

United States Department of the Interior
National Park Service

National Register of Historic Places
Registration Form

This form is for use in nominating or requesting determinations for individual properties and districts. See instructions in *How to Complete the National Register of Historic Places Registration Form* (National Register Bulletin 16A). Complete each item by marking "x" in the appropriate box or by entering the information requested. If an item does not apply to the property being documented, enter "N/A" for "not applicable." For functions, architectural classification, materials, and areas of significance, enter only categories and subcategories from the instructions. Place additional entries and narrative items on continuation sheets (NPS Form 10-900a). Use a typewriter, word processor, or computer, to complete all items.

1. Name of Property

historic name Malarkey, Daniel J., House

other names/site number _____

2. Location

street & number 2141 SW Hillcrest Place N/A not for publication

city or town Portland N/A vicinity

state Oregon code OR county Multnomah code 051 zip code 97201

3. State/Federal Agency Certification

As the designated authority under the National Historic Preservation Act, as amended, I hereby certify that this nomination request for determination of eligibility meets the documentation standards for registering properties in the National Register of Historic Places and meets the procedural and professional requirements set forth in 36 CFR Part 60. In my opinion, the property meets does not meet the National Register criteria. I recommend that this property be considered significant nationally statewide locally. (See continuation sheet for additional comments.)

James Hamrick April 15, 1993
Signature of certifying official/Title DEPUTY SHPO Date
Oregon State Historic Preservation Office
State of Federal agency and bureau

In my opinion, the property meets does not meet the National Register criteria. (See continuation sheet for additional comments.)

Signature of certifying official/Title Date

State or Federal agency and bureau

4. National Park Service Certification

I hereby certify that the property is:

- entered in the National Register. See continuation sheet.
- determined eligible for the National Register See continuation sheet.
- determined not eligible for the National Register.
- removed from the National Register.
- other, (explain:)

Signature of the Keeper Delores Byers **Entered in the National Register** Date of Action 5/27/93

Malarkey, Daniel J., House
Name of Property

Multnomah, Oregon
County and State

5. Classification

Ownership of Property
(Check as many boxes as apply)

- private
- public-local
- public-State
- public-Federal

Category of Property
(Check only one box)

- building(s)
- district
- site
- structure
- object

Number of Resources within Property
(Do not include previously listed resources in the count.)

Contributing	Noncontributing	
_____	_____	buildings
_____	_____	sites
_____	_____	structures
_____	_____	objects
_____	_____	Total

Name of related multiple property listing
(Enter "N/A" if property is not part of a multiple property listing.)

N/A

Number of contributing resources previously listed in the National Register

N/A

6. Function or Use

Historic Functions
(Enter categories from instructions)

Domestic: single dwelling

Current Functions
(Enter categories from instructions)

Domestic: single dwelling

7. Description

Architectural Classification
(Enter categories from instructions)

Late 19th and Early 20th Century Revivals
Arts and Crafts/Georgian

Materials
(Enter categories from instructions)

foundation concrete
walls rough cast stucco

roof composition shingle
other stained glass

Narrative Description

(Describe the historic and current condition of the property on one or more continuation sheets.)

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The Malarkey Residence, designed in 1909 by architect Joseph Jacobberger, is significant under Criterion b for its association with Daniel J. Malarkey, a prominent Portland attorney and politician. Designed in the Arts and Crafts style, the building, is situated on a large lot overlooking S.W. Hillcrest Place. It has a rough-cast stucco exterior, large stained glass window on the front elevation, and a decorative entry portico. The medium pitched gable roof is pierced by four dormers and two chimneys, on the east and west ends of the building. The house consists of two and one half floors and a basement. The first floor contains an entrance hall, library, living room, dining room, bathroom, kitchen, and butler's pantry. The second floor contains the bedrooms, bathrooms and laundry room. The servants quarters are located in the finished attic and are accessed by a back stair located in the west section of the house. The formal stairwell is situated just west of the entrance hall.

SETTING

The Malarkey Residence is located on Tax Lot 5 of Lots 16, 17 and 24-26, of Hill View Addition to the City of Portland. The house is located behind a tall wooden fence at the end of S.W. Hillcrest Place which is to the west of S.W. Hillcrest Drive in Portland Heights. The flat lot is at the top of a hill, which drops steeply to the north and to the south. Surrounded by lawn to the south, the front facade is partially covered with Boston Ivy and Climbing Hydrangea. Beyond the lawn are rhododendrons, cedar trees and hedges which provide seclusion from the adjacent property. A wooden fence bordering the eastern edge of the property is lined with camellias and rhododendrons. A large maple tree is just inside the fence. Tall English Holly hedges delineate the north property line, and cedar trees border the property to the west. Some of the plant materials on the property appear to have been planted in the late 1930s when the property was divided and sold. (Interview with Craig Kiest). Although there is no garage associated with the property at present, plans

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were drawn by the firm of Jacobberger and Smith for a garage to be located on Ravensview Drive. (Interview with Laurie Rahr and John Malarkey) The property originally included three acres, which was parceled off over the years by family members. Mrs. Annie Laurie Malarkey apparently sold the second house designed for the family on this lot after the death of her husband, Daniel. They had lived there from 1932 until 1939 when the three acres associated with the Hillcrest Place house was intact.

PLAN

The house is two and one half stories with a full-length attic and a basement. It contains 5,232 square feet and measures 71.5' x 28'. The plan consists of a rectangular two story volume, with an attached two story volume containing the servants quarters to the west, and an enclosed porch to the east. A small covered porch projects from the main body of the house. A central entrance hall opens onto a library to the east, the living room to the north, and the dining room to the southeast. The kitchen, pantry, and a bathroom are located in the west wing, beyond the back stairhall. Both the main and back stairs lead to the second floor which contains the master suite, four additional bedrooms, and an enclosed sleeping porch which is now a laundry room. The finished attic is accessed by the back stairs.

The exterior of the house is covered by a large gable roof and four gabled dormers. There are decorative drop ornament modillions under the boxed eaves on all facades. Chimney stacks are at the west and east ends of the roof, which is covered with composition shingles. The exterior of the house is surfaced with a rough-cast stucco. The windows are primarily multi-pane double-hung sash.

EXTERIOR

South Elevation (Front)

The south elevation is composed of two major volumes. The central portico faces onto a large lawn. The entrance is embellished with a four paneled door with sidelights and a transom. A pair of Doric columns, with pilasters behind, support this porch. To the east of the entrance is a 10/1 double-hung sash window and beyond it is an enclosed one story volume which was originally a covered porch. Directly above the central entrance are a pair of multi-

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paned casement windows. To the west of the entrance is a decorative tiered stain glass stair window. Further to the west on the first floor is a second door with a covered stoop, which serves as entrance to the kitchen and back stair. The volume directly to the west of this door contains multi-pane double-hung sash windows on the first floor and an enclosed second story sleeping porch. A pair of dormer windows project from the gable roof above the front entrance. The gabled dormer roofs have eave returns. The dormers are sided with shingles.

East Elevation

The east elevation is composed of two stories and an attic level. The first story originally had a porch with an arched central opening flanked by two arched window openings. The porch has since been enclosed with an aluminum sliding door and fixed windows. The original decorative wood balustrade along the second story has been removed and replaced by a wrought iron railing. On the second floor are two multi-paned over one double-hung sash windows symmetrically placed above the arched openings on the first floor. Between these windows is a small multi-paned casement window. Above this floor, two multi-pane double-hung sash windows are located in the center of the gable. A portion of an addition which was made to the north elevation projects beyond the main volume of the house and includes a large fixed picture window and bay window on the first floor, and a multi-paned casement window on the second floor.

North Elevation (Rear)

The major volume of the north elevation was originally designed to be symmetrical. This was altered when the addition of a projecting gable was made to this elevation in 1914. The design and materials of this addition matches the original building and is considered compatible. A small second story balcony centrally placed on this elevation was removed. The two story addition, which projects furthest to the north is covered with a gable roof with boxed columns and a decorative entablature. The addition contains a large flat roofed bay with three fixed picture windows. Above the bay window are three multi-pane double-hung sash windows. Above these windows is a small recessed porch which has been enclosed with wood siding and a sliding window. To the west of the addition are paired multi-pane double-hung sash

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windows on the first two stories and in the attic dormer windows. There are louver windows at the basement level which are also multi-paned. Another alteration occurred on the west end of this elevation. An original open balcony with a decorative wooden balustrade was converted into an additional second floor bedroom. Behind the open balcony is the sleeping balcony which was enclosed with multi-pane windows and now serves as a laundry room.

West Elevation

Two staggered gable ends with boxed eave returns are visible on this elevation. The west elevation has multi-paned windows at the basement level. The first floor volume is covered by a projecting porch with arched openings. Above this porch was a second floor sleeping porch which has been filled in with windows. On the first floor, a door opens into a cold pantry in the south section of this elevation. There are a pair of double-hung sash windows north of this door. On the second floor to the north is a multi-pane double-hung sash window. Above this are multi-pane attic windows.

Interior

The interior of the Malarkey Residence has classically detailed picture railing, wainscoting, and moldings. The hardwood floors throughout the residence are original. There are numerous built-in closets in the bedrooms, with paneled doors and drawers below, built-in bookcases in the living room and study and window seats in the attic story.

First Floor

The first floor is asymmetrical in plan, containing a reception hall, library, living room, dining room, kitchen, pass pantry, bathroom, pantry and two sets of stairs to the second floor. The reception hall off the main entrance has a formal staircase to the west. Underneath the stairs is a coat closet which is lit with a multi-pane casement window. The staircase is comprised of simple squared balusters which surround a carved newel post. The mezzanine level landing on the south wall is lit with three amber colored leaded glass windows. These windows are bordered with circular patterns with corresponding decorative leaded glass transoms. The living room is north of the reception hall. This

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room is a large room with a bay at the north end. The room has classically detailed wainscoting which is capped with a chair rail. The living room and dining room have hardwood floors finely crafted with very narrow pieces of hardwood. On the south wall is a fireplace with a wood paneled overmantel with pilasters and boxed modillions. The hearth is faced with red tile. French doors divide the living room from the enclosed solarium to the east. Windows in the living room are multi-pane double-hung sash and a bay of large fixed picture windows along the north wall. The living room was remodeled in the spring of 1914, when the family enlarged the house in preparation for Margaret Malarkey's wedding which was held in the house. At this time the living room was extended to the north and the bay window added. The master bedroom, located above the living room was also enlarged at this time.

Along the front (south) elevation of the house is the library. The door to this room is off of the main reception hall. A brick fireplace with a wooden mantel flanked by bookcases is on the north wall of the room. The room is carpeted and has the same type of picture railing as the living room. To the east of the library was originally a covered porch. It was later enclosed with large picture windows and a sliding glass door.

The dining room, situated west of the living room has identical classical detailing. Windows are multi-pane over one double-hung sash and there is a four paneled door on the east wall of the room which opens to the pass pantry. The fireplace at the west end of the room is detailed like that in the living room except for the cyma recta modillions which support the mantel. A pass pantry connects the kitchen with the dining room.

The pass pantry is lined with built-in cupboards and shelves enclosed with glass doors. The room is in original condition except for the counter tops which were recovered, and the floors which were covered with linoleum. The kitchen, directly west of the pantry has multi-pane over one double hung sash windows throughout the room. Original cupboards have been replaced with unpainted oak cabinets and the sink and appliances have also been updated. To the south of the kitchen is an additional pantry and a porch originally used for cold storage. The porch is now enclosed with an exterior painted lattice screen door. A first floor bathroom is between the south pantry and the back hall, next

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to the back stairs. This bathroom has contemporary fixtures and linoleum flooring. All the moldings in the back stairs are varnished and have not been painted over. Built-in cupboards and drawers line the north wall of the back hall.

Second Floor

The second floor is accessed by the formal staircase in the main entrance hall and the back stairs. The plan is arranged around a central hall and contains a master bedroom suite, four bedrooms, three bathrooms and an enclosed sleeping porch which now functions as a laundry room and study. There are hardwood floors throughout and the moldings are painted, except in the back stairwell and the laundry room. The master bedroom suite includes a bathroom, which was added to the house during the 1914 remodel, and a closet with an additional sink. There are built-in cupboards along the west wall of the room. The fireplace has a wooden mantel and a tile face. French doors on the east wall of the master bedroom and bedroom #2, located to the south, open on the the second floor balcony. All the bedrooms have built-in cupboards and drawers. The main bathroom, on the south side of the hall is in original condition with high tiled wainscoting, and the pedestal sink and tub. An open balcony in the NW corner of the second floor was later converted to a bedroom. The sleeping balcony was also enclosed, and converted into a laundry room perhaps at the same time.

Attic

The finished attic contains one large room, the "Billiard Room", and two additional rooms which were used as servant's quarters. There is also a bathroom on this floor. The attic is accessed by the back stairs. The floors of the attic are painted fir.

Additions and Alterations

Alterations and additions to the Malarkey Residence occurred mainly during the historic period, in 1914, when the house was enlarged. Most of the changes which have occurred are compatible with the character, materials, and design of the house. The living room and master bedroom on the second floor were expanded at this time. A bay window was added to the living room and a

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balcony on the second floor was removed. A bathroom was added to the master bedroom suite. The open porch on the west wing of the second floor was converted to a laundry room and the open balcony was made into an additional bedroom. The original wooden balustrade along the top of the balcony on the east elevation has been replaced with a wrought iron rail. The porch off of the library on the first floor, was enclosed with large windows and a sliding glass door. A small balcony at the attic level of the north elevation was also enclosed. A garage was originally designed for the house by the firm of Jacobberger and Smith but was partitioned off from the property at a later date. The current owners of the property are planning to restore the wooden balustrade on the east porch and rehabilitate the house and grounds.

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SHPO SUMMARY

The two-and-a-half-story, rough cast-clad Arts and Crafts style house located at 2141 SW Hillcrest Place in the Portland Heights neighborhood of Portland, Oregon was designed by Joseph Jacobberger for Daniel J. Malarkey and his wife, the former Annie Laurie Burgess, and it was constructed in 1909.

The house is proposed for nomination at the statewide level of significance under Criterion B as the property most importantly associated with the eminent trial lawyer and champion of Progressive legislation, Daniel James Malarkey (1870-1939). A member of the Oregon legislative assembly in virtually every session from the time of his election to the House of Representatives in 1902, Malarkey entered the upper chamber in 1911. He presided over the Senate in 1913 during the session that was a watershed for social welfare reforms. This assembly established the Industrial Welfare Commission which proceeded to exercise its authority to set a minimum wage and regulate working hours for women and children. Malarkey is given a large share of the credit for passage of the Oregon Minimum Wage Law, which had been patterned after Massachusetts legislation of the previous year (1912).

When Oregon's new reform law was challenged by Portland box manufacturer Frank Stettler, the case worked its way to the Supreme Court. As the high court's vote in 1916 was tied, the result was that Oregon's statutory basis for setting the minimum wage was not struck down. This was the first case to bring the issue of the constitutionality of state minimum wage legislation before the high court. While constitutional law was not decided on the case, but rather some 20 years later, Stettler vs. O'Hara was considered a benchmark of the Progressive movement. Daniel Malarkey figured prominently in the force of this movement as the prime author and sponsor of the reform bill that had been signed into state law in 1913. The appellant in the court case was recognized in the nomination of the Frank C. Stettler House and its subsequent listing in the National Register in 1990.

Malarkey is known, additionally, as author of the first bill to regulate public utilities in Oregon, which also was passed in the legislative session of 1913. He retired from the legislature in 1914 and resumed his fulltime legal practice, earning an even more direct distinction in the annals of constitutional law in his successful prosecution of a case which overturned the Oregon School

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Bill of 1922. In the election of that year, voters had narrowly approved an initiative petition to suppress Catholic parochial education following a campaign of anti-Catholic bigotry waged by the Ku Klux Klan. The Roman Catholic Archdiocese of Oregon brought the suit which Malarkey guided through the federal courts. The Supreme Court decision that was handed down in 1925 found the law requiring all Oregon school children to attend public school unconstitutional because it unreasonably interfered with the liberty of parents to direct the upbringing and education of their children. This famous case associated with the struggle of the Roman Catholic Church to maintain church-affiliated schools in Oregon was earlier commemorated in the National Register listing of the L. B. Menefee House in Portland, which served as the Archbishop's residence from 1921 to 1937, during the time the case was tried.

Architecturally, the Malarkey House represents the conservative, eclectic design of a noted Oregon architect, Joseph Jacobberger. It is a side-gabled, rectilinear volume of 2 1/2 stories on a basement and measures 28 by 71 feet in ground plan. Once the centerpiece of a three-acre parcel that subsequently was subdivided for a later Malarkey family residence, it is settled onto its hilltop site with the long axis east to west. The south-facing front elevation, taut and restrained with its uncluttered stucco cladding, is dominated by a roofline of pronounced overhang detailed as a boxed cornice with returns and a novel use of an arched corbel table as bed molding that is raked at the gable ends. The facade derives its chief interest from a pair of shingled gable dormers and a front stoop sheltered by a modest Doric portico consisting of columns, shadow pilasters and a hood supported on outsized consoles decorated in low relief. A minor hooded stoop offset from the main entrance gives access to the service wing.

Window openings are double hung with multiple panes in upper sash. A porch at the east end of the house is missing its original upper deck balustrade, a wooden grille in the Beaux Arts tradition, and it has been enclosed with plate glass within the original structural bays. The interior is finely appointed, in a restrained program that includes, most notably, classical cornice moldings and mantelpieces and beveled and leaded art glass in windows lighting an entry stairhall. This stairhall, asymmetrical in placement, is based on late medieval tradition and is a staple fixture of Arts and Crafts design. The many Classical details and brisk rough cast exterior, however, are representative of the Georgian vein of the same movement.

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The Malarkey Residence, designed in 1909 by architect Joseph Jacobberger, is significant under Criterion b for the association with Daniel J. Malarkey, a prominent Portland attorney and politician. The building, designed in the Arts and Crafts style, is situated on a large lot overlooking S.W. Hillcrest Place. It has a rough-cast stucco exterior, large stained glass window on the front elevation, and a decorative entry portico. Daniel J. Malarkey served as Multnomah County District Attorney, Oregon State Senator, and the President of the State Senate in 1909, the date the house was constructed. The Malarkey Residence is listed as a Rank II property on the Portland Historic Resources Inventory.

THE OWNERSHIP OF THE MALARKEY RESIDENCE

According to the Portland City Directory and interviews with Malarkey family members, Daniel J. and his wife Annie Laurie lived at 693 N.W. Marshall Street prior to the completion of their new home in 1909 at 2141 S.W. Hillcrest Place. They lived on Hillcrest Place until 1932, when they moved to a second house on the property which was located at 2611 S. W. Ravensview Drive. This house was sold after Daniels death in 1939. Neil and Susannah Malarkey moved into the Hillcrest Drive house in 1933, and lived there until 1950. (Interview with John Malarkey and Annie Laurie Rahr.) Neil died in 1968. Thomas Burgess Malarkey moved into the Hillcrest Place house by 1952. He and his new wife, Margaret, lived in the house until June of 1992, when he passed away. The house has recently been purchased by Kathy Dodds and Matt Miller.

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DANIEL J. MALARKEY

Daniel J. Malarkey, noted Portland attorney and political leader was born July 15, 1870 in New York City. His parents, Charles M. Malarkey and Katherine O'Neil Malarkey, were married on the same day in 1865. The family of Daniel J. Malarkey originated in Sligo, Ireland, his grandfather John Malarkey and uncle Daniel J. Malarkey migrating to New York in the first half of the 19th century. Uncle Daniel continued his travels, eventually settling in Oregon in 1865. A well respected citizen and businessman, Daniel was one of the first honored with an appointment to the position of U.S. Marshall for the Oregon Territory. (Encyclopedia of Northwest Biography, p. 286; Malarkey, p. 13) Charles and Katherine moved their family to Oregon in 1873 where they actively contributed to the development of Portland. Charles owned a fish and poultry business for many years, operated a successful real estate business and held the position of treasurer for Multnomah County. (Oregon Journal, July 13, 1918) His son Daniel developed his father's interest in public life.

Daniel J. Malarkey was three years old when his family moved to Portland. He was one of nine children in his family and the namesake of uncle Daniel. He was educated at St. Michael's College, a private catholic school, and graduated from Portland High School in 1885, at the age of 14. Daniel developed a great interest in law and chose to study with a Portland judge prior to entering the School of Law at the University of Oregon. He graduated at the head of his class in 1892 and was admitted to the Oregon bar the same year. (Malarkey, p.23)

In 1893 Daniel married Annie Laurie Burgess, a member of one of Oregon's pioneer families, and together they raised a family of four children, Margaret, Neil, Daniel James, Jr., and Thomas. Daniel and Laura built their family home on Hillcrest Place in 1909 on acreage selected in the Portland Heights neighborhood.

Daniel Malarkey began his forty year law career with petty criminal work found in the police courts. Soon, his legal skill drew attention and between the years 1893 and 1898 he served two terms in the appointed position of Deputy District Attorney. The difficult work and "...frequent trials produced at an early age a finished and poised attorney." (Malarkey, p. 24) He began an

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eleven year political career in 1902 serving a two year term as a Multnomah County member in the Oregon House of Representatives. Daniel was elected State Senator for Multnomah County in 1904 and held this position until 1908. In 1910 he was elected to a second term in the State Senate serving as President of the Senate in 1913. (History of the Bench and Bar, p. 182) Daniel Malarkey was well known for involvement in progressive legislature during his political career. According to E. Kimbark MacColl, "The high watermark of progressive legislation in Oregon was reached during the 1913 session of the legislature." The legislature established an Industrial Welfare Commission which empowered a group of three commissioners to define maximum and minimum wages for women and minors. (MacColl, The Shaping of a City, p. 464) Conditions of the workplace were also established. The state of Oregon received national recognition for the act which was authored and sponsored by Mr. Malarkey. It was the first in the country to contain a compulsory clause in which an employer's failure to meet Oregon Wage regulations for women resulted in punishment by fine or imprisonment with the possibility of both. Through Mr. Malarkey's unrelenting efforts, the act was passed into law and later upheld in the U.S. Supreme Court in 1917. (The Survey, April 5, 1913, p. 4; General Laws, Legislative Assembly, 1913, p. 92; Encyclopedia of Northwest Biography, p. 286; MacColl, The Shaping of the City, p. 464)

Daniel Malarkey is also credited as the author of the first bill to regulate public utilities in the State of Oregon, enacted in 1913. (Oregonian, March 20, 1912, p. 6) During this period of great political success Mr. Malarkey was considered an excellent candidate for the U.S. Senate. Instead, in 1914, he surprised the political community with his decision to resign from public life. The decision was made at the urging of his wife, Laura, who, concerned with the impact continued political life might have on the family, encouraged him to return to the private practice of law. (Encyclopedia of N.W. Biography, p. 286; Malarkey, p. 26)

Daniel continued to practice law for 25 years and his legal expertise was well respected throughout the Northwest. He was considered a man with the highest of standards, very skillful in the art of cross examination and a great "...scholar of the law..." (The Oregonian, December 2, 1939, pp. 1 and 6) Daniel was involved in many noteworthy cases throughout his career. His

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reputation as one of "Portland's leading trial lawyers" was build on highly publicized cases such as the stand against the 1922 school bill based on the teaching of "pure Americanism". Through Mr. Malarkey's successful legal efforts, the bill originally defined by the Ku Klux Klan was declared unconstitutional in U.S. District Court and the decision was later upheld in the U.S. Supreme Court in 1925. (MacColl Growth of a City, pp. 381, 172)

During his professional career Mr. Malarkey served also as legal counsel for the family firm of Malarkey and Moore Woodworking Co. founded by his brother James A. Malarkey in 1918. (Oregon Journal, May 3, 1948, p. 1) He was a member of the firm of Gammans and Malarkey from 1899 to 1910 which changed to Malarkey, Seabrook and Stott and then changed to Malarkey, Sabin and Dibble, located in the Yeon building in downtown Portland. (History of the Bench and Bar, p. 182) He was also a member of several bar associations. Other organizational affiliations include a forty year membership in the Catholic Order of Foresters where he was elected the first Chief Ranger of Oregon as well as the first delegate, west of the Rockies, to attend an international convention. (Catholic Sentinel, December 14, 1939) Mr. Malarkey was a Knights of Columbus leader and an active participant in the work of his church parish. During World War I, while two of his sons served in the military, he was involved in the Appellate and Review Tribunal of the district Draft Board. (Catholic Sentinel, December 7, 1939, p. 3) At Daniel Malarkey's death in 1939 he was a partner in a noted firm of Malarkey, Sabin and Hebring. (History of Bench and Bar, p. 182) The Oregon Voter published the following after Mr. Malarkey's death:

Dan J. Malarkey was the outstanding member of the Oregon state senate during four legislative sessions in a time when there were giants in the upper house. Foresight, force of character, instant wit and eloquence were characteristics which distinguished him among a group of exceptional men. His foresight was evidence in his sensing of trends which inevitably would bring about regulation of business in those of its aspects which were regarded with disfavor by the critical public. His wisdom was demonstrated by his leadership in sponsoring regulation that would be constructive instead of destructive...and laying legislative

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foundations which have stood the tests of litigation and of practical experience and remain on our statute books today practically unchanged from the form in which he outlined them. His skill in debate was superb; his sallies and his lofty flights linger in the memory as parliamentary triumphs worthy of the greatest forums. Although a trial lawyer of unrivaled power in jury appeal, his professional career was distinguished by his success in keeping clients out of the courtroom. (A delightful companion, the keenness of whose intellect stimulated and inspired, and whose friendship typified loyalty and understanding. He will be missed sadly by a wide circle of intimates and by a host of admiring acquaintances.) There were giants in those days, and Dan Malarkey towered among them. (The Oregon Voter, December 9, 1939)

In attendance at his funeral were people from all walks of life and all seven justices of the State Supreme Court. (Catholic Sentinel, December 7, 1939, p. 3)

LAURA BURGESS MALARKEY

Laura was born in Stayton, Oregon in 1875 and soon after traveled with her parents, Thomas and Ellen Burgess, to Eastern Oregon via the Old McKenzie River Trail. Her parents settled in Bake Oven where they established a "dormitory like" way station offering hospitality to travelers passing on their way to the mining fields of Eastern Oregon and Idaho. Thomas was well known as a stockman and miner and Ellen Burgess was actively involved in the management of the inn and held the position of Postmistress for Bake Oven. (Oregon Historical Society Vertical files)

At the age of 18 Laura attended Pacific University in Forest Grove. She met Daniel Malarkey while studying the violin in Portland. They were married in The Dalles, Oregon in 1893. As Dan was very active in the practice of law and involved in political responsibilities, it was Laura who provided the strength in family matters. (Interview with Laurie Rahr, October 12, 1992) She raised their four children with a belief in the importance of education, a strong sense of values and a pioneer spirit. (Oregon Journal, May 6, 1977) Considered the oldest pioneer in Wasco County, Laura died at the age of 101 in 1975.

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MARGARET MALARKEY FAILING

Margaret, the eldest child and only daughter of Daniel and Laura, was born in 1894. She was educated at Portland's St. Mary's Academy and then a finishing school in Philadelphia. Margaret was married to Vernon Cartwright in 1914 and later married Henry Failing Cabell in 1930. Mr. Cabell was a direct descendant of Henry Cabell, a founder and one time mayor of Portland. Margaret was an active patron of Portland arts and music and a member of the Portland garden society. She died in 1985 at the age of 91. (Oregonian, October 16, 1985)

NEIL MALARKEY

Neil Malarkey, born in 1897, was a veteran of World War I and a graduate of Reed College and Harvard Law school. After completing his education in 1922 he joined his father's law firm, Malarkey, Seabrook and Dibble. Following in his father's footsteps, he was appointed Deputy District Attorney in 1924. (Oregonian, November 15, 1924, p. 10) Like his father, he was also elected State Representative for Multnomah County, serving one term in 1928. At the time Neil Malarkey was placed on the ticket for State Representative the Oregon Voter published the following:

"Malarkey is of the third generation of one of Portland's best-known pioneer families. His father is Dan Malarkey, his law partner, whose record during several sessions of the state senate as member and president 15-25 years ago was one of proud achievement. Young Malarkey inherits his father's brilliance and has a charm of manner and personal magnetism all his own... He has been in law practice a number of years, and his clients placed high estimate on his judgment and abilities. ..we commend him unreservedly on what we have been able to learn about his character and ability." (Oregon Voter, May 19, 1928, pp. 44 and 46)

In 1929, Neil chose to leave his father's firm and join the family firm, M and M Woodworking Company, owned by his uncle James A. Malarkey. He served as manager of the plywood plant located in Longview, Washington, and later managed the Portland Plywood division. Daniel served as executive vice president of the family

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firm for five years prior to rejoining his father's firm in 1938. (Oregonian, January 30, 1938, p. 3) He returned to M and M Woodworking Company in 1954 as a director and remained in that position until its sale in 1956, retiring soon after. Neil Malarkey married Susannah Platt in 1924. He passed away in 1968 at the age of 71. (Vertical Files, Oregon Historical Society)

DANIEL J. MALARKEY, JR.

Daniel James Malarkey, Jr. was born in 1898. He attended Reed College and served as a sergeant in World War I. He was later educated at Pratt Institute, located in Brooklyn, New York, where he completed a course of study in engineering and architecture. Daniel built a fine reputation as a building contractor in Portland. He was married to Ardelia Haradom. Daniel died in 1977 at the age of 66. (Encyclopedia of Northwest Biography, p. 287; Vertical Files, Oregon Historical Society)

THOMAS MALARKEY

Thomas Malarkey, born in 1901, was educated in Portland and was a graduate of Reed College. In 1923 he began a 13 year journalistic career with the Portland Telegram and later spent 6 years at the Evening Herald in Klamath Falls where he eventually served as editor. In 1929, Thomas was offered a position with the United Press in Butte, Montana, later advancing to regional bureau management. In 1932, he accepted a post in charge of the California State Bureau of the United Press. Thomas and his family made the decision to return to Portland in 1935 where he began a 20 year business career with M and M Woodworking Co. He was promoted to president of the company in 1950.

Thomas married Susan Tucker in 1927, divorced in 1948, and later married Margaret Diack of Portland in 1952. Thomas died in June of 1992 at age 91. (Vertical Files, Oregon Historical Society; Malarkey, pp. 40-47)

THE ARTS AND CRAFTS STYLE

The Arts and Crafts movement, which originated in England with designer William Morris, rejected derived design in favor of

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elements found in medieval architecture. This movement, a reaction to the industrialism, celebrated the crafts. English architects such as Philip Webb, C.F.A. Vooysey and Sir Edwin Lutyens, were inspired by this philosophy which soon influenced designers in the United States. Characteristics of the Arts and Crafts style include: "steeply pitched gable roofs, often with intersecting or double gables, prominent chimneys, asymmetrical composition, casement and sash windows with multiple panes, stucco, shingle, brick or horizontal siding, and simplified English vernacular elements such as simulated half-timbering and simulated thatched roofs". (Clark, R. pp. 57-59)

JOSEPH JACOBBERGER

Joseph Jacobberger designed the Malarkey Residence in Portland in 1909. According to his obituary in The Oregonian, Joseph Jacobberger was one of the best known architects of the Pacific Northwest. His career spanned more than forty years during which he designed such major Portland buildings as St. Mary's Cathedral, Knights of Columbus building, The Church of Madeleine, the Church of St. Michael the Archangel, St. Clement's Parish, the Gardeners' and Ranchers' Market, the nurses' home at St. Vincent Hospital, and a number of buildings on the Marylhust College Campus. Mr. Jacobberger also planned the ten year building program for Columbia University campus in New York and designed many of those buildings. He was president of the Oregon Chapter of the American Institute of Architects from 1917 to 1919; was involved in the Oregon Building Congress, and his ideas were a source of inspiration for the waterfront development project. (Oregon Journal, March 19, 1930) Joseph Jacobberger served as vice-president on the Oregon State Board of Architect Examiners from 1926 to 1928. According to Charles Carey, "Jacobberger...is numbered among the leading architects of the city, many of whose most substantial and beautiful public edifices stand as monuments to his skill and ability in his chosen life work." (Carey, page 452)

Joseph Jacobberger was born in Alsace-Lorraine in 1867, son of Mr. and Mrs. Hubert Jacobberger. His parents came to the United States in 1871 and settled in Omaha, Nebraska where his father worked as a builder and contractor. Joseph Jacobberger attended

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Creighton University of Omaha and after graduating, worked as a draftsman for several architecture offices in Omaha. He arrived in Portland, Oregon in 1890 and worked for the architectural firm of Whidden and Lewis as a draftsman for five years. In 1893 Joseph Jacobberger married Miss Anna Lillis, a native of Portland, Oregon. Jacobberger began his own architectural firm after leaving Whidden and Lewis and worked independently until 1912 when he formed a partnership with Alfred H. Smith. The firm of Jacobberger and Smith designed many significant buildings in the Portland area between 1912 and 1930. During this period Jacobberger and Smith received numerous commissions, designing important projects for the Catholic Church, fraternal organizations and prominent Portland families. Alfred Smith left the partnership in 1930, shortly before Jacobberger's death in March of that year. (National Register Nominations: Josef Jacobberger House, Frank E. Dooly House, Knights of Columbus Building; Oregonian, March 20, 1920; Oregon Journal, March 19, 1930; Carey, page 452-453)

8. Statement of Significance

Applicable National Register Criteria

(Mark "x" in one or more boxes for the criteria qualifying the property for National Register listing.)

- A** Property is associated with events that have made a significant contribution to the broad patterns of our history.
- B** Property is associated with the lives of persons significant in our past.
- C** Property embodies the distinctive characteristics of a type, period, or method of construction or represents the work of a master, or possesses high artistic values, or represents a significant and distinguishable entity whose components lack individual distinction.
- D** Property has yielded, or is likely to yield, information important in prehistory or history.

Criteria Considerations

(Mark "x" in all the boxes that apply.)

Property is:

- A** owned by a religious institution or used for religious purposes.
- B** removed from its original location.
- C** a birthplace or grave.
- D** a cemetery.
- E** a reconstructed building, object, or structure.
- F** a commemorative property.
- G** less than 50 years of age or achieved significance within the past 50 years.

Areas of Significance

(Enter categories from instructions)

Law

Politics/Government

Period of Significance

1909-1932

Significant Dates

1909

1913

1925

Significant Person

(Complete if Criterion B is marked above)

Daniel J. Malarkey (1870-1939)

Cultural Affiliation

N/A

Architect/Builder

Joseph Jacobberger

Narrative Statement of Significance

(Explain the significance of the property on one or more continuation sheets.)

9. Major Bibliographical References

Bibliography

(Cite the books, articles, and other sources used in preparing this form on one or more continuation sheets.)

Previous documentation on file (NPS):

- preliminary determination of individual listing (36 CFR 67) has been requested
- previously listed in the National Register
- previously determined eligible by the National Register
- designated a National Historic Landmark
- recorded by Historic American Buildings Survey # _____
- recorded by Historic American Engineering Record # _____

Primary location of additional data:

- State Historic Preservation Office
- Other State agency
- Federal agency
- Local government
- University
- Other

Name of repository:

Demuth Glick Consultants, Ltd.
and Oregon Historical Society

Malarkey, Daniel J., House
Name of Property

Multnomah, Oregon
County and State

10. Geographical Data

Acreage of Property 0.33 acres

Portland, Oregon 1:24000

UTM References

(Place additional UTM references on a continuation sheet.)

1 | 1 | 0 | | 5 | 2 | 3 | 3 | 3 | 0 | | 5 | 0 | 3 | 9 | 1 | 6 | 0 |
Zone Easting Northing
2 | | | | | | | | | | | | | | | |

3 | | | | | | | | | | | | | | | |
Zone Easting Northing
4 | | | | | | | | | | | | | | | |

See continuation sheet

Verbal Boundary Description

(Describe the boundaries of the property on a continuation sheet.)

Boundary Justification

(Explain why the boundaries were selected on a continuation sheet.)

11. Form Prepared By

name/title Kimberly Demuth

organization Demuth/Glick Consultants, Ltd. date November 12, 1992

street & number 1314 NW Irving Street Suite 510 telephone (503) 242-1342

city or town Portland state Oregon zip code 97209

Additional Documentation

Submit the following items with the completed form:

Continuation Sheets

Maps

A USGS map (7.5 or 15 minute series) indicating the property's location.

A Sketch map for historic districts and properties having large acreage or numerous resources.

Photographs

Representative black and white photographs of the property.

Additional items

(Check with the SHPO or FPO for any additional items)

Property Owner

(Complete this item at the request of SHPO or FPO.)

name Matt Miller and Kathy Dodds

street & number 2414 SW Hillcrest Place telephone (503) 242-1342

city or town Portland state Oregon zip code 97201

Paperwork Reduction Act Statement: This information is being collected for applications to the National Register of Historic Places to nominate properties for listing or determine eligibility for listing, to list properties, and to amend existing listings. Response to this request is required to obtain a benefit in accordance with the National Historic Preservation Act, as amended (16 U.S.C. 470 *et seq.*).

Estimated Burden Statement: Public reporting burden for this form is estimated to average 18.1 hours per response including time for reviewing instructions, gathering and maintaining data, and completing and reviewing the form. Direct comments regarding this burden estimate or any aspect of this form to the Chief, Administrative Services Division, National Park Service, P.O. Box 37127, Washington, DC 20013-7127; and the Office of Management and Budget, Paperwork Reductions Projects (1024-0018), Washington, DC 20503.

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Kiest, Craig. November 16, 1992.

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National Park Service

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December 7, 1939. p. 3.

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p. 4.

Oregonian, March 20, 1920.

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"Malarkey To Join Firm of Lawyers" (Neil) Oregonian. January 30,
1938. p. 3.

"Dan J. Malarkey, Portland Lawyer of National Note, Called by
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"Patron of Art, Music, Gardens" Oregonian. October 16, 1985. p.
D-10.

"C. A. Malarkey, Pioneer is Dead" Oregon Journal. July 31, 1918.
p. 1.

Oregon Journal, March 19, 1930.

"J. A. Malarkey, Genius in Plywood Dies" Oregon Journal. May 3,
1948. p. 1.

"Oldest Pioneer of Wasco Dies" Oregon Journal. December 26,
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"Things My Mother Told Me" Oregon Journal. May 6, 1977. p. 17.
(By Mrs. Henry F. Cabell)

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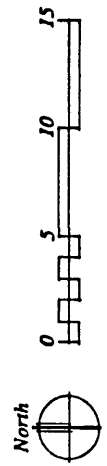
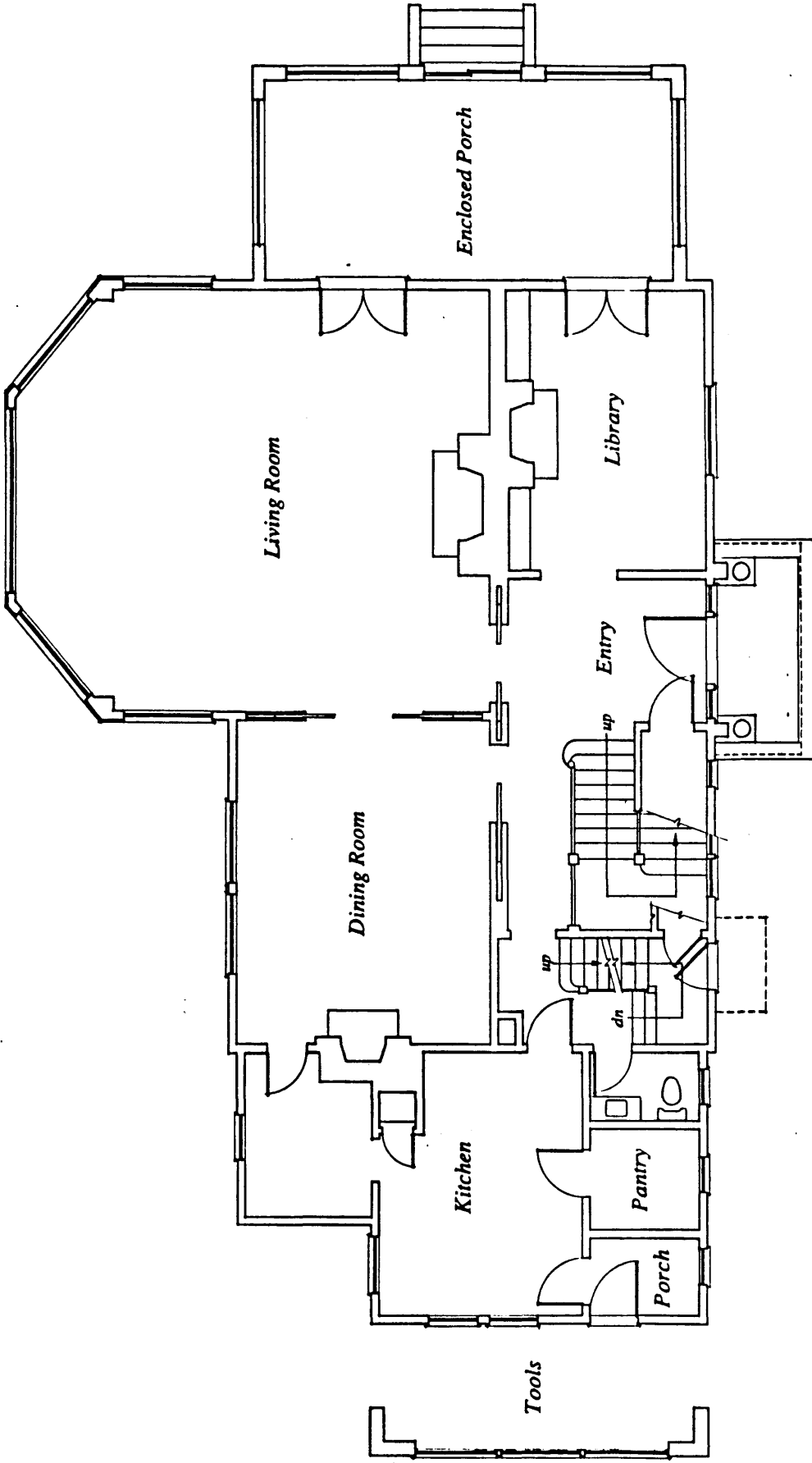
Section number 10 Page 1

VERBAL BOUNDARY DESCRIPTION

The nominated area of approximately a third of an acre is located in SW 1/4 Section 4, Township 1N, Range 1E, Willamette Meridian, in Portland Multnomah County, Oregon. It is legally described as Tax Lot 5 of Lots 16 and 17 and 24 to 26 of Hill View Addition to Portland at said location.

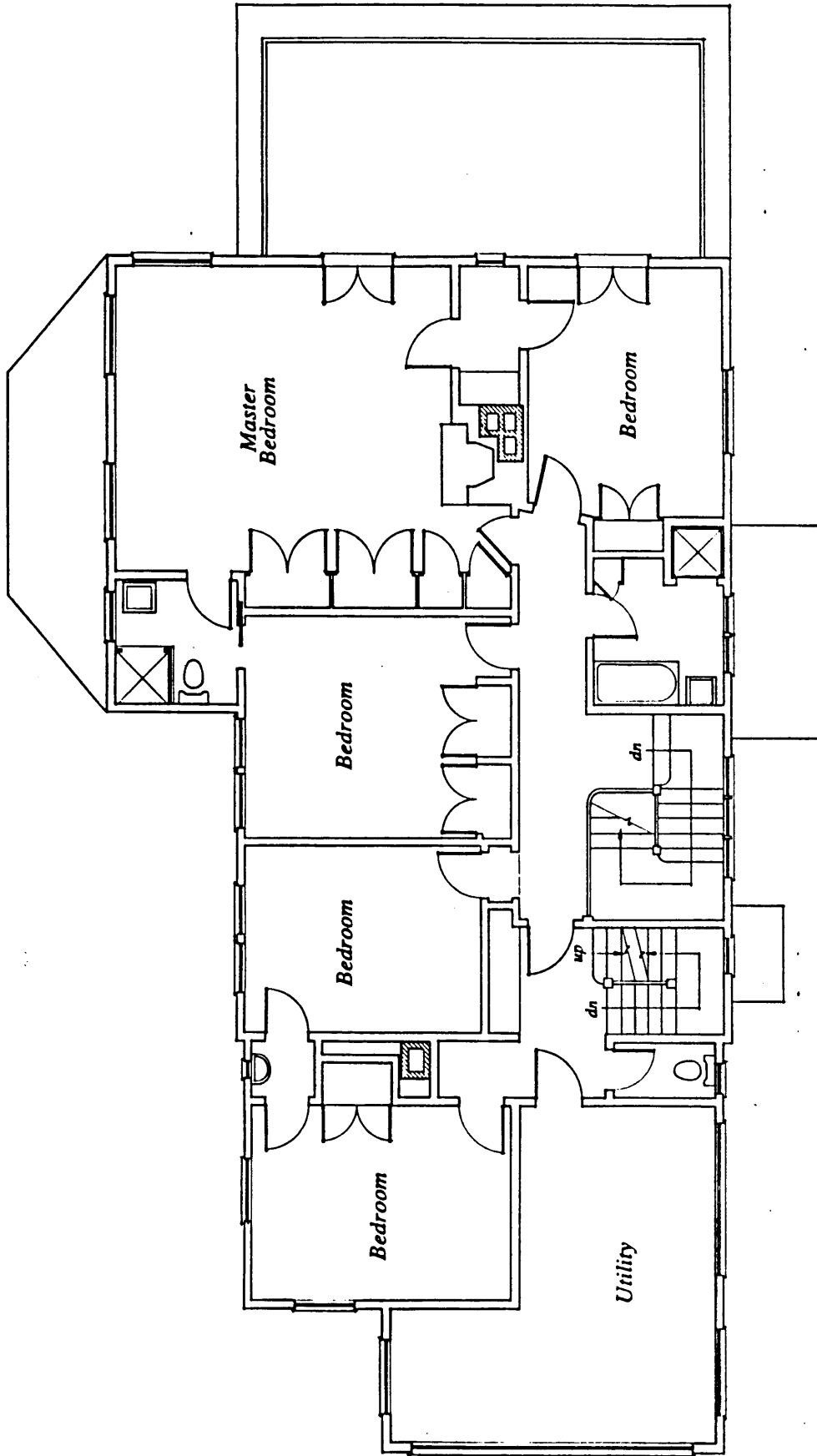
BOUNDARY JUSTIFICATION

The nominated area encompasses the entire urban tax lot presently associated with the residence.



○ ——— First Floor Plan - Existing Conditions

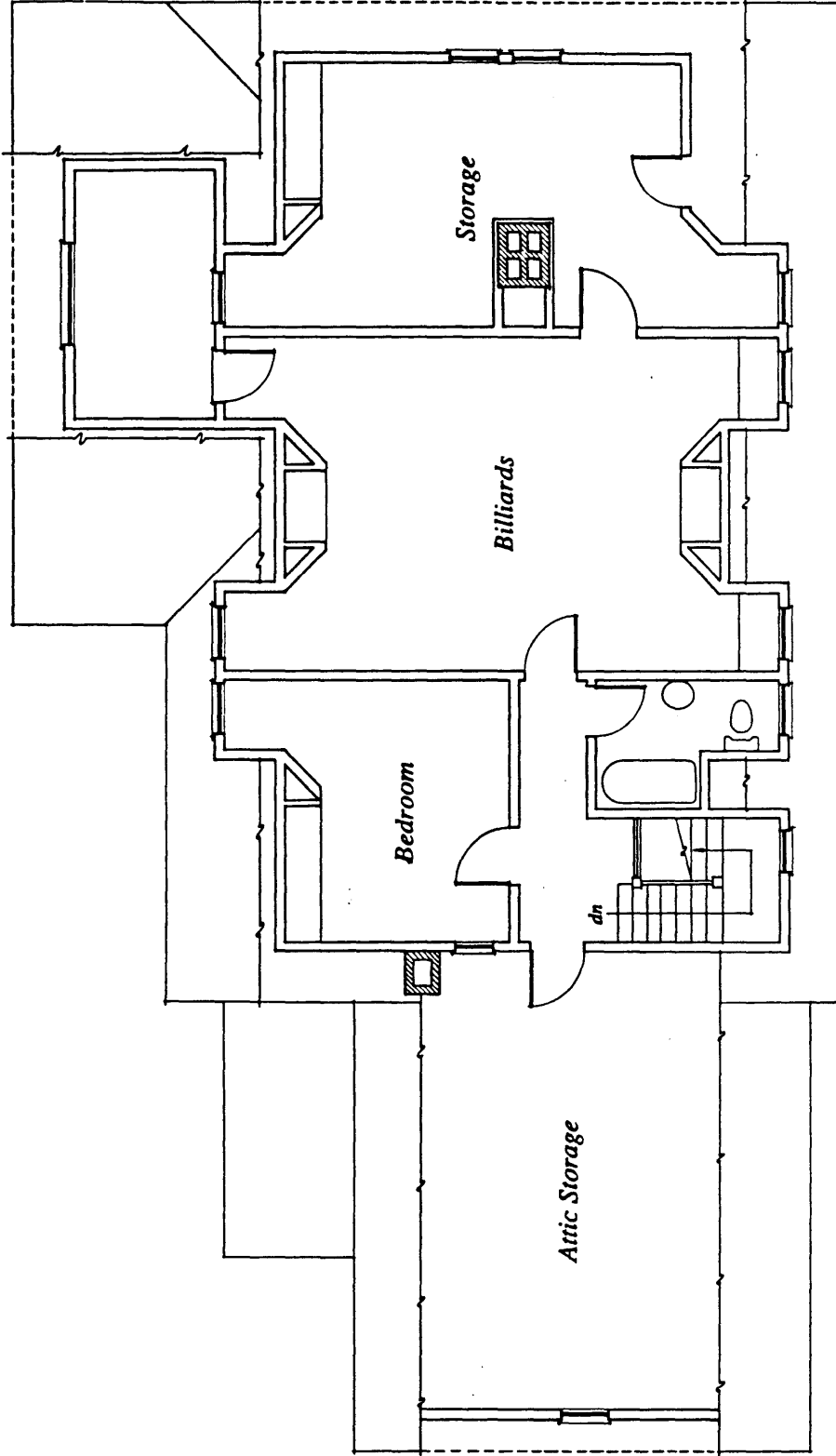
The Malarkey Residence
 for Kathy Dodds and Matt Miller
 Portland, Oregon



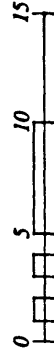
Second Floor Plan - Existing Conditions



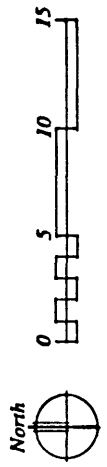
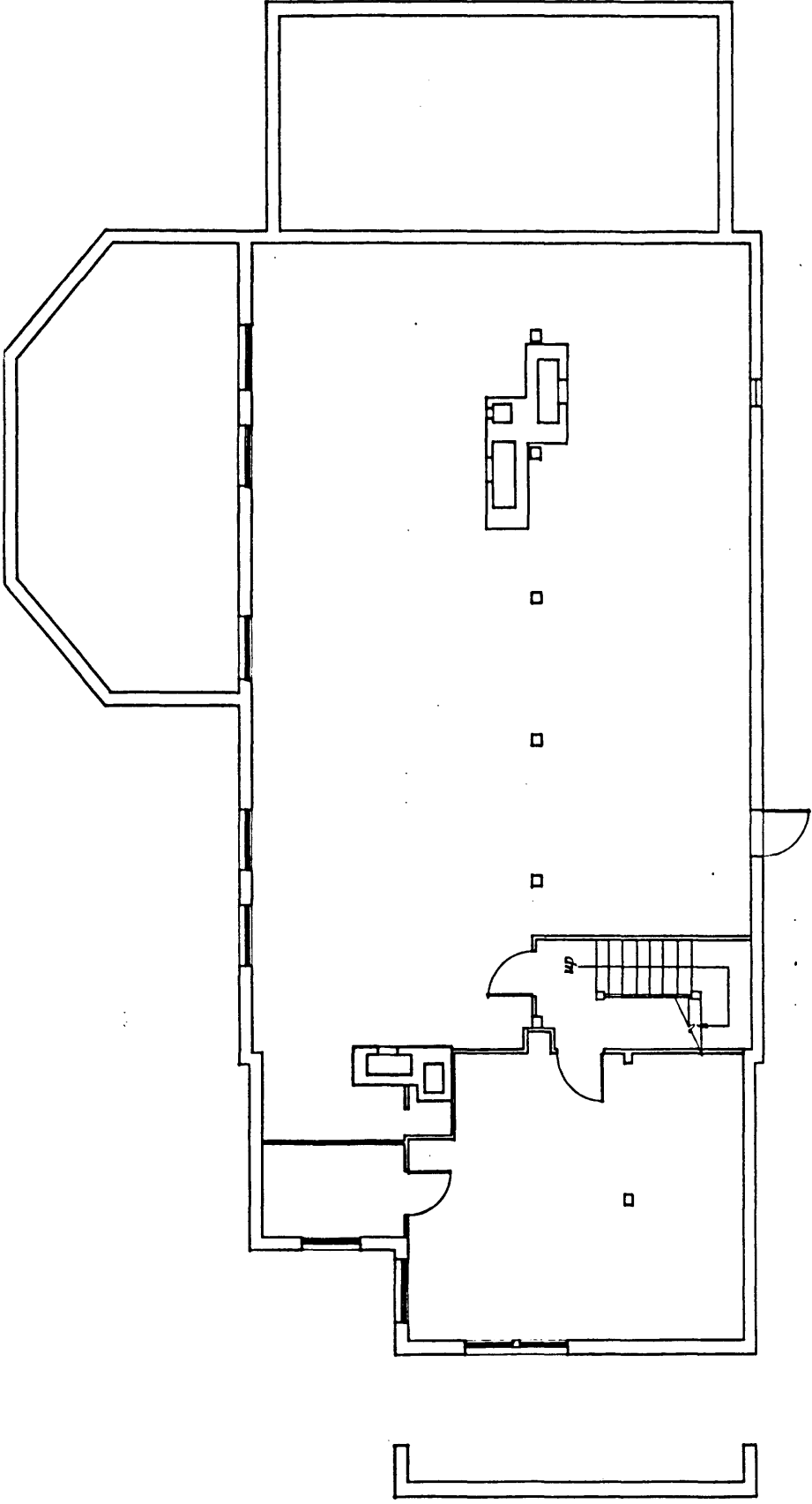
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 Portland, Oregon



Third Floor Plan - Existing Conditions



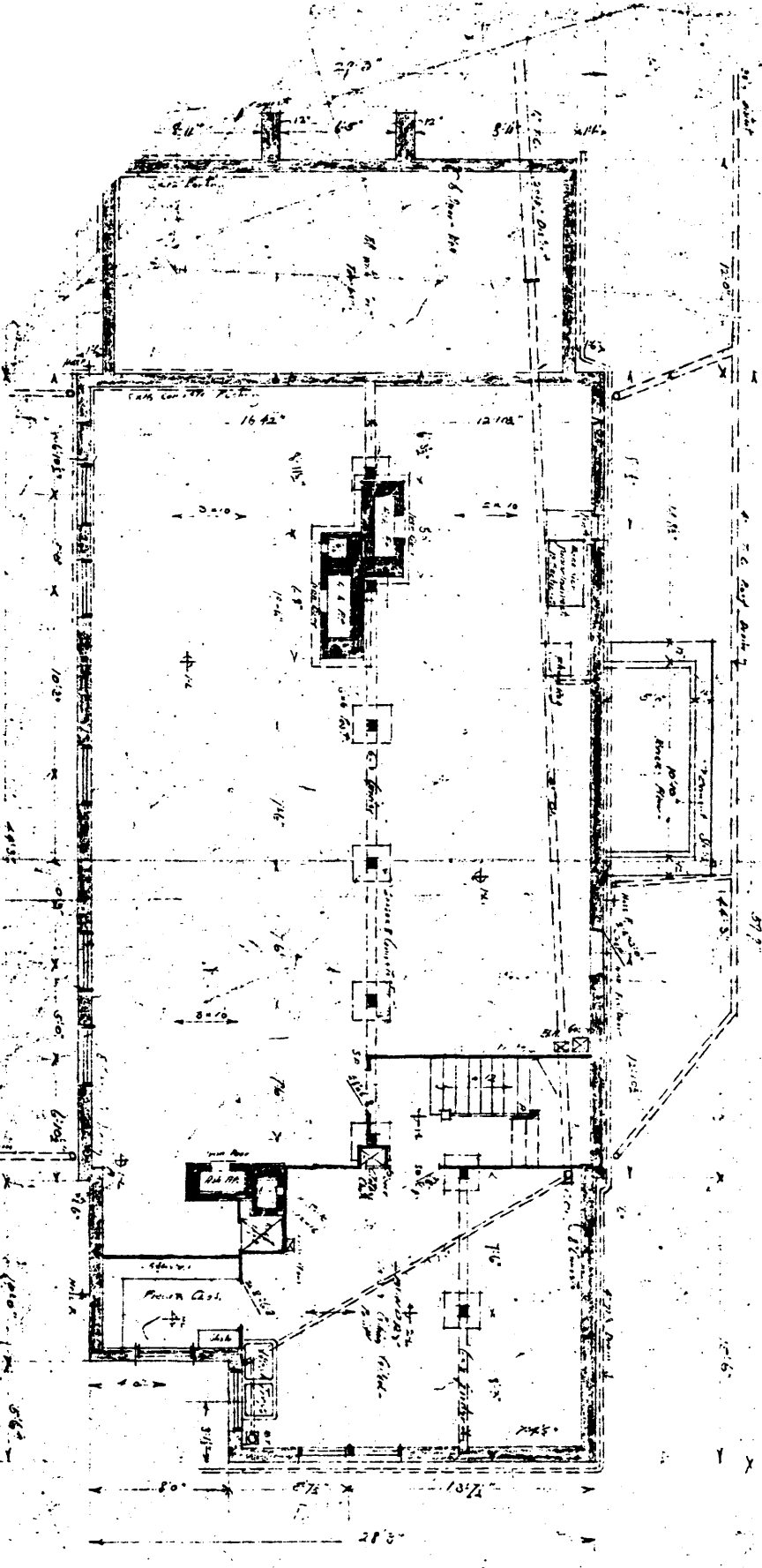
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 Oregon



Basement Plan - Existing Conditions

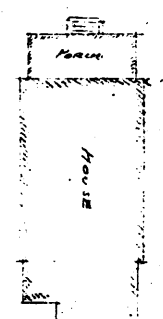


The Malarkey Residence
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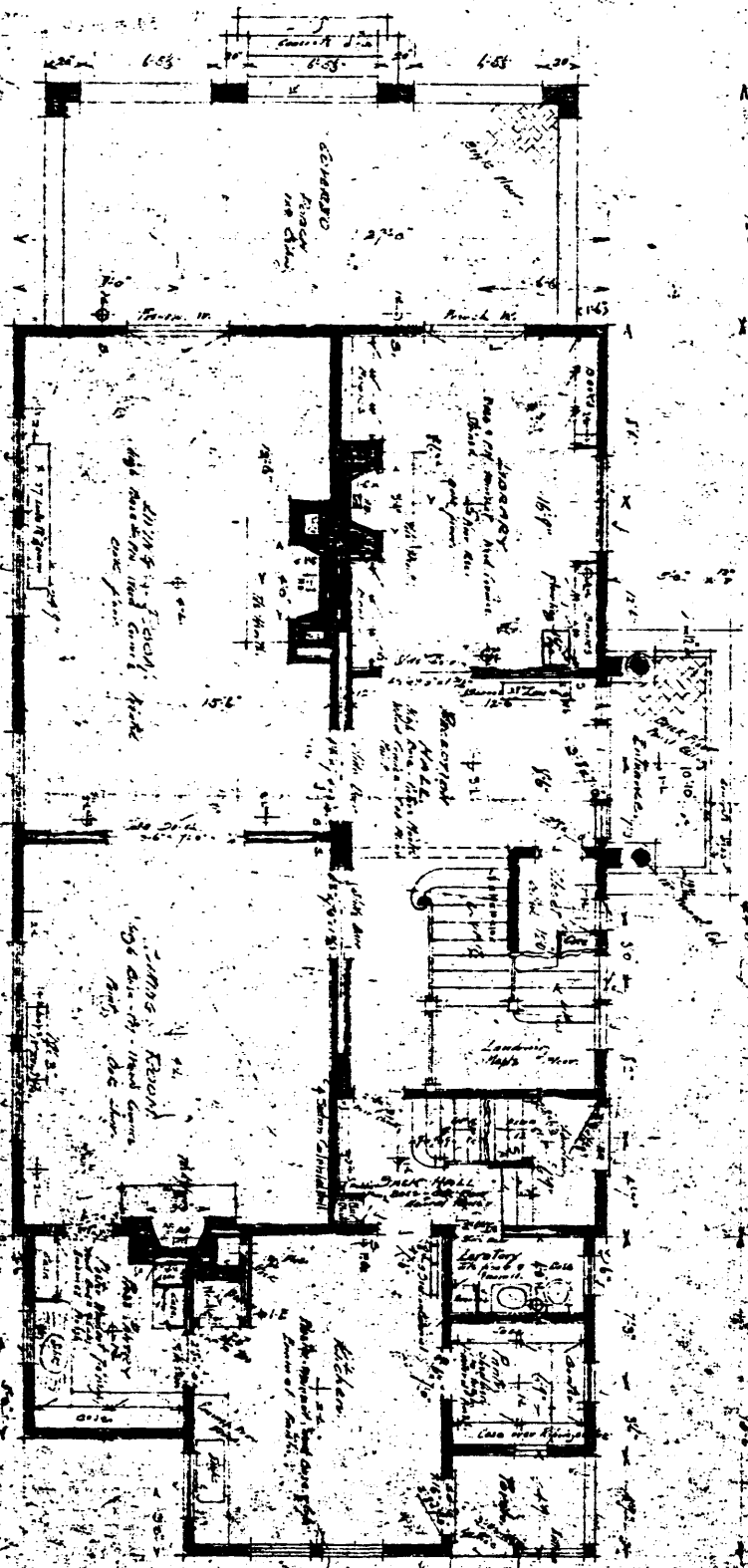
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Handwritten notes next to the small diagram, including the word "House" and some illegible text.

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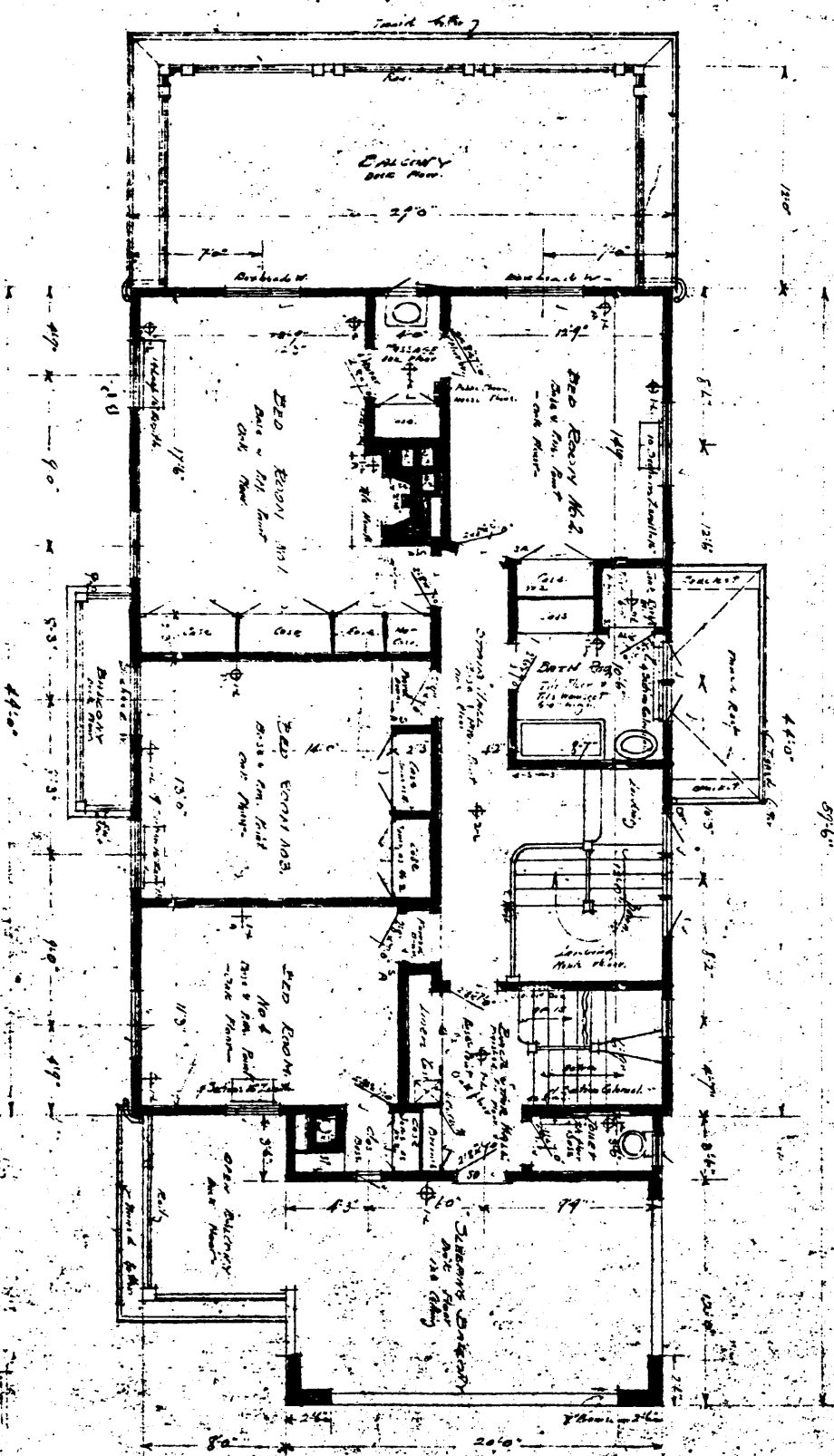
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NEW STAIRS
NEW FLOORING

PLAN

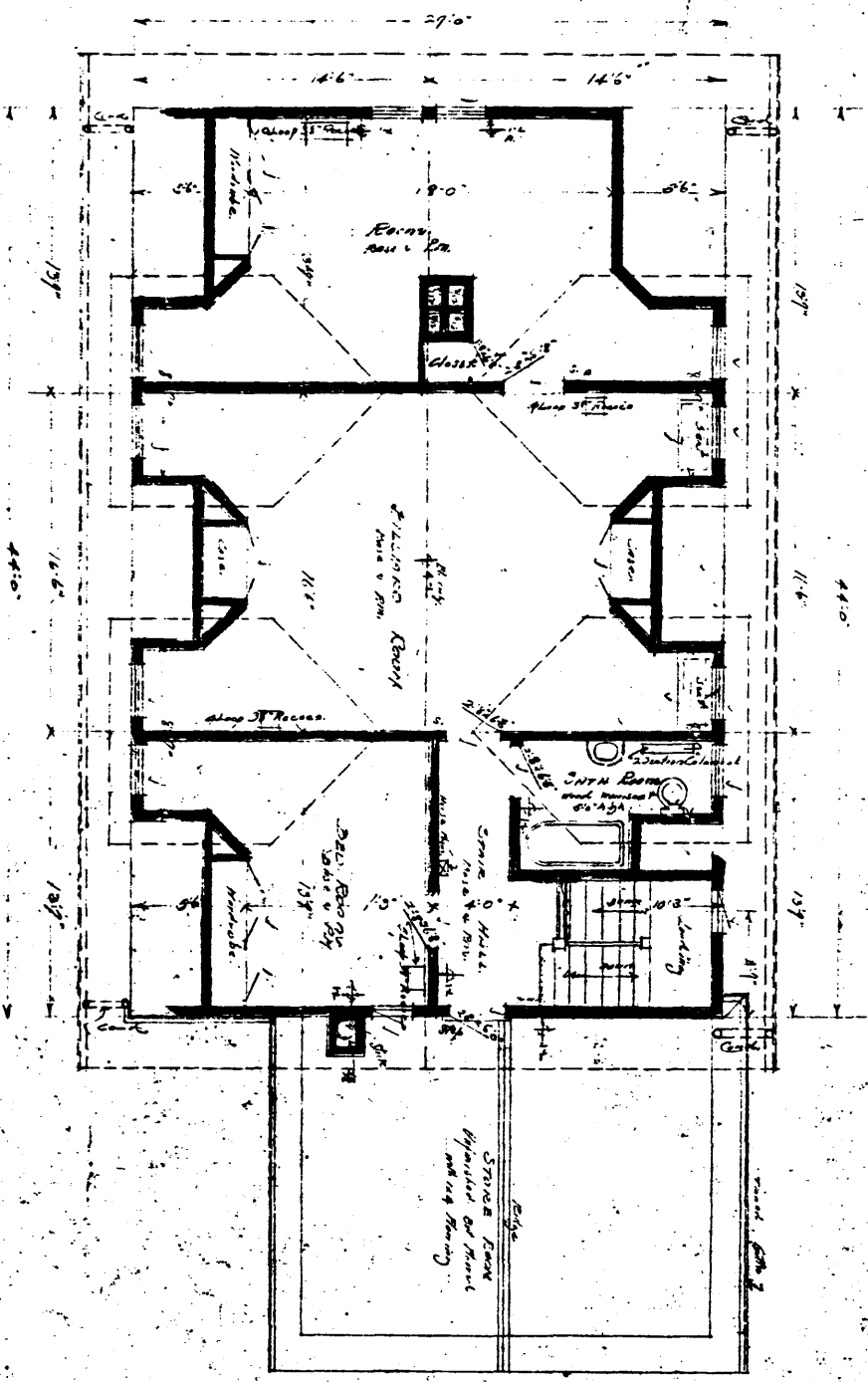
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Section Level Floor
 1st Floor

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- ATTIC & BOOM ROOM
 1/4" = 1 FOOT

HOUSE NO. 1
 1700 SW 11th Ave
 PORTLAND, OREGON
 JOB NO. 1000000000
 DRAWN BY: [illegible]

3226

S.W. VISTA

DRIVE

S.W. HILLCREST

S.W. HILLCREST PL.

VIEW DRIVE

V. RAVENS

G

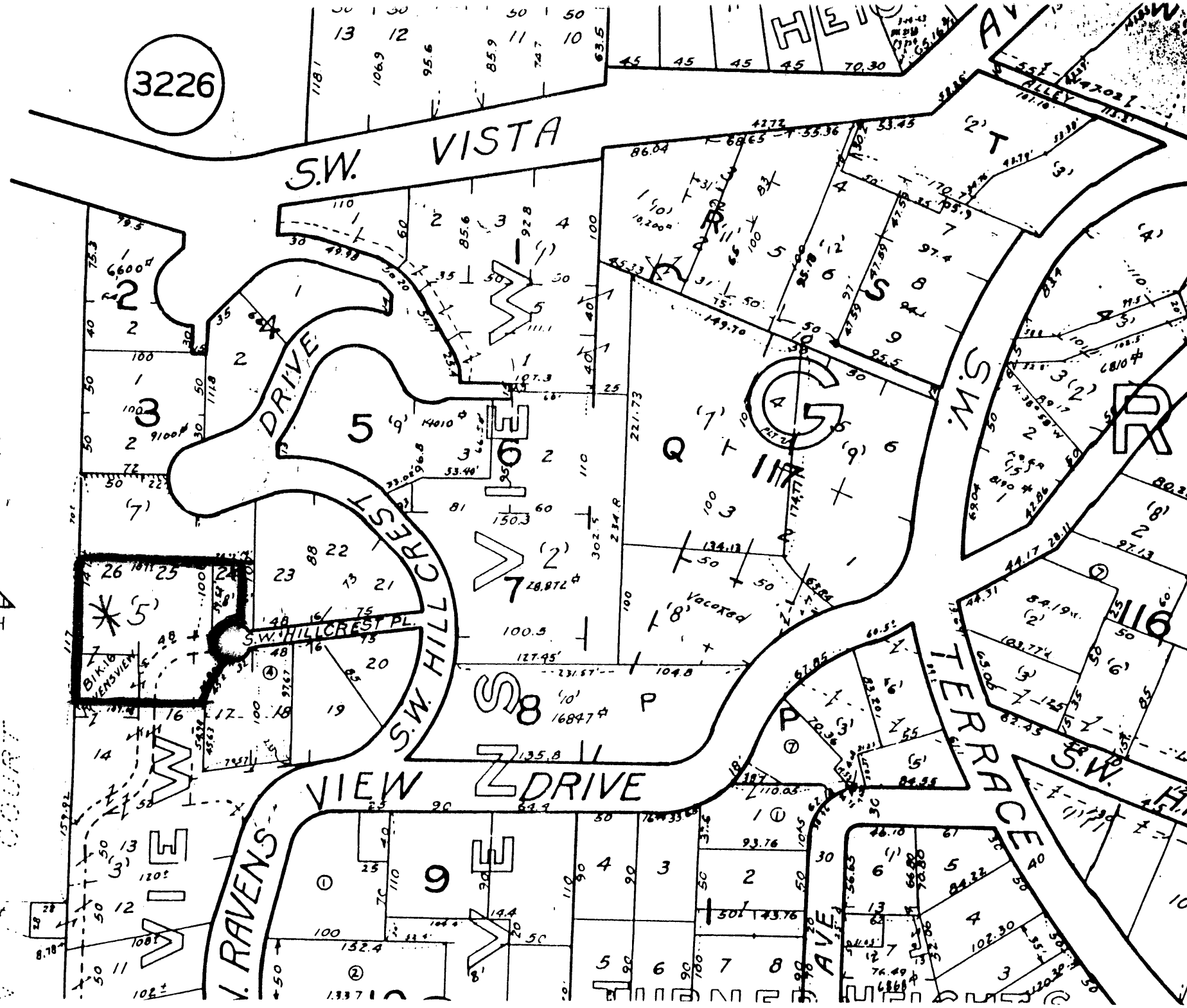
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R



S.W. GEORGIAN PLACE

COURT



**Historic
Resource
Inventory**
CITY OF PORTLAND, OREGON



0-409-02141

2141 S.W. Hillcrest Place

Hill View, Tax Lot 5 of Lots 16, 17, 24-26

QUARTER SECTION MAP #: 3227

SWHRL

ORIGINAL FUNCTION: Residence

DATE BUILT: 1909

STYLE: Arts and Crafts

ARCHITECTURAL PLANS BY: Jacobberger, Josef

ORIGINAL OWNER: Malarkey, Daniel J. and Laura

TAX ASSESSOR'S ACCOUNT #: R-38700-0470

ZONING: R7

Rank II

SPECIAL FEATURES AND MATERIALS:

Multi-gable roof with cornice and return. Gable-roofed dormer. Enclosed balcony with unusual railing. Stucco exterior. Decorative wood trim on cornice. Large stained glass window.

AREAS OF SIGNIFICANCE: Architecture, Law, Government, in association with Daniel J. Malarkey

Law, Government, in association with Daniel J. Malarkey: Malarkey (1870-1939) was born in New York City but he came to Portland with his parents at the age of three. He was educated in the public schools and the University of Oregon where he received a law degree in 1892. He was admitted to the bar and as a deputy district attorney for Multnomah County from 1892 to 1898. He was elected to the Oregon House of Representatives in 1902 and elevated to the Senate in 1904 where he served for several terms. He was the father of Oregon minimum wage and hour law for women, the first of its kind in the United States. He also authored a public utilities law and other liberal legislation.

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Present owner as of May 1981: Thomas B. Malarkey 7/8, Margaret C. 1/8
MAILING ADDRESS: 2141 S.W. Hillcrest Place, Portland 97201

No Preservation Funding

Negative: 658-10

Score - Design/Construction: 8

Score - Historical: 10

Score - Rarity:

Score - Environment: 6

Score - Integrity: 10

Score - Intrinsic: 18

Score - Contextual: 16

Score - Total: 79