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National Register of Historic Places Multiple Property Documentation Form

This form is used for documenting multiple property groups relating to one or several historic contexts. See instructions in *How to Complete the Multiple Property Documentation Form* (National Register Bulletin 16B). Complete each item by entering the requested information. For additional space, use continuation sheets (Form 10-900-a). Use a typewriter, word processor, or computer to complete all items.

New Submission Amended Submission

A. Name of Multiple Property Listing

County Courthouses of South Dakota

B. Associated Historic Contexts

(Name each associated historic context, identifying theme, geographical area, and chronological period for each.)

Historical Evolution of South Dakota County Government, 1862-1940
Historical Patterns of South Dakota Courthouse Construction,
1862-1940
Architectural Evolution of South Dakota Courthouse Design, 1862-1940

C. Form Prepared by

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D. Certification

As the designated authority under the National Historic Preservation Act of 1966, as amended, I hereby certify that this documentation form meets the National Register documentation standards and sets forth requirements for the listing of related properties consistent with the National Register criteria. This submission meets the procedural and professional requirements set forth in 36 CFR Part 60 and the Secretary of the Interior's Standards for Archaeology and Historic Preservation. (___ See continuation sheet for additional comments.)

[Signature] Date: 12/17/92
Signature and title of certifying official
Small D. Hufstetler SHP
State or Federal agency and bureau

I hereby certify that this multiple property documentation form has been approved by the National Register as a basis for evaluating related properties for listing in the National Register.

[Signature] Date of Action: 2/10/93
Signature of the Keeper

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E. Statement of Historic Contexts

A. Introduction

This Multiple Properties Documentation Form evaluates the historical and architectural significance of county courthouses constructed within the boundaries of the State of South Dakota from 1862 to 1940. The year 1862 saw the creation of South Dakota's first counties, and the earliest courthouse facilities probably appeared soon thereafter. Courthouses have been constructed in the state, at irregular intervals, since that time. The 1940 ending date for this document marks the conclusion of the New Deal era of the 1930s, in which a significant number of courthouses were constructed; it also approximates the 50-year cutoff point established by the National Register of Historic Places for most historic properties. After 1940, no new courthouses were constructed in South Dakota until 1959.

By definition, the county courthouse is typically a single building serving as the formal seat of a county's government and housing the day-to-day administrative and judicial activities of that government. Traditionally, all these primary roles, as well as a variety of auxillary functions, took place within a single, large building located in the principal town of the county. As the home of these activities, each county's courthouse was imbued with a large measure of local economic, social, and political significance. Those responsible for the design and construction of a county's courthouse normally displayed a strong awareness of the building's local importance, and frequently took great pains to erect a "landmark" building, one that embodied the strength and future prospects of both the county and its county seat, as well as symbolized the various institutions of county government. Consequently, a great many of America's county courthouses display both important local historical associations and unquestioned local architectural significance.

As a group, most of South Dakota's county courthouses adhered to these broad characterizations, although local factors of geography, economy, and population impacted details of both the history and the architecture of the building form. While much of South Dakota displays typical Midwestern geography and an economy historically dependent on agriculture, the state exhibits marked geographic variation from east to west. The Missouri River runs north-south across the approximate center of the state, and provides a rough line of demarcation. South Dakota's eastern half is relatively flat, moist, and fertile, and is largely utilized for growing wheat, corn, and similar crops. West of the Missouri River, the terrain becomes more uneven and arid, and less fertile. Much of this land is used for grazing,

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although "islands" of cultivation exist. The Black Hills, a range running north-south along the state's western boundary, are South Dakota's only significant mountain group and provide the sole major historic exception to the state's farm and ranch-based economy. Here, mining and logging activities helped create a reliance on urban-centered development which was less common elsewhere.¹

The period of initial Euro-American settlement in South Dakota ranged from the 1850s (in the southeast) to the 1910s (in the western plains). Nearly all of the state's initial settlement was directly or indirectly related to agriculture, primarily the establishment of thousands of family farms on homestead allotments of 160 or 320 acres. Such settlement was intensive in much of the eastern half of the state, where virtually all the available land was taken up by small farms by the end of the nineteenth century. This created a cultural landscape consisting of heavy, yet dispersed farm settlement accompanied by a large number of relatively small community centers. This pattern was less prevalent in the west, however, where homestead settlement often coexisted with the open-range ranches which had preceded the farmers.² In both regions, however, the scattered rural nature of the population implied that a large number of relatively small administrative units would be needed in order to provide responsive local government.

The pattern of growth and decline in South Dakota's Euro-American population reflects the changing economics of the state's rural settlement. South Dakota's population increased steadily from the 1850s until after World War I as the wave of homestead settlement worked its way across the state from east to west. South Dakota's population had peaked by 1930, when the federal census counted 692,849 residents, over three-quarters of whom were rural. Although relatively small urban areas were beginning to evolve in the state by that time, its overall settlement pattern remained dispersed and comparatively uniform. Similarly, the populations of most counties were relatively similar. The 1920s, though, saw the beginning of a long period of consolidation and decline among the state's small farms. This trend, still underway in 1992, resulted in significant population declines in those counties still reliant on the family farm. Conversely, a few counties with emerging urban centers have seen substantial population growth since 1930. Between 1930 and 1990, the state's most populous county (Minnehaha) more than doubled in population, and the population of Pennington County quadrupled. During the same period, however, many of South Dakota's rural counties (including Aurora, Campbell, Faulk, Jerauld, Mellette, and Sanborn) have seen their populations decline by well over half. This broadening disparity between South Dakota's urban and rural counties is perhaps the most significant element in the state's recent historical geography.³

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South Dakota's broad pattern of historical geography--an initial period of intensive rural settlement followed by declining rural population and expanding urban areas--is typical of much of the agricultural Midwest. The local governments which evolved to serve these populations were in many ways also typical; South Dakota quickly established a relatively large number of counties, each encompassing a relatively small amount of land but serving a significant number of rural residents. This is a strong reflection of the state's almost exclusive historic dependence on agriculture, and of the perceived need to provide local government centers which were physically near as many of the state's residents as possible. This county structure was well-suited for early twentieth-century South Dakota, but became somewhat anachronistic as rural transportation improved and many farm areas became depopulated. Nevertheless, South Dakota's pattern and structure of county government in 1992 remains little-changed from seventy years earlier. These specific qualities of the state's county governments--and the qualities of the county courthouses erected by these governments--are more fully discussed in the three contexts below. The first two contexts describe the historic patterns of county creation, county seat designation, and courthouse construction in South Dakota. The final context discusses the architectural evolution of the state's courthouses.

B. Context 1: Historical Evolution of South Dakota County Government, 1862-1942

Patterns of South Dakota County Establishment

The county is nearly ubiquitous in the United States as the primary geographical unit of local government; with the exception of Alaska, every state is fully subdivided into counties or equivalent subdivisions. These governments are the vehicle for providing most of the day-to-day administrative services needed by an area's local residents: law enforcement, civil and criminal courts, road and bridge construction and repair, maintenance of essential public records, and tax assessment and collection. Some of these services are supplemented or supplanted by city governments in urban areas, and townships and other minor political subdivisions occasionally perform similar duties, but the county unit remains the largest, most prevalent, and most important provider of local public services.⁴

As the principal mechanism for providing local governmental structure and public services, counties were often established early in the settlement process; this was especially true in the Midwest and the West. The process of county creation was gradual, however, and the mechanism was

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often complex. In most western territories and states, the realignment of county boundaries and the subdivision of existing counties took place almost continually throughout the nineteenth and early twentieth centuries. The specific geographical and chronological patterns in which these events took place varied from state to state, and even within states, but a state or territory's earliest sequence of county establishment often followed one of two basic patterns. In some territories (including Idaho and Montana), the initial county creation legislation established a relatively small number of large counties which, together, included the entire state. These first counties were gradually subdivided over the following decades ("county-splitting") to finally create that state's final county map. North and South Dakota were among the states displaying a different pattern; here, county creation was less systematic and hinged on the vagaries of Euro-American settlement. Initially, counties were created only for those portions of the state with a significant level of Euro-American settlement, while less-populated regions were not included within the boundaries of any county. As settlement progressed westward, additional counties were established in the remaining areas of the state. The county map of states following this pattern changed just as frequently as did the maps of states practicing county-splitting, but the sizes and boundaries of the counties remained relatively constant once they were established.

Significant Euro-American settlement began in what is now southeastern South Dakota during the late 1850s, and the region first achieved a measure of "home rule" when Dakota Territory was created in 1861. The new territory, with its capital at Yankton, included all of present-day North and South Dakota and, briefly, the future states of Wyoming, Montana, and part of Idaho as well. The first Dakota legislature met in 1862, including on its agenda the establishment of the territory's first counties. In all, the 1862 legislature created eighteen counties, both in the settled farmlands of southeastern Dakota, and in a long north-south band along the territory's eastern border. Several of these counties, however, initially existed only on paper, with no attempt made to establish an operating county government; only eight of the 18 counties, all in the southeast, sent representatives to the territory's 1863 legislative session. Some of the remaining ten counties organized local governments in the years that followed, although the territory's county map changed little during the remainder of the 1860s--reflecting the relatively slow pace of population growth during the decade.⁵

The pace of Euro-American settlement in Dakota quickened dramatically during the 1870s and 1880s--remembered by historians as the "Great Dakota Boom" period.⁶ The number and level of organization of Dakota's counties also increased significantly during this period, both in anticipation of

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and in response to the territory's increasing population. The first steps were taken in 1871 with the creation of three huge new counties, occupying all of the formerly unorganized portions of Dakota east of the Missouri River. Two years later, however, the legislature replaced the 1871 counties with a vast gridwork of over three dozen small, new counties, some occupying only unsurveyed, almost wholly unsettled land. (The legislature created legal descriptions for the unsurveyed areas by utilizing a fictitious "12th Guide Meridian" as a basis for fixing boundaries.) While an explanation for this "county creating orgy" remains elusive, one source has noted that nearly all of the new counties were named for current or former Territorial politicians.⁷ Most of these new counties, initially at least, did not organize local governments.

Throughout the remainder of the nineteenth century, most sessions of the Dakota and later, the South Dakota legislature indulged in the "social diversion" of county creation and realignment. Nearly every legislature expanded the county gridwork farther west into unorganized territory, while simultaneously fine-tuning county boundaries in eastern Dakota. The mining districts of the Black Hills received county governments in 1875, and counties were established in most of western Dakota in the following decade as settlement pushed westward. Most of these new counties were comparable in size to the established counties of eastern Dakota, although the population in the west remained far less than that in the east. While these counties were obviously established on the supposition that western Dakota would soon achieve a population density comparable to that of the east, the population of many of the new counties remained too small for the organization of a government. Consequently, many of the counties in the western prairies existed only as paper entities throughout their lives. The 1883 legislature, for example, divided what is now Butte, Harding, and Perkins Counties into a total of eight unorganized counties. Local growth failed to meet expectations, however, and by 1897 all eight had been absorbed into a single, large, Butte County.⁸

By the turn of the century, nearly all of South Dakota's eastern counties were long-organized and established. West of the Missouri, however, the relatively light level of settlement, combined with the overzealous county creation policies of the 1870s and 1880s, resulted in a county map that often failed to correspond to the region's settlement patterns. A few large counties in the area still remained to be subdivided as rural settlement increased; elsewhere, a number of designated counties still had not organized their local governments. Most of the remaining unorganized counties existed wholly within the boundaries of Indian Reservations, and included a significant Native American population but few Euro-American settlers. Five unorganized counties existed on South Dakota Indian Reservations throughout the historic period, and two remain today.

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The Process of Organizing South Dakota County Governments

Although Dakota's nineteenth-century territorial legislators displayed an unquestioned willingness to rapidly subdivide the region into a large number of counties, the organization of functioning governments in these counties often occurred more slowly. The procedures followed by a new county government in Dakota as it organized, and the rate at which these actions took place, have not been analyzed quantitatively, but the implementation of a county government typically occurred in direct response to an increase in local population. Thus, the many counties in central and western Dakota which were established in *anticipation* of future settlement existed only as paper entities either until that settlement took place or until the county was dissolved. Conversely, land within the boundaries of new eastern counties was often already settled, allowing local governments there to be organized more rapidly.

Examples of counties belonging to the former category abound. Armstrong County, on the Cheyenne River Indian Reservation in north-central South Dakota, was established by the 1895 state legislature and existed as an unorganized entity until abolished in 1952; at the time of its dissolution the county boasted only 52 residents. In contrast, Grant, Lake, Moody, and Ziebach were among the numerous counties to be organized almost immediately after their creation.⁹

The process of organization was relatively straightforward in theory, although in practice local circumstances and politics often played important parts. Initially, territorial law gave the governor a significant role in the organization of new county governments. In response to a petition from an unorganized county's voters, the governor would authorize the county's organization and appoint its first commissioners: three county voters who would serve until the next scheduled election. This procedure lent itself to the corruption of nineteenth-century political patronage, and such abuses apparently took place in the organization process of a number of counties. In particular, Territorial Governor Nehemiah Ordway (in office from 1880-1884) is remembered in several narratives as leading "a ring to mulct the citizens in connection with county organization."¹⁰ Ordway allegedly "sold" commissioner positions in new counties to the highest bidder, although charges were never brought to trial.¹¹

In a probable response to the reported corruption in Ordway's administration, the 1885 Dakota legislature revamped the process of county creation and organization to reduce the governor's direct involvement. Although some revisions took place in later years, after 1885 the requisite petitions for establishment of a county government were followed by a

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countywide election which determined whether organization would take place. At the same election, voters selected an interim slate of commissioners and the location of a temporary county seat. In addition to the changed process of county *organization*, late nineteenth-century South Dakota legislators also created a mechanism for voters to create new county entities through a petition and special election process. While most of Dakota's counties were created by legislative action, such voter initiatives were employed to create several of Dakota's newer counties.¹²

The proclivity displayed by South Dakota's legislature for the mapping out of arbitrary counties in largely unsettled terrain resulted in many unorganized counties in the state. Most were small, ephemeral bodies which both came and went during the late 1800s, replaced by a second tier of counties which achieved formal organization and which have endured to the present. South Dakota today has 66 counties, 64 of which have organized governments. Another 45 counties formerly existed within the boundaries of the state; few if any of these former counties ever established a local government.¹³ These energetic patterns of county creation and organization in South Dakota reflect the dynamic and uncertain nature of the state's nineteenth-century expansion, but the "paper counties" probably had almost no effect on the history of either the state or its local regions. The historical impact of South Dakota's county structure was felt only after local governments were established and exerting their influence.

**C. Context 2: Historical Patterns of South Dakota Courthouse
Construction, 1862-1942**

The Selection of County Seats

In the process of formally organizing a new South Dakota county, the issue generating both the most local interest and the most controversy was the selection of a site for the county seat. Based on their observations of longer-established American counties, South Dakota settlers fully realized the overriding importance of the county seat issue. The town or site chosen for a county seat almost automatically became the county's primary center of commercial and civic activity, assuring the location's permanence and relative economic vitality. Simultaneously, the county's residents knew they would have frequent business and personal need to visit the county seat. For these obvious reasons, being chosen the county seat was seen as a tremendous coup for a town, and rural residents also hoped that a county seat would be located as near them as possible.

The selection of a county seat normally occurred either during or immediately after the initial selection of county commissioners and the

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completion of other organizational chores. Often, this process was fraught with even more uncertainty and politicking than other aspects of county organization. Because of the importance of the county seat issue, the results were frequently both tense and chaotic. This was especially true during Dakota Territory's early years, as new communities were vied to establish themselves, and both local and territorial politics were relatively freewheeling. The "county seat wars" which occasionally resulted served as visible expressions of the passion generated by the issue, and simultaneously provided many of South Dakota's counties with their most vibrant episodes of historical lore.¹⁴

During the 1860s and much of the 1870s, Dakota's territorial legislature dictated the locations for new county seats, often as part of the legislation creating the county. The procedure changed in the 1870s to allow a new county's first commissioners (appointed by the governor) to select the county seat. Both methods allowed influential territorial politicians to manipulate the selection process if they wished, and there is evidence that this took place. In the 1877 creation of three Black Hills counties following the gold rush there, county seats were awarded to relatively obscure villages rather than the major towns of each county. This reportedly occurred in response to partisan politics--Governor Pennington, his appointed county commissioners, and delegates from the selected villages were Republicans, while the majority of the region's voters were Democrats.¹⁵ The abuses became even more blatant during Governor Ordway's term in the early 1880s, when Ordway reportedly appointed commissioners supporting a particular county seat location in return for financial payments from supporters of that location.¹⁶

The revamping of county organization laws by the 1885 legislature gave a county's voters the authority to choose the location of the county seat, and to change that location when deemed appropriate. This made the selection process a public one, subject to an entirely different level of local politicking. In the election deciding issues of a county's organization, the selection of a county seat was often the most passionately argued issue on the ballot, far surpassing the primary issue of whether a county should organize at all. A variety of issues came into play in such contests, including the relative populations of the candidate towns, their locations relative to county boundaries, and their proximity to rail service. A central location was a particularly strong selling point. When Harding County was created in 1909, its largest town was Camp Crook, located just three miles from the county's western boundary. Supporters of a more central location drew two diagonal lines forming a large "X" across a map of the county and decided to plat a new town at the point where the lines crossed. Buffalo, the resulting community, was the winner of the county seat election.¹⁷

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By law, the county seat location selected at the time of a county's organization was a "temporary" seat only; the location of a permanent seat was to be chosen in a second balloting at the general election following the county's organization. In practice, most of South Dakota's temporary county seats received permanent status at the requisite election, although a second round of campaigning inevitably ensued. The designation as a temporary seat gave the chosen town opportunities to solidify its position--often by providing buildings for county use. The mere presence of the county offices and records in a town was also an influential factor. The county's volumes of official records, in fact were such an important symbol of county government that they became a key element in the county seat wars which occasionally erupted. Doane Robertson's *Encyclopedia of South Dakota* observed:

In almost every instance [of the transfer of a county seat] the thrilling feature was the removal of the county records to the new location. This required finesse and frequently was accomplished by stealth and occasionally by open violence.¹⁸

The classic instance of this in South Dakota was the "Spink County War" of 1884, when residents of Redfield summarily raided the former county seat of Ashton and appropriated the records. Some 300 armed Ashton supporters marched on Redfield in retaliation, resulting in a tense standoff almost resulting in open violence.¹⁹

Once the location of a particular county seat had been established for a few years, its permanence was largely assured, although an election at any time could theoretically cause the county seat's removal. When the issue did arise, supporters of the established seat usually argued successfully that the town already had a courthouse and other facilities needed by the county, and that it would be a wasteful expense to construct replacement buildings in a new location. When county seat changes occurred despite this argument, it was usually because the original county seat had declined to a near ghost town, while rival communities were enjoying relative prosperity. A representative case was in Charles Mix County, where the county seat was moved from Wheeler to Lake Andes some 50 years after the county's establishment. When the change occurred in 1916, the town of Wheeler contained almost nothing except the courthouse, while Lake Andes was thriving. Holding true to county seat tradition, the night Lake Andes won the election its citizens formed a motor caravan to bring the county records from Wheeler. Within three weeks a bond issue for a new courthouse at Lake Andes was in the works.²⁰

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Construction of Courthouse Buildings

One of the first--and most important--duties of the commissioners charged with the organization of a new county was the securing of office and work space for the various county departments. In most counties, the first such facilities were borrowed or rented properties, chosen for expediency rather than function or style. Pennington County's first courthouse was a small log cabin in the tiny community of Sheridan; other counties rented space in vacant commercial buildings. The first clerk of Moody County rented space in a Flandreau hotel, later moving to a vacant storefront. In Jerauld County, the interim commissioners purchased a small, vacant building which had formerly housed a private school.²¹

Although nearly all of South Dakota's newly-organized counties probably made similar rapid arrangements for government office space, few if any intended for this to be any more than a very short-term solution. Instead, within a matter of months after a county's organization, its commissioners were typically making plans for the construction of a new building devoted exclusively to county government. Although the scale and the sophistication of the planned building varied according to the population and financial circumstances of the county, the new courthouse was almost always destined to be among the largest and most imposing structures in the county seat. The rapid construction of such a building provided county employees and officers with needed work space and a safe storage location for county records, but it fulfilled other perceived needs, as well. The existence of a substantial county courthouse helped establish a perception of the county as a permanent entity with local authority. Simultaneously, the erection of an expensive courthouse worked to solidify the position of a community as a county seat. While it was relatively easy to relocate county offices housed in rented quarters, voters were less likely to move a county seat if the process involved abandoning an expensive new courthouse building. For this reason, county seat towns often provided free land or other inducements for the construction of a permanent courthouse.

The construction of a monumental courthouse building, however, required a significant financial commitment from an embryonic local government. Most counties therefore issued bonds to finance courthouse construction. The bonding procedures to be followed by South Dakota's county governments were enumerated by the state legislature. Commissioners had the authority "to provide for the erection and repairing of court houses, jails, and other necessary buildings in and for the county, and to make contracts on behalf of the county for the building and repairing of the same," but they were not automatically allowed to borrow money to do so.²² Bonding the county for courthouse construction or other purposes

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required not only the approval of the county's voters, but the submittal of a petition signed by county freeholders requesting that the commissioners issue bonds. While this procedure may have been designed to limit large county projects to those directly initiated by the voters, in practice, it simply required the county's commissioners to orchestrate one additional step in the bonding process. When Aurora County began planning for a new courthouse in 1935, for example, the commissioners selected an architect for the new building and applied for a federal construction grant a full year before a petition drive to authorize bonding began. Here, as elsewhere, the "citizens petition" was probably initiated and circulated by the commissioners themselves. In the case of Aurora County, the commissioners were successful in their petition drive, but the bond issue was defeated in the first bond election which followed.²³

After the commissioners had received a citizens petition to issue bonds, and the bonding had been approved by the county's voters, it was up to the commissioners to find a buyer for the building bonds. The commissioners typically entertained bids for the bonds from banks and other financial institutions; the successful bidder normally purchased the entire bond issue. Bidders competed for the bonds both on the interest rate to be charged, and by offering to purchase the bonds at either a premium or a discount from their face value. Some counties had difficulties finding qualified purchasers for their bonds, especially during the Depression years. In 1933, Lake County offered its \$75,000 in courthouse bonds a total of four times without receiving bids; the bonds were finally purchased by the United States Government as part of its New Deal effort to support public works.²⁴

During the early twentieth century, a number of established South Dakota counties realized that their nineteenth-century courthouse buildings would need to be replaced within a few years, either due to structural inadequacies or because of the county's rapid population growth. To prepare for this, commissioners in several counties established "court house sinking funds." The sinking funds received income from a supplemental annual tax levy, earmarked specifically for the construction of a new courthouse. Commissioners hoped that their sinking fund accounts would eventually grow large enough to fully fund the construction of a new courthouse; meanwhile, most counties invested the monies in local farm loans or other ventures. The sinking fund concept greatly simplified the courthouse funding process in those counties where it was used, although the fund did not always have enough money to fully finance a new building. Perhaps the most exemplary case was in Jerauld County, which used its sinking fund to fully fund a new \$120,000 courthouse in 1929. Other counties, including Lake and McCook, also had sinking funds large enough to pay for their new courthouses, but still needed to issue building bonds

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since the sinking fund monies were tied up in long-term investments. In such cases, all bond repayments were to come from sinking fund proceeds.²⁵

Other necessary steps in the courthouse construction process included the selection of a site, the hiring of an architect, and the advertising for bids from contractors. The sites chosen for courthouse buildings in South Dakota reveal few patterns. While many county seats in states to the east utilized town plats centered around a formal "courthouse square," this failed to occur in South Dakota. Most of the state's courthouses occupy platted blocks in areas of town otherwise reserved for residential purposes. This land was acquired by the county in a variety of ways. A townsite company in Plankinton donated the land for the Aurora County courthouse; Moody County condemned several town lots for its second courthouse site; and Grant County built its current courthouse on land formerly used as a city park.²⁶

Nearly all of the South Dakota's courthouses were architect-designed, and the architects for most courthouses were chosen through a competitive bidding process. In choosing an architect, commissioners considered the architect's fee, the merits of his proposed design, and the overall cost of the building suggested. As they decided on a building plan, commissioners in some counties would visit nearby courthouses to evaluate their functionality and aesthetic merit. The Moody County commissioners carried the idea still farther by inspecting newly-built public buildings in Sioux City and Omaha. They also considered traveling to Bedford, Indiana, to personally select the building stone to be used, although it is uncertain whether they actually made the trip.²⁷

Courthouse construction contracts were let in a formal fashion, with the building project advertised in local newspapers and at regional "builders exchanges." Nearly all of the construction projects were broken down into a "general contract," which included most of the structural work, and smaller contracts for heating systems, electrical work, and courthouse furniture. Price was apparently the only criterion considered in these bids, although most commissioners showed a strong concern for the types of materials and styles of furniture to be used in the new courthouse. The official commissioners' minutes in many South Dakota counties commonly include entries such as this one (from Faulk County): "[The] Board spent the day examining and selecting furniture for new court house."²⁸ In contrast, relatively few county commissions chose to oversee day-to-day building construction; instead, most employed "building superintendents" to remain on-site during construction and act as the commissioners' agent. While the technical details of constructing a major building were probably beyond the abilities or interests of most turn-of-the-century county commissioners, discussing details such as paint color and furniture

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selection allowed the commissioners to actively assume a role in shaping their new courthouse.

Once construction began, most of the state's courthouse projects proceeded in a relatively orderly fashion. Eight to twelve months normally elapsed between the awarding of a construction contract and the completion of the building. Grant County's 1917 courthouse proved to be a notable exception; the building's contractor defaulted midway through the project and the county was forced to finish construction itself after a year's delay.²⁹ The completion of a courthouse was marked by a formal "inspection" of the new building by county commissioners, and by their acceptance of the finished product. Most counties also sponsored formal dedication ceremonies for a new courthouse. Such events were normally gala affairs, featuring a parade, bands, and speeches, followed by tours of the new building.

**D. Context 3: Architectural Evolution of South Dakota Courthouse Design,
1862-1940**

Introduction

As a group, South Dakota's extant courthouses represent a significant variety of historical periods, architectural styles, and levels of design sophistication. These qualities of size, style, and design are reflections of a range of factors, both national and local: the building's date of construction, national design and engineering trends of the period, the relative population and prosperity of the county, and the attitudes of county government officials. Despite the variety of influences, however, variations in South Dakota courthouse architecture are more often related to the period of construction than to any other factor. Especially near the end of the historic era, courthouses constructed during a given period were often visually similar to one another. This characteristic extends well beyond South Dakota's boundaries; the courthouses and public buildings of neighboring states generally display strong resemblances to similarly-sized buildings in South Dakota. Consequently, the state's courthouses almost never display a characteristic regional architecture.³⁰

Stylistic variations are pronounced, however, from period to period, and the architectural eclecticism of the late nineteenth and early twentieth centuries resulted in the use of varied building designs during South Dakota's earlier years. Regardless of the style chosen, though, most of the building plans reflected strong local attempts to create "monumental" architecture. Especially in South Dakota's smaller county seats, the courthouse was normally the largest and most architecturally

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sophisticated building in town. Along with a town's larger churches, a few commercial buildings, and the houses of its leading citizens, the courthouse was an "island" of perceived architectural taste and sophistication in a cultural landscape of small, vernacular building forms. Even among a town's select group of high-style buildings, the courthouse stood out by virtue of its massive size and the relatively large sums of money made available for its construction.

Exceptions to this rule occurred primarily when a new county was constructing its first courthouse, and economy and expediency were the overriding factors. Few of these buildings had long lives as courthouses, however, before being replaced by a more solid, monumental building. Many South Dakota counties have, in fact, gone through three generations of courthouses: an initial wood-frame structure, quickly-built with little attempt at style; an early "permanent" building, often of brick with eclectic nineteenth-century design features; and a larger replacement building of stone, commercial brick, or concrete and displaying a more sophisticated design. Most of the state's surviving courthouse buildings represent this "third generation" of design and construction, although earlier examples exist in some counties. The Corson County courthouse, for example, remains in an early wood-frame vernacular building, and Kingsbury County's government still operates from an eclectic nineteenth-century brick edifice. Though functionally replaced by newer facilities, wooden courthouse buildings still survive in Moody, Grant, and Ziebach Counties, and an 1881 brick courthouse building remains in Custer County.

Courthouse Architectural Styles

Most courthouses constructed in South Dakota during the historic period may be grouped into one of the following four architectural classifications:

- 1) wood-frame vernacular designs (c.1862-c.1915)
- 2) nineteenth-century eclecticism (c.1880-c.1905)
- 3) twentieth-century classicism (c.1905-c.1930)
- 4) Art Deco and "PWA Moderne" designs (c.1925-1940)

A few courthouses represent transitional elements of two of the above classifications. Each of the four stylistic groups is discussed separately below.

1. Wood-frame vernacular designs: Although most South Dakota counties ultimately constructed substantial, architect-designed courthouse buildings, the completion of such a project was generally well beyond the capability and means of a newly-established frontier county. Consequently,

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newly-organized counties usually filled their need for government office and storage space by either renting or purchasing a relatively Spartan building to serve as an initial or interim courthouse. Doing so enabled the county government to establish itself quickly, and allowed the county to obtain a courthouse without resorting to the issuance of bonds. The latter consideration was important both for financial and political reasons, since it allowed the incipient county to bypass the political conflict of a courthouse bond election. For economy and speed of construction, nearly all of these early courthouses were constructed of wood.

The processes of designing and constructing South Dakota's wood-frame courthouse buildings was usually decidedly informal, with the county commissioners exercising considerable independence throughout the process. The construction of Moody County's 1882 wood-frame courthouse was typical. After deciding to construct a building, the commissioners "spent the greater portion of [a] day in making plans and specifications for the Court House." Once these plans were finished, bids were solicited from local contractors and carpenters, and that April a construction bid of \$4,350.00 was accepted. Bid prices were for labor only; the commissioners purchased necessary building materials. The county also hired other workers to construct a well, perform landscaping, and complete other tasks. The completed structure, a large two-story hip-roofed building, was completed that summer and served as the Moody County Courthouse until 1915.³¹

As in Moody County, virtually all of South Dakota's wood-frame courthouses were constructed using plans prepared locally without the aid of a professionally-trained architect. The buildings varied greatly in size, ranging from small single-story structures to large, complex, two-story buildings. Additions were often placed on these buildings as county government grew, occasionally resulting in irregular, ramshackle building forms. Most apparently utilized horizontal lap siding, and standard-sized residential door and window units. While many displayed no pretense of architectural detail whatsoever, a few featured cupolas, decorative dormers, cornice brackets, or large covered porches.

Unlike other architectural styles used in South Dakota's courthouses, the construction of vernacular wood-framed buildings was not confined to a particular period or era. Rather, this class of building represented the first courthouse to be constructed in a newly-organized South Dakota counties, regardless of when this act took place. Wood-frame courthouse buildings may have been constructed as early as the 1860s in southeastern Dakota Territory, and similar buildings continued to be built until the 1910s. Ziebach County, for example, erected a small wooden courthouse building in 1911.³²

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Despite the large number of wood-frame county courthouses constructed in South Dakota, almost none continue in their historic role. Since most such buildings were seen from the beginning as only interim solutions to the need for county office space, many were replaced fairly quickly. County officials frequently proclaimed the inherent flaws in their wooden courthouses, and worked for their rapid replacement. A common concern was the flammability of a wooden building, suggesting the prospect of a county's irreplaceable records being destroyed by fire. (Such fires did occur, in Grant County and elsewhere.) The office space needed for county government functions often rapidly outgrew the space provided in the first courthouse. The symbolic local importance of a courthouse building was an equally important factor, however. Replacing a nondescript wood-frame courthouse with a "monumental" masonry structure exemplified the prosperity and success of a county and its county seat. In the days of frontier boosterism, this was quite an important goal.

In 1992, Corson County still uses a vernacular wood-frame courthouse that, while heavily altered, remains evocative of frontier vernacular design. Several other examples of wood-frame courthouses survive, although no longer in county use; these include former courthouses in Grant, Moody, and Ziebach Counties.

2. Nineteenth-century eclecticism: As South Dakota's nascent county governments evolved towards greater economic stability, most began planning for the replacement of their initial courthouse with a more architecturally sophisticated "permanent" facility. Unlike the original wood-frame courthouses, the size and style of the replacement courthouse building varied significantly depending on the building's time of construction. During the late nineteenth century, most second-generation South Dakota courthouses utilized brick construction to reduce the risk of fire and to present an appearance of formality and permanence. While load-bearing brick designs may have been used in some situations, most buildings had only a brick veneer over a timber structural framing. Often, especially in earlier buildings, the brick was locally produced and relatively soft.

In keeping with the goal that these courthouses be local landmarks of both architecture and government, many of South Dakota's nineteenth-century brick courthouses displayed a relatively high level of architectural detail. In most courthouses of the period, however, efforts to mirror an established architectural style were subordinate to a vaguer desire to simply create "monumental" architecture. The size and placement of a courthouse--a large, solitary building in the center of a townsite block--helped create this image, but the desired results were also achieved through the addition of a wide variety of decorative details to the

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building. The specific architectural features included varied according to the time period, the county's budget, and the design preferences of both the architect and the county; many of the buildings reflected an eclectic combination of visual elements rather than features characterizing a single "style" of formal architecture.

In many of these courthouses, elements of Italianate form and detailing predominated: such buildings featured simple rectangular massing, wide, bracketed eaves, a low roof, and a strong symmetry of design. Examples of Italianate design include the former courthouses in Lake, McCook, and Hughes Counties (all now razed). A variety of other stylistic influences, however, also appeared in several of the state's nineteenth-century courthouses. An early courthouse building in Hyde County boasted a Mansardic roof indicative of the Second Empire style, although Italianate elements were present elsewhere in the building's design. Other buildings displayed Queen Anne detailing. Many of the state's early brick courthouses featured prominent towers or cupolas. Virtually all the buildings were two stories high, and most included a basement.

Richardsonian Romanesque designs were nationally popular for large public buildings during the late nineteenth century; few South Dakota counties, however, had the resources required to construct a high-style Romanesque building. The former Minnehaha County courthouse (1890) was a notable exception. The building's massive Quartzite walls, arched main entry, and 150-foot clock tower were all evocative of the style, and made the building the most impressive of South Dakota's nineteenth-century courthouses. Romanesque design elements also appeared in the Union (now razed), Lincoln, and Fall River County courthouses.

The state's nineteenth-century courthouses also began to display a more sophisticated interior design. The single, double-loaded corridor of earlier buildings was enhanced with such features as entry lobbies and prominent, open stairwells. Tile, painted plaster, and wrought metal began to decorate interior spaces. A few buildings utilized a cruciform interior plan, presaging a common twentieth-century public building design. The arrangement of functions within the building also began to standardize. Basements included storage vaults and furnace rooms, and occasionally also housed the county jail. Offices for the Register of Deeds, Treasurer, and Auditor were often placed on the first floor, while the second floor was reserved for judicial purposes. The courtroom, which normally occupied one full end of the second floor, began to evolve into an unusually formal and symbolic interior space, with a higher level of design detail and sophistication than was found in other rooms of the building.

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Most of South Dakota's nineteenth-century brick courthouses were constructed in the state's eastern counties, where the level of Euro-American settlement was relatively dense, and towns were well-established. Similar buildings, though, were constructed in several Black Hills counties following the mining boom there in the 1870s. While the appearance of these buildings suggested a greater degree of permanence than their wooden predecessors, their timber framing and soft brick veneer restricted their longevity, and many of the buildings were replaced during the early and mid twentieth century. A number of these nineteenth-century courthouses remain in use, however, including buildings in Hutchinson, Lincoln, Kingsbury, and Fall River; a relatively small number of others survive with other uses (the old Custer and Minnehaha courthouses, for example, are now both museums).

3. Twentieth-century classicism: By the early twentieth century, much of South Dakota had been settled for a generation or more, and many of the state's small urban areas were beginning to establish themselves as regional economic centers. The increased prosperity and cultural stability implied by these circumstances suggested the ability of local governments to bond for and finance significantly larger building projects than ever before. Simultaneously, national architectural and engineering trends continued to evolve; for public buildings, fashion dictated a return to classicism and the discarding of Victorian-era designs. Steel and concrete structural members almost completely replaced wood in large-scale construction projects. The result of these evolutionary changes was a dramatic visual shift in both the style and structure of newly-built South Dakota courthouses.³³

These changes first began to appear soon after 1900 in South Dakota, resulting in an evolving form for public buildings which survived until the late 1920s. Nearly all the courthouses built during this period paid at least some homage to the tenets of classical architecture. The use of prominent classical elements--particularly columns--in a courthouse design served to reinforce the building's visual image as a center of government, and as an architectural landmark. Such design elements were also compatible with the scale and building materials used in most twentieth-century courthouses, and columns and other relatively massive classical elements could be replicated well in limestone and concrete.

The level of adherence to classical design varied substantially, however, from building to building. Some of the state's courthouse designs carefully followed traditional classical orders, with few visual concessions to modernity. These "Neoclassical" designs presented a particularly reserved and formal appearance. Neoclassical courthouses were generally three story rectangular buildings, usually symmetrical across

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both major axes. Most were constructed of smoothly-cut ashlar stone. The primary visual feature of a Neoclassical courthouse was usually a monumental portico or entry bay centered on the primary façade. The columned portico relieved what were otherwise relatively blank wall surfaces, with their symmetrical patterns of unadorned fenestration. Other characteristic elements included rusticated quoins at primary corners and prominent entablatures. Courthouses in Codington and Hamlin Counties are examples of Neoclassical design in the state.

In most early twentieth-century South Dakota courthouses, however, architects enlivened the relatively austere Neoclassical concept with the addition of elements indicative of other design philosophies. The "Renaissance Revival" form merged classical elements with high-style detailing, often descended from nineteenth-century Italianate forms. Here, the relatively sterile walls of the basic Neoclassical design were enlivened with the addition of window crowns, pilasters, complex façades and rooflines, and domes or towers. The result is a building of greater visual complexity, but of an overall form similar to the Neoclassical. Buildings in Brookings, Brown, and Lawrence Counties are representative of South Dakota's Renaissance Revival courthouses.

Even more exuberant variations of early twentieth-century classicism were found in the "Beaux Arts" designs of several South Dakota courthouses. Examples of Beaux Arts classicism often include additional visual and textural detail similar to that found in Renaissance Revival designs, but also contain other elements of eclectic style and heritage. Such features might include terra-cotta garlands or shields, rusticated wall surfaces, and a variety of other exterior ornaments. Beaux Arts courthouses were among the most ornate twentieth-century building designs found in South Dakota. Pennington County's courthouse contains a number of design elements representative of Beaux Arts classicism.

South Dakota's early twentieth-century courthouses were also the first to utilize the relatively formal interior plans which are considered characteristic elements of American courthouse design. The most prominent such feature was a central lobby or rotunda area, which was often two or more stories in height and heavily detailed. In relatively ornate courthouse designs, the rotunda was often topped with an interior dome or skylight. Cruciform interior plans began to predominate, and public interior spaces became more and more ornate and monumental. This was especially true for building lobbies and rotundas, which saw the heavy use of marble or faux marble for the floors and walls. These areas often included small alcoves designed for memorials or statuary, and other areas (often under the dome) intended for murals. These murals, normally commissioned as part of the courthouse construction process, were usually

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intended to be symbolic, either of the tenets of local government, or of the activities of local pioneering and development.

The courtroom also received special design attention in most buildings. As the largest room in the courthouse, and as the single room most symbolic of the importance and authority of local government, it was normally considered important to establish the courtroom as a monumental space. This treatment included custom-built wooden furnishings such as a judge's bench, jury box, and rail; occasionally the room also featured such embellishments as skylights, a vaulted ceiling, plaster stenciling or artwork, or customized lighting fixtures. In contrast, most offices and non-public areas did not show an unusual level of ornamentation. This was true even of the room intended for County Commission meetings.

As with the state's nineteenth-century courthouse designs, the level and style of the detailing chosen varied from county to county and over time. In general, the state's Neoclassical designs were constructed relatively early in the period, while Beaux Arts designs were more common later. Most of the state's largest counties constructed new courthouses during this period, and these buildings are among the state's most monumental courthouses. Many of South Dakota's smaller counties also erected impressive classically-derived courthouses during the early twentieth century, however. This reflects both the optimism of the state during its agricultural boom period, and the smaller population and wealth disparity between the state's large and small counties during the historic period.

This period also saw the construction of one remarkable South Dakota courthouse which did not utilize a classically-inspired design. The Charles Mix County Courthouse in Lake Andes was a locally-uncommon example of Prairie School architecture, with elements of Sullivan-esque detailing. Prairie and Sullivan-esque designs were briefly popular in the Midwest during the early twentieth century; in contrast to other public building designs, they represent an indigenous American approach to architecture. The Charles Mix County courthouse is probably South Dakota's most important example of Prairie School architecture, displaying a high level of well-executed period detailing. Despite its distinctive Prairie appearance, however, the building retains an overall form and configuration which typifies the classically-designed courthouses of the period.

4. Art Deco and "PWA Moderne" designs: Perhaps the most dramatic and universal change in the design of South Dakota's historic courthouses came in the late 1920s, in response to the new nationwide popularity of Art Deco designs for public buildings. Art Deco design elements began to appear in South Dakota's courthouses during the last half of the 1920s, and by the

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early 1930s the form had almost completely eclipsed classicism in local courthouse design. The smooth wall surfaces (often concrete), stylized, geometric motifs, and projecting vertical wall elements created a distinctive architectural form that contrasted sharply with earlier building designs. Characteristics of the style extended to the interiors of most Art Deco buildings, as well. Often, the geometric patterns used to decorate a building's exterior were imitated in its interior public spaces. Such ornament might include patterned terrazzo floors, bands of geometric molding in hallways and major rooms, and custom-designed light fixtures, railings, and other building hardware.

High-style Art Deco designs enjoyed only a relatively brief period of popularity, and few South Dakota courthouses display strong Art Deco exterior features. Some of the state's 1920s public buildings have designs visually suggestive of Art Deco, while still retaining detail elements inherited from Classicism. Perhaps the state's best-executed Deco courthouse is the Jerauld County building in Wessington Springs.

During the early 1930s, the Art Deco building form largely evolved into a simpler design variant now classified as "Art Moderne." Art Moderne buildings retained the smooth wall surfaces of Art Deco, but the geometric designs common in Art Deco were largely replaced by simpler patterns usually emphasizing horizontal, rather than vertical, lines. This helped give a Moderne building a "streamline" appearance. Despite the apparent contradictions between the Deco and Moderne design philosophies, however, elements from the two forms were often combined in a single building; this often happened in 1930s South Dakota public buildings.

A significant number of Art Deco/Moderne courthouses were constructed in South Dakota during the 1930s. Most of these buildings were intended to replace nineteenth-century brick courthouses, and virtually all were constructed with the financial assistance of one or more New Deal-era programs. The characteristic design of these buildings is referred to here as "PWA Moderne," reflecting both their overall style and their Public Works sponsorship. As a group, South Dakota's PWA Moderne buildings are less ornate and monumental than the courthouses of the previous generation; this is attributable to the more restrained design philosophies of the period, and to financial limitations imposed by the Great Depression and by the federal agencies providing assistance. Consequently, a number of the design elements common in earlier designs largely disappeared during the 1930s. In particular, the carefully detailed rotunda/lobby which formerly characterized courthouse architecture vanished, replaced by either a cruciform or an L-shaped arrangement of hallways with relatively few decorative elements. Towers, domes, porticoes, and other exterior embellishments also disappeared.

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With the elimination of the final classically-inspired design elements in these courthouses, visual detail was limited to subtle variations in the building's massing, combined with the use of Art Deco/Moderne geometric detailing. The simple rectangular massing used in all these buildings was often somewhat enlivened by dividing the primary façade into three bays, with additional detailing on the center bay emphasizing the building's primary entry. The fenestration patterns of the buildings frequently continued to emphasize verticality, and geometric detail was occasionally added in the spandrel areas between first and second-floor windows. Interior spaces saw continued use of Art Deco design features, often combined with Moderne elements. Often, the use of visually striking Moderne lighting fixtures was the primary method of enlivening the largely utilitarian interior spaces.

The Davison County courthouse in Mitchell, with a design emphasizing Art Deco qualities over Moderne, is probably South Dakota's best example of 1930s courthouse architecture. Several smaller courthouses from the period display stronger visual ties to Art Moderne; perhaps the finest of these is the Miner County courthouse in Howard.

World War II interrupted courthouse construction in South Dakota after 1940, resulting in a 19-year period when no new courthouses were constructed in the state. The new courthouses which appeared beginning in 1959 differed greatly from their predecessors; most were designed purely for function, with little if any decorative detail. This marked the end of "monumental" courthouse designs in South Dakota, and, by inference, a reduction in the symbolic local importance of a county's courthouse building.

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Endnotes for Section "E"

1. For an introduction to South Dakota's geography, see Chapter 1 of Herbert S. Schell, *History of South Dakota*, 3rd ed. (Lincoln: University of Nebraska Press, 1975).
2. For a discussion of South Dakota's rural-based initial settlement, see Schell, *History of South Dakota*, Chapters 12 and 22. Also see Paula M. Nelson, *After the West Was Won: Homesteaders and Town-Builders in Western South Dakota, 1900-1917* (Iowa City: University of Iowa Press, 1986).
3. Population statistics and comparisons for this document were drawn from tabular material in the published in the fifteenth (1930) through the twenty-first (1990) *Census of the United States*, published by the U.S. Department of Commerce, Bureau of the Census.
4. For introductory material on this topic, see Paul W. Wager, ed. *County Government Across the Nation* (Chapel Hill: The University of North Carolina Press, 1950), and Clyde F. Snyder, *Local Government in Rural America* (New York: Appleton-Century-Crofts, 1957).
5. Schell, *History of South Dakota*, 76-77, 102; "Dakota's Counties," *The Wi-Iyohi: Monthly Bulletin of the South Dakota Historical Society* 13 (June, 1959): 2-4.
6. See Chapter 12 of Schell, *History of South Dakota*.
7. "Dakota's Counties," 4-7.
8. "Dakota's Counties," 7-14.
9. "Dakota's Counties," 13-15.
10. Everett Dick, *The Sod-House Frontier, 1854-1890: A Social History of the Northern Plains from the Creation of Kansas and Nebraska to the Admission of the Dakotas* (New York: D. Appleton-Century Company, 1937), 478. For another example, see *Seventy-five Years of Sully County History: 1883-1958* (Onida, South Dakota: Onida Watchman, 1958), 15.

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11. Schell, *History of South Dakota*, 214.
12. Information on legal requirements and procedures for county creation is found in the various editions of the *South Dakota Revised Code*. See, for example, *South Dakota Revised Code: 1919*, vol. 2 (Pierre, South Dakota: Hipple Printing Company, 1919), 1361-1377.
13. For a list of current and former counties, see "Dakota's Counties," pp. 15-16. (Since that list was prepared, unorganized Washabaugh County has been consolidated with Jackson County.)
14. Many of South Dakota's county history volumes contain descriptions of such "wars," including Doris Louise Black, *History of Grant County, South Dakota: 1861-1937* (Milbank, South Dakota: Milbank Herald Advance, 1939), 38-47, and *Seventy-five Years of Sully County History: 1883-1958*, 15-16. Also see James A. Schellenberg, *Conflict Between Communities: American County Seat Wars* (New York: Paragon House, 1987), especially Chapter 7.
15. Schell, *History of South Dakota*, 194-195.
16. Schell, *History of South Dakota*, 214; *Seventy-five Years of Sully County History: 1883-1958*, 15.
17. Myrle George Hanson, "A History of Harding County, South Dakota, to 1925," *South Dakota Historical Collections* 21 (1942): 539-542.
18. Doane Robertson, *Encyclopedia of South Dakota* (Pierre, South Dakota: the author, 1925), 139.
19. Schell, *History of South Dakota*, 204.
20. See, for example, articles in *The Lake Andes Wave* on November 17 and December 14, 1916.
21. Schell, *History of South Dakota*, 195; "First Courthouse Was Built in 1882," *The Moody County Enterprise* (June 18, 1969); Tom Shonley, "Jerauld County: Its Legal Origin and Courthouses," in *The Making of a Community: A History of Jerauld County to 1890* (Wessington Springs, South Dakota: The Wessington Springs Independent, 1982), 96.

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22. *The Compiled Laws of the Territory of Dakota, A.D. 1887* (Bismarck, Dakota: "Printed for the Territory," 1887), 156.

23. "Aurora County Commissioners Proceedings," manuscript volume 5, 54 (August 26, 1935); 102 (August 14, 1936); 114 (September 9, 1936). A bond election held two years later for the courthouse was successful.

24. "Lake County Commissioners Record," manuscript volume 8, pp. 16-28 (October 31, 1933 to February 6, 1934).

25. "Jerauld County Record [of] Commissioners Proceedings," manuscript volume 5, p. 45 (August 6, 1929); "Lake County Commissioners Record," manuscript volume 8, p. 10 (October 3, 1933); "McCook County Commissioners Record," manuscript volume 6, entry for September 22, 1933 [unpaginated].

26. "Aurora County Commissioners Proceedings," manuscript volume 1 (1881-1892), pp. 36-40 (May 8, 1883 - June 18, 1883); "Moody County Commissioners Minute Book," manuscript volume 5 (1908-1925), pp. 176-204 (January 2, 1913 - August 5, 1913); "Grant County Commissioners Record," manuscript volume "C" (1902-1915), pp. 615-625 (March 1, 1915 - April 29, 1915).

27. "Commissioners Record--Moody County," manuscript volume [5], p. 227 (January 10, 1914).

28. "Faulk County Commissioners Record," manuscript volume 2, p. 543 (October 31, 1905).

29. "Grant County Commissioners Minute Book." manuscript volume "D" (1915-1925), pp. 65-77 (July 25, 1916 - January 5, 1917); "New Court House Dedication Was Held Tuesday," *Grant County Review* [Milbank, South Dakota], July 12, 1917.

30. Relatively little has been written on the evolution and characteristics of nineteenth and twentieth-century South Dakota architecture. A brief introduction to the subject is provided in the "Architecture" chapter of *Work Projects Administration, A South Dakota Guide* (Pierre: State of South Dakota, 1938).

31. "Moody County Commissioners Minute Book," manuscript volume 1, pp. 130-146 (January 16, 1882 - May 31, 1882). Moody County's 1882 courthouse, now heavily remodeled, currently serves as Flandreau's Masonic Hall.

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32. "Ziebach County Commissioners Record," manuscript volume 1, pp. 1-4 (April 22, 1911 - May 23, 1911). This building still survives in the town of Dupree, although it has been moved and is no longer being used by the county.

33. For brief discussions of twentieth-century building forms in the state, see Carolyn Torma, "Building Diversity: A Photographic Survey of South Dakota Architecture, 1913-1940." *South Dakota History* 19 (1989): 156-193.

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F. Associated Property Types

I. Name of Property Type: County Courthouses of South Dakota

II. Description:

This property type includes county courthouses--as defined in the context portion of this document--constructed in South Dakota between 1862 and 1940. A county courthouse consists of one or more buildings, and the associated site, which served as a symbolic and functional seat of county government during the historic period. The size and style of these buildings varied significantly during the historic period, as outlined in the contexts, but nearly all shared the descriptive characteristics outlined below.

Courthouses existed in virtually every organized county in South Dakota, with a county's first courthouse usually appearing soon after the county's organization. Although most counties have utilized several courthouse buildings over the course of their history, a county normally had only one building functioning as a courthouse at a given point in time. The courthouse was located in the townsite or community which was legally designated as the "seat" of that county.

Buildings constructed specifically to serve as courthouses normally sat in the exact center of a platted townsite block. This block was owned by the county, and traditionally reserved exclusively for courthouse purposes. The traditional courthouse "square" did not exist in South Dakota; rather, the block chosen for the courthouse was normally a residential block located at the edge of a town's commercial district. The courthouse block normally displays a formal landscape of lawn, concrete walkways, symmetrical tree and shrub plantings, a flagpole, and other features.

This traditional concept of a courthouse site--a single, large building in the center of a landscaped lot--was seldom violated during the historic period, but in recent years have seen changes to many of these courthouse blocks. Many of the state's more populous counties, in need of additional administrative space, have constructed new office or law enforcement buildings on the courthouse block. Other non-historic buildings now present on many of the blocks include public libraries and maintenance garages or sheds. In a few instances, a small historic

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building has been moved to the courthouse block to serve as a museum. Finally, large automobile parking lots now exist on many courthouse blocks.

The courthouse buildings themselves are nearly all architecturally designed, reflecting a level of design sophistication that is normally higher than that of other local buildings. While the specific architectural style used in a courthouse varies according to its period of construction (see Context 3, above), nearly all the buildings reflect local attempts to create "monumental" architecture. These efforts resulted in a variety of classically-inspired designs, and typically made the erection of a courthouse the single most expensive construction project undertaken by most counties during the historic period.

Most South Dakota courthouses are either two or three stories high above a full basement. Nineteenth-century courthouses were wood-framed, with either lapped wood exterior siding or a brick veneer. Most twentieth-century courthouses are masonry. A large, formal courtroom occupies the largest single interior space in the building, although space for a variety of county officials and employees is also provided. As constructed, most of the courthouses included jails, although relatively few such facilities remain intact and in use. Additional characteristics of the state's courthouses are described in Context 3 of this document.

III. Significance:

Using National Register of Historic Places guidelines, South Dakota's county courthouses may be either historically significant (National Register criterion "A") or architecturally significant (National Register criterion "C"). Many courthouses will achieve significance under both criteria. A few courthouses strongly associated with a prominent individual may also be significant under National Register criterion "B." The paragraphs below provide brief descriptions of possible building significance under Criteria "A," "B," and "C."

National Register Criterion A:

A South Dakota County Courthouse may derive significance under Criterion "A" for its association with the context "Historical Evolution of South Dakota County Government" or the context "Historical Patterns of South Dakota Courthouse Construction." Both contexts are fully described in Section "E" of this document, and each is summarized below:

Historical Evolution of South Dakota County Government: The evolution of county government in Dakota Territory, and later the State of South Dakota, was dependent upon the patterns of Euro-American settlement.

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Initially, counties were created only for those portions of the Territory with a significant level of Euro-American settlement, while less-populated regions were not included with the boundaries of any county. As settlement progress westward, additional counties were carved from the "unorganized" portion of the territory. Throughout the nineteenth century and into the first two decades of the twentieth century, most sessions of the Dakota and the South Dakota legislature continued to create and realign counties. Many counties in eastern and western Dakota were established in anticipation of future settlement and existed only on paper until that settlement took place or until the county was dissolved.

The method of organizing a county government evolved over the years. Initially, territorial law gave the governor a significant role in the organization of new county governments. After charges of corruption in the 1880s, the legislature established new guidelines giving more control over the creation of a county government to the people on the local level.

South Dakota's courthouses may be significant under this context as reflections of the geographical and demographic patterns of county creation and organization in the state. The courthouse, as the structural symbol of the county itself, represents the local importance of the establishment of a county government, and the value that county residents placed on that government.

Historical Patterns of South Dakota Courthouse Construction: In the process of formally organizing a new county, the issue generating both the most local interest and the most controversy was the selection of a site for the county seat. Initially, Dakota's territorial legislature dictated the locations for new county seats. The procedure was changed in the 1870s to allow a new county's first commissioners (appointed by the governor) to select the county seat. Both methods allowed influential territorial politicians to manipulate the selection process. The revamping of county organization laws by the 1885 legislature gave the county's voters the authority to choose the location of the county seat, and to change that location when deemed appropriate.

One of the first--and most important--duties of the commissioners charged with the organization of a new county was securing office and work space. In most counties, the first such facilities were borrowed or rented. These buildings were intended for temporary use, and within a few months, commissioners were typically making plans for the construction of a new building. Although the scale and sophistication of the planned building varied, the new courthouse was almost always destined to be among the largest and most imposing buildings in the county seat. Many of these

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second generation courthouses were again replaced in the early twentieth century.

A South Dakota courthouse may be significant under this context as the major structural reminder of this process of courthouse planning, siting, and construction. The completion of a county's courthouse was nearly always the primary goal of these sequences of local political and economic events, and the events themselves were typically among the most significant occurrences in the early history of most counties.

National Register Criterion B:

Under Criterion B, a South Dakota County Courthouse may be eligible for listing in the National Register if a historically significant person's importance relates directly to the building. Since the National Register's guidelines state that properties significant as an important example of an architect's skill should be nominated under Criterion C, it is rare that a courthouse would be found eligible under Criterion B. It is conceivable, however, that a courthouse might have played a pivotal role in the career of an important politician or other civic leader who, perhaps, advocated its construction.

National Register Criterion C:

Under Criterion C, a South Dakota County Courthouse may be eligible for listing in the National Register of Historic Places if it embodies "the distinctive characteristics of a type, period, or method of construction, or represents the work of a master, possesses high artistic value, or represents a significant and distinguishable entity whose components may lack individual distinction." The applicable areas of significance for county courthouses under this criterion from Bulletin 16 are in the categories of architecture, art, and engineering.

Architecture: As a group, South Dakota's courthouses represent a significant variety of historical periods, architectural styles, and levels of design sophistication. The design of county courthouses in South Dakota is closely tied to the evolution of popular national styles. Despite the variety of local influences at the time of a courthouse's construction, South Dakota courthouse architecture is most often related to the chronological period of construction than to any other factor. Especially in South Dakota's smaller county seats, the courthouse was normally the largest and most architecturally sophisticated building in town.

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Most courthouses constructed in South Dakota during the historic period may be grouped into one of the following four architectural classifications:

1. Wood-framed vernacular design: Virtually all of South Dakota's wooden courthouses were constructed using plans prepared locally without the aid of a professionally-trained architect. The buildings varied greatly in size, ranging from small single-story structures to large, complex, two-story buildings. While most displayed no pretense of architectural detail, a few feature cupolas, decorative dormers, cornice brackets, or large covered porches.
2. Nineteenth-century eclecticism: Many of South Dakota's nineteenth century brick courthouses displayed a relatively high level of architectural design. Many of these buildings reflected an eclectic combination of visual elements rather than strongly displaying the tenets of a single "style" of formal architecture. Often elements of the Italianate style and detailing were combined with Queen Anne or other details.
3. Twentieth-century classicism: After the turn-of-the-century, national architectural and engineering trends dictated a return to classicism and discarding the Victorian-era designs. Steel and concrete structural members replaced wood in large-scale projects. Nearly all of the courthouses built during this period displayed at least some degree of homage to the tenets of classical architecture. The use of prominent classical elements--particularly columns--in a courthouse design served to reinforce the building's visual image as a center of government. Neoclassical courthouses were generally three story rectangular buildings.
4. Art Deco and "PWA Moderne": Perhaps the most dramatic and universal change in the design of South Dakota's courthouses came in the late 1920s, in response to the nationwide popularity of the Art Deco style. Art Deco designs began to appear in South Dakota's courthouses during the last half of the 1920s, and by the early 1930s, the style had almost completely eclipsed classicism. Smooth wall surfaces, stylized geometric motifs, and projecting vertical wall elements created a distinctive building style. By the 1930s, the Art Deco style in South Dakota had largely evolved into simpler designs now classified as "PWA Moderne." PWA Moderne style buildings are stripped of the earlier ornamental design motifs found in the Art Deco style. In South Dakota, the otherwise smooth wall surfaces, especially at the parapet and entry doors, often received limited classical revival ornamentation.

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Art: A number of South Dakota's courthouses, especially those constructed during the first two decades of the twentieth century, contain a high level of interior decoration. This often includes one or more large murals with symbolic depictions of the county and its government. Normally, these murals and other applied interior decoration were created as part of the courthouse's construction process. Buildings with this interior decoration may possess National Register eligibility for the level and quality of interior art.

Engineering: Many of South Dakota's county courthouses are among the largest and most complex structures to be built in their county. Consequently, it is possible that some of these buildings possess National Register eligibility either for the engineering techniques utilized in their design, or the methods employed in their construction. A courthouse might be eligible, for example, as the earliest local example of steel-framed building construction, or as the first building in an area to utilize reinforced concrete structural members.

IV. Registration Requirements:

Every county courthouse constructed in South Dakota between 1862 and 1940 is significant for its associations with the historic contexts developed as part of this Multiple Property Submission. Because every county courthouse in South Dakota "clearly possesses the defined characteristics required to be strongly representative of the context[s]" [National Register Bulletin 15, p.9], it is not necessary to evaluate the courthouses against each other. The National Register Guidelines, however, require that a property not only be shown to be significant under one or more of the National Register criteria, but that it also retain integrity. The seven aspects of integrity and their relationship to South Dakota's county courthouses are discussed in the following section.

V. Integrity:

In addition to the requirement that a county courthouse must meet one or more of the National Register criteria to be considered eligible for listing in the National Register of Historic Places, the building must also retain integrity. The integrity of each county courthouse is assessed through the following aspects:

Design, Materials, and Workmanship

The design, materials, and workmanship of a county courthouse are represented in the conscious decisions made during the planning and construction of the building, or in modifications made to the building

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during the historic time period. These three elements usually are reflections of aesthetic and functional decisions made by a professionally trained architect within the confines of economics. The construction of some of South Dakota's first generation courthouse buildings was undertaken without benefit of trained architects, although the design reflects the intent of the builder or commissioners. In Depression-era courthouses, the design may have been secondary to workmanship and materials as commissioners met the federal expectations to create labor-intensive projects.

To retain architectural integrity of design, materials, and workmanship integrity, a county courthouse must maintain its massing, pattern of fenestration, exterior surface materials, and stylistic ornamental detailing. A county courthouse also retains integrity of design, materials, and workmanship if changes, modifications, or replacement materials occurred or were installed during the period of historical significance or are the result of modern repairs if they are the same materials as those used during the period of historical significance.

The most frequent modification to the exterior design of South Dakota's county courthouses is the replacement of historic windows. Replacement windows range in design from exact replications of the historic windows to small residential units floating in an infill panel of plywood. Although replacement windows which do not accurately replicate the historic windows diminish the integrity of design, their visual impact is lessened by the overall scale of the building. Because of this fact, window replacement alone is not justification to disqualify a courthouse for listing in the National Register.

Integrity of design, materials, and workmanship of a courthouse are lost if a modern addition exists on the primary façade, if the exterior materials are covered with modern materials, or if window openings have been enlarged.

Location

Since it is virtually impossible to move a masonry county courthouse, integrity of location usually has no bearing on evaluating the integrity of a courthouse. Some first generation, wood frame county courthouses may have been moved. Because many of these buildings were moved during the construction of a later courthouse, the move occurred within the historic time period and therefore meet Criteria Consideration B for moved buildings. These buildings must still retain sufficient integrity to convey their historic appearance.

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Setting

The most common degradation of setting is due to the construction of additional buildings on the courthouse square or block. This practice has been practiced to a limited degree since the historic period, but appears to have accelerated in the last thirty years or so--most often with the construction of new criminal justice facilities on the site. The construction of new buildings or the removal of historic landscaping features diminishes the integrity of setting. Courthouses, however, because of their scale usually display design features of such overriding importance that the loss of setting does not result in a loss of integrity.

Feeling and Association

These two elements of a courthouse have equal effect on overall integrity. In general, the integrity of design, materials, and workmanship have a direct bearing on the integrity of feeling and association. Integrity of feeling and association of a courthouse will be lost if modern materials, equipment, or outbuildings are of such a scale and contrast to the historic building that the observer is more impressed by the alterations than the historic character of the building.

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G. Geographical Data

This nomination applies to properties located within the present boundaries of the State of South Dakota.

H. Summary of Identification and Evaluation Methods

This Multiple Properties Nomination is a primary product of two distinct research and field survey projects: a reconnaissance-level field survey of all current and former South Dakota courthouse buildings known to be extant, and an intensive-level survey of ten representative courthouses. Each of these phases is discussed separately below.

Staff members of the South Dakota State Historical Preservation Center (SHPC), located in Vermillion, completed the first phase of this project. Their effort, conducted between 1983 and 1990, was designed to gather basic information about each courthouse in the state, including the building's date of construction, architect, contractor, and cost. To gather this information, SHPC staff members sent a brief questionnaire to the County Auditor in each county. The information received from these questionnaires was combined with additional historical research and reconnaissance visits to selected counties, producing a master list of all operating county courthouses in the state, as well as several buildings which formerly served as courthouses.

The results of this survey indicated that, as a group, the state's courthouses represented a wide variety of chronological periods and building styles. Most of South Dakota's active courthouse buildings were over fifty years old, and most of these buildings were of obvious historical and/or architectural significance. There are currently a total of 66 counties in South Dakota; the operating courthouse buildings in approximately 50 of these counties were constructed prior to World War II, making them potentially eligible for the National Register of Historic Places. At least five other historic buildings which formerly served as courthouses also exist in the state. Of these 55 buildings, 19 present and former courthouses had been individually listed on the National Register prior to this survey. The remaining 36 courthouses were personally visited and surveyed in more detail. The results of these visits suggested that at least 20 additional courthouses displayed probable eligibility for the National Register of Historic Places.

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The unquestioned local importance of courthouse buildings, combined with the high proportion of South Dakota courthouses displaying National Register eligibility, indicated that a more intensive historical analysis of the state's courthouses was appropriate. SHPC staff decided to accomplish this through the completion of a National Register Multiple Properties Documentation Form providing contexts and property types for evaluating the state's courthouses. In 1991, Renewable Technologies, Incorporated (RTI) received an SHPC contract to complete such a study.

RTI's contract called for the completion of this Multiple Properties document, as well as the preparation of ten individual National Register nominations for South Dakota courthouses not previously listed. The individual courthouses to be nominated were jointly chosen by RTI and SHPC, based on the field survey material gathered earlier. Courthouses were chosen for nomination based primarily on their relative integrity, although an attempt was also made to survey buildings a cross-section of construction dates and building styles. Courthouses in the following counties were selected for nomination: Aurora, Charles Mix, Faulk, Grant, Hughes, Jerauld, Lake, McCook, Moody, and Ziebach. It is important to note that the selection of courthouses for nomination was *selective*, rather than *comprehensive*; a number of other South Dakota courthouses also display unquestioned National Register eligibility. Funding and time constraints limited the number of individual nominations completed as part of this project to ten.

RTI began this project in January, 1992, with a research visit to South Dakota by Mark Hufstetler and Lon Johnson. Hufstetler and Johnson visited each of the ten selected courthouses, intensively surveying the buildings and conducting primary research. Local research sources included county commission minute books and other records, building blueprints, period newspaper articles, and published county histories. In addition to conducting county-specific research, RTI researched a variety of relevant state-wide topics, including an examination of the mechanics of county organization and government, and a review of the state's architectural trends. This research was conducted at the SHPC library, as well as at the University of South Dakota library and the library and archives of the South Dakota Historical Society.

This Multiple Properties document and the ten accompanying individual National Register nominations for the South Dakota courthouses mentioned above, were prepared by Hufstetler and Johnson during the summer of 1992, and submitted to the SHPC in September, 1992.

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