

University of Oklahoma College of Law

## University of Oklahoma College of Law Digital Commons

---

American Indian and Alaskan Native Documents in the Congressional Serial Set: 1817-1899

---

4-15-1867

**Message of the President of the United States, communicating, in compliance with a resolution of the Senate of January 28, 1867, information in relation to the absence of territorial officers from their post of duty.**

Follow this and additional works at: <https://digitalcommons.law.ou.edu/indianserialset>



Part of the [Indigenous, Indian, and Aboriginal Law Commons](#)

---

### Recommended Citation

S. Exec. Doc. No. 6, 40th Cong., 1st Sess. (1867)

This Senate Executive Document is brought to you for free and open access by University of Oklahoma College of Law Digital Commons. It has been accepted for inclusion in American Indian and Alaskan Native Documents in the Congressional Serial Set: 1817-1899 by an authorized administrator of University of Oklahoma College of Law Digital Commons. For more information, please contact [Law-LibraryDigitalCommons@ou.edu](mailto:Law-LibraryDigitalCommons@ou.edu).

MESSAGE  
OF THE  
PRESIDENT OF THE UNITED STATES,  
COMMUNICATING,

*In compliance with a resolution of the Senate of January 28, 1867, information in relation to the absence of territorial officers from their post of duty.*

APRIL 15, 1867.—Read, and ordered to lie on the table and be printed.

*To the Senate of the United States:*

In compliance with a resolution of the Senate of the 28th of January last, requesting certain information in regard to governors, secretaries, and judges of Territories, I transmit herewith reports from the Secretary of State, the Secretary of the Interior, and the Attorney General.

ANDREW JOHNSON.

WASHINGTON, April 13, 1867.

DEPARTMENT OF STATE,  
Washington, February 4, 1867.

The Secretary of State, to whom was referred a copy of the resolution of the Senate of the United States, passed January 28, 1867, in the following words: "*Resolved*, That the President be requested, at his earliest convenience, to inform the Senate how often the governors, secretaries, and judges of the several Territories have been absent from their post of duty in the Territories since their appointments; what part of their time, since the date of their commissions, has been spent in such absence from the Territories; whether their absence has been previously authorized by leave granted in each instance; what was the public necessity for such absence in each case, and for their presence at the national capital, if any of them have been there, or are there at this time; and also whether any part, and, if so, how much and what part, of the expenses of their several trips to the seat of government have been charged to the government"—has the honor to report that the table herewith submitted contains all the information on the subject inquired of in the resolution which is in the possession of the Department of State. The department has no information in regard to the absence of territorial judges. In respect to governors and secretaries, the department has no information, other than that given in the table, of what periods have been spent in Washington during their absence from the Territories. The leaves of absence mentioned in the table were in each instance previously granted, except in the last case of Alexander Cummings, governor of Colorado Territory, which leave was applied for from Denver and granted after his arrival here. The public necessity for such absences, so far as is known to the department, appears in the table. No part of the expenses on the trips of the governors and secretaries has been charged to the government.

Respectfully submitted:  
The PRESIDENT.

WILLIAM H. SEWARD.

Leaves of absence granted territorial officers from the dates of their appointments.

Office.	Date of commission.	Date of leave.	Expiration of leave.	Remarks.
<b>NEBRASKA.</b>				
Alvin Saunders, governor.....	March 27, 1861	July 24, 1861 Aug. 25, 1862	Sept. 1, 1861 Sept. 27, 1862	For raising three years' volunteers. Was appointed a commissioner for building the Union Pacific railroad. Granted leave to attend meeting early in September.
		Feb. 17, 1863 Oct. 13, 1863	April 1, 1863 Nov. 12, 1863	Business with War Department at Washington. To attend to military affairs of the Territory.
		Feb. 17, 1863 Jan. 18, 1864	April 1, 1863 Feb. 17, 1864	Military business of the Territory at Washington.
		Sept. 13, 1864 July 17, 1866	Sept. 23, 1864 Aug. 16, 1866	For the purpose of having an operation performed on his ankle, at Chicago. To visit a dear sick friend.
		Dec. 19, 1866 Jan. 8, 1867	Jan. 9, 1867 Feb. 17, 1867	On private business. Settlement of military claims at Washington.
A. Y. Paddock, secretary.....	July 16, 1861	Sept. 30, 1861 Feb. 15, 1862 May 28, 1864	Nov. 29, 1861 June 15, 1862 June 28, 1864	Extension of above. Private business. Did not take but two weeks.
		March 12, 1866	April 13, 1866	For advising with the Comptroller of the Treasury respecting his territorial duties for disbursements of the approaching constitutional convention. To see several officers of the national government at Washington as to the performance of his official duties.
<b>DAKOTA.</b>				
Andrew J. Faulke, governor.....	August 4, 1866	None.....	None.....	None.
Solomon L. Sprink, secretary.....	Jan. 10, 1866	Sept. 24, 1866 April 18, 1866	Dec. 24, 1866 June 11, 1866	Asks leave to remove his family from Pennsylvania. To transact business of an important character.
<b>NEW MEXICO.</b>				
Robert B. Mitchell, governor....	July 16, 1866	Dec. 15, 1866	Jan. 26, 1867	Business with the Interior Department on territorial matters.
George P. Estes, secretary.....	April 10, 1866	None.....	None.....	None.
<b>WASHINGTON.</b>				
George E. Cole, governor.....	Nov. 21, 1866	None.....	None.....	None.
Elwood Evans, secretary.....	Feb. 18, 1863	April 9, 1866 June 19, 1866	July 9, 1866 Sept. 1, 1866	Asks leave on account of sickness and death in his family. Business with Treasury Department.
<b>UTAH.</b>				
Charles Durkes, governor.....	Dec. 21, 1865	None.....	None.....	None.
Amos Reed, secretary.....	Feb. 2, 1864	May 12, 1865	None.....	Territorial business.

COLORADO.				
Alexander Cummings, governor..	Jan. 26, 1866	April 24, 1866 July 21, 1866 Dec. 1, 1866	..... ..... .....	To go after his family east. Asks to have leave extended to August 1, as stated in our personal interview this morning. Leave asked on Indian affairs.
James R. Hood, secretary.....	Sept. 2, 1866	None.....	None.....	None.
ARIZONA.				
Richard C. McCormick, governor.	April 10, 1866	None.....	None.....	None.
James P. T. Carter, secretary....	April 10, 1866	None.....	None.....	None.
IDAHO.				
David W. Ballard, governor.....	April 10, 1866	None.....	None.....	None.
S. R. Howlett, secretary.....	July 26, 1866	None.....	None.....	None.
MONTANA.				
Green Clay Smith, governor.....	July 13, 1866	None.....	None.....	None.
Thomas F. Meagher, secretary..	Jan. 26, 1866	None.....	None.....	None.

## DEPARTMENT OF THE INTERIOR,

*Washington, D. C., January 31, 1867.*

SIR: I have the honor to acknowledge the receipt, by your reference, of the resolution adopted by the Senate on the 28th instant, requesting the President, "at his earliest convenience, to inform the Senate how often the governors, secretaries, and judges of the several Territories have been absent from their posts of duty in the Territories since their appointments; what part of their time since the date of their commissions has been spent in such absence from the Territories; whether their absence has been previously authorized by leave granted in each instance; what was the public necessity for such absence in each case, and for their presence at the national capital, if any of them have been there, or are there at this time; and also whether any part, and if so, how much and what part of the expenses of their several trips to the seat of government have been charged to the government."

The records of this department do not furnish any information on the subject. Applications, by officers of the grades mentioned in the resolution, for leave of absence, are not made to or granted by this department.

I am, sir, with great respect, your obedient servant,

O. H. BROWNING, *Secretary.*

The PRESIDENT.

## ATTORNEY GENERAL'S OFFICE,

*Washington, February 5, 1867.*

SIR: In reply to the resolution of the Senate, adopted January 28, 1867, of which the enclosed is a copy, I have the honor to submit herewith a statement of all the leaves of absence granted through this office to territorial judges since the date of their appointments.

In explanation of this report, I have to say, that all the absences mentioned therein were in accordance with leaves previously granted on assurances satisfactory to the Attorney General that the public interest would suffer no damage.

Private business was the only reason urged, and in no case has any portion of the expense of their trips been borne by the government.

This office has no information that business at the national capital was, in a single instance, the motive for the leave requested.

I have the honor to be, sir, with great respect,

HENRY STANBERY,

*Attorney General.*

The PRESIDENT.

Leaves of absence granted territorial judges from the dates of their appointments.

Names.	Office.	Territory.	Confirmed.	Leave of absence.		Months.	Days.	Remarks.
				From—	To—			
Hon. J. E. Wycke.....	Associate justice.....	Washington.....	Jan. 2, 1866	July 1, 1865	Jan. 1, 1866	6	.....	Private business.
Hon. E. S. Dundy.....	do.....	Nebraska.....	Jan. 20, 1864	Feb. 10, 1865	March 10, 1865	1	.....	Do.
Hon. John Titus.....	Chief justice.....	Utah.....	Jan. 20, 1864	Nov. 15, 1866	May 1, 1866	5	15	Do.
Hon. H. S. Hosmer.....	do.....	Montana.....	June 30, 1864	Sept. 21, 1865	April 15, 1866	7	.....	Do.
Hon. S. P. Williston.....	Associate justice.....	do.....	June 22, 1864	April 2, 1866	May 1, 1866	.....	30	Do.
Hon. Thomas J. Drake.....	do.....	Utah.....	Feb. 6, 1866	June 1, 1866	Oct. 16, 1866	3	15	Do.
Hon. J. P. Slough.....	Chief justice.....	New Mexico.....	Jan. 26, 1866	May 1, 1866	July 1, 1866	2	.....	Do.
Do.....	do.....	do.....	Jan. 26, 1866	May 1, 1867	Aug. 1, 1867	3	.....	Do.
Hon. S. A. Hubbell.....	Associate justice.....	do.....	Aug. 1, 1864	June 15, 1866	Aug. 1, 1866	1	15	Do.
Hon. William Kellogg.....	Chief justice.....	Nebraska.....	Jan. 15, 1866	July 12, 1866	Aug. 12, 1866	1	.....	Do.
Hon. J. P. Allyn.....	Associate justice.....	Arizona.....	March 11, 1863	Sept. 1, 1866	Jan. 1, 1867	4	.....	Do.
Do.....	do.....	do.....	March 11, 1863	Jan. 1, 1867	April 1, 1867	3	.....	Do.
Hon. C. P. Darwin.....	do.....	Washington.....	Jan. 25, 1866	Nov. 1, 1866	March 4, 1867	4	3	Do.
Hon. L. E. Munson.....	do.....	Montana.....	March 11, 1865	Oct. 1, 1866	Jan. 1, 1867	3	.....	Do.
Hon. W. F. Lockwood.....	do.....	Nebraska.....	Feb. 15, 1866	Nov. 1, 1866	Feb. 1, 1867	3	.....	Do.
Hon. Moses Hallett.....	Chief justice.....	Colorado.....	April 16, 1866	Jan. 1, 1867	May 1, 1867	4	.....	Do.
Hon. J. P. Kidder.....	Associate justice.....	Dakota.....	Feb. 23, 1865	Jan. 20, 1867	Feb. 20, 1867	1	.....	Do.

ABSENCE OF TERRITORIAL OFFICERS.