

Offbeat Oregon

Frontier-era Portland mayors were surprisingly dramatic bunch

By Finn J.D. John
FOR THE SENTINEL

Over the years, the city of Portland has had its share of controversy and drama in the Mayor's office. At times, the political tableaux in the top job in Oregon's biggest town has ripened into scenes that wouldn't be out of place in a Vaudeville act.

Over the next two or three weeks, we're going to hit the highlights of a few of them ... starting with the earliest ones and moving forward in time until we arrive at the one and only Terry Schruk — against whom Robert Kennedy himself testified in a bribery trial. (He was acquitted, by the way.)

Our grand tour of mayoral misconduct (and alleged misconduct) starts with the Wharf Riot of 1860, when Oregon was just barely a state and the Civil War was brewing in the east.

Mayor vs. Mayor

The Wharf Riot had its roots in a decision by former Portland Mayor George Vaughn to build a wharf on the riverbank between Alder and Morrison streets, on a piece of land he claimed he owned.

But the City of Portland also claimed ownership of that patch of riverbank. In fact, the city claimed ownership of the entire levee along the waterfront. The issue was destined to be resolved, several years later, when the courts ruled that it did not; but in 1859 and 1860 the question was far from settled, and the rhetorical temperatures were running high on both sides.

In response to Vaughn's construction project, the city got a court injunction ordering him to stop work on the wharf until the ownership question could be resolved.

Instead of complying, Vaughn hired some extra workers and banged out the wharf in record time. The city, probably calculating that it wasn't worth the trouble to protest, did nothing.

Well, that had worked remarkably well, so Vaughn tried the same trick in the spring of the following year. Without telling anyone or saying anything, he started construction of a building to enclose the wharf.

This time, though, the city was ready to fight him.

The City Council drafted an order to cease construction and remove the wharf within 24 hours, or it would order City Marshal James Lappeus to remove it by force.

This done, the council sent Lappeus to the job site to serve

the notice on Vaughn.

When Lappeus got there, he found that word of his errand had already reached Vaughn, who had responded by hiring an enormous crew, big enough to finish the building before the end of the day. He nevertheless served the papers on Vaughn, and informed the ex-mayor that he was trespassing. Vaughn laughed and threw the papers down in the mud and stomped all over them.

By daybreak the next day, the building was complete. But Lappeus, accompanied by sitting Mayor Stephen McCormick, was already on his way to the waterfront to start the building-removal process. A showdown was brewing

But before that showdown between Mayor McCormick and ex-Mayor George Vaughn could take place, yet another ex-mayor intervened. This was Addison Starr, who was now the sheriff of Multnomah County. Ex-Mayor Starr now arrested Mayor McCormick and Marshal Lappeus at the behest of Ex-Mayor Vaughn. The charge was "Intent to Destroy Private Property," a charge that Starr probably made up on the spot.

Made-up or not, the charge didn't last five minutes in an actual court of law. It was dismissed, the mayor and city marshal were released from the jail in a matter of hours, and it was with considerably augmented enthusiasm for the job at hand that they now headed for the riverfront to finish what they'd tried to start.

When they did so, they found themselves at the head of a large mob. Word had gotten around about Vaughn's behavior, and the town was pretty riled up.

The mob helped McCormick and Lappeus reduce Vaughn's wharf and enclosing building to its constituent hunks of wood in just a few minutes.

"Some persons might object to the manner of removing the building," the Morning Oregonian's editor wrote in the next day's paper. "If Mr. Vaughn had not, in a defiant manner, manifested a determination to erect the building, in an unusual way, and in such hot haste, with full knowledge that city authorities and a large portion of the people were opposed to it, and if he had not treated their authority with contempt by trampling their protest under his feet, the building would probably have been rolled off (instead of) demolished."

Vaughn, for his part, angrily shook the dust of Portland off his feet and moved to Vancou-

ver, although he eventually did move back to town.

City Marshal Law

As the year 1867 dawned, Mayor Thomas Holmes was complaining about Portland's city marshal, Henry Hoyt.

The city marshal wasn't an employee, like a chief of police. He was an elected official — elected either by the population at large, or by the city council, depending on what the city charter said (the city changed charters frequently in those years).

In 1869, the marshal was hired by the city council, a detail that would turn out to be important in the attempted swindle that followed.

The city marshal was compensated more or less on a piecework basis, like an independent contractor. This, of course, saved lots of money during quiet times, but as the town grew bigger there were more criminals to deal with, and the marshal's budget was growing steadily.

Holmes thought Hoyt was deliberately stirring up trouble to pad his billable-hours account — basically, abusing his position to hit the cash box harder and more often than was necessary to get the job done. So he complained about him to the city council.

One of the city councilors, A. Rosenheim, was all ears. Hoyt may or may not have been taking advantage of the open-ended nature of his job to enrich himself; but Rosenheim clearly intended to do just that. He schmoozed and bargained with his fellow City Councilors for support, then presented himself as a candidate to replace Hoyt. With his four friends' votes added to his own, he "won" the election, defeating Hoyt.

Only problem was, Hoyt declined to step down, claiming Rosenheim's election had been illegitimate.

The council filed a suit against him to force him out. But when the case was presented to the Oregon Supreme Court, the court ruled — not unreasonably, it must be said — that, yeah no — it was not OK for a member of an executive board to use his appointive power to place himself in a lucrative job.

Having made his point, Henry Hoyt stepped down a few months later.

The Co-Mayorship

In 1881, upstart attorney Joseph Simon was running for mayor against incumbent (and establishment darling) David Thompson. When the polls closed, the electors declared Simon the winner by a margin of 9 votes out of 3,570 cast.

Naturally, there had to be a review of the ballots, with the race that close. So the city auditor, the county clerk, and the justice of the peace sat down to do it.

They determined that Simon hadn't won — he had, in fact, lost by one vote — 1,784 to 1,785.

Ignoring this piece of bad news, Simon started loudly proclaiming victory and demanding to be inaugurated.

Meanwhile, Thompson's friends were not idle, and soon the Morning Oregonian was righteously thundering forth demands that Thompson be seated without further delay. Clearly a full recount was in order.

But before that could happen, there was a problem — several problems, actually, but they were nestled together like one of those Russian dolls.

First, it seemed at least one of the city council's members had a little money riding on the outcome.

Councilor William Andrus denied it, but five people swore out affidavits swearing that he'd bet on Simon to win. Andrus responded by getting a couple friends to file affidavits swearing that, yeah, he'd placed a couple bets, but the bets had been on their behalf and not his. This sounded just as plausible in 1881 as it sounds today.

Irregular though this was, it wasn't the real problem. But it took Andrus's vote away from the City Council — of course, he had to recuse himself — at a time when it was going to be sorely needed to resolve the real problem, which was the recount results.

Those results confirmed that Thompson had won by one vote, but it excluded two disputed ballots that had been cast for Simon. If those two votes were added back in, of course, Simon won. If not, Thompson did.

The Council met to discuss the issue, and to review the disputed ballots one at a time. The first one had Thompson's name written on it, with Simon's overwritten over it. Close inspection showed that

Simon's had been the second name written on the ballot, so they gave that one to Simon. The race was now tied.

The second ballot was harder to figure out. Eventually it was put to a vote, and the result was a tie — four votes to keep it, four to throw it out. Andrus, who ordinarily would have broken the tie with his ninth vote, had been forced to recuse himself because of his bets.

Great wrangling ensued, and a clumsy and futile attempt to toss this hot potato over to the state supreme court. Finally the council voted again, and this time it was 5 to 3 in favor of throwing the ballot away.

The race was now tied, with 1,783 votes each. Thereupon,

the council tabled Simon's request to be declared Mayor, and went home. Thompson was left in office by default.

The record is silent about whether or not Andrus lost his money.

We'll continue this whirlwind tour of mayoral misbehavior in next week's column.

(Sources: *Merchants, Money and Power: 1843-1913*, a book by E. Kimbark MacColl published by Georgian Press in 1988; *Portland: People, Politics and Power*, a book by Jewel Lansing published by Oregon State University Press in 2003; *Wicked Portland*, a book by Finn J.D. John published in 2012 by The History Press.)

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