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Within a year after Idaho was organized, the Territory was plagued with a lack of officials. Instead of all officers present and accounted for, in the spring and summer of 1864 only United States Attorney G. C. Hough and Associate Justice Alex Smith were on hand to represent the federal government in Idaho Territory. The rest were either on leave, en route, out of office, or in disgrace. The new governor, Caleb Lyon, did not arrive in Lewiston until August 8. Secretary W. B. Daniels was absent for a month and a half between March and April, then resigned but stayed on in temporary capacity as acting governor until Lyon reached Lewiston. Then he returned to his home in Oregon and left the Territory without a secretary until C. DeWitt Smith belatedly arrived in February 1865. Smith had originally left for Idaho by stage in August of 1864, but Indian troubles in the middle west held him up. He finally went back to Washington, got a leave of absence to January 1, took a steamer at that time to San Francisco, and eventually arrived in Lewiston March 2, 1865. Sidney Edgerton's replacement on the Supreme Court, Silas Woodson, never did show up and was finally turned out in favor of John R. McBride, February, 1865. The unpopular and scandalous United States Marshal, Dolphus S. Payne, held onto his commission until James H. Alvord replaced him April, 1865, although Payne never saw Idaho again after he had left in December, 1863. During the absence of a marshal, Frank Kenyon acted as one long enough to take the 1864 Census so Idaho could be reapportioned in time for the third session. Governor Lyon picked Kenyon for the job after Congress passed legislation June 20, 1864 authorizing

the governor to reapportion the territory in accordance with a second census. Associate Justice Parks, who took his time getting to Idaho in the first place, remained long enough to hold a brief session of the district court in Idaho City, then returned east in April, 1864 on a three month leave of absence which was extended to four because of faulty stage service. He finally returned in August. George C. Hough, the only Idaho resident among the official lot, wrote Wallace a lament of Judge Parks which typified local hostility toward non-resident appointees. When Parks left after his court term in April, Hough expressed great dismay, "Great God can we not have judges from among ourselves or at least from Oregon California or Washington, who understand us & can stay with us. He gets \$2500 from Government \$2500 from the Territory & a Docket fee of \$10--in each case 5 to \$7000 more, & stays 8 weeks in fifteen or sixteen month."

References:

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