
By Randy Stapilus/Ridenbaugh Press

Imagine an Idaho with no government at all.

Actually, you don't have to imagine – we're coming up on its anniversary. 2013 marks 150 years since Idaho Territory was established, and the date will be celebrated – efforts are already underway – as the Idaho Territorial Sesquicentennial (century-and-a-half). The centennial was celebrated in 1963; a special “territorial centennial edition” Idaho almanac sits on my bookshelf.

The key celebration date probably will be March 4, when Abraham Lincoln signed the organic act formally setting up the territory. But as a practical matter, there was no territory until a governor was sworn in, and that happened the following July 10, which was 149 years ago this week.

In between, and for a while afterward, government in Idaho was more theoretical than real. The first towns – Lewiston, Orofino, Franklin – were only a year or two old, a little more primitive than the first season of the TV program “Deadwood.” Idaho was split from Washington Territory partly because officials at Olympia realized they could not practically administer the newly-developing mining communities. The job proved, at first, about as difficult from the new territorial capital of Lewiston.

The first governor was a friend of Lincoln's, former Illinois attorney William Wallace, then Washington territorial delegate to Congress. Figuring he might lose the next territorial election, he accepted the Idaho governorship. But that was even more problematic. When he got to the territory in July and declared Lewiston as the capital (as he had authority to do), he immediately enraged southern Idaho, whose population in the Idaho City and Boise area already was outnumbering the north. Not only that, Idaho Territory was then heavily Democratic, populated with ex-southerners: Not fans of Lincoln.

A judge, John R. McBride, declared that because the territory's organic act hadn't specified what laws would go into effect in Idaho, that it had no laws at all, until the territorial legislature (not yet elected) adopted some. When southern Idaho Democrats tried to elect county officials, Wallace declared those elections were illegal, and appointed all-new Republicans to the posts.

You think we've got partisan rancor today? The centennial Idaho courts history Justice for the Times told of “a territorial judge who tried to hold a term of court in Florence (a now-vanished mining town) in 1862. The grand jury which convened promptly indicted Lincoln, his Cabinet, various Union Army officers and the judge himself – all for high treason. Whereupon the judge promptly adjourned court and left town. When he reached Walla Walla he resigned.”

Wallace himself promptly stood for election as Idaho's first territorial delegate to Congress and, in one of the most bitter and fraudulent elections Idaho has had, won. The territory had no government to speak of until two governors later.

What was Idaho like then? Dangerous, above all – dominated by the most violent, with little help for anyone else. Property was what you could defend with a gun or a knife. Good and services

were what you could get if you could arrive at terms of exchange. Few women were interested in moving there.

Later, Idaho settled down. Communities were build, laws crafted and enforced, society structured. But in these days when the utility of government is so much at question, a harder look at Idaho's territorial sesquicentennial might have more than usual usefulness.

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