On the first Tuesday of March each year, literally hundreds of public meetings are held in South Dakota that go virtually unnoticed. The only media coverage is likely to be the required announcement in an official newspaper. These annual assemblies are those of civil townships, the only governmental units in which all eligible voters may gather to set the tax levy, elect officers, and make certain other decisions in a town-meeting setting. Although few voters avail themselves of the opportunity to thus participate in direct democracy (in about one-fourth of the gatherings, only the elected officials are present), township government in South Dakota has endured for more than a century.¹

Approximately one out of five South Dakotans lives within townships, which, according to a recent United States Bureau of the Census report, number 984 and are found in fifty-two of the state’s sixty-six counties. Each year, townships expend a modest thirteen million dollars, three-fourths of which goes toward constructing and maintaining the one hundred thirty-four thousand miles of gravel and unimproved roads that provide access to over

The author, who has studied rural government in South Dakota intermittently for twenty-five years, gratefully acknowledges assistance from South Dakota State University and the South Dakota Committee on the Humanities.

¹ SDCL 8-3-1, 8-3-2. In 1967, I supervised a scientific study of townships that covered a random sample of 224 South Dakota township residents living east of the Missouri River. The results were lost in 1969, however, when fire destroyed Development Hall on the campus of South Dakota State University, which had provided the research grant. The information that remains available comes from the notes of Ronald C. Aho, now a Brookings attorney, who did the field-survey interviewing. This resource will hereafter be cited 1967 Township Survey Notes.
half the farms and ranches in the state.\(^2\) With the revenue from their own property levies and from tax and license money returned from the state, townships also arrange for fire protection in many rural areas, particularly in eastern South Dakota.

South Dakota's townships have come under periodic attack, either directly or indirectly, for over half a century. That they endure is a legacy of the grassroots ideals of Thomas Jefferson, who is remembered today as the "arch-advocate" of democracy and agrarianism.\(^3\) "The article nearest my heart," he wrote in 1816, "is the division of counties into wards [towns or townships]" whose business "is that of nearest and daily concern." In Jefferson's view, a truer democracy would result from governance through these "elementary republics" over which small landowners exercised direct control.\(^4\) His thoughts on the relation of property rights to good government have consistently moved those who remain attached to the ideal of grassroots control.\(^5\)

Jefferson also played a key role in establishing the geographical basis for townships, chairing the committee of the Articles of Confederation Congress that drew up the law providing for the survey and sale of public lands. The Ordinance of 1785, as the law was known, mandated a rectangular landsurvey system consisting of tiers, or ranges, drawn along an east-west base line and north-south meridians. Surveyors then measured, marked, and numbered the land in units of six miles by six miles, or thirty-six sections of six hundred forty acres each, called congressional townships. The system provided an excellent plan for surveying agricultural land such as that in eastern Dakota Territory.\(^6\)

The first session of the territorial legislature in 1861 considered a measure authorizing the establishment of civil townships, the working units of government typically based on the surveyors' congressional townships, but turned


4. Quoted ibid., p. 7.


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down the bill, probably because the population of the region (less than five hundred) did not yet warrant it. The civil township was a familiar unit of government to settlers who came from Great Lakes states and New England, however, and they proposed its organization in session after session. In 1873, with the population in southeastern Dakota reaching well over ten thousand, the territorial legislature at last approved “An Act to Establish a System of Township Government for the Territory.” The law allowed two approaches to the creation of townships, both of which required that local voters initiate the process. In 1879, for instance, the Minnehaha County Commission, upon receiving a voter petition, submitted “to vote of the people in a special election the question of whether the system of township government shall be adopted.” Following a 582-to-88 vote in favor of the measure, the commis-


The surveyors' grid of section lines is clearly visible in this aerial view of eastern South Dakota.
Commissioners divided the entire county into individual townships. More common was the individual-township approach employed in Hand County in 1884, in which voters in each congressional township petitioned the county commission separately to organize their respective units into civil townships.

In several instances, voters petitioned for the creation of school townships at the same time. Beginning in 1883, the law allowed two separate sets of townships, one with general governmental powers and the other with school responsibilities. Civil and school townships often occupied the same area and shared the same name, but both had separate officers and tax levies. The school township gradually disappeared with the adoption of common school districts after the turn of the century, and in 1919, South Dakota law specifically dropped the term “school township.” The school district, however, often continued to carry the name of the civil township. Similarly, the term “town” was used interchangeably with “township” for a short period, even though there has been no overlapping of township and municipal governments from the time of the first township legislation in 1873. As soon as one segment of a township was incorporated as a town, that segment was removed from township jurisdiction. If a small settlement chose not to incorporate, the surrounding township, if it existed, exercised jurisdiction. A township that adjoined an expanding municipality, however, was not in a position to resist encroachment. Only city, county, and circuit courts have a voice in such proceedings.

In structure and authority, Dakota Territory’s townships were fashioned on the democratic traditions of the New England town meeting. The electors present at the annual township meeting had the authority both to select officers and to direct their actions in a number of areas. In Dakota Territory, township voters annually chose three supervisors, a clerk, a treasurer, an assessor, an overseer of the poor, and an overseer of highways for each road dis-

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In order to carry out its mandated duty to act in the public interest, the township board had the power to make rules and impose penalties. Enforcement and adjudication were in the hands of the two township constables and justices of the peace, who served two-year terms and could also deal with minor civil and criminal matters. Finally, in order to meet their fiscal responsibilities, township boards could assess and tax real and personal property and issue bonds redeemable with tax money. By 1884, the maximum levy had been raised from three to ten mills. Green Valley Township in Miner County probably typified the operation of many townships at the close of the century. Its treasury “consisted of gold and silver, and was kept at home; bills were paid in cash.”

With the enabling legislation of 1873, townships assumed responsibility for a number of basic governmental functions. As settlers arrived, they built fences for the first time, the location and adequacy of which were matters of public concern. Accordingly, the law assigned township supervisors and assessors as “fence viewers.” The law also provided for the building of public enclosures for stray animals and authorized the township supervisors to appoint pound masters. Immigrants had scarcely entered Dakota Territory before they began to place markers to locate themselves and direct travelers to the next place. Territorial law standardized the practice, requiring every township to “erect and maintain guide posts on the highways and other ways within the township at such places as are necessary or convenient for the direction of travelers.” The signposts were to be at least eight feet high, with distances painted on a cross bar. “The figure of a hand, with the forefinger thereof pointed towards the towns or places to which said road leads” would direct the traveler.

Township officials were required to enforce a number of traffic laws, as well. In his 1884 *Township Manual for the Territory of Dakota*, Walter S. Booth included a section entitled “The Law of the Road,” which covered passing, racing, and drunken driving and provided penalties for infractions. In 1899, Medary Township in Brookings County passed a bylaw “restricting bicycle riders from going at full speed against teams on the highways and causing runaways.”

Perhaps the most important township function was the building of roads to connect farmsteads and provide access to the railroads that were so essen-

15. Ibid., secs. 91, 94, pp. 106-7.
17. Medary Township Clerk Records, Brookings County, S.Dak. (these records are in the possession of current Medary Township clerk Herman Micheel).
Territorial law specified detailed procedures for constructing all classes of roads in a basic network consisting of a grid of sixty-six-foot rights of way along all section lines. In practice, however, road building proceeded in a desultory fashion, producing a crazy-quilt pattern across the region. In his history of Green Valley Township in Miner County, Oscar S. Person described the sorry state of the territory's early byways. "There were no graded roads," he wrote, "they were wagon trails worn deep. When they became too deep, a new trail was started by the side of the old one. Only in low places, such as small sloughs and ravines, was roadwork done and then

18. For more information on the role of the railroads in the development of the territory, see Schell, History of South Dakota, pp. 110-15, and Howard R. Lamar, Dakota Territory, 1861-1889 (New Haven, Conn.: Yale University Press, 1956), pp. 127-47.
only with two-horse scrapers and a field plow, spades and shovels.” During the first years of road building in Dakota Territory, bridges and culverts were constructed of wood. As a result, Person concluded, “The bridges were generally too small and too low; when the streams were filled with water in the spring the bridges floated away; when the water receded, they were moved back into place again.”

Money for badly needed roads was scarce in Dakota Territory, and most males between the ages of twenty-one and sixty were required to work for one to four days annually on the public highways within their districts. It was also possible to pay off the obligation or provide a substitute laborer. Person recorded that road work was not taken seriously by many, including the overseers. “It was common,” he wrote, “for a group of men working out their road tax to waste much of the time by sitting in shade under a wagon... When each one had ‘put in his time,’ he received a receipt from the overseer acknowledging that his road tax was paid. Men who were never lazy... in

22. Person, Green Valley Township, p. 12.
their own work were very apt to be lazy on the road.” Even so, Person acknowledged, many men “were as fair in road work as in their own; they worked hard and urged others to work; they were interested in the community and made it as it was—very well under the conditions they labored.” By the turn of the century, however, the system of “working out” to build and maintain roads was widely considered to be a farce, and Governor Charles N. Herreid recommended that it be abolished. In making his point to the 1903 legislature, the governor quoted from “When We Worked Our Tax Out,” a poem by contemporary humorist and journalist Sam Walter Foss:

Oh, our life was rough and tearful, and its toil
was often fearful,
And often we grew faint beneath the load;
But there came a glad vacation, and a sweet alleviation,
When we used to work our tax out on the road.
When we used to work our tax out, then we felt the joys of leisure,
And we felt no more the prick of labor’s goad;
Then we shared the golden treasure of sweet rest in fullest measure—
When we used to work our tax out on the road.

Despite Herreid’s efforts, it would take another decade for the state to establish a “unified and systematic highway program.”

In addition to their road responsibilities, the early townships had a number of duties relating to the public health and welfare. The supervisors of each township constituted a board of health with the authority to “examine into all nuisances, sources of filth and causes of sickness, and make such regulations respecting the same as they may judge necessary.” In addition to these broad regulatory responsibilities, they had the specific authority to “construct any ditch, drain or water-course,” quarantine for smallpox or other contagious diseases, and provide for a hospital “when a disease dangerous to the public health breaks out.” County boards of health, established in the mid-1880s, eventually took over the public-health duties first assigned to the township boards.

24. Person, Green Valley Township, p. 12.
26. Sam Walter Foss, Whiffs from Wild Meadows (Boston: Lothrop, Lee & Shepard, 1905, pp. 100-101.)
Township supervisors could also raise money "as they deem[ed] expedient" for the support of the poor within their boundaries. For example, on 8 January 1885, the Hand County commissioners directed each civil township (or school township, where the former did not exist) to select an "overseer of the poor . . . to purchase whatever may be needed to relieve [sic] the wants of the needy." In 1911, a drought year, homesteaders ninety miles west of Pierre combined two townships into one and floated ten thousand dollars in bonds to be used for relief. By the time the debt was finally paid off through the "working out" system, it had risen to fifteen thousand dollars. In situations where neither a civil nor school township existed, the county commission took responsibility for providing relief.

While the county and territory possessed the greater governmental authority to meet those needs that the township could not, the township allowed a direct control that embodied the Jeffersonian tradition of a grass-roots polity based on land, community independence, and democracy. Over the decades, changing times, new lifestyles, and a larger scope of governmental activity gradually modified, but did not destroy, the township. In his message to the legislature in January 1933, Governor Tom Berry suggested that the time had come to consolidate South Dakota's smaller governmental units in order to save tax dollars. Calling for an end to duplicate activities and records, he suggested, "In the present speed and ease of communication and transportation it may easily be that the need for township government has passed." One writer to the Sioux Falls Daily Argus-Leader reminded Berry that in Minnehaha County, townships arose from a desire for local control and had flourished for fifty-two years. "The question of its abolishment," the letter writer predicted, "will no doubt bring forth a greater discussion and debate than any question brought before the rural population of the state within a decade." The governor's proposal apparently failed to generate much support, for he repeated the recommendation in his 1935 message to the legislature.

Members of the scholarly community have also voiced questions about the need for township governments. In 1922, Kirk H. Porter at the University of Iowa wrote that the township "serves no important purpose that cannot be more conveniently and effectively served through other agencies." In 1934, a committee of the National Municipal League recommended that the townships:

ship, whose small geographical areas made for a limited tax base and inefficient administration, be abolished except in New England. Wendell F. Kumlien, a rural sociologist at South Dakota State College, attacked them again in 1941. “During early days,” he wrote, “there was, perhaps, a legitimate reason for the township for it constituted the basis for the open country election precinct, was the local taxing unit for the maintenance of country roads, and in many parts of the state was identical with the school district.” The appearance of more incorporated towns and the increase in government services that called for larger administrative units now made the township obsolete. As with Governor Berry’s earlier efforts, Kumlien’s analysis produced no response in the South Dakota Legislature.

Reflecting a nationwide trend toward governmental reorganization in the 1960s and 1970s, South Dakota governor Frank L. Farrar advised the state legislature in January 1969 to establish a Constitutional Revision Commission. “We cannot run government in 1969 on the rule book of 1889,” he averred, “and you cannot continue with a patchwork job on the leaky roof of our basic law.” Among other things, the commission proposed a new local government article to the state constitution that deleted any reference to townships. Before it adopted the committee’s recommendations, however, the legislature added a provision protecting township governments: “No township heretofore organized may be abolished unless the question is submitted to the voters of the township and approved by a majority of those voting thereon in each township.” Thus, when voters in November of 1972 approved changes to the state’s highest law, they gave the township constitutional protection, despite the questions that had been raised about its effectiveness for almost half a century.

Indeed, the vote reflected the results of the 1967 South Dakota State University survey of 224 township residents in east river South Dakota, which indicated general satisfaction with township governments and their services. Respondents had strongly opposed the elimination of townships, believing that rural interests were already underrepresented in the state legislature. However, even though a majority considered the township to be the most democratic of all units of government, only about forty percent said they had attended the last annual township meeting. About one-half were of the opinion that the unit would disappear in time.

41. South Dakota, Constitution, art. 9, sec. 1 (1972).
42. 1967 Township Survey Notes.
To enhance the role of the township, in 1979 its supporters created the South Dakota Township Association (now the Association of Towns and Townships). Approximately one-third of the state’s townships belong to the organization, which engages in educational and lobbying efforts on issues like assessment, taxation, landowner rights, officer liability, and a broad range of rural interests as well. Because townships retain the loyalty of residents, the concept continues to receive support from most legislators and from other key public officials. Thus far, pressure for governmental consolidation has not been strong enough to overcome this grass-roots attachment.43

Today, township voters elect fewer officials, but in general their powers at the annual election remain much the same as they were in 1873. The modern township board consists of three supervisors (who serve overlapping three-year terms), a clerk, a treasurer, and an optional constable (all of whom serve one-year terms).44 Other units of government, however, have preempted many township functions, even those related to road upkeep, the township’s traditional stronghold. For example, bridges on secondary roads and culverts with an opening of more than sixteen square feet are now a county responsibility. South Dakota law also gives counties the ultimate authority to designate any township road, when it is deemed in the public interest, as a “county aid road” and to expend both township and county highway funds for their construction, graveling, and maintenance. In cases in which townships retain responsibility for the roads within their boundaries, they have three options to choose from in carrying out their road duties. They may (1) buy and maintain their own equipment and hire their own operators; (2) hire private contractors; or (3) contract for services with the county or a nearby municipality.45

43. Watertown Public Opinion, 16 Jan. 1979; interview with Jim Endres, South Dakota Township Association founder, Watertown, S.Dak., 7 June 1985; interview with Moser. Despite the push for governmental reorganization over the past twenty-five years, township numbers in the Midwest overall have declined only modestly, due in part to the advent of general revenue sharing. In fact, between 1977 and 1987, the total expenditures for townships nationwide more than doubled from seven billion to nearly fifteen billion dollars, although much of the increase may be attributed to spending by townships in the Northeast, which provide a broader variety of governmental services than do their midwestern counterparts. Russell L. Smith, ed., Local Governments at a Crossroads: Choices for South Dakota (Vermillion: Governmental Research Bureau, University of South Dakota, 1986), p. 60; 1987 Census of Governments, vol. 4, no. 4, pp. vi, 134. For more information on efforts to increase the efficiency of local government in rural areas specifically, see Burdette V. Blumer, “An Analysis of Per Capita Costs for Selected County Functions in South Dakota” (M.S. thesis, South Dakota State University, 1967), and Smith, Local Government at a Crossroads, pp. 27-71.

44. General Laws and Memorials (1873), ch. 51, secs. 8, 14, pp. 89-91; SDCL 8-2-1, 8-3-2, 8-3-12, 8-3-13, 31-13-1; William O. Farber, Thomas C. Geary, Loren M. Carlson, Government of South Dakota, 3d ed. (Vermillion: Dakota Press, University of South Dakota, 1979), p. 193.

45. SDCL 31-13-3, 31-13-12, 31-13-13, 31-14-2, 31-14-27. The South Dakota State Legislature authorized counties to take over authority for township roads in 1947. South Dakota,
Once a township responsibility, bridges like this turn-of-the-century structure in Brookings County now belong to the county.

While the upkeep of township roads can thus be shifted wholesale to the counties, it is obvious, when one puts an ear to the grass roots, that most rural people are reluctant to see such a change. By and large, the construction and maintenance of the secondary roads that constitute over forty percent of the state's total mileage have remained within township jurisdiction. The local people, it is said, know the conditions: where the snow has to be removed first, which route has to carry big tractors, what amount of maintenance is necessary. Accordingly, the state legislature leaves townships the responsibility of determining how to meet their road needs and helps with the cost by sending back a share of user taxes. When ten county auditors were asked recently about the quality of township roads, their typical answers included: "It depends on who you talk to"; "Average"; "Good job"; "General satisfaction." The highway superintendent for Minnehaha County, the state's most populous county, admitted that his department was not head and shoulders above the townships in road work. This superintendent suggested that the county might do a better job of engineering, but he hesitated to

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interfere in a township’s right to hire its own engineering consultants. Plenty of small contractors, he said, could do the local road work adequately. In the sparsely populated central and western reaches of South Dakota, however, some townships are in danger of being disbanded largely because of difficulties in finding private contractors to “blade” the township roads.

In recent years, some townships have attempted to modify their authority over roads for purposes other than economy or quality of maintenance. Supervisors in several townships, citing their duty to protect residents’ lives and property, have tried to ban hunting along the roads under their jurisdiction. Hunters, who are allowed by state law to shoot along the sixty-six-foot section-line right of ways, have challenged the authority of township boards to close roads. They contend that because townships receive a substantial amount of the money collected from the sale of hunting licenses in each county, hunters are entitled to some say in the matter. The state attorney general has determined that all power to regulate hunting and fishing rests with the state, and the legislature has thus far sided with the hunters by choosing not to alter the fundamental township-state relationship in this regard. As South Dakota’s urban population grows, such conflicts concerning access to rural areas are likely to continue.

The closing of roads due to cost and liability concerns is another issue on which township officials seek greater authority to act. The state legislature, recognizing the ever-growing burden of road upkeep and responding to the concern of township officials regarding their liability for mishaps on the roads, in 1989 created the classification of “minimum-maintenance road.” Maintenance of such roads may thus drop to a level lower than the minimum standards, but it must be sufficient to serve occasional or intermittent traffic. Signs warning the public that it travels at its own risk are also required.

In addition to responsibility for the road structure itself, townships today are charged with keeping the adjoining road ditches clear. If the owner or occupant of property along a township road fails to cut or destroy grass, weeds, and brush, the township board of supervisors may employ someone else to perform the task. Voters at the annual township meeting may then

46. South Dakota, Department of Transportation, Division of Planning, Total Road and Street Mileage (1992), p. 1; interview with Kenneth Long, Minnehaha County highway superintendant, Sioux Falls, S.Dak., 7 July 1986. Eighty-four percent of those responding to the 1967 township survey considered it a “poor idea” to turn township functions (principally the responsibility for roads) over to the county.

47. Interview with George W. Wieseler, Hand County Commissioner, 3 June 1985.


49. SDCL 31-13-1.1, 1.2.
determine whether the township shall pay for the work or attach its cost as a tax on the adjoining land. In practice, township officials give different degrees of attention to “ditch mowing.” Some trust farmers and ranchers to take care of their ditches, hoping the free hay will be incentive enough, while others monitor landowners more closely, giving prompt notice of the need for mowing and seeing that it is done if the landowner fails to act.

Township responsibility for fire protection has expanded since the years just after statehood, when the plowing of fireguards along roads and across the center of the township constituted fire protection. Townships now use a variety of arrangements to fulfill their fire-fighting responsibilities, all of which involve contracting with other governmental units or private, nonprofit organizations. Many of the townships surrounding Sioux Falls have their own volunteer fire departments, which are widely recognized for good service. Such departments, if they meet minimum standards, share with municipal and county departments the proceeds from a state tax on fire insurance premiums. In much of eastern South Dakota, townships cooperate with municipalities to provide rural fire protection. Grand Township in

Wayne Township near Sioux Falls typifies other Minnehaha County townships in operating its own fire department.

Hand County, for example, buys fire protection from a nearby third-class city and pays an equal amount to a second-class city farther away for backup protection. Medary Township in Brookings County pays the city of Brookings one thousand dollars a year for fire protection. Township fire departments also benefit from county contributions, and it is not unusual for arrangements to be made across county lines to facilitate prompt response to fire calls. In western South Dakota, township responsibility for fire protection is the exception rather than the rule. In many instances, counties tax for fire protection, but volunteer city and town departments provide the service. In counties with no tax levies to support fire protection, the townships support volunteer fire departments through donations. The law allows townships and other rural entities to create independent fire-protection districts and grants them authority to levy for fire protection, but only three such districts exist today.


52. Interviews with Pete Bolzer and Helen King, Office of State Fire Marshall, Pierre, S.Dak., 12 Aug. 1993; interview with Fern Brockel, Perkins County auditor, Bison, S.Dak., 21 May 1990; interview with Gough; interview with Wanda Iverson, Jones County auditor, Murdo, S.Dak., 30 July 1985; interview with Vicki Wilson, Jackson County auditor, Kadoka, S.Dak., 31 July 1985; interview with Shirley L. Briggs, Tripp County auditor, Winner, S.Dak., 11 July 1985; SDCL 34-31A. In order to provide ambulance service, townships may make arrangements similar to those allowed for fire protection. SDCL 8-9-7.
While townships continue to look after the health and welfare of their constituents, the scope of their authority has narrowed. Township boards of health have disappeared, but the supervisors share responsibility with the county health officer for disposing of dead animals that constitute a health hazard. Townships once supported cemeteries, but in the 1960s, the state attorney general ruled that no power had been expressly conferred on townships to use tax money to maintain their own cemeteries or to assist in the maintenance of church cemeteries. Conversely, in 1967, an inactive Haakon County township was prevented from formally disorganizing until it had disposed of the one-and-one-half acre cemetery it owned (the county was allowed to buy it). In 1976, however, another attorney-general decision permitted a township to operate a cemetery under the broad mandate of protecting the lives and property of its inhabitants.53

Townships continue to exercise narrow regulatory powers over the unincorporated towns within their borders. In such cases, township boards may enact rules dealing with sidewalks, refuse disposal, tree planting, electricity, street lighting and improvements, jails, waterworks and sewers, parks and public recreation, nuisance abating, and fire protection, including restrictions on stovepipes and chimneys. However, counties preempt township authority when they pass comprehensive zoning plans.54

To support these various functions, township revenue sources today are more numerous than in the days of the “working out” system. They include: (1) property tax collected by the county and transferred to the township; (2) taxes from certain state funds returned to the township through the county; (3) a share of the personal property tax reversion returned through the county; and (4) a share of the wheel tax in the counties where it has been adopted. About forty-one percent of all township funds come from the property tax, wheel tax, and interest on surpluses. The rest comes from shares of state taxes and fees. The townships in 1991 levied 2.38 percent of the total $409 million levied by local units of government within the state. While the elected township assessor has disappeared and his or her tasks have shifted to the county, the township board of supervisors still participates in equalizing township property assessments.55 Although the county may overrule a township decision, the grass-roots knowledge that township officials possess gives

54. SDCL 8-2-8, 8-2-9, 31-13-30.
their decisions considerable weight. It is not unusual to hear county auditors comment favorably on township participation in tax assessment appeals.

On 6 March 1990, the annual meeting of what we will call Pioneer Township convened in a small-town cafe in eastern South Dakota. Any visitor imagining the Norman Rockwell-like scene of a sizeable group of interested people engaging in spirited discussion would have been disappointed. The meeting room could have accommodated, at most, only a half dozen more people than the eight who showed up. Three of those present were elected to fill the required offices of clerk, treasurer, and supervisor. Although the election of a constable had not been required for years, the official notice in the local newspaper had announced that one would be chosen for a two-year term. Again this year, apparently, no one had remembered to change the standard legal form before giving it to the newspaper. After picking officers, the attendees decided to raise each officer's per-meeting pay from twenty-five dollars to thirty dollars. The other people attending had information to give or questions to raise. An elderly gentleman who had once served as a supervisor wondered what he should do with the township records stored in his garage. Two younger men asked about township activities, and one of them seemed to be interested in doing work for the township.

The officers decided on a private contractor to hire for upkeep and snow removal on Pioneer Township's forty miles of roads. While bridges are a county responsibility, the township maintains and pays the first five hundred dollars in construction costs for smaller culverts. Approaches to all bridges and culverts are also a township concern. The treasurer was assigned to see the county highway superintendent about the charges for a particular bridge, and discussion arose about cutting down a road leading to another bridge. Pioneer Township has not been cutting grass and weeds in the road ditches, a task that amounts to mowing about five acres for every mile of right of way. Someone suggested that the township mow once late in the fall and allow farmers to use the ditch hay until then. Another query focused on whether the township should use some of its ample reserve funds to spray the ditches for grasshoppers at the same time it sprays for weeds. Grasshoppers, it was said, get a fresh start in the ditches in the spring. The final decisions and granting of contracts were postponed until one of the officers' quarterly meetings.

For fire protection, Pioneer Township annually pays five hundred dollars each to a town within its boundaries and to a nearby first-class city. One supervisor was assigned to confirm these arrangements for the coming year. The township pays no one for ambulance service, but when a neighboring town recently requested voluntary contributions to buy a vehicle, the town-

56. The Pioneer Township scenario is based on two actual meetings of Afton Township in Brookings County that I attended in 1972 and 1990.
### Township Treasurer’s Annual Statement

**Annual Statement of Richard Jensen, Treasurer of the Township of Medary, County of Brookings, South Dakota**

of the moneys from the County Treasurer and from all other officers and persons received by him into the township treasury for the year ending February 17, 1992.

And for all moneys paid out by him from the township treasury, for the year ending February 17, 1992.

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<td>Sep. 20</td>
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<tr>
<td>Oct. 10</td>
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<td>Interest on Checking</td>
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<tr>
<td>Oct. 30</td>
<td>First Nat'l Bank</td>
<td>Deposit</td>
<td>663.30</td>
</tr>
<tr>
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<td>Deposit</td>
<td>Interest on C.O</td>
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</tr>
<tr>
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</tr>
<tr>
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<td>73.50</td>
</tr>
<tr>
<td>Dec. 30</td>
<td>First Nat'l Bank</td>
<td>Interest on Checking</td>
<td>84.30</td>
</tr>
<tr>
<td>Jan. 10</td>
<td>First Nat'l Bank</td>
<td>Interest on Checking</td>
<td>58.40</td>
</tr>
<tr>
<td>Jan. 20</td>
<td>First Nat'l Bank</td>
<td>Interet on Checking</td>
<td>50.33</td>
</tr>
<tr>
<td>Jan. 30</td>
<td>First Nat'l Bank</td>
<td>Interest on Checking</td>
<td>86.39</td>
</tr>
<tr>
<td>Feb. 10</td>
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<td>Interest on Checking</td>
<td>119.83</td>
</tr>
<tr>
<td>Feb. 20</td>
<td>First Nat'l Bank</td>
<td>Interest on Checking</td>
<td>82.28</td>
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**Total Receipts** 32,341.07

<table>
<thead>
<tr>
<th>DATE</th>
<th>Received From</th>
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<tbody>
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<td>Sep. 20</td>
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<tr>
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<td>329.40</td>
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<td>Deposit</td>
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<td>Deposit</td>
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<td>73.50</td>
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<td>Dec. 30</td>
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<td>84.30</td>
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<td>First Nat'l Bank</td>
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<td>Jan. 20</td>
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<td>Feb. 20</td>
<td>First Nat'l Bank</td>
<td>Interest on Checking</td>
<td>82.28</td>
</tr>
</tbody>
</table>

**Total Receipts** 32,341.07

**Receipts of Savings Account**

Total Disbursements from Page 43

Balance on hand February 1992

$13,605.94

Balance on hand February 17, 1992

$13,605.94

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The treasurer's annual statement for Medary Township in Brookings County illustrates the township's varied revenue sources and expenses.
ship contributed an amount equal to twenty-five dollars per family. The township board will again purchase its liability insurance at a local bank.

The 1989 property-tax levy of 1.15 mills raised about five thousand dollars and will continue at this level for another year. The township had about fifteen thousand dollars in expenses, with the deficit made up from the township’s share of auto users’ fees, personal property taxes returned from the state, and the wheel tax. The interest earned on almost eighty thousand dollars in certificates of deposit produced another fifty-five hundred dollars. (State law does not limit the amount townships can accumulate in savings.)

Several years of below-normal precipitation and the resulting low road maintenance had created a large reserve, but township officers rejected a suggestion that the tax levy be dropped. The surplus funds could disappear quickly in the event of adverse weather, and it will be more expensive to borrow in the future, they reasoned. The officials did agree, however, to take some action should the reserve ever reach one hundred thousand dollars. Despite the severe cuts in services the county is expected to make in the coming year, the officers for Pioneer Township joined most of their colleagues across the county in opposing the county’s opting out of a property-tax freeze passed by the state legislature in 1989.

The restaurant provided coffee, pop, rolls, and doughnuts at the end of the meeting as part of the room rental fee. A number of township halls, many of which were once rural schools, still exist, but their infrequent use and the resultant vandalism have made meeting in private homes, restaurants, or public buildings in nearby municipalities more practical. Accordingly, it is no longer customary for the wives of the officers (most of whom are men) to bring lunch.

The other annual township meetings taking place across the state were probably not much different from the one described here. Turnout, most likely, was minimal, debate desultory, and criticism muted. Exceptions to this scenario certainly exist, however, for one hallmark of this grass-roots form of government is its adaptability to the variety of people and situations found across the state. Attendance at annual township meetings might be greater if residents did not have regular opportunities to speak personally to their officials, most of whom seem to treat seriously their neighbors’ concerns about such basic issues as roads, fire protection, and weed control. Higher turnout and greater controversy are probably more likely in townships adjoining first-class cities.

A century earlier, the small farmers whom Thomas Jefferson considered “the most precious part of a state” were predominant in Dakota Territory.57 The oft-heard claims that the family farm is the core of a free society and that

the township is the most democratic of governmental institutions are legacies of Jefferson’s philosophy. He expected agriculture to entrench the values of individualism and independence, which, in return, would make for enlightened self-government. Vast changes have occurred in rural South Dakota over the last one hundred years, however, and today the grass-roots township is a flawed and imperfect remnant of Jefferson’s model. The small landholder of the 1990s is not small by Jefferson’s standards. The self-reliance of the landed yeoman that Jefferson extolled may still exist in the agricultural community, but a greater dependence on governmental institutions marks family farming today. In fact, few people would be able to explain Jefferson’s ideas if asked. More than a century after they began to appear in Dakota Territory,
townships continue to have important responsibilities, but their central role in providing a wide variety of governmental services has disappeared.

Along with their responsibilities, townships themselves are slowly disappearing, especially west of the ninety-ninth meridian where rainfall averages less than twenty inches a year. The township, an institution that evolved in a more humid, populous region, was never well suited to the Great Plains, where the land supported fewer people and, consequently, generated less tax money to pay for services. Unusually favorable weather during crucial periods in the settlement of the state allowed relatively intensive settlement, even west of the Missouri River, and the institution of the township was well in place by the time more normal conditions returned. The number of township governments in South Dakota peaked at 1,124 in 1940, before beginning to follow the downward trend in farm numbers that had begun with the drought and depression of the previous decade. A comparison of average township


From west to east South Dakota townships are following the lead of the settlement of Esmond, which formally dissolved itself in 1976.
populations in select counties taken from east to west across the state illustrates a continuing pattern of decline:

<table>
<thead>
<tr>
<th>COUNTY</th>
<th>1980</th>
<th>1990</th>
</tr>
</thead>
<tbody>
<tr>
<td>Codington</td>
<td>256</td>
<td>246</td>
</tr>
<tr>
<td>Moody</td>
<td>224</td>
<td>204</td>
</tr>
<tr>
<td>Faulk</td>
<td>71</td>
<td>60</td>
</tr>
<tr>
<td>Hyde</td>
<td>25</td>
<td>16</td>
</tr>
<tr>
<td>Jones</td>
<td>25</td>
<td>23</td>
</tr>
<tr>
<td>Jackson</td>
<td>36</td>
<td>25</td>
</tr>
</tbody>
</table>

Even so, townships have remained in existence long after conditions warranted their replacement. The fact that townships have not taken on new social and economic responsibilities as have other units of government makes their continuance all the more remarkable. Although the state legislature, because of the 1972 constitutional restriction, may not abolish townships outright, it could probably hasten their abandonment simply by taking state funds that revert to the township. Apparently, it has no inclination to do so. In a 1989 report, the federal Advisory Commission on Intergovernmental Relations concluded that “legal consolidation of multiple local governmental units is not in the cards, at least for the foreseeable future, but ... sharing of services certainly is.”

One explanation for the failure of governmental reorganization is people’s reluctance to give up local control. No government is considered more efficient or more democratic than the township. After all, where else will residents turn out to remove snow or fix a road in an emergency? On the other hand, how many townships have the resources to underwrite a crop failure or pick up an astronomical medical bill?

Nothing dramatic is likely to happen to the South Dakota township in the near future. It will probably continue to exist, with numbers gradually declining from west to east. The last to disappear will no doubt be those in the tier of counties east of the ninety-eighth meridian. The townships surrounding Sioux Falls with populations over one thousand will either give way to the city or flourish independently.


Since its inception in South Dakota over a hundred years ago, the township has survived what one writer has termed the “first agricultural revolution.” Accompanied by demographical, political, and societal changes of vast proportions, this revolution entailed the replacing of animal and human power with mechanical power; the improvement of crops and livestock through biotechnology; and the development of chemicals for fertilizing and combating pests. One chance for new life for the township might be a second agricultural revolution that would replace standard agricultural practices with a concentrated emphasis on conservation, protection of human health, and the production of pure food. Such changes could revitalize both the family farm and the farming community that once sustained the township. Meanwhile, townships endure. They may survive simply because, in the words of one resident, “they don’t do anything stupid.”

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