

The Heritage Of The Clay County Courthouse

BY ARTHUR RUSCH
For The Plain Talk

In 1859, the residents of what is now Clay County, joined with other residents of the area west of the new state of Minnesota, to petition for the formation of a territorial government for the area. Although the 1859 petition asking Congress to organize Dakota Territory was unsuccessful, a petition to Congress in 1860 succeeded and on March 2, 1861, President James Buchanan signed the legislation creating Dakota Territory. Two days later, Abraham Lincoln was inaugurated as President of the United States and he appointed all of the territorial officers. As the first territorial governor, President Lincoln appointed Dr. William Jayne, the Lincoln family physician from Springfield, Illinois.

Although Vermillion hoped to be selected as the temporary capitol, since it was the largest town in Dakota Territory, when Governor Jayne arrived in Vermillion, on May 28, 1861, he stopped only briefly for a reception at Mulholland's hotel and then went on to Yankton, twenty-seven miles west of Vermillion and located the temporary capitol there. Allegedly this was due to Governor Jayne's connections to President Lincoln's wife, Mary Todd Lincoln and the financial benefit that Mary's cousin, J.B.S. Todd received from having the capitol located where he owned a portion of the town site.

When the first territorial legislature met in Yankton on March 17, 1862, one of the main issues to be decided was the location of the permanent capitol. After much wrangling and threats of violence, an agreement was reached that the capitol would go to Yankton, the territorial university would go to Vermillion, and the territorial penitentiary would go to the village of Bon Homme, which was located along the Missouri



COURTESY PHOTOS: ARTHUR RUSCH
The Clay County Courthouse, built in 1912 has served the county for more than 100 years.

River about thirty miles west of Yankton. In dividing up the "pork barrel" projects, the Missouri River towns of Vermillion, Yankton, and Bon Homme, banded together to obtain the desirable public projects and shut out Sioux Falls and the Pembina (now North Dakota) area along the Red River which were the other centers of population.

As a result of hard feelings arising from this dispute, efforts were made to prevent Vermillion from becoming the county seat of Clay County. Each of the legislative bills necessary to designate Vermillion as the county seat "mysteriously" disappeared and the legislative session ended with no county seat being approved for Clay County. Although the 1862 legislative ses-

ion designated county seats for all of the other organized counties. Clay County did not get a county seat until the next session of the legislature.

Within a short time after its organization as a county, Clay County rented space for a courthouse above Jensen's Drug store on the North side of Broadway St., across the street from the St. Nicholas Hotel. Although that space provided room for trials and public meetings, the other county offices were spread in rented space throughout the downtown area. One of those other offices in rented space was the office of the County Probate Judge (who also had the duties and responsibilities as the County Treasurer). Other county offices were located in

other buildings, generally on the second floor.

On January 13, 1875, Vermillion and Clay County suffered a severe blow as a result of a fire. The great fire of 1875 started in the County Probate Judge's offices above Dr. Lyon's drug store. The courthouse on the north side of Broadway Street did not burn in that fire but many of the buildings on the north side of Broadway and most of the buildings on the south side of Broadway burned in the fire.

Unfortunately, when the Probate Judge's office burned, all of Clay County's money and tax records burned up with it. This led to heated accusations that Simonson, the Probate Judge had pocketed the county's money and burned down the town to cover

his theft. Ultimately, litigation led to a Dakota Territory Supreme Court decision requiring Simonson's bondsmen to make good the lost money. Among other issues, the Supreme Court held that failure of Clay County to furnish a fireproof safe for the use of the probate judge did not excuse the loss of the county funds.

The loss of the county money, which was about \$2,700, led to an effort to build a county owned courthouse building. However, an effort in 1876 failed due to opposition from the central and northern parts of the county which still hoped to see the county seat moved to one of the other centers of population such as Lodi or Bloomingdale. However, the county did erect a 12 foot by 24 foot building as an office for the County Treasurer.

Five years later when Vermillion was destroyed by the great flood in March and April of 1881, the rented courthouse again avoided destruction, but like all of the other buildings in town, was extensively damaged. After the flood, the citizens of Vermillion made the decision to rebuild the town on top of the bluff. Market Street between Main and Union (renamed Kidder Street after Judge Jefferson Kidder) and two blocks of Main from Market to the corner of Church Street were the primary business district in the new town.

Among the many community improvements made in Vermillion after the flood were the construction of a new city hall at the intersection of Main Street and Church Street and finally a county owned courthouse. In August of 1881, Federal District Judge Jefferson Kidder had ordered a grand jury to investigate the condition of Clay County's public buildings and they reported that the twelve foot by twenty-four foot building which contained the records of the county treasurer and

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USD: From Humble Beginnings To A Thriving Institution

When the first Legislature of the Dakota Territory met in 1862, it authorized the establishment of the University at Vermillion, making it the oldest post-secondary institution in the Dakotas. The authorization was unfunded, however, and classes did not begin until 20 years later under the auspices of the privately incorporated University of Dakota, created with great support from the citizens of Clay County. Ephraim Epstein served as the first president and primary faculty member in the institution that opened in loaned space in downtown Vermillion. Before 1883 ended, the university had moved into Old Main, and the first public board was appointed to govern the fledgling institution.

Enrollment increased to 69 students by the end of the 1883, and, by the time South Dakota became the 40th state in 1889, USD boasted an enrollment of 500 students. USD's first academic unit, the College of Arts & Sciences, was established in 1883.

The following is a brief timeline of USD's history:

1862: First legislature of the Dakota Territory authorizes establishment of University at Vermillion. The authorizing legislation is signed by Governor Jayne on April 21.
1863: First South Dakota Board of Regents named.
1881: Federal government grants land to Dakota and Montana territories for university construction.
1882: First USD classes held at Clay County Courthouse.
1883: South Dakota Gov. Ordway signs bill accepting all USD real property, making it an official state University.
1883: USD's first academic unit, the College of Arts and Sciences, established.
June 5, 1883: Closing exercises mark end of USD's first school year.
1885: Construction of Old Main (then known as University Hall) completed.
1885: West Hall construction is completed, making it USD's second building and first dormitory.
1887: Students publish first issue of *Volante*.
1888: USD's first graduates are Clarence Antisdell, Charles Brinstad and Herbert Houston.
1888: East Hall is completed, bringing USD's total number of buildings to three.
June 12, 1889: USD Alumni Association is created.
1889: Intercollegiate football begins with a tie game against South Dakota Agricultural College.
1893: Old Main is destroyed by fire.
1899: Reconstructed Old Main opens to students.
1901: School of Law begins offering classes.
1905: USD's first army opened; now known as The Belbas Center.
1907: School of Medicine begins offering classes.
1908: Original School of Law



COURTESY PHOTO: USD ARCHIVES AND SPECIAL COLLECTIONS
Old Main and East Hall on the Campus of the University of South Dakota circa 1890.

(now Arts & Sciences) building opens to students.

1914: First "Dakota Day" celebration takes place.
1916: Division of Continuing Education established.

1922: USD joins newly established North Central Athletics Conference as a charter member.

1924: Dakotans and Strollers organizations established.
1925: Auditorium and administration building (later named Slagle Hall) completed.

1926: Inman Field, USD's first football stadium, completed and ready for play.

1927: Graduate School, School of Education and School of Business Administration established.

1929: USD's "new" Armory opens, includes swimming pool and is site of many basketball triumphs.

1931: College of Fine Arts begins offering classes.
1931: Construction begins on USD's first student union, the South Dakota Union building.

1933: Enrollment falls to record low due to Great Depression, drought, and grasshopper infestations.

1946: After three years away because of World War II, USD Football returns to campus and plays a short, four-game season. First post-Pearl Harbor Dakota Day is celebrated.

1949: Julian Hall opens.
1951: McKusick Law Library (now McKusick Technology Center) constructed.

1951: School of Business earns AACSB accreditation for the first time.

1952: Construction begins on Noteboom Hall.
1954: Charlotte Noteboom Hall accepts first tenants.

1957: School of Business building (later named Patterson Hall) completed.

2001: Permanent roof in-

1958: Expansion of graduate programs, including new offerings in geology, physical education, humanities, business administration, business teacher education and natural sciences.

1963: Ground broken for Coyote Student Center.
1967: Construction of I.D. Weeks Library completed.

1968: First graduates of USD's dental hygiene program earn their diplomas.

1969: East Hall converted for use as academic space.

1970: USD students take roles in University Senate for the first time.

1973: Shrine to Music Museum, now known as the National Music Museum, opens in original campus library facility.

1977: Final season for football at Inman Field and basketball in USD's New Armory.

1979: Construction of the DakotaDome, the region's only domed arena, completed.

1981: New School of Law building constructed.

1983: USD celebrates a centennial, observing 100 years since the beginning of classes in 1882.

1985: Beede Hall becomes first residence hall with co-ed living in South Dakota.

1985: Construction begins on new W.H. Over Museum.
1989: Betty Turner Asher becomes first woman to serve as USD president.

1989: The Freedom Forum, founded by Al Neuharth '51 gives its first Al Neuharth Award for Excellence in Journalism to Walter Cronkite.

1997: James W. Abbott becomes first USD alumnus to serve as president of USD.

1997: Old Main undergoes major renovation and reopens for academic use after a 24-year hiatus.
2001: Permanent roof in-

stalled on DakotaDome, replacing original pressurized roof.

2003: Renovations completed on the E.O. Lawrence Telecommunications Center and building renamed the Al Neuharth Media Center.

2004: Dean Belbas Center (originally the Armory Building) restored and reopened to house admissions, financial aid and registrar's office.

2006: USD formally announces intention to move athletic programs to NCAA Division I.

2007: School of Medicine celebrates its centennial in

newly constructed Lee Medical Building.

2007: Campaign South Dakota, a fundraising effort launched in June 2001, concludes after raising more than \$133 million.

2009: Muenster University Center opens to students.

2009: USD's new business school, Beacom Hall, opens to students.

2010: With 10,151 students, USD exceeds 10,000 mark for first time.
2010: Coyote Village, a suite-style student housing unit, opens for first residents.

2011: USD Fitness Center opens.

2012: Aalfs Auditorium and Skinner pipe organ renovated in Slagle Hall.

2012: USD celebrates 150th anniversary of its founding; April 21 declared the date of Charlie Coyote's birthday.

2014: USD Celebrates 100th Dakota Days



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