magistrates. The supreme court consists of five judges chosen for six years—the term for the first judges elected under the constitution of 1889 was four years. The state is divided into five districts and one judge is chosen from each district, although the election is made by the voters of the state at large. The court has appellate jurisdiction only, except for the power to issue writs of *mandamus, quo warranto, certiorari,* injunction and other original«and remedial writs. The state is divided into ten circuits, and one judge is elected by the voters of each circuit for a period of four years. The legislature may, by a two-thirds’ vote of each house, increase the number of circuits or the number of judges. The circuit courts have original jurisdiction of all actions and causes, both at law and in equity and such appellate jurisdiction as may be conferred by law. In each county there is a county court with a county judge who is elected by popular vote for two years. The court has original jurisdiction in probate cases, in civil cases involving $1000 or less, and in criminal cases below the grade of felony. Under an act of 1893 three-fourths of a jury may render a verdict in lesser civil cases in county and circuit courts. The jurisdiction of justices of the peace is determined by law, but it is restricted by the constitution to cases involving $100 or less.

For the administration of local government the state is divided into counties (64 in 1910) and these in turn are sub- divided into townships and municipal corporations. Although the township exists throughout the state, in many cases it is organized only for school purposes and in many others its juris- diction is so restricted as not to extend to the villages and boroughs within its limits. The county authority is a board of commissioners elected on a general ticket, the township authority a board of supervisors or trustees. For each county there are a judge, clerk of the court, sheriff, auditor, registrar of deeds, treasurer, state’s attorney, surveyor, coroner and superintendent of schools, all elected biennially.

*Miscellaneous Laws.*—A primary law enacted in 1905 authorizes the county convention of any party to provide for the nomination of candidates for county offices and the state legislature by direct vote. The state has had a varied experience in dealing with the liquor problem. A constitutional ordinance forbidding the manufacture, importation and sale of intoxicants was adopted on the 1st of October 1889 by a vote of 40,234 to 34,510. The decision of the United States Supreme Court in the case of *Leisy* v. *Hardin* in 1890 (see North Dakota), and the lax enforcement of the ordinance in the larger towns soon resulted in an active movement for repeal. A state dispensary, similar to that of South Carolina (*q.v.*), was established in 1898 by a vote of 22,170 to 20,557, but it proved ineffective and was superseded in 1900 by the licence system. An attempt to introduce county local options was defeated in the election of 1908.

South Dakota long bore a notorious reputation for the laxity of its divorce laws. The grounds for action are still numerous. An act of 1907, ratified by popular vote in the election of 1908, raised the term of residence under which a person could apply for divorce from six months to one year, and provided that all cases should be tried openly at the regular term of court; and since the passage of this law Sioux Falls has ceased to be notorious for its divorce colony from other states. Neither husband nor wife has any interest in the separate property of the other and the wife may convey her real estate, other than a homestead, without her husband’s consent, but the husband must support his wife out of his property or by his labour if he is able, and if he is unable the wife must support him so far as possible out of her property. The one may enter into contract with the other respecting property, and they may hold property as joint tenants. The descent of the estate of a husband dying intestate is the same as that of a wife dying intestate; if there is only one child, or the issue of only one child, the surviving spouse is entitled to one-half of the estate; if more than one chiId, to one-third of the estate; and if no children, father, mother, brother or sister, to the whole of the estate. The homestead of any family in the. state is exempt from attachment, lien or forced sale, except for taxes or purchase money, provided it has been properly recorded; but it can embrace only one dwelling house, cannot include gold or silver mines, and is limited in value to $5000 to one acre if within a town plat, to 40 acres if it is in the country and was acquired under the laws of the United States relating to mineral lands, and to 160 acres of other land in the country. If the owner is married the homestead cannot be sold or mortgaged without the concurrence of both husband and wife. Upon the death of either husband, or wife the exemption may be continued for the benefit of the surviving spouse, and upon the death of both husband and wife the exemption may be continued until the youngest child is of age.

*Education.—*At the head oí the public-school system is a superintendent of public instruction chosen for two years. In each county there is a county superintendent, and in each school district a board of directors. When the state was admitted into the union two sections of land (1280 acres) in each township were set aside for educational purposes. The permanent school fund amounted to $4,852,567 on the 1st of July 1907. ln 1908 the total expenditures for public schools were $3,152,006 ($1,633,594 being for teachers’ salaries) and the total receipts were $3,853,695, of which $2,283,038 was from district taxes. ln 1910 the total permanent school fund was $7,725,583 and the estimated value of the unsold lands held for the common schools and other educational endowments was $3,068,172. The schools are open to all pupils between the ages of six and twenty-one, and attendance for twelve weeks each year, eight of which must be consecutive, is compulsory for those between the ages of eight and fourteen. In the school year 1907-1908 77% of all persons of school age were enrolled in the public schools. The educational institutions of the state are all under the management of a board of regents of five members, who are appointed by the governor, with the approval of the senate for terms of six years. The leading state institutions are the state university (1882) at Vermilion, the agricultural college (1884) and the agricultural experiment station at Brookings, the state school of mines (1886) at Rapid City, and normal schools at Spearfish, Madison, Aberdeen and Springfield. The state university is under the control of the board of regents, and is maintained by the state and is the beneficiary of 86,000 acres of land grants from the Federal government. The city of Vermilion and Clay county and private persons have contri- buted largely to its support. It has a geological and mineralogical museum and under its supervision is carried on the state geological and natural history survey, the state geologist being head of the department of geology and mineralogy of the university. The uni­versity includes a college of arts and sciences, a school of commerce, an art department and colleges of law, music and engineering. The university (1910) had 51 instructors and 385 students. Denomi­national colleges are Yankton College (1882) and Redfield College (1887), both Congregational; Huron College (1883, Presbyterian), and Dakota Wesleyan University (1885; Methodist Episcopal) at Mitchell. The Norwegian Lutherans have a normal school at Sioux Falls, and the Roman Catholics have schools of higher grade at Sioux Falls, Deadwood and Aberdeen.

*Charitable Institutions, &c.—*The state maintains a school for the blind at Gary, a school for deaf mutes at Sioux Falls, a tuberculosis sanatorium at Custer, a general hospital for the insane at Yankton, a school for the feeble-minded at Redfield, a soldiers’ home at Hot Springs, a reform school at Plankinton, and a penitentiary at Sioux Falls. All penal and charitable institutions are subject to the control of a state board of charities and corrections composed of five members appointed by the governor. A children’s home at Sioux Falls is partly under state control. There is a Federal hospital for insane Indians at Canton.

*Finance.—*The general property tax is the chief source of revenue for state, county and local purposes. There is a local board of assessment and equalization in each county and a general board for the state at large. Corporations are reached through the general property tax, but there is a small levy on fire insurance companies for the support of the local fire departments. An inheritance tax was adopted in 1905 which progresses in proportion to the distance of relationship and the amount of the inheritance.@@1 Poll taxes are levied by the counties and townships for school and local purposes. The current revenues of the state for the year ending on the 1st of July 1909, including cash on hand at the beginning of the year, were $4,148,734; for the same year the expenditures were $3,358,847. There is a small nominal indebtedness, less than the cash surplus in the treasury. The constitution fixes the debt limit at $100,000 over and above the share of the territorial debt assumed at the time of the formation of the state. The first national bank within the present limits of the state was organized at Yankton in 1872.

*History.—*The first authentic explorations in what is now South Dakota were made by the Lewis and Clark expedition in 1804 and 1806. The “ Yellowstone,” a steamboat sent out by the American Fur Company, ascended the Missouri to Fort Pierre in 1831 and to the mouth of the Yellowstone river in 1832. Among the passengers on the second trip was the well- known painter and ethnologist, George Catlin, who spent several weeks at Fort Pierre studying the manners and customs of the Indians. Explorations were also made by Prince Maxi­milian of Neuwied in 1832, by John C. Frémont in 1838, by Edward Harris and John J. Audubon in 1843, and by various others. Fort Pierre, which was founded by the American Fur Company about 1832, was sold to the United States government

@@@1 The rate for direct heirs and brothers and sisters is non-progressive.