fall of 1870 Mr. Sheldon went to Canton and preached in a log house with a thatched roof and ground floor and received ten new members as a result of his first visit. On the evening of the same day he held services at Sioux Falls, one of the meetings there being held in the old barracks formerly used by the soldiers as a protection against the Indians. He effected an organization there and soon afterwards a house was built and the congregation grew rapidly. Four years later he built a church at Springfield, but a visit of the grasshoppers checked operations there for a while. Of the group of ten churches formed in the first six years, seven remained Congregational, three united with other denominations. Later one was washed away and destroyed and one died from natural causes.

In 1871 the Congregational General Association of Dakota was organized and a constitution was prepared and adopted and was signed by three ministers and five delegates who were present. The object of the first ministers and missionaries was evangelism and education. At all meetings these points were brought out and emphasized. Another early minister of the Congregationalists was Rev. L. Bridgman, who came from Wisconsin and preached for some time in this portion of the state. At one of the meetings of the Congregationalists the Woman's Missionary Society of Yankton provided a program and on this occasion the audience was addressed by Nathan Ford of Illinois. This was regarded as the first public Woman's Missionary meeting of the Congregational Church held in Dakota Territory.

At one of the meetings there were in attendance three ministers from elsewhere, Rev. A. Potter, United Brethren; Rev. J. Cole, of the Methodist Episcopal Church; and Rev. J. Runyan, of the Wesleyan Methodist Church. It was about this time, October, 1872, that the Canton Church was dedicated; \$500 was raised at the dedication to complete the payment of bills. The fifth meeting of the association was held at Santee, Neb., in October, 1873, in the Indian mission station which had been used for many years by Rev. A. L. Riggs. On this occasion resolutions were passed to promote fellowship between the Indian churches and the white churches and to hold closer relations for the mutual benefit of the Indians and the whites. There was present on this occasion Rev. J. E. Joy, representative of the Home Missionary Society. At the seventh meeting of the Congregational Association in Sioux Falls, W. S. Bell was present. He was connected prominently with the development of Congregationalism in South Dakota and was continued until 1890, when he was transferred to Montana. At the annual meeting in Canton in 1875 a resolution inquiring whether the time had not arrived to make a movement to secure a Christian college for Dakota, was

passed. At this time, 1875, there were in South Dakota seven local associations of Congregationalists as follows: Black Hills, Central, Dakota (Indian), German, Northern, Plankinton, and Yankton. These united formed the General Association of Congregational Churches of South Dakota. During the next few years there were organized congregations at Medary, Aurora, Watertown, Fort Pierre, Pierre, Fort Sully, Mandan, Rockport, Redfield, and elsewhere. During this period Rev. D. B. Nichols arrived. About this time Congregational work was commenced in the Black Hills by Rev. Lanson P. Norcross, a missionary sent out by the American Home Missionary Society. He reached Deadwood in November, 1876, and held services the following Sabbath in the dining-room of the old Centennial Hotel. He held services also in the Inter-Ocean Hotel. Here on December 3d of the same year a Congregational Sunday School of about forty members was organized. The church organization proper was completed January 15, 1877, four women and seven men uniting by letter. This organization was effected in a carpenter shop which had no floor. In June a small frame church structure was built.

In 1878 Rev. J. W. Pickett came to the Hills as a general missionary. He visited all the towns and mining camps and preached at all places and organized Congregational societies at Lead City, Spearfish, Rapid City and elsewhere. He also organized several Sunday schools in the Southern Hills and at Rockerville. He was really the projector of the Spearfish Academy which later passed to another denomination. Mr. Pickett organized the Black Hills Association of Congregational Churches and the Black Hills Bible Society.

In the '80s there was rapid growth in the Congregational churches of South Dakota. The state settled rapidly at that time and there was a demand from every community for religious services. Scores of towns sprang up in the eastern part of the state and the Black Hills, and equally as rapid sprang up religious and Sunday school organizations. The Yale Dakota Band, consisting of nine young men from Yale Theological Seminary, came to the state at this time. They were Messrs. Case, Fisk, Holp, Hubbard, Lindsay, Reitzel, Shelton, Thrall and Trimble. Their arrival marked an important epoch in the history of the Congregational church. At this time also woman's work was greatly developed in the church of this state, both home and foreign branches. In 1883 the Dakota branch of the Woman's Board of Missions of the Interior was organized at a meeting of the general association. Of this meeting Mrs. M. B. Norton was president and Mrs. Joseph Ward secretary. One year later, at Yankton, the Woman's Home Missionary Union was organized at a meeting of the general association.

Soon after 1886 the Sunday schools of the Congregational Church were placed under denominational control by the Congregational Sunday School and Publishing Society of Boston. Rev. W. B. D. Gray was territorial superintendent and held the post until 1893. This society did much to build up and strengthen Congregational Sunday schools. From that time until the beginning of the twentieth century, hundreds of such schools were established where no gospel services were held. The Home Missionary Society continued the work thus begun. They called to their assistance W. S. Bell, William McCready, Albert T. Lyman, John Shattler and others. Rev. C. M. Daly succeeded Mr. Gray as territorial superintendent, beginning work in July, 1888. At that time there were in this field sev-

enty-nine Congregational Sunday schools with a total membership of 5,335. By the close of the century there were 221 independent and mission schools, with a total membership of 12,138. During the '80s also there was organized the Dakota Home Missionary Society at a meeting of the general association in Huron. Of this society Rev. Joseph Ward was president and Rev. W. B. Hubbard secretary. Rev. Stewart Sheldon continued to serve as territorial superintendent until 1886. During his sixteen years of service he saw the Congregational churches of Dakota Territory increase from one church with a membership of ten to 101 churches with a membership of 3,571 and a Sunday School membership of 5,641. He was succeeded by Rev. H. Wiard, who served for five years. Under his superintendency the churches were increased to 132, with a membership of 4,892. Many new church buildings and parsonages were erected during this period. In 1892 Rev. W. G. Dickinson became superintendent. Owing to failing health he served but a short time. He was succeeded by Rev. W. H. Thrall, pastor at Redfield. By 1903 the total Congregational Church membership in the state was 7,310 and the Sunday School membership was 12,138. The Young People's societies of the church had a membership of 2,098. The societies numbered sixty-eight. At this time the aggregate value of Congregational Church buildings in South Dakota was \$306,500. The value of college and academy property exclusive of Indian school property was \$225,000. They had endowments aggregating \$160,000.

Rev. D. R. Tomlin was appointed first general missionary in 1887. He served for nine years and accomplished great results. Others who served in the same capacity were Rev. W. G. Dickinson, Rev. Philo Hitchcock, Rev. E. W. Jenney and Miss Emma K. Henry.

Early in the '80s the Congregationalists began proselyting work among the German population. Soon eleven German churches were established and in good working condition. They were formed into the German Congregational Association auxiliary to the South Dakota Congregational General Association. An early German missionary was Rev. J. Jose. He said that the reason why many of the Germans left the Lutheran church was because the form and style of the old organizations did not satisfy them. By the close of the century about thirty German churches belonged to the South Dakota Congregational Organization.

The Congregationalists early began work among the Dakota Indians. Rev. A. L. Riggs established the Santee Normal Training School on the Nebraska side of the Missouri River, but it served South Dakota as well. It was established in 1869. Doctor Riggs was assisted by his son, Prof. F. B. Riggs. In 1872 Rev. T. L. Riggs had begun work near Fort Sully on the upper Missouri. Later, in 1880, his mission was extended to Standing Rock, where, in 1885, Miss Mary C. Collins was secured as helper. In 1887 Rev. George W. Reed joined the Dakota Mission and was in active service for many years. In 1885 several Indian workers were set at work. Two years later Rev. James F. Cross arrived and a year later was assigned to work on the Rosebud Reservation.

In 1883 the Dakota Mission of the American Board in its form and membership was transferred to the American (Congregational) Missionary Association. As a result of the work near Fort Sully, commencing in 1872, extensions were steadily made until fifteen or eighteen out-stations were established in that portion of the state. Many church organizations in time were established among

the Indians. By the close of the century nearly two thousand Indians had been taught at the Santee Normal Training School and 500 others had received elementary training at Oahe and Plum Creek and the out-station day schools. At this time there were nine Indian churches with an active membership of 705. They were largely self supporting. Besides these Indian schools six other Congregational schools had been established in the state by the close of the nineteenth century. Yankton Academy, later Yankton College, was one of the strong educational institutions of the Northwest. At first Spearfish Academy was called the preparatory department of Dakota College. As before stated it was founded in 1878 by Rev. J. W. Pickett and was incorporated in 1880. During the same year Pickett Memorial Hall was built and dedicated. In 1882 this school closed its doors owing to lack of funds. While it continued Professor Gay was principal. Yankton College was the third school to be established by the Congregationalists. Rev. Joseph Ward, D. D., was its first president. The college grounds were consecrated in October, 1881. Later Rev. Henry K. Warren was placed at the head of the faculty. The following departments were maintained: College, academy, conservatory of music, art, elocution, physical training, shorthand and typewriting, domestic economy. It now has seven or eight buildings on a beautiful campus. Plankinton Academy was established in 1885, but was continued only two years. Redfield College was opened in 1887 and was a branch of the Northern Association of Congregational churches and later was endorsed by the General Association. Rev. David Beaton was its first president. First sessions were held in the Congregational Church at Redfield. The citizens there and other friends erected the first building, which was occupied in January, 1888. Eight years later the building was burned, but was at once replaced with a much better structure. Other buildings were added from time to time. Rev. I. P. Patch was president at a later date. Ward Academy was established in 1893 with Rev. L. E. Canfield as its first principal. It was built in Charles Mix County. In time it became a well patronized and strong educational institution.

In 1900 the Congregationalists had in South Dakota 146 churches and a total membership of 6,870 members. After this date the growth of the church was rapid, particularly east of the Missouri River. In addition, several small congregations were established in western districts.

In 1906 there were 168 Congregationalist organizations with a total membership of 8,509 and with 142 church buildings, 17 halls, 85 parsonages, 157 Sunday schools and 9,793 scholars. By 1910 the churches numbered 196 and the membership was 9,713. In 1914 there were 227 churches. The state census of 1915 gave the Congregationalists of the state a membership of 18,904. The substantial character of the growth of Congregationalism is shown by the following facts:

First, South Dakota has the distinction of ranking first of all the states west of New England in the ratio of Congregationalism to the whole state population. The present ratio is one Congregationalist to every fifty-eight population. Second, while it is true that throughout the entire nation the number of Congregationalists dropped down to about the sixth place among the English speaking Protestant churches, they took second place in South Dakota. Third, Congregational workers have made it a point to avoid over-churching. So successful have they been in this movement that in spite of frequent intrusions by other

denominations, the over-churched towns where a Congregational church is found are not numerous. Out of 218 towns of less than five hundred inhabitants in South Dakota, there are 151 which may well be called over-churched. For many years there has been a fine spirit of harmony and co-operation among the Home Missionary leaders and the pastors of the Congregational Church. A well perfected state organization expedites the solving of office and field problems. This state has been fortunate in the fact that for twenty-two years Doctor Thrall, with marked executive ability, keen judgment of men and resourcefulness in critical situations, has been tireless in his service as superintendent.

The Congregationalists have not neglected the rural districts. As only 13 per cent of the population of South Dakota lives in cities, much the larger field for church work is to be found in the rural districts. There are large opportunities for social centers and rural parishes. In the smaller towns, with which much rural work is connected, the Congregationalists have an excellent record. Another happy condition that promises well for the future is the cordial relations existing between the churches of all the Protestant denominations. Comity principles have been adopted and are observed, but better still is the spirit of brotherly co-operation that has come to the church. Methodists and Congregationalists especially, in a Christian and statesmanlike spirit, are steadily withdrawing from regions that have been over-churched. Thus in many deserving fields Christian work has been unified, expanded and strengthened.

On August 29, 1860, at a session of the Upper Iowa Conference of the Methodist Church held in Dubuque, it was decided to appoint a minister for the country lying between the Big Sioux River and the Missouri River in the proposed new Territory of Dakota. At this conference Bishop O. C. Baker presided, and it was upon the representations of Rev. G. C. Clifford, then presiding elder at Sioux City, that Rev. S. W. Ingham was appointed to this new field. Mr. Ingham was a graduate of Cornell College and was unmarried, but he commenced the work for the Methodist Church in what is now South Dakota. He arrived in the field October 12th of the same year. He came first to Elk Point, thence went to Vermillion, where, on October 14, 1860, he preached the first sermon under authority of the Methodist Church in what is now South Dakota. The next Sunday he held services at Yankton and a few days later went to Bon Homme, where he performed the first marriage ceremony above the James River. On the next Sunday he preached there to about twenty-five people and a week later preached again at Vermillion. This completed his first itinerary.

On January 13, 1861, there was commenced a religious meeting of two days' period at Vermillion on which occasion Rev. G. C. Clifford from Sioux City presided. Here it was that the sacrament of the Lord's Supper was first administered and here was formed the first religious organization of Methodism in the territory. About this time two other ministers of the Methodist denomination, Reverends Bell and Metcalf, came up the river and located near Richland on Brule Creek. A little later an organization with ten charter members was formed on that creek. Within a year or two the number of members increased to twenty-five. During the summer of 1861 Mr. Ingham visited Fort Randall, where he preached twice and baptized a young daughter of Captain Todd. This was the first baptism performed by a Methodist minister in the state. Mr. Ingham remained in this field for about two years, during which time he labored at

Richland, Fort Randall, Sioux Falls, Canton and other points. The two fixed classes that were organized were at Vermillion and Richland. At the beginning of the war both congregations were scattered by the Indians but later both were re-established.

Mr. Ingham was succeeded by Rev. J. L. Paine, of the Upper Iowa Conference, who remained about one year. At this time the Dakota field became part of the Des Moines Conference, but owing to the war conditions, pastors came here only at irregular intervals. Among those who labored here early were Revs. Daniel Lamont, Allum Gore, C. W. Batchelder, T. McKendree Stuart, J. T. Walker and John Plummer. No doubt other ministers visited this field also. Up to 1870 only Vermillion, Yankton, Elk Point and Canton were organized as charges and were part of the Sioux City district of the Des Moines Conference. The first services held at Elk Point were conducted by E. C. Collins. In 1871 the first church was erected at Elk Point under the direction of Rev. Fred Harris. In 1873, at the second session of the Northwestern Iowa Conference, there were thirteen charges in what is now South Dakota, with a total of 618 members. At this time the field was organized under the name of Yankton District and Rev. James Williams was appointed presiding elder. Three years later, owing to the hard time and grasshoppers, Bishop R. S. Foster discontinued the district and attached what remained to the Sioux City District with Rev. Thomas M. Williams as presiding elder. In 1879 the Yankton District was re-established as a part of the Northwestern Iowa Conference and at this time Rev. Wilmot Whitfield was presiding elder. The same year the Black Hills District was constituted with Rev. James Williams as presiding elder.

In 1880 the Dakota Mission Conference was established and its first session was held at Yankton in September, 1880, on which occasion Bishop Henry W. Warren presided. The Mission Conference at first had 1,050 members and probationers, with 19 charges, 9 church buildings and 6 parsonages. During the previous year \$5,800 was raised for the support of ministers. There were fourteen Sunday schools with an aggregate attendance of 966. The second session of the conference was held at Sioux Falls in 1881. Bishop John F. Hurst presided. Ten new churches had been built during the previous year. Rev. Thomas M. Williams was appointed superintendent of the conference; Rev. Wilmot Whitfield pastor at Yankton, and Rev. Lewis Hartsough at Sioux Falls. Twenty-seven pastors were assigned to work by this conference.

After this date the growth of Methodism in this state was very rapid. In 1882, at the second Mission Conference, Rev. Wilmot Whitfield became presiding elder of the Yankton District, and Rev. Lewis Hartsough of the Huron District. Forty-two preachers were assigned to charges at this conference. During this year Rev. Thomas M. Williams, the superintendent, died suddenly while attending a quarterly meeting at Bridgewater.

So rapid was the development of this field that at the fourth session of the Mission Conference held at Huron in 1883 the conference was divided into four districts in charge of Rev. I. N. Pardee of the Mitchell District, Rev. Lewis Hartsough of the Yankton District, Rev. William Fielder of the Huron District and Rev. William McCready of the Ordway District. Seventy pastors were set at work and nineteen charges were left to be supplied in the future. The fifth session of the conference was held at Mitchell in October, 1884, with

Bishop E. G. Andrews presiding. At this time there were 86 charges with 51 churches and 15 parsonages. The sixth session was held at Blunt, with Bishop Cyrus D. Foss presiding. It was in 1885 that this mission was regularly organized as an annual conference. It began its official existence with forty-two full members and nine probationers. By 1890 the membership had reached 9,663. The hard times of the early '90s checked the growth of Methodism in the state, but immediately thereafter its growth was renewed. By 1902 there were within the bounds of the Dakota Conference 125 charges under the supervision of five presiding elders. There were 172 church buildings and 100 parsonages. The membership of the church as reported at the annual conference in 1903 was 11,440. There were 232 Sunday schools with a membership of 17,208. The school of the Methodists in South Dakota is called Dakota University and was located officially at Mitchell in 1885. Since that date it has become one of the strong and permanent denominational colleges of the state.

The first preacher of the Methodist denomination to enter the Black Hills Region was Rev. Henry W. Smith, who went there of his own accord to minister to any church members who might have gone there with the mining movements. He began his labors at Custer City, where in a log house he preached as early as May, 1876. A little later he left Custer City, preached on Box Elder Creek, and later, in May, reached Deadwood, where, on July 9th, he preached on the street at the corner of Main and Gold streets. He continued to conduct open air services on the streets of Deadwood for some time. In August, 1876, against the remonstrances of friends, he undertook to walk to Crook City to hold services, but on the way was shot and killed by the Indians. When he was found his hands were folded across his breast, clasping his Bible and hymn book to his heart. Strange to say, he was not scalped nor mutilated. His body was taken back to Deadwood and buried in Mount Moriah Cemetery. A monument to his memory was erected by his friends in 1891.

At the seventh session of the Northwestern Iowa Conference held in Cherokee, Iowa, Rev. James Williams was appointed missionary to Deadwood. This was the beginning of organized work by the Methodists in the Black Hills. At the next session of the conference held in Sioux City, Rev. James Williams was appointed presiding elder of the Black Hills District. Mr. Williams continued as pastor of the Deadwood Church and Rev. William Fielder and Rev. A. J. Whitfield were assigned charges at Central City and Lead respectively. The Black Hills Region was organized as a mission by Bishop Warren in 1880, and Rev. James Williams became the first superintendent. Among the pastors under him were Revs. Ira Wakefield, W. D. Phifer and R. H. Dolliver. At the second session held in Deadwood in 1881 Rev. J. D. Searles became superintendent. Others later were Rev. James Williams, Rev. J. B. Carnes, Rev. E. E. Clough and Rev. C. B. Clark. The first permanent religious organization of the Methodists in the Black Hills was at Central City. The first quarterly meeting was held there in November, 1878. In 1883 the Methodist Church at Deadwood was dedicated. It cost \$6,700, but soon afterwards the whole property was destroyed by a flood. The Methodists organized a society at Lead in 1880. Another was organized at Crook City, afterwards Whitewood, in 1879. The following year an organization was effected at Custer, and in 1881 another was established at Rapid City. In 1890 the Methodists established the Black Hills



KEMP AVENUE, LOOKING WEST, WATERTOWN



HIGH SCHOOL BUILDING, WATERTOWN



LOOKING EAST ON FIRST AVENUE SOUTH, WATERTOWN

College at Hot Springs, under Dr. J. W. Hancher, the first president. He was succeeded by Rev. E. E. Lymer. Not long afterwards the institution was closed. In 1888 the Methodists of the Black Hills Region organized as a mission conference, but in 1896 became an annual conference. However, in 1901, the mission conference was re-established, because it was believed better for this field. Early in the twentieth century Methodism was well established in the Black Hills Region. There were standing twenty-eight churches and thirteen parsonages. A short time before this date the Methodists began work among the Germans and Scandinavians and soon had a considerable following among these people in the eastern part of the state.

The Canton Epworth League established an assembly in 1901 under the auspices of the league of Sioux Falls District. Soon this organization became a power for extending the Methodist Church and for increasing its membership.

In April, 1896, the mid-year session of the association of the Sioux Falls District Methodist Episcopal Church convened in the church at Flandreau. The exercises were opened by devotional services by Rev. G. F. Hopkins of Dell Rapids. The ministers present were as follows: J. O. Dobson, D. D., of Sioux Falls, presiding elder of the Sioux Falls District, and W. I. Graham, D. D., president of Dakota University, Mitchell. Others present were as follows: J. P. Jenkins, of Madison; Nathan Farwell, of Sioux Falls; John Kaye, of Hartford; G. P. Hopkins, of Dell Rapids; D. Rifenbark, of Canton; W. B. Stewart, of Gayville; William Dawson, of Alcester; H. P. Eberhart, of Egan; F. B. Nicholls, of Elk Point; G. T. Notson, of Flandreau; W. O. Redfield, of Hudson; C. G. Hager, of Vermillion; Thomas Morris, of Volin; A. E. Carhart, of Elk Point, then president of the Non-Partisan Prohibition Union.

At the Methodist Episcopal Conference held at Vermillion in October, 1896, it was declared by a vote of 46 to 11 that women were eligible to preach in that organization. At the same time equal lay representation carried by a vote of 31 to 26. A strong movement in favor of prohibition was commenced at this time. Rev. James T. Gurney was transferred to this field from the Detroit Conference. S. H. Brown, E. E. Dean, Thomas Sanderson and J. T. Gurney were received in full membership. The committee reported favorably on six of the eleven applicants for the ministry. The age limit for application for membership was placed at thirty-five years with two exceptions. R. B. Bevis and Alfred Fowler of Canada joined the conference at this time. F. W. Sage withdrew. H. B. Clearwater was suspended at his own request. There were admitted to elders' orders Nathan Farrell, Frank Baker, Garry T. Nutson, F. C. McDuffee, A. C. Stevens and A. T. Jolly. Rev. A. C. Stevens of Redfield delivered the missionary sermon. Cole E. Clough of the Black Hills addressed the conference. At this meeting the General Missionary Society was asked to appropriate at least ten thousand dollars for the work of the conference during the coming year. The state statistician showed that there had been an increase in the churches of all gifts for benevolence. It was decided to hold the next conference at Mitchell, the time being left to the board of bishops. This was the twelfth conference of the church that had been convened in the state or former territory. Its membership included pastors and laymen from all portions of the state, excluding the Black Hills Region. An immense amount of routine business was transacted at this time. Among the duties connected with the

conference were the formation of districts; the ordination of deacons and elders; the appointment of pastors, and a great variety of miscellaneous domestic business. Bishop John H. Vincent, D. D., LL. D., presided over this conference.

The South Dakota Chautauqua Assembly opened at Madison in July, 1891. At this time Rev. J. H. Williamson was president of the assembly. Rev. T. Dewitt Talmage was present and lectured to the large audience which assembled on this occasion. It was stated that people came from a distance, in some cases, of fifty miles to participate in the exercises of the chautauqua and to listen to Doctor Talmage.

The second annual convention of the Epworth League of the state assembled at Huron in December, 1892. Each branch league of the state was represented on this occasion by from one to four delegates. The proceedings were important, because many changes were made in methods and proceedings. The president of the league at this time was F. A. Burdick. At this time they passed resolutions protesting against resubmission of the prohibition question, favored a state Epworth League in fact as well as in name, and opposed the opening of the World's Columbian Exposition at Chicago on Sunday.

In the summer of 1893 Evangelist E. A. Burrows, of Huron, held a series of important revivals in the southeastern part of the state and secured many converts. Such meetings were held at Vermillion, Dell Rapids, Yankton, Canton, Mitchell and elsewhere.

One of the largest chautauquas held in the state up to that time assembled at Madison in July, 1895. It was asserted fully 5,000 people were present to hear Rev. T. Dewitt Talmage, who was scheduled to lecture on that occasion. He failed to put in an appearance, greatly to the disappointment of the people who assembled. Many protests were made and in the end the Lake Madison Chautauqua Assembly began suit against him for violation of his contract. Rev. Sam Jones was present and entertained the audience.

The Lake Madison Chautauqua in 1897 was a great success. Mrs. Lake, of St. Louis, a famous temperance advocate and orator, was present and addressed the large audience. Other interesting speakers and lecturers were present. The chautauqua of the territory in 1889 was held at Milbank on Big Stone Lake and there were present fully 3,000 people. Many strong speakers were present and an enjoyable time was had.

In 1904 the Dakota Conference of the Methodist Episcopal Church was divided into five presiding elder districts embracing a total of 127 pastoral charges. At least one hundred of these charges contained from two to three preaching appointments each. There was a total of 232 Sunday Schools connected with the conference at this time, also 2,067 church officers and teachers and 15,141 Sunday School scholars.

Late in 1906 the new Methodist Church building at Madison was dedicated. This was a record year for the Methodists, Baptists and Catholics particularly; many church buildings going up in all parts of the state. Statistics of the Methodist Church prepared by Rev. G. T. Notson, secretary of the conference, showed that a total of \$225,819 or \$17.31 per member, had been contributed the previous year, 1906, to the cause of the church. The conference at this time covered only that part of the state east of the 101 meridian and thus did not include the Black

Hills. During the year there was an increase of 494 members in the Methodist conference in South Dakota. The total membership by January, 1907, was 12,988.

In 1913 the Black Hills Mission was admitted into the Dakota Conference of the Methodist Church and since then has been included in the Rapid City district. The work of the conference is superintended by five men who preside over the following districts: Aberdeen, Mitchell, Sioux Falls, Rapid City and Watertown. In 1914 the number of Methodists in the state was 18,814, the number of ministers of all classes 174, number of church buildings 224, number of parsonages 143, number of Sunday Schools 269, number of members of the Epworth League 3,672, members of the Junior League 1,476.

The Dakota Wesleyan University at Mitchell now has a property worth about \$300,000 and an endowment fund worth about \$250,000. It has a faculty of thirty members and a steadily growing student body. The presidents down to the present time have been as follows: 1885-93, Rev. William Brush, D. D.; 1893-1904, Rev. W. I. Graham, D. D.; 1904-08, Rev. Thomas Nicholson, D. D.; 1908-12, Rev. S. F. Kerfoot, D. D. The Methodists of South Dakota have two small hospitals, one at Rapid City and the other at Brookings. There is now in course of construction a large representative plant in the City of Mitchell to be known as the Methodist State Hospital. It is planned to erect a structure costing about \$100,000 thoroughly up-to-date in all details.

In 1906 there were in the state 291 societies of the Methodist Episcopal Church, with 15,485 members, 235 houses of worship, 33 halls, 128 parsonages, 250 Sunday Schools and 20,013 scholars. There were five organizations of the Wesleyan Methodist Connection of America, with 176 members and four church structures; also twenty-four societies of the Free Methodist Church of North America, with 444 members, 11 houses of worship, 8 halls, 10 parsonages, 17 Sunday Schools and 522 scholars. The state census of 1915 showed a total of 52,839 Methodists in the state.

In 1863 the American Board of Commissioners for Foreign Missions sent to the Crow Creek Agency for permanent work, Rev. John P. Williamson as missionary among the Indians in South Dakota. He was a Presbyterian and conducted his labors under that faith. Prior to this time Catholics and Protestants both had sent missionaries temporarily or permanently among the Indians here. The most noted one perhaps was Father DeSmet, a Catholic, who came up the Missouri River nearly every summer and held services at the different trading posts and even at the Indian encampments. Mr. Williamson arrived May 31st on board a river steamer, and with him on the same vessel came about one thousand three hundred Minnesota Sioux Indians in charge of Col. C. W. Thompson. At this time all the Indians of South Dakota were at war with the United States. A little later two steamboats arrived with about two thousand Winnebagoes who had been expelled from Minnesota. Mr. Williamson began his work at once and devoted the most of his time to the instruction of the Santees. The Winnebagoes seemed stubborn and opposed to any instruction he might offer, but the Sioux listened to him because perhaps he could talk their language. The succeeding winter was one of terrible suffering among the Indians. They ran entirely out of food and for a time lived on "cottonwood soup," because the steamboats failed to bring the expected supplies from St. Louis. This soup was prepared for them by Colonel Thompson. About one-fourth of the Santees died that dreadful win-

ter; also many of the Winnebagoes. However the school and mission work was kept up all winter amid the distressing surroundings.

In 1865 the American Board sent to the Yankton Indians at Greenwood, S. D., H. D. Cunningham and wife as lay missionaries. After laboring for two years they were obliged to return owing to ill health. In 1866 the Government moved the Winnebagoes and Santees to the vicinity of Niobrara, Neb. Mr. Williamson, who had returned to Minnesota, came back in 1868 and resumed his labors among the natives of this state. In 1869 he located at Greenwood and there resided and worked for many years. The house he erected was constructed of hewed cottonwood logs and was still occupied by him in 1900. The agency of the Yankton Indians was located here at a later date.

The first regular church organized among the Yankton Indians was established at Greenwood March 18, 1871, by Mr. Williamson and consisted of eighteen members all of whom were Indians. Mr. Williamson began soon to extend his work beyond the agency and finally reached out to other branches of the Sioux tribe. Hill Church, thirteen miles southeast of Greenwood, was organized in 1877; Cedar Church, fifteen miles northwest of Greenwood, in 1887; Heyata Church, fifteen miles northeast of Greenwood, in 1893. From that time down to the present, many churches have been organized among the natives in this portion of the state.

In 1870 Rev. J. W. Cook, an Episcopal minister, established a mission at Greenwood, his being among the earliest of any denomination to locate permanently among the Indians of this state. He continued his service with great patience and much success until his death many years later. Like Rev. Mr. Williamson he did superior school and church work and established many congregations of the Episcopal faith among the Indians, particularly the Yanktons. For many years, also, the Episcopal Church conducted a boarding school for Indian boys at Greenwood; it was known as St. Paul's School.

During the winter of 1863-4 Mr. Williamson held services for General Sibley's Indian Scouts who spent the winter at Buffalo Lake in Northeast South Dakota. No mission was established there. Rev. Thomas Williamson and Dr. S. R. Riggs were both doing missionary work among the Indians after this date. Doctor Riggs accomplished excellent work on the Sisseton Reservation. He established a boarding school at Good Will, and continued the work until his death, up to which time there were five Presbyterian churches established among the Indians of the Sisseton Reservation. One of the prominent preachers under Doctor Riggs was Rev. John B. Renville, a Sioux Indian, the first to become a regular preacher. He was a son of Joseph Renville, a French half-breed, who was a famous trader among the Sioux nearly a century before. Joseph Renville was interpreter at the treaty held by Lieut. Z. M. Pike with the Sioux Indians at the mouth of St. Peter's River where now Fort Snelling is located. In his later years Rev. Mr. Williamson was general missionary for all the Dakota Indians. In all he organized about a dozen Presbyterian churches among the natives.

Mission work among the Teton Sioux was commenced in 1872. The Indians of Cheyenne River Agency were then scattered along the Missouri bottom in little villages, and here Rev. Thomas L. Riggs erected a hewed log house with two rooms below, one of which was a school room. Above was a garret for sleeping rooms. He called this Hope Station. It stood a short distance below

Fort Sully. Here Mr. Riggs remained for many years, instructing the Tetons in the ways of civilized life and showing them the comforts and benefits resulting from religion. At first the work was one unceasing round of hardship, but in time the Indians became more placable and submitted to the instruction urged upon them. A little later other stations were established, one on Peoria bottom north of the present Pierre. Schools were opened and Indians were taught how to use the plane and saw and certain farm implements. The women were interested in the sewing school, and all seemed anxious to learn to read from books. Thus with hard work and persistent effort the habits of civilization were slowly fastened upon the natives.

In 1874 the station at Peoria bottom, fifteen miles below Fort Sully and on the eastern side of the river, became the central missionary station, and Hope Station was continued only as an auxiliary. The other out-station was on Chantier Creek, five miles above Hope Station. Soon Mr. and Mrs. Riggs were joined by assistants. In 1875 there came Miss Bishop, a missionary helper, and in the same autumn Miss Collins and Miss Whipple located at Peoria bottom. At this time there were about three hundred Indians living there. The work consisted in teaching during the day, in addition to assisting with farming operations. Religious services were given on Sundays and usually every evening. Steadily the work expanded until all the Indians in this vicinity were under the good influence of the school and the church. The Indian girls and women were taught to sew and to keep house. Nearly all belonged to the church and were required to do so in order to receive instruction. Finally, permission to establish an industrial school was obtained from the American Missionary Association, and accordingly, in 1884-85, twelve Indian girls were taken and became the nucleus of such school. The school at first had no building, but they managed to secure a small structure 12 by 14 feet where they had previously held day school exercises. This was moved into the mission enclosure and served as a kitchen, dining-room and sitting-room. The Indian matron and a few of the girls slept here, but the remainder were kept elsewhere. In 1885 funds from the association were secured and a frame building to accommodate about fifty pupils was obtained. Here the pupils were taught to cook, sew, keep house and keep clean generally. English was the every-day language. The Bible was studied daily, both in English and in the Indian tongue. The object of the missionaries was to form and perpetuate Christian character among the natives. After a few years a few boys were taken into the school. However, they were not retained after reaching the age of ten or twelve years. Notwithstanding the fact that the Government about this time established a school system among the natives, the missionary boarding schools still retained their usefulness and popularity. The Oahe Church was organized in 1876 with one native and three white members, but within a short time it had a membership of 109, of whom about twenty were white people. By 1903 there were the following churches: Oahe, fifteen miles from Pierre; Cheyenne River, near Leslie; Remington, on Moreau River; Little Moreau, farther east on the Moreau River, and Virgin Creek, on the stream of the same name. There was also on Cherry Creek a small boarding school of ten pupils presided over by W. M. Griffiths and wife.

The first religious services by Presbyterians in what is now South Dakota were held in 1840. At that time Rev. Stephen R. Riggs, a member of that

denomination, came from the Minnesota River to Fort Pierre and was accompanied by Alexander Huggins. His audience consisted of Indians, but a little later a few whites joined his congregation. Other Presbyterians from time to time visited this field.

Early in 1860 Rev. Charles D. Martin, a missionary of the Presbyterian Church, came to Yankton and there preached the first sermon ever delivered to white people in what is now South Dakota. He came from Dakota City, Neb., a distance of about seventy miles. In October of that year he performed the first marriage recorded after Dakota Territory was opened to settlement. In June, 1861, he organized a Sabbath school in Vermillion in a log building that afterwards became known as the first church building proper erected in what is now South Dakota. In the construction of this building the few Presbyterians were aided to the amount of \$50 by the Presbyterian Board of Church Extension at Philadelphia. A little later the same board sent here a small library. Gen. J. B. Todd and Judge John W. Boyle assisted in this religious movement. The Indian outbreak in Minnesota in 1862 forced the people to convert this log church temporarily into a fort. About this time Mr. Martin became connected with the courts of the territory and thereafter ceased to preach.

The Presbytery of Dakota Territory was organized in 1864 and then included Minnesota, North and South Dakota, Montana, Idaho and Colorado. Rev. Stephen R. Riggs was one of the original members of this body. The early work of the Presbyterians among the Sioux was mainly on Sisseton Reservation though at that time nearly all the Indians still led a wandering life. The first prominent organization among them by the Presbyterians was effected in 1865, when a membership of sixty-five was secured. At the same time there was organized what was called the Scout Church, which was composed of Christian Indians who had served as scouts in the United States army for a short time after the Minnesota massacre. Both of these churches were finally disbanded, and five local churches were organized therefrom. Several are yet active in the vicinity of Sisseton. They continued to increase until they numbered from thirty to forty and had a membership of from fifteen hundred to two thousand. Rev. Mr. Williamson had come to this field two years before Stephen R. Riggs came. These two men did an unparalleled work in translating considerable portions of the Bible to the unwritten language of the Dakotas. The far reaching results of their work would be difficult to tell at this date.

In 1872 the next important movement of the Presbyterians in South Dakota occurred. It extended from Iowa and passed up along the Big Sioux River, culminating at Canton, Dell Rapids, etc. The movement was led by Rev. Caleb M. Allen. He formed the church at Dell Rapids, which is yet active and is the oldest Presbyterian church of the white race now in the state. He organized a church at Canton, which a little later was abandoned, but finally reorganized. Both were enrolled in Iowa. In 1877 Rev. George F. McClere came from Iowa and located near Dell Rapids. He was followed the next year by Rev. W. S. Peterson, who located at Swan Lake. In 1879 Rev. James B. Currans came from Kentucky and a little later Rev. M. E. Chapin came from Ohio. One located at Parker and the other at Mitchell. About this time Rev. Ludwig Ligge located near Lennox. Rev. H. P. Carson settled at Scotland and Rev.

W. L. Alexander at Volga, the latter in 1880. Others continued to come from this time forward in considerable numbers. Informal meetings or conventions of the Presbytery were held as early as July, 1879. One was thus held at Cameron in McCook County. At this time the missionaries were connected with the Iowa Synod, although this field was really within the territory of the Synod of Minnesota. Both synods had representatives in this field.

The second Presbyterian convention was held at Madison in 1879 and the third in Parker in 1884. The same year another was held at Mitchell, on which occasion Rev. A. K. Baird, of the Missionary Synod of Northern Iowa, was present. He was really the leader of these several conventions. The subject of "Ecclesiastical Relation" was discussed on this occasion. In the autumn of 1880 the fifth and last of these conventions was held at Flandreau.

By this time the number of ministers and churches had so increased that plans were perfected to convert them into an independent Presbytery. Hence, in October, 1881, a meeting was held at Dell Rapids for that purpose. It was ordered by the Synod of Minnesota, and as a result the Presbytery of Minnesota was duly constituted. It embraced the churches of white people that were then located in Dakota south of the 46th parallel. In all there were sixteen ministers, twenty-two churches and a membership of 380.

After this the growth was rapid and many calls were made upon the synods of Minnesota and Iowa for help. In 1883 the Synod of Minnesota divided this field into three presbyteries, and at this time there were here thirty-two ministers, fifty-three churches and over one thousand church members. This was called the Synod of Dakota, but a little later the name was changed to South Dakota. It was organized at Huron in October, 1884. At the same time the Dakota Indian Presbyterians included with the other three, Aberdeen, Central Dakota and South Dakota. By this time the church membership was about two thousand, with seventy-three church organizations and about sixty ministers. It was about this time, also, that the women of the Presbyterian churches formed organizations to help the aid and missionary societies. During the six years just prior to 1887, seventy-two Presbyterian churches were organized in South Dakota, with half as many houses. In 1887 the Black Hills Presbytery was organized, making the fifth in this Synod. Rev. John P. Williamson, of Greenwood, continued to be the chief missionary of the Dakota Sioux. In 1903 the Presbyterian Synod of South Dakota had 133 churches, nearly seventy thousand communicants, 110 ministers, and was in prosperous condition.

Educational work by the Presbyterians of South Dakota was started at an early date. The Presbytery, at a meeting held in Volga, declared its purpose to establish an educational institution where should be taught the higher branches of learning. The following committee was appointed to carry the measure into effect: Rev. H. P. Carson, Scotland; Rev. R. B. Farrar, Volga, and Rev. W. S. Peterson, Huron. They received an offer from Pierre for the location of the university in that city and accepted the offer. It became known as the Presbyterian University of Dakota, and in due time the first building, a frame structure costing about \$2,500, was ready for dormitory and school purposes. Rev. T. M. Findlay became the first president and school opened in September, 1883, with thirty students. A little later the name was changed to Pierre University and Rev. William Blackburn, D. D. succeeded Mr. Findlay as president. In the

meantime the Presbytery of South Dakota had started an academy at Scotland. The Scotland Academy continued in operation until 1898, when it was consolidated with the Huron Academy, and the combined institution was removed to Huron. This institution has since been known as Huron College. Soon after this date Doctor Blackburn died and was succeeded by Rev. C. H. French, who had been principal of Scotland Academy. The college was reorganized and enlarged and started on its mission of great usefulness. Their first important building was a large hotel structure, which served for both dormitory and school purposes for some time. The endowment fund of Huron College amounted to \$100,000 on or before January 1, 1904. The institution was coeducational. To aid the latter design a large contribution was received from Ralph Voorhees, of New Jersey, after whose wife the woman's building was called the "Elizabeth R. Voorhees Dormitory for Girls."

In October, 1896, the Synod of South Dakota Presbyterian Church convened at Groton in its first annual session. Its territory at this time included the whole state and consisted of five presbyteries (Aberdeen, Black Hills, Central Dakota, Dakota Indian and South Dakota), ninety-four ministers, 126 church organizations, with a total membership of over five thousand two hundred, and a sabbath school membership of over seven thousand. The synod included one college, one academy, one Indian industrial mission school and preached the gospel in this state in five different languages.

In 1906 there were in the state 121 organizations of the Presbyterian Church in the United States, with a membership of 6,764, 106 church buildings, 42 parsonages, 106 Sunday schools and 7,313 scholars. There was one society of the United Presbyterians with thirty-six members.

One of the wonders of recent years in South Dakota is the marvelous growth of the German and Scandinavian population. At the present time, 1915, people of German descent constitute almost one-fourth of the population. While a large majority have come here in recent years they began to arrive as far back as the '50s. Norwegians settled near Vermillion and Yankton as early as 1859. Nearly all of these people were members of the Lutheran Church in one form or another. They had no missionaries at first to hold services for them. Accordingly neighborhoods of these people would gather at a central point, sing hymns, read portions of the scriptures and also sermons from the postils of Luther, Arndt and other prominent early church men of their denomination.

In the fall of 1861 the first Lutheran minister arrived. He was Abraham Jacobson and came with a colony of immigrants from Iowa. He remained for some time in the southeastern part of South Dakota, preached to the Lutherans, baptized several children and solemnized two marriages. In 1864 at a meeting held in the house of J. A. Jacobson near Meckling, an organization of the Norwegian Evangelical Lutheran Church of America was effected. They applied to the general council for a minister and accordingly Rev. J. Krohn, of Chicago, was sent to serve them. He arrived in October, 1864, and during that month held many services and built up a large following for that time. Services were held at the house of Peter Nelson, east of Vermillion, and in the house of Anders Ulvan, near Vermillion. Soon after this there was organized at the house of Mr. Ulvan a congregation of the Norwegian Evangelical Lutheran Church of Dakota Territory. Soon there were sixty-seven voting members. The organization included

all the territory from Brule Creek to Dakota River. Reverend Krohn visited the congregation from time to time and often preached at the house of Torger Nelson. In 1866 Rev. O. Naes preached several times to the congregation and administered the sacraments. At a meeting held in February, 1866, it was decided to call a minister and accordingly Rev. K. Magelssen was sent to serve them. He arrived in August, 1867, and held his first services on September 1st. Soon the congregation was divided into three districts called Vangen, Bergen and Brule Creek. A little later two other districts called Clay Creek and Lodi were formed. Soon Brule Creek separated and formed an independent church. A little later Clay Creek and Lodi did the same. In 1869 Vangen district erected a church building near Mission Hill. The Burgen church building was erected in 1870. This was the start of the Lutheran churches in South Dakota. Reverend Christenson was one of the early pastors in charge of the various congregations. He was assisted by Revs. G. Gutbrandsen and N. G. Tvedt. The growth of the Scandinavian churches has corresponded with the increase in population of those people. Their numerous church affiliations are perplexing to one who is not familiar with their faiths and beliefs. In recent years they have far surpassed in numbers any other religious organization in the state.

In 1906 there were seven organizations of the Lutheran (General Synod) with 552 members, 7 Sunday Schools and 253 pupils; 29 organizations of Lutherans (General Council) with 23 church buildings, 8 parsonages, 24 Sunday Schools and 750 scholars; 125 organizations of Lutherans (Synodical Conference) with 8,285 members, 76 church buildings, 47 parsonages, 38 Sunday Schools and 860 scholars; 132 organizations of Lutherans (United Norwegian Church) with 15,004 members, 99 church buildings, 23 parsonages, 95 Sunday Schools and 3,793 scholars; 13 organizations of Lutherans (Joint Synod of Ohio and other states) with 838 members, 11 church buildings, 6 parsonages, 9 Sunday Schools and 270 scholars; 38 societies of Lutherans (Hauge Norwegian Synod) with 3,539 members, 32 church edifices, 6 parsonages, 26 Sunday Schools and 750 scholars; there were also four societies of Lutherans (Eielsen's Synod) with 241 members and 2 church buildings; 55 societies of Lutherans (Synod of Iowa and other states) with 4,103 members, 40 churches, 19 parsonages, 38 Sunday Schools and 977 scholars; 59 societies of Lutherans (Norwegian Church in America) with 6,489 members, 42 church buildings, 14 parsonages, 13 Sunday Schools and 462 scholars; 6 societies of Lutherans (Danish Church) with 417 members, 3 church edifices and 3 Sunday Schools; 4 societies of Lutherans (Norwegian Free Church) with 230 members, 3 church structures, 2 Sunday Schools and 42 scholars; 19 societies of Lutherans (United Danish Church) with 1,079 members, 9 church buildings, 7 Sunday Schools and 181 scholars; 4 societies of Lutherans (Finnish National Church) with 1,030 members, 3 church structures, 4 Sunday Schools and 120 scholars; 13 societies of Lutherans (Apostolic Church Finnish) with 292 members and 3 church bulidings. The state census of 1915 gave the Lutherans a membership of 120,949.

Early in September, 1915, the Iowa Synod of the German Evangelical Lutheran Church held a four days' session at Aberdeen. The synod considered many problems of importance to the church, one of which was whether it was advisable to divide the synod comprising several states of the Northwest into two separate synods instead of leaving all in the one then existing. After a thorough discus-

sion of the subject it was concluded that the church had grown so rapidly and had become so large that two separate synods were advisable if not necessary, whereupon action was taken at once to organize a new synod. The new officers elected were as follows: President, Rev. W. Baltke, vice president, Rev. A. Heim; secretary, Rev. W. Schroeder; treasurer, Rev. W. Zink. During the session on Sunday the synod celebrated the annual mission festival by an open air meeting in the park. During the convention Rev. Mr. Proehl brought up the matter of raising \$300,000 for church purposes which the Iowa Synod had pledged itself to raise by 1917 when the 400th jubilee of the reformation of the Martin Luther would be celebrated.

The earliest religious movement of the Baptists in Dakota Territory was begun in 1852. On that date they established a mission of Walhalla for the evangelization of the Indians. The leaders at the mission from the start were Elijah Terry and James Tanner. The former was connected with the First Baptist Church, St. Paul, and the latter was a half-breed whose father was stolen in childhood by a band of Shawanee Indians back in 1879 and was adopted into that tribe. James Tanner received the best education he could obtain among the Indians and later became interpreter and assistant in mission work among the Indians of the Upper Mississippi River. He went East and secured the assistance of several wealthy Baptists to help establish churches among the natives. Upon his return Elijah Terry accompanied him. While engaged in cutting timber, Mr. Terry was killed and scalped by the Sioux Indians in June, 1852. James Tanner finally left and went to Manitoba, where he also, in 1864, lost his life. In 1852 Rev. Alonzo Barnard, a Presbyterian, and Rev. D. B. Spencer, a Congregationalist, came with their wives to Walhalla. These people suffered martyrdom among the Indians. Mrs. Barnard died in October, 1853, from exposure and tortures and Mrs. Spencer suffered death at their hands in August, 1854. Their graves are now marked as follows: "The Martyrs of Walhalla." The Baptists were first represented in South Dakota at Yankton, Vermillion, Elk Point, and Bon Homme. The Baptist Church was organized at Yankton by Rev. L. P. Judson early in 1864. Upon his arrival here Mr. Judson succeeded in finding a number of Baptists who formed the nucleus of the First Baptist Society. The governor and other territorial officers assisted him in organizing a church. Mr. Judson was succeeded by Rev. Albert Gore, who came in 1865 to serve as a missionary, but the church was small and, soon after Mr. Gore left for Michigan near the close of 1865, the members became scattered and the church became extinct. In 1866 Rev. J. E. Lockwood, who had served for some time as pastor of a church in Sioux City, visited this portion of South Dakota quite often, making numerous missionary tours up the Missouri River and preaching at Elk Point, Vermillion, Yankton and elsewhere. He was an able minister and succeeded in organizing several churches in what is now South Dakota, owing largely to the rapid settlement of this portion of the state. He succeeded in assembling the scattered Baptists and in uniting them into religious societies. He established a church in Yankton in February, 1867, and one at Vermillion in February, 1868. A similar organization was begun at Elk Point, but was not completed, however. In 1871 the Baptist Church there was established. From 1867 to 1885 Rev. George D. Crocker, the fourth Baptist minister of prominence in South Dakota, labored here for the cause of his

church. He was chaplain in the Regular Army, and during fifteen years of the above period he remained at Fort Sully, from which point he made numerous itinerary trips over that portion of the state, brought the settlers together, formed small organizations, and preached to them and to the Indians. He addressed the latter in their own language, although his duties as a military officer prevented him from doing distinctively denominational work. Still he was largely instrumental in organizing the Baptist churches at Pierre, Blunt and elsewhere. The fifth Baptist minister of prominence who came to South Dakota was Rev. George W. Freeman. He came under appointment as superintendent of missions and his term of service began in March, 1871, and continued two and one-half years. During that time ten new Baptist churches were organized. In the meantime Rev. P. A. Ring organized a Swedish Baptist Church in July, 1869, among the Swedes who settled at Big Springs. Mr. Freeman later served as pastor of the Baptist Church at Elk Point and elsewhere, and still later as supply for pastoral churches until his death in 1895. Late in the '60s and early in the '70s the Baptist churches that were organized became so numerous that the services of many new pastors were demanded. Rev. J. H. Young arrived at Elk Point in 1871. Rev. E. H. Hulburt located at Vermillion in September, 1871. Rev. J. J. McIntire settled where the Swan Lake and Finlay churches were organized after 1871. Later these churches were called Hurley and Parker. Among the missionary pastors were Revs. T. H. Judson, J. L. Coppoc, William T. Hill, V. B. Conklin, J. P. Coffman, A. W. Hilton and others.

Thus, in 1868, there were only two Baptist churches in the state, namely, at Yankton and Vermillion. Within the first ten years after the first was established there were eighteen Baptist churches in what is now South Dakota. Among the older ones were those located at Big Springs, Elk Point, Bloomingdale, Canton, Lincoln, Lodi, Dell Rapids, Hurley, Parker, Daneville and Sioux Falls. Soon afterwards the Baptist churches were organized at Centerville and Madison in 1878; Goodwin in 1879; Huron, Brookings, Watertown and Big Stone City in 1878; Mitchell and Montrose, 1881; Aberdeen, Arlington, Egan and Chamberlain, 1882; Armor, DeSmet and Estelling, 1883; Ipswich, Parkston and Pierre, 1884; Elkton, 1885.

In February, 1875, Rev. J. N. Webb, D. D., became district secretary of the Baptist Church for Nebraska and Dakota Territory. Much of his work was confined to Nebraska. He occupied this position until October, 1877, but after that date no one of the Baptist Church had personal oversight of missionary work in South Dakota. This fact greatly discouraged the Baptist pastors and not a few of the churches were greatly weakened. However, during the '80s the great growth in population and the construction of railroads built up and increased the number of Baptist churches. Among the ministers who arrived in the '80s were the following: E. B. Meredith, S. G. Adams, H. E. Norton, S. J. Winegar, J. Edminster, C. N. Patterson, G. A. Cressy, L. M. Newell, M. Barker, C. G. Cressy, Edward Godwin, S. S. Utter, E. M. Bliss, E. M. Horning, C. H. McKee, G. H. Parker, C. W. Finwall, Andrew Johnson, J. B. Sundt, O. Olthoff, B. Matzke, J. Engleman and others.

German settlers in large numbers came to the territory in the '80s. Among them were a number of German Baptists. Rev. J. Wendt came from Minnesota, in 1875, and organized a German Baptist Church the following year on Emanuel

Creek. A German-Russian colony settled near Yankton, in 1877. A Baptist Church was organized among them soon afterwards. A German church was organized at Big Stone City, in 1880, with Rev. J. Engler as pastor. In 1881-2 Revs. F. Reichle and J. Croeni came as missionaries to Southeast Dakota. They established a station at Plum Creek, where a church was organized in 1883. The Baptist Church at Madison was organized in 1883. Numerous German Baptist churches were organized after this date. At the close of the nineteenth century there were fifteen German and Russianized German Baptist churches in South Dakota, with a total membership of 1,113. Early Baptist churches were established among the Scandinavians who came to South Dakota. Their first services under this faith were held at Bloomingdale as early as 1868. The following year a Swedish Baptist Church was organized there, and in October, 1871, one was organized at Bloomingdale and another at Big Springs, in 1872. A Danish Baptist Church was organized at Lodi, in 1872, and in 1873, one was organized at Daneville. These four churches are still in existence.

In 1884 Rev. Jacob Olsen became Scandinavian missionary and for fourteen years did faithful and successful work. He organized more than a dozen churches of the Baptist denomination. His successors were Revs. Andrew Swartz, Isaac Hedberg and C. H. Bolvig. In 1886 the various Scandinavian churches established the Scandinavian Baptist Association of South Dakota. By the close of the century they had twenty-two churches, of which ten were Swedish, six Danish, two Norwegian and four Dano-Norwegian. This is the only state with the three nationalities working harmoniously and successfully in one religious organization. These twenty-two churches had a total membership of 1,118, with sixteen large buildings and six parsonages.

In 1880 Rev. Edward Ellis became superintendent of missions. He served for about four years and did excellent service during that period. Early in the '80s Rev. T. M. Shanafelt, D. D., became superintendent of missions of the Baptist Church, and entered upon his work in April, 1888. At that time there was not a single self-supporting Baptist Church in Dakota Territory. Nothing had been done to establish Baptist churches in the Black Hills. The first one organized there was at Deadwood, in October, 1888. By the close of the century there were nine Baptist churches in the Black Hills, eight of which had houses of worship. The membership there numbered about four hundred and seventy-five. They formed the Black Hills Baptist Association.

In 1872 the Southern Dakota Baptist Association was organized and at that time had nine churches. Ten years later the number had increased to nearly thirty and several were located 250 miles to the northward. The Sioux Valley Baptist Association was organized at Brookings, June, 1882. In 1884 the James River Baptist Association was established at Columbia. A few years later all these associations were reorganized, and 1893, through the efforts of Mr. Shanafelt, five new associations were organized where before there had existed but three. They were known as the Southern Dakota, Sioux Falls, Central, Northeast and Northwest associations. In the state at this time, also, were three others, namely, the Black Hills, the Scandinavian, and the German associations, thus constituting eight within the state limits.

In the '80s the Baptists began to hold general rallies or assemblages for the purpose of strengthening their organization. One such was held on the shore

of Lake Madison, in 1881, and there later the Lake Madison Chautauqua Association became a useful and prominent auxiliary of church and literary work. In 1881 the South Dakota Baptist Convention was organized, and the constitution and by-laws were adopted later at the meeting held in Sioux Falls. In 1891 there was organized the Baptist Young People's Union. Sunday schools were established almost from the start with every considerable Baptist church organization.

As early as 1872 the Southern Dakota Baptist Association, at a meeting held in Vermillion, took action for the establishment of a Baptist College in South Dakota. The association appointed J. J. McIntire, S. A. Ufford and Martin J. Lewis as a committee on Christian education to set this movement on foot. Resolutions recognizing the intimate relations between higher education and evangelization, were passed by the association. At a meeting of the convention, held at Lake Madison in 1881, it was decided to establish the Baptist College at Sioux Falls, in 1883. This institution was first called the Dakota Collegiate Institute. School was commenced in 1885 and at this time the name was changed to Sioux Falls University. Still later the name became Sioux Falls College. The first class graduated in 1886.

During the '90s the Baptist denomination grew rapidly in South Dakota. Many new churches were established and the membership greatly increased. In 1888 there were seventy-one Baptist organizations in the state, and thirty-one houses of worship. By the close of the century there were seventy-three churches and fifty-six houses of worship with thirty-one parsonages. In 1906 there were in the state eighty-seven Baptist organizations, with a total membership of 6,097. They owned seventy-five houses of worship, five halls, thirty-three parsonages, and conducted seventy-four Sunday schools, with 5,908 pupils. At the same time there were four Free Baptist churches, with a total membership of ninety-six; they owned two church edifices. There was also here one Primitive Baptist church, with a membership of five; and one German Baptist Brethren (Conservative) church, with seventy-five members. In 1915 the Baptists of the state numbered 16,228.

In the summer of 1860, Rev. Joseph C. Talbott and Rev. Melancthon Hoyt, held services among the Sioux Indians, along the Missouri, from Sioux City to Fort Randall. For the first time they used the book of Common Prayer. At this time Joseph C. Talbott had been recently consecrated Bishop of the Protestant Episcopal Church. Rev. Melancthon Hoyt resided at Sioux City. The latter continued to minister to the spiritual wants of the Episcopal Church in Southeast Dakota at irregular intervals until 1862, at which time he moved to Yankton and thereafter devoted himself wholly to work in this field. He was rector of the Yankton church for thirteen years and did much to expand the church throughout the Northwest. In 1865 Bishop Clarkson was connected with the missionary work in this portion of the country. Much of his time was spent in the new Dakota field. At this time Doctor Hoyt gave up his parochial work at Yankton, and accepted the position of general missionary of Dakota Territory, which office he held until 1884, when he was appointed honorary dean by Bishop Hare. This position he occupied until his death in 1888. He organized congregations at Vermillion, Elk Point, Yankton, Parker, Canton, Eden, Hurley,

Watertown, Turner, Pierre and other places. Much of the success and growth of the Protestant Episcopal Church were due to his efforts in early years.

In 1868, at a general convention of the church, Dakota Territory, west of the Missouri River, was erected into a separate missionary district. It included the Yankton and Crow Creek Indian reservations, east of the Missouri River, and the Santee Reservation in Nebraska. It remained under the Episcopal care of Bishop Clarkson. Niobrara was the title conferred upon this district soon afterwards. Rev. S. D. Hinman did useful missionary work for his church at this time among the Indians. William Welsh, a wealthy churchman of Philadelphia, visited the Indian tribes of Dakota, became impressed with their need for religious instruction, and urged this fact upon the church people of the East, with the result that the mission staff was soon largely increased. There came here, Revs. J. W. Cook, H. Swift, H. Burt, W. J. Cleveland and J. O. Dorsey, besides several laymen and women, all of whom identified themselves with the missionary work in this portion of the country. From this time forward the mission grew rapidly, until in 1872, on All Saint's Day, Rev. William H. Hare, who was then secretary of the foreign committee of the board of missions, was appointed bishop by the House of Bishops, was duly consecrated in January, 1873, and the following April came to Dakota. He at once began a vigorous campaign of missionary work among the Indians and the scattered whites of his jurisdiction. He was so vigorous in action that the Indians called him Swift Bird, owing to the long and rapid journeys he made over his diocese. Nothing stopped him. Hunger, storms, or hardships did not prevent him from carrying out his measures of progress. He greatly increased the missionary force, divided the field into ten large districts, placed a prominent member in charge of each, and soon had in operation four mission Indian boarding schools, which became known as St. Paul School, Yankton Agency; St. Mary's School, Santee Agency (this was afterwards removed to Rosebud Agency); St. John's School at Fort Bennett; and St. Elizabeth's school at Standing Rock. He showed so much earnest interest in his work that he inspired all connected with him to redoubled operations and efforts, with the result that the church grew rapidly and expanded over a large tract of country. By 1904 he had twenty-five helpers, twenty catechists, six senior catechists, twelve deacons and four priests. The growth of the Indian missions was almost phenomenal. By 1904 there were ninety congregations and 3,775 communicants. There were in all 9,341 baptized persons. During the difficulties with the Indians, Bishop Hare exerted a strong influence for the good over them. One of his young men assistants, Rev. Arthur B. Ffennel, was killed by a hostile Sioux in 1876, in trouble over the invasion of the Black Hills by the gold hunters.

This discovery of gold in 1875, in the Black Hills, and the invasion of that field by the whites, so stirred up and maddened the Indians that it required great efforts on the part of Bishop Hare and his assistants, to keep the Christianized Indians under subjection. In 1877 two clergy of the Indian mission, Reverends Cleveland and Ashley, visited the Hills and held religious services. In 1878 Rev. E. K. Lessell, of Connecticut, established a mission in the Hills, with Deadwood as the central point. Bishop Hare first visited the Hills in November, 1878. Upon taking charge of the missionary work of the Hills, Mr. Lessell began extensive operations to widen and strengthen his field of service.

His labors were so severe that after eighteen months he was forced to withdraw and died soon afterwards. Although missionary work continued in the Hills it was greatly hindered by the peculiar conditions and the attitude of the Indians. Finally, Mr. G. G. Ware, a layman, upon his request, was appointed by Bishop Hare to work at Rapid City and vicinity. He prepared himself for holy orders, was later assigned to Deadwood and Lead, and in the end, became archdeacon of the Black Hills. By 1904 there were six Protestant Episcopal Churches in the Hills Region.

As soon as it became probable that Dakota Territory would be divided into two states, the Episcopal Church took steps to divide the territory accordingly into two missionary districts. At the general convention in 1883, the name of the missionary district of Niobrara became South Dakota District, with Bishop Hare in charge. The work was divided into two distinct divisions, one among the whites and one among the Indians. In 1887 the force in the field was much strengthened by the appearance of Rev. John H. Babcock, who at once became active and prominent in the new state. He became president of the standing committee and a member of the bishop's council of advice and served for many years as rural dean for the eastern part of the state. By 1904 there had been erected thirty-four church buildings of the Episcopal Church in South Dakota. All Saint's School had been established and was under the principalship of Miss Helen S. Peabody. At this time the clergy of the Episcopal Church in South Dakota, contained many men of great ability, among whom Bishop Clarkson, Father Hoyt, Father Himes, and Rural Dean Babcock, were prominent and influential. In a large measure the fame of Bishop Hare is based upon his splendid work done with the Indian tribes. In 1902-3 there were in the Episcopal Church of the state, 44 clergymen; 129 parishes and missions; communicants, 5,985; Sunday school scholars, 2,772; whole number of baptized persons, 13,160; confirmed persons, 431, and total contributions, \$30,179. Rev. J. M. McBride began his work here in 1870. His labors were confined mostly to the vicinity of Canton, Sioux Falls and Dell Rapids, Huron, Pierre and Aberdeen. In 1879 Rev. Joseph Himes took charge of the church at Vermillion. In 1886 he removed to Elk Point, and there resided until his death in 1895.

In January, 1890, Bishop Hare, of the Episcopal Church, presented a protest to the Legislature against the proposed enforcement of the prohibitory clause of the constitution. His opposition, like that of his church, was based upon the restrictions placed upon the use of wine at the sacrament. The bill permitted the manufacture of liquor for medicinal and mechanical purposes, but prohibited the use of wine for sacramental purposes, or was silent on the subject. From all parts of the state came exceptions to Bishop Hare's requests. Particularly, Elder Burdick of the Methodist Church opposed the course taken by Bishop Hare. Rev. W. H. Wyatt-Hannath disagreed with Rev. Mr. Burdick. Rev. William Fielder who introduced the enforcement bill in the Legislature was a Methodist, and the members of his church could, and did, use unfermented wine at the communion table. Other denominations differed from the Methodists in this regard and thus it occurred that wine for sacramental purposes had been intentionally omitted from the bill largely upon the dictum of Reverend Mr. Fielder, without consulting Bishop Hare. The Episcopal Church believed that only fermented wine should be so used. Bishop Hare declared

that the proposed bill would make a criminal of every Episcopal or Catholic in the state who used fermented wine at the communion table. While the Legislature was in session, in 1890, the subject was discussed thoroughly throughout the entire state. There arose a general feeling that the bill was too severe and should permit religious organizations to use wine at the communion table if they thought it right. Much concern was manifested over this state of affairs. A bill in the Legislature, to submit to a vote of the people an amendment to the constitution permitting the sale of intoxicating liquors, was defeated by nearly a three-fourths vote. Thus the Legislature decided not to tolerate any interference with the constitutional prohibition clause.

In 1906 there were in the state 126 organizations of the Protestant Episcopal Church, with 7,055 members, 109 houses of worship, 61 parsonages, 86 Sunday schools, and 3,158 scholars.

The annual convocation of the Indians of the Episcopal Church in South Dakota, held on Antelope Creek, on the Rosebud Reservation west of Chamberlain, in 1915, was one of the largest and most notable gatherings of the Indians in recent years. Dr. George Biller, of Sioux Falls, Episcopal Bishop of South Dakota, and other leading churchmen and laymen, were present and had charge of the ceremonies. Other able speakers were present. There were approximately two thousand five hundred Sioux Indians present and about one hundred whites. Assisting Bishop Biller were about twenty Indian and fifteen white clergymen. The services were held in a large booth constructed for the purpose and having a seating capacity of 2,000 people. At the opening ceremonies, memorial services in honor of the late Rev. H. Burt, a veteran missionary of the church, was held. He had been a missionary among the Sioux Indians for a period of about forty-three years. At this convocation the status of the Indian and his future welfare both on earth and hereafter were duly considered. The annual meeting of the women's auxiliary was likewise held, and there were present Indian women who came as far as two hundred and fifty miles to be present and participate in the exercises. It was planned to hold similar conferences annually thereafter. Full provision for ministerial services throughout the reservation were made at this conference.

The Reformed Church in South Dakota was represented as early as the '70s. A number of persons came directly from the Netherlands and parts of Germany and settled in Northwestern Iowa, South and North Dakota, Kansas, Nebraska and portions of Minnesota. Organizations were not effected, however, until early in the '80s. In 1883 the Church of Harrison was organized by the Illinois Classis of the First Reformed Church, in June, 1883, with forty-five members in full communion. Their first pastor was Abram Stegeman who served until 1892, when he was succeeded by A. G. Ziegler, who served until 1900. This church lost many members during the drouth in the early '90s, but in 1904 had about eighty families connected therewith. The Livingston Memorial Church of the Reformed denomination was organized at Sioux Falls in 1883. Their first pastor was Rev. E. P. Livingston, who died after two years and was succeeded by Rev. W. J. Skillman. Other able pastors have served this congregation. The Lennox Reformed Church, about six miles from the town of Chancellor, was established in 1883, under the auspices of the Classis of Illinois. The people of this organized are mostly East Priesians. They came to

their present location in Lincoln County at an early date. Their first pastor was Weiland, who served until 1885. Other pastors were Hollenbeck, Watermulder, Jansen and Haken. In 1904 a separate congregation was organized at Chancellor, about thirty-five or forty families belonging to this organization. The Sanham Memorial Church of the Reformed denomination was organized at Marion in 1883. The first pastor was Reverend Harmelink. He was followed by Reverends Reeverts, Winter and others. Thirty-five or forty families belonged to this organization. In 1884 the Reformed Church at Charles Mix was organized. This vicinity was mostly settled by Hollanders early in the '80s. Their first missionary in this field was Rev. F. J. Zwemer, who had been assigned to the churches of Dakota Territory. There were two distinct organizations here, one at Castalia, and the other at Platte. Mr. Zwemer became their pastor in 1885 and served until 1892. After that Rev. B. Holema served until 1902. In the latter year the Old Platte Church was sold and the Castalia Church was moved to the town of Platte, where both congregations were united. About twenty-five families belonged to this organization.

In 1884 the Salem Reformed Church in McCook County was organized. The first pastor was Reverend Mr. Cotton, who served until 1887. Other pastors were Mr. Zwemer, Mr. Barney and Mr. Christ. Twenty-five or thirty families belonged to this organization. The Monroe Reformed Church of the German race was established in 1885, and twenty years later had as members about thirty-five or forty families. One of their prominent pastors was Rev. D. Siensen. The Lennox Second Reformed Church was organized at the junction of the two railways in 1889. Their first pastor was Rev. J. H. Schoon, who served until 1895. Reverend Mr. Watermulder served for two years. Their membership numbered about sixty families. In 1888 Emmanuel Reformed Church was organized at Perkins, near Springfield, under the pastorate of Reverend Mr. Zwemer. He served until 1889 and was succeeded by Mr. Heemstra and he was succeeded by Rev. William Stegeman. The services are conducted in both the Dutch and English languages. In 1885 a Reformed Church was established at Grandview, in Douglas County, by Reverend Zwemer, who served as missionary pastor until 1889. He was succeeded by Rev. William Pool, William Stegeman and others. About this time the church was destroyed by a tornado. The new church was erected in 1896. Reverend Mr. Harmelink served this organization for some time. Later came Reverend Mr. Brimmel. In 1890 the Delaware Church, near Davis, Turner County, was established, and was first served by Reverend Mr. Schoon. He was succeeded by Rev. Henry Teichrieb, and he by Reverend Mr. Koerlin. This church was leveled to the ground in 1902, but was rebuilt the same year. In 1893 the Ebenezer Reformed Church, near Scotland, was organized by Reverend Mr. Harmelink. This congregation was later served by Reverends DeWitz and Koerlin. Twenty-five or thirty families assembled here to worship. In 1896 Bethel Reformed Church, at Davis, Turner County, was organized among the East Friesian people. The first pastor was Rev. Henry Teichrieb. Later they were served by Reverend Mr. Koerlin. About 1900 a church of the German people was established near Watertown, and at first consisted of about twelve families, who were served by Rev. E. Aeilts of Sioux Falls. In 1902 the Volga Reformed Church, with about fifteen families, was established in Miner County. Two years before that date the Worthing Reformed

Church, a branch of the Second Lennox Church, was established, with about fifteen families. Reverend Mr. Schoon was their stated supply. In 1903 the Chancellor Reformed Church was organized from people who formerly belonged to the First Lennox Reformed Church. They numbered at first about twenty-five or thirty families, and were served by Rev. G. Haken. Their church building was erected in 1903.

In 1906 there were in the state nineteen organizations of the Reformed Church in America, with 847 members, 16 houses of worship, 13 parsonages, 17 Sunday schools and 1,105 scholars. At the same time there were in the state 28 societies of the Reformed Church in the United States, with 1,365 members, 21 church buildings, 5 parsonages, 23 Sunday schools and 651 scholars. There were also 8 societies of the Christian Reformed Church, with 499 members, 8 houses of worship, 6 parsonages, 5 Sunday schools and 284 scholars.

In 1906 there were in the state 40 organizations of Seventh Day Adventists, with a membership of 1,042, with 21 churches, 16 halls, 25 Sunday schools and 604 pupils; 8 organizations of the Church of Christ, Scientist, with a total membership of 237; there were 4 church edifices worth \$9,000; there were 7 Sunday schools with 92 pupils; 21 organizations of the Disciples of Christ in the state, with a total membership of 1,478; they had 18 church buildings, 17 Sunday schools and 859 scholars; 1 Brethren Church with 80 members; 4 Creek orthodox church organizations with 230 members; 51 Evangelical Association churches with a membership of 1,642, with 36 church buildings, 17 parsonages, 45 Sunday Schools and 2,036 scholars; 8 United Evangelical churches, with a membership of 155, with 4 parsonages and 6 Sunday schools and 177 scholars; 5 organizations of the Society of Friends (Orthodox), 103 members, 5 church buildings, 2 parsonages, 4 Sunday schools and 111 scholars; 6 organizations of the German Evangelical Synod with a membership of 325, with 4 churches and 2 halls, 2 parsonages, 5 Sunday schools and 84 scholars; 8 Independent churches with 334 members, 8 church buildings, 1 parsonage, 8 Sunday schools and 216 scholars; 1 church of the Latter-Day Saints (reorganized) with 85 members, and 1 Sunday school of 40 members; 1 Mennonite Church with 75 members and 1 Sunday school with 35 members; 5 societies of General Conference Mennonites, with 562 members, 5 church buildings, 5 Sunday schools and 910 scholars; 1 society of Bundes Conferenz der Mennoniten Brueder-Gemeinde, with 83 members and 1 church structure; 3 societies of the Welsh Methodist Calvinistic Church, with 190 members, 3 houses of worship and 2 Sunday schools; 7 organizations of the Salvation Army, with 109 members and 1 church; 13 societies of the Swedish Evangelical Mission Covenant, with 373 members; 8 houses of worship, 9 Sunday schools and 258 scholars; 9 societies of the Swedish Evangelical Free Mission, with 569 members, 9 church buildings, 8 Sunday schools and 413 scholars; 1 organization of the Theosophical Society (American section), with 7 communicants; 1 organization of Unitarians, with 21 members; 6 societies of United Brethren in Christ, with 175 members, 5 houses of worship, 6 Sunday schools and 203 scholars; 1 society of United Brethren in Christ (old constitution), with 82 members; 1 society of Universalists, with 13 members and 1 church building.

The following statistics concerning population will serve the excellent purpose of comparison with the foregoing account of the religious denominations

of the state. Persons of German ancestry form 22.4 per cent of the South Dakota population, outranking all other foreign nationalities. In the following compilation on ancestry there is a distinction from nativity. Many of the so-called Russians in South Dakota, for instance, are of German ancestry and hold German sympathies, though of Russian birth. Those of Norwegian ancestry rank second in South Dakota; third, English; fourth, Irish; fifth, Swedish; sixth, Danish.

Ancestry	Number	Pct. of Pop.
African	322	0.05
American	137,331	23.3
Austrian	3,123	0.5
Belgian	526	0.099
Bohemian	9,845	1.7
Bulgarian	218	0.03
Canadian	1,851	0.3
Danish	12,898	2.2
English	29,700	5.
Finnish	3,410	0.58
French	4,936	0.8
German	130,514	22.4
Greek	526	0.09
Hollanders	8,160	1.4
Indian	20,357	3.5
Irish	26,643	4.5
Italian	1,000	0.17
Montenegrin	3	.....
Norwegian	56,731	9.55
Portuguese	5	.....
Russian	4,762	0.8
Scotch	7,519	1.2
Servian	83	.....
Spanish	38	.....
Swedish	22,872	3.9
Swiss	1,804	0.3
Turkish	51
Welsh	2,292	0.4
Others, mixed.....	99,897	18.1

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