

NATIONAL HISTORIC LANDMARK NOMINATION

NPS Form 10-900

USDI/NPS NRHP Registration Form (Rev. 8-86)

OMB No. 1024-0018

UNION OYSTER HOUSE

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United States Department of the Interior, National Park Service

National Register of Historic Places Registration Form

1. NAME OF PROPERTY

Historic Name: Union Oyster House

Other Name/Site Number: Atwood & Bacon; Atwood

2. LOCATION

Street & Number: 41-43 Union Street

Not for publication:___

City/Town: Boston

Vicinity:___

State: MA

County: Suffolk

Code: 025

Zip Code: 02108

3. CLASSIFICATION

Ownership of Property

Private: X

Public-Local: ___

Public-State: ___

Public-Federal: ___

Category of Property

Building(s): X

District: ___

Site: ___

Structure: ___

Object: ___

Number of Resources within Property

Contributing

1

1

Noncontributing

___ buildings

___ sites

___ structures

___ objects

___ Total

Number of Contributing Resources Previously Listed in the National Register: 1

Name of Related Multiple Property Listing: Blackstone Block Historic District

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4. STATE/FEDERAL AGENCY CERTIFICATION

As the designated authority under the National Historic Preservation Act of 1966, 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.

Signature of Certifying Official_____
Date_____
State or Federal Agency and Bureau

In my opinion, the property ____ meets ____ does not meet the National Register criteria.

Signature of Commenting or Other Official_____
Date_____
State or Federal Agency and Bureau**5. NATIONAL PARK SERVICE CERTIFICATION**

I hereby certify that this property is:

Entered in the National Register __________
Determined eligible for the _____
National Register_____
Determined not eligible for the _____
National Register_____
Removed from the National Register __________
Other (explain): __________
Signature of Keeper_____
Date of Action

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6. FUNCTION OR USE

Historic: Domestic Sub: single dwelling (early 1700s - c.1742)
Commerce Sub: specialty store (1742 - 1826)
Commerce Sub: restaurant (1826 - present)

Current: Commerce Sub: restaurant

7. DESCRIPTION

ARCHITECTURAL CLASSIFICATION: Colonial: Georgian

MATERIALS:

Foundation: Stone
Walls: Brick
Roof: Asphalt shingle (replacing slate)
Other: Granite wall piers, sills and headers added mid-19th century

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Describe Present and Historic Physical Appearance.**Present Physical Appearance**

The present brick row house structures housing the Union Oyster House consist of the original 1716-17 building and two adjoining buildings, one each on the south and north ends. The original colonial brick dwelling (41-43 Union Street), built sometime in the first quarter of the eighteenth century, is unique in that it has an angled front which parallels the junction of Marshall Street with Union Street. A second building, built 1916, immediately north of the original building at 14-22 Marshall Street, was purchased by the Milano family, current owners of the restaurant, in 1982. Finally a third building (1851), immediately to the south of the original building at 37 Union Street, was purchased by the Milano family in January 1995. Both of these adjoining buildings were connected internally to the original restaurant by cutting interior wall openings. These three structures are referred to as the original building (oldest), south addition (next oldest), and north addition (the most modern). Only the original building contributes to National Historic Landmark significance; the north and south additions were incorporated into the restaurant in the late twentieth century and do not contribute to its national significance.

The original building is a five-bay, three-and-a-half-story gambrel roofed brick structure built in the Georgian style. The three bays on Union Street are laid in Flemish bond with darkened headers, segmental relieving arches over the second floor windows and a belt course (three courses wide) between the second and third floors. The two bays on Marshall Street are laid mostly in common English bond of stretchers with headers inserted in an inconsistent pattern, with no relieving arches and no belt course. A vertical joint line in the brick work between these two façades is present which would not ordinarily be present in a continuous brick façade. This has led some researchers to interpret that the Marshall Street portion was built sometime after the three-bay Union Street portion. Others have suggested that the third story was added at some later date.¹

It was common practice only to add expensive decorative features such as Flemish bond, belt course and relieving arches on the more visible main street side. While the two bays located on Marshall Street are visible from the front, it is suggested that these ornamental features were eliminated as a cost saving measure. These five bays correspond to the 36-foot length noted in the 1737-1742 deeds. However, the most compelling evidence is the interior framing in which all the second floor joists run at right angles from the summer beams despite the angle of the Marshall Street side. This suggests that the angled two-bay section was not built as an addition but at the same time as the Union Street three-bay section. The exposed beams and joists in the cellar, second, third, and attic levels appear to be eighteenth century, although the joists on the

¹ A team consisting of Ralph Eshelman, Arthur Krim, Ann Grady and Matthew Kieffer, visited the site on April 9, 2001. It appears that the entire structure was probably built at the same time. This is based in part on consistent floor levels, window size and roof line as well as the existence of an end chimney on the north end of the five-bay structure and no chimney between the north two-bay and south three-bay portions of the building, suggesting that the original structure was a center hall plan with end chimneys.

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second floor appear to have been purposely “antiqued” through cutting and roughwork. The darkness of these joists might be in part from the 1951 fire which engulfed the second floor.²

There is a wooden modillioned cornice under the eave of the roof which stretches along both the Union and Marshall Street façades. This is probably a mid-eighteenth-century addition restored in the 1930s. The original two dormer windows show an advanced Georgian pediment style in early photographs. The dormers were removed circa 1895 and restored circa 1938. A third dormer was added over the Marshall Street portion. The stone foundation can be clearly seen in the basement of the building.

Fenestration consists of a double door near the center of the middle bay on Union Street (not centered but offset slightly to the south) and a second double door at the northernmost bay on the Marshall Street side (again not centered but here offset slightly to the north). There are four transom lights over the Union Street entrance and five over the Marshall Street entrance. To the south of the Union Street entrance is a twelve-pane (4 x 4 x 4) window bay; to the north is a 15-pane (5 x 5 x 5) window bay. On the north side of the façade angle is a six-pane (2 x 2 x 2) window bay; between this and the Marshall Street entrance is a nine-pane (3 x 3 x 3) window bay. To the south of the Marshall Street entrance is a twelve-pane (4 x 4 x 4) window bay. All the windows on the second and third floor have twelve-pane (4 x 4 x 4) double-hung wooden sash windows. These openings are vertically aligned on the second and third floor. At the attic level are two replica dormer windows (circa 1935), not aligned with the second and third floor fenestration. Each dormer has an eight-pane (4 x 4) double-hung wooden sash window. The dormers have horizontal clapboard siding.

Surrounding the doors and windows on the top and sides of the first level are granite piers, sills and headers. Brick is used below the windows down to street level. The window sills and headers on the second and third level appear to be brownstone which has been repaired with cement. On the south side of the last window on the third floor are the remains of a single shutter closure. The sidewalk in front is made of laid brick with granite curbs, but on the south end and on Marsh Lane there are stone pavers and granite slabs. The original slate roof was replaced by an asphalt shingle roof. Individual brown canvas awnings are present over the windows on the second and third floor on the Union and Marshall Street façades. A continuous brown awning is present over the street level windows. “YE OLDE UNION OYSTER HOUSE EST. 1826” is painted in white on the awning. Under the awning on the granite headers, which are painted dark brown, are over-painted in tan letters, “THE ORIGINAL OYSTER HOUSE” in front of the south addition and “LADIES & GENTS est. 1826 SEA GRILL” in front of the original building. On top of the restaurant complex roof are huge electrically lit block letters which spell “UNION OYSTER HOUSE” which are visible from I-93. At the angle of the front façade hangs an exterior lite box sign with gilded letters the same as on the awning. An elevation drawing of the front façade was prepared by the Historic American Buildings Survey (HABS), a copy of which is attached to this nomination.

Interior

² Abbott Lowell Cummings, “Early History of the Union Oyster House, 41-43 Union Street, Boston, Massachusetts,” n.d. [2001], unpublished manuscript, copy in Union Oyster House file, National Maritime Initiative, National Park Service, Washington, D.C.; Anne Grady, “Union Oyster House” May 4, 2001, notes, copy in Union Oyster House file, National Maritime Initiative, National Park Service, Washington, D.C.

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The interior framing supports a construction date in the early eighteenth century. Major beams tend to have an inch-wide flat chamfer. Joist spacing is as little as 15 inches in some places. The framing is most visible in the ceiling of the second floor where beams and joists are completely exposed showing a consistent and symmetrical pattern of front-to-rear summer beams with joists framed to them. The joists are placed at right angles to the summer beam. Where the Marshall Street façade is angled, the joists run to the angled front wall instead of to the side wall. Framing on the back portion of the second floor suggests the rear portion was part of a later building addition. Framing in the attic indicates the roof was raised at the rear of the building at some point to continue the line of the upper slope of the gambrel roof. Evidence for this is also visible in the loft of the circa 1840 addition.³

The interior section of the original oyster house is a significant aspect of the property because of its unusually high degree of integrity. The soapstone oyster bar and stall-type booths are the only known survivors in the United States. The oyster bar is an open semi-circular oak [many accounts claim it is mahogany] counter with a soapstone inner shucking table with drain. To provide more counter space, a newer inner wood counter top was added at some later date. The soapstone slab was covered with copper sheet metal by at least the 1940s, probably to comply with health codes. Interestingly, a soapstone works is known to have been located immediately behind the oyster house at the intersection of Marsh Lane and Creek Square in 1885 (1885 Sanborn Map). How early this works was established is not known. The nine stools around the oyster bar are made of cast iron which are fastened to the floor and fixed with a flat wooden round seat on top. Some of the original stools have been replaced over time.

The Italianate stall-like booths are made of wood, painted white. Each stall (they vary somewhat in size depending on where they are located) consists of a four-foot-wide wooden table with wooden benches built into the stall partition walls on each side. The table legs are cross legged. The front of each booth has a wooden pier on each side, with a wooden corner bracket between the pier and a stall transom board. The booths are decorated by double brackets at the corner with the transom board and over the piers. In the middle of the transom is an applied wood wreath which is gilded. In the middle of the wreath is a number identifying the booth. Swinging, louvered, half doors were once attached to the piers to provide some privacy. The sides of the booths are made of paneled wood or vertical tongue-and-groove wooden partitions. The stall end walls are covered with vertical wood boards. Drawings of the oyster bar and the booths, as well as the floor plan, were prepared by the Historic American Buildings Survey, copies of which are attached to this nomination.

Smooth cast-iron Doric-style columns located along the interior of the walls of the oyster bar were almost certainly installed at the same time as the granite piers and first-level window bays were added as part of the structure's alteration from a dwelling to a commercial enterprise. These columns are located at the corners of the street entrances where granite piers were not used. It is possible the oyster bar, booths, columns and window bays were all part of the same alteration, possibly circa 1850 to 1860 but maybe as early as the 1840s.⁴ The Bell Telephone

³ Grady, "Union Oyster House," May 4, 2001, notes.

⁴ Arthur Krim to Abbott L. Cummings, April 11, 2001.

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metal enameled sign present in the 1935 HABS photograph (HABS MASS-127) appears to be the same sign which now hangs in the phone booth on the first floor.

The room directly above the oyster bar is referred to as the Pine Room. It has many booths, low ceiling and visible third-floor joists and beams. An original fire place is present in the front north corner of the room.

Non-Contributing Additions

Two adjacent buildings were acquired during the late twentieth century and incorporated into the operation of the Union Oyster House, a north addition located at 14-22 Marshall, and a south addition at 37 Union. Neither of these buildings contribute to the Landmark.

The three-story brick south addition (37 Union) was built in 1851 as an attachment to the original structure.⁵ Like the original building, the windows on the first level are surrounded by granite piers, sills and headers. There are three four-pane (3 x 1) window bays. The words "UNION GOODS" are painted in tan on dark brown painted granite headers. Granite blocks are located at the street level with brick above to the window sills. The windows on the second and third level consist of two six-pane (3 x 3) double-hung wooden sash windows. A metal fire escape from the southernmost windows on the second and third floors leads to the southernmost windows on the second and third floors of the original building, respectively. The windows which once opened on Marsh Lane are now all bricked in.

The Shepard Company occupied the 37 Union Street building in 1864. In the 1880s the Ar Showe laundry operated here. Mr. Showe was the first naturalized Chinese in America; the first Chinese to vote, and the first of his ethnicity to become a Freemason.⁶ In the 1950s Potters Lunch operated at the site. The Milano family purchased the building in January 1995 to expand the restaurant. It now contains a 25-person reception or banquet room on both the second and third floor. The second floor area is called the "37 Union Room" and the third floor the "Capen's Loft." From both rooms, the brick south façade of the original structure can be seen. Changes in the roofline (possibly at two different times) and what appears to be the location of an earlier stairway, which ran in the opposite direction of the present stairway, can be seen along this wall on the third floor.⁷

The 1916 four-story brick north addition (14-22 Marshall) replaces an earlier 3½-story brick structure. It has three doors on the first level. The southernmost door is a double door, the middle and north doors are single. The middle door is blocked and no longer used as an actual entrance. The north door has a relieving arch with keystone. To the north of the north door are two twelve-pane (4 x 4) windows, an identical window between the middle and south doors and

⁵ Donlyn Lyndon, *The City Observed, Boston: A Guide to the Architecture of the Hub* (New York: Random House, Inc.), 47; Research by Arthur Krim indicated in a letter to Ralph Eshelman dated May 18, 2001, that the earliest secure deed for the property is 1829, but that the building was probably built later circa 1840-1850. Mr. Krim has recently confirmed that 37 Union was built in 1851 based on research in the Boston tax records.

⁶ Newspaper clipping, n.d., believed to date about 1954, copy from Mary Ann Milano Collection.

⁷ Grady, "Union Oyster House," May 4, 2001, notes.

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two more identical sets on the south side of the south door followed by a nine-pane (3 x 3 x 3) window bay. Over the south door is a dark brown sign on which "THE UNION BAR/ UNION OYSTER/ HOUSE/ est. 1826" is painted in tan. This façade is lit by a series of goose neck lamps located at the top of the first story.

The second-story fenestration consists of three sets of nine-pane (3 x 3 x 3), eighteen-pane (6 x 6 x 6), and nine-pane (3 x 3 x 3) windows. The third and fourth levels have the same openings, but the windows are three sets of two-pane (1 x 1), four-pane (2 x 2), and two-pane (1 x 1) windows.

The heights of the floors on the south addition are higher, so the second and third floors do not line up with the original building. This is even more pronounced on the north addition, which though four-stories high, is one full floor higher than the original three-and-one-half-story building.

It contains several dining rooms, including The Heritage Room (Freedom Trail Room), with a capacity for 50 persons and decorated with three-dimensional dioramas depicting all the stops along the Freedom Trail in Boston. The Union Bar, opened in August 1983, is on the first level with a capacity to accommodate 300 persons. The Webster's Den, with a capacity to accommodate 125 persons, recreates eating booths similar to the oyster bar that are identified by number.

Changes in Historic Physical Appearance

The most significant changes are the early-nineteenth-century exterior alterations and the mid-nineteenth-century alteration of interior spaces within the original building.⁸ While the physical setting of this building was greatly altered by the construction of the south building addition in 1851 and the building of the north building in 1916, the original building is little changed. When the residential dwelling was altered for use as a restaurant (probably after it was used as a dry goods store) in the early nineteenth century, the original windows on the first floor were removed and replaced by the present much larger window bays. It was at this time that the original brick on the lower level below the store front windows is believed to have been replaced by the granite piers, headers and sills. Interestingly, photographic evidence reveals that brick was either used to infill below the new granite window sills and covered with granite slabs or panels on the Union Street façade which were later removed revealing the later brick, or the slabs were removed for some reason and completely replaced by new brick. Because the brick below the storefront windows is flush with the façade, replacement by brick is the most plausible conclusion. Probably at this time the interior of the first floor was altered into the oyster bar and booth floor plan which essentially remains the same today. The booth swinging half-doors were removed at an unknown date after 1927. A drum-shaped iron coal stove was used for heat until at least 1933 before being replaced by a steam radiator. Before the turn of the nineteenth

⁸ Recent analysis of the building's construction history by Matthew Kieffer and Arthur Krim suggests that the peculiar angle in the façade of the Union Oyster house was caused by a widening of Marshall Lane by 6 feet in 1857. The façade of this section of the building appears to have been substantially rebuilt, set back along the new street alignment. Arthur Krim, personal communication, September 9, 2002.

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century, a metal grillwork covered the lower level of the window bays.⁹ The window bay on the south side of the Union Street entrance, which is now a twelve-pane (4 x 4 x 4) window bay, and the window to the north of the entrance, which is now a 15-pane (5 x 5 x 5) window bay, were four-over-one or five-over-one window bays in the 1920s through the 1950s. In the 1950s goose neck lights were located on the eaves of the roof to illuminate the oyster house.

The current asphalt shingle roof was installed in 1997 replacing the slate roof. An elevator was added in 1922. During the Atwood ownership, the dormer windows were eight-pane (4 x 4) double-hung wooden sash windows. The dormers were removed about 1895 and replaced with skylights, and subsequently rebuilt in 1938. The fire escape was added in 1933-34. At the same time, a vertical neon advertisement sign was hung at the angle of the front façade. This was replaced by the present box sign in 1956. The goose neck metal lamps above the first level of Marshall Street may also date from this 1933-34 time period. The large roof sign was added in 1957. A bay window was once added over the northernmost window of the second story of the original building. Interestingly, some sort of a stove apparently was placed inside this expanse as evidenced by a stove pipe protruding above it. Painted on the six pane bay window on the upper row is "LADIES & GENTS" followed by "H. ATWOOD OYSTERS" followed by "LADIES & GENTS." On the lower row is "OYSTER HOUSE" followed by "WHOLESALE & [illegible]" followed by "OYSTER HOUSE." Because of the convex shape of the window, it essentially served as a sign for the oyster house. This bay window was removed circa 1926.

When the north building was connected to the original building, two of the original booths were removed. A lobster holding tank was added to the east of the oyster bar. Mr. Joseph Milano, present owner, pointed out that because of the constant dripping of water from the shucking bar, the floor under the bar has been replaced numerous times.

⁹ "...Farren Has "Shucked 'Em for 50 Years at Famous Connter," ca. 1927, Collection of Mary Ann Malino; "The Roving Reporter: O Tempora, O Mores!-Change at Last Comes to the Union Oyster House - After 107 Years a Modern Section Is added - But There's Still the Sawdust," 1933, Collection of Mary Ann Milano.

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State Significance of Property, and Justify Criteria, Criteria Considerations, and Areas and Periods of Significance Noted Above.

The Union Oyster House has been a cathedral, or more properly speaking a chapel, of seafood, its high altar the oyster bar, its acolytes and priests the white-coated experts who render available and edible its Cotuits [type of oyster] and Little Necks, its worshippers [sic] the patrons whose mouths water and whose nostrils quiver at the salt odor of lobster broiling on a coal fire in its kitchens.¹⁰

The Union Oyster House is architecturally significant as the earliest building located within Blackstone Block and as one of the earliest standing brick buildings in Boston. It also is a rare surviving example of Boston's Georgian architecture. Here was the home of Isaiah Thomas, where he published the *Massachusetts Spy* from 1771 to 1775. At this site the Duc de Chartres, later Louis Philippe, King of France, was a guest and he taught French to prominent Bostonians here. Finally, it is the oldest continually operating restaurant and oyster bar in the United States.

Union Street, named in 1707, essentially runs north/south, evenly dividing Boston east and west. Marshall Street was first recorded in 1652 and Marsh Lane first appears in 1678.¹¹

Consumption of Oysters

When we hear or read the word "oyster" we typically think of food. An oyster is considered either a savory treat, not unlike chocolate or lobster, or a food demanding an acquired taste, such as snails or sushi. O. G. Carpenter, manager of the Long Island Oyster Growers Association, states that the oyster is

the most tender and delicate of all sea foods . . . They never work or take any exercise. They are a dainty, easily digested morsel because their idling never builds any tough muscular tissues. They are free from sinewy, coarse grain fibers. They are moist and mellow to the palate.¹²

Oysters are easily and quickly prepared in many ways, including raw, pickled, stewed, roasted, steamed, boiled, blanched, poached, grilled, fried, skewered, smoked, and scalloped. They are used in soups, bisques, gumbos, sauces, sausages, salads, omelets and scrambled eggs, fritters, patties, curries, pies, and puddings. Oyster meat is an excellent source of high-quality protein, minerals, and vitamins. Oysters are regarded by the National Heart and Lung Institute as a healthy food due to their low-cholesterol and high nutritional value.¹³

Oysters were a nineteenth-century fast food which could be obtained either raw or sometimes roasted from street vendors. Street peddlers circulated throughout the larger cities of the United States, carrying containers of oysters in their hands, strung from shoulder yokes, or in push carts. Restaurants, bars, and saloons, even in cities of modest size, catered to the popularity of oysters,

¹⁰ Codfish Cathedral by Lucius Beebe, *New York Herald Tribune*, September 27, 1931.

¹¹ Annie Haven Thwing, *The Crooked and Narrow Streets of Boston* (Boston: Marshall Jones Co., 1920), 86-87.

¹² Hector Bolitho, *The Glorious Oyster* (New York, Horizon Press, Inc., 1961), 15.

¹³ National Consumer Educational Services Office, National Marine Fisheries Service, U.S. Department of Commerce, *Oysters*, Chicago, Illinois, 2.

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many incorporating the word "oyster" in their name. The first known public serving of oysters in the American colonies occurred when a primitive saloon located in a New York City cellar opened in 1763. For sit-down meals oysters were usually served in stews or roasted, fried or broiled. Oyster cellars (19th-century restaurants located below street level specializing in serving oysters) in New York City, Boston, and Providence became gathering places for politicians and social elite, not unlike the coffee houses of Europe. Customers selecting New York City's "Canal Street Plan" could eat all the oysters they wanted for a set price; those who became too greedy were slipped a bad oyster to curb their appetite. Among the oldest and best known oyster restaurants still in operation today are Union Oyster House which was founded in Boston in 1826; Antoine's Restaurant, New Orleans, which dates from 1868, where the Oyster Rockefeller was concocted in 1899; and the famed oyster bar at New York's Grand Central Terminal which dates from 1913.

Raw oyster bars have long been gathering centers for connoisseurs of the oyster. In many parts of the world, holidays are traditionally celebrated with oysters. In much of the United States, particularly along the East Coast, Thanksgiving and Christmas dinners frequently include oysters.¹⁴ An 1841 oyster supper is described as follows:

...it is usual to have all the various preparations of oysters, fried, stewed, broiled, roasted, raw and in patties. Potatoes mashed, and browned, are generally added. The roasted oysters are served in the shell, on very large dishes, and bought in "hot and hot", all the time, as they are generally eaten much faster than they can be cooked. Small buckets (usually of maple or stained wood, with brass hoops) placed on the floor, for the purpose of receiving the shells, beside the chairs of the gentlemen; as the business of opening the oysters mostly devolves on them. At the right hand of each plate is placed a thick folded towel and an oyster knife, which is used only to open the shell.¹⁵

Plates, spoons, and forks specifically designed for serving and eating oysters became popular and are collectors items today. During the Victorian Age, U.S. President Rutherford B. Hays, in office from 1877 to 1881, commissioned oyster plates in his presidential china set. Steam- or gas-fired oyster stews and steamers were commercially made and sold to restaurants and private homes.¹⁶

Durgin Park's Restaurant located at Faneuil Hall reputedly dates from 1827. Nearby Union Oyster House is documented as opening in October 1826. At Union Oyster House oysters are available raw, broiled, fried, stewed, roasted, and in sandwiches. A tradition is to serve Boston baked beans gratis every Saturday, and guests are offered a glass of iced tea whenever the

¹⁴ Robert H. Robinson, *The Illustrious Oyster Illustrated* (Georgetown, Delaware: The Shellfish Series, Sussex Prints, Inc., 1983), 81.

¹⁵ Miss Lesli's House Book, 1841, reprinted in *Maryland's Way: The Hammond-Harwood House Cook Book* (Annapolis: Hammond-Harwood House Association, 1963), 351.

¹⁶ Kochiss, *Oystering from New York to Boston* (Middletown, Connecticut: Wesleyan University Press for Mystic Seaport, Inc., 1974), 37-39; and Jim Karsnitz and Vivian Karsnitz, *Oyster Plates* (Atglen, Pennsylvania: Schiffer Publishing, Ltd., 1993), 8-11 and 32. The oyster plates were designed by Theodore R. Davis, an artist employed by *Harper's Weekly* and made by the Haviland Company of France.

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temperature goes above 85 degrees. The clam chowder recipe has remained essentially unchanged for nearly the past two centuries.¹⁷

Pre-Oyster House History

The date of construction for the building at 41-43 Union Street is undetermined. Frank C. Brown gives a date of 1704, while the Historic American Buildings Survey report for Union Oyster House states “built prior to 1714.” Lyndon’s *The City Observed: Boston, A Guide to the Architecture of the Hub* gives the date as circa 1715. He states that the Union Oyster Street portion was built between 1713 and 1717, and the Marshall Street portion was a 1724 addition. Lyndon gives no justification for these dates. The Boston Landmarks Blackstone Block landmark nomination gives a circa 1730 date for the structure.¹⁸ Research by Arthur Krim indicates a “newly built Brick Messuage or Tenement” on Union Street can be traced back to a deed dated September 13, 1717, from the first owner, John Savell (also spelled “Sawell”) (a tailor), to John Green. This indicates the house dates from circa 1716 to 1717; but clearly the house stood by September 13, 1717. The house is unlikely to date prior to this time as the 1713 deed lists the sale of the property at only £50 and does not mention a dwelling, whereas the 1741 deed lists the sale price as £1800 (see discussion below).¹⁹

John Cosser purchased “a piece of ground” for £50 in 1679 from near the “Great Dock to Mill Creek” (deed 11-242). Boston’s first town crier, Wm. Curser (probably “Cosser”), a cobbler, is reputed in to have owned in 1657 a small home which once occupied the site of the Union Oyster House. John Sawell purchased the property in 1713 (deed 27-223). James Pierpoint purchased the property in 1717 (deed 32-67). Phillips Chamberlain bought the property in February 1741 (deed 62-266) for £1,800, while Thomas Stoddard bought the property for the same amount in 1742 (deed 63-69).²⁰

Here, possibly on the third floor, Isaiah Thomas published the *Massachusetts Spy* from 1771 until April 1775, when hostilities forced his move to Worcester, Massachusetts. Thomas became one of the most prominent publishers of his time, printing criticisms of British rule. Thomas conceived the idea for a newspaper of tabloid size that would appeal to “mechanics and other classes of people who had not much time to spare from business.” His newspaper was read or quoted throughout the thirteen colonies and he has been called the “father of the modern

¹⁷ “Union Oyster House,” 1960, Collection of Mary Ann Milano; “Ye olde Union Oyster House; America’s Oldest Restaurant: Celebrating 175 Years,” promotional newspaper distributed by Union Oyster House, 2001, 13.

¹⁸ Donlyn Lyndon, *The City Observed, Boston: A Guide to the Architecture of the Hub* (New York: Random House, 1982), 47; “Blackstone Block Street Network,” Boston Landmarks Commission, landmark nomination, 1983, 23.

¹⁹ Arthur Krim to Abbott L. Cummings, April 13, 2001; Arthur Krim to Ralph Eshelman, March 28, 2001; Cummings unpublished manuscript.

²⁰ Arthur Krim to Ralph Eshelman, March 28, 2001; Krim points out that James Pierpoint is the Rev. Pierpoint who was an original founder of Yale College and a Harvard College graduate in 1681. He died in November 1714, his third wife Mary Hooker, is listed in a side script from the 1717 deed (32-67). Her death in 1740 seems to coincide with the sale of the property to Chamberlain-Stoddard in 1741-1742.

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American printing and publishing business.” He set up a system of post riders, who ostensibly were delivering copies of the *Spy* but at the same time were carrying messages of communications for the patriots’ committees of correspondence. On March 10, 1775, Thomas Ditson was caught trying to convince a British grenadier to desert or part with his musket for a price. Knowing that no civil court would convict him, the British officer in command ordered him stripped, tarred and feathered, and paraded through the streets of Boston. Halting in front of the *Spy* office, it is reputed some of the soldiers shouted “the printer of the *Spy* shall be the next to receive this punishment.” The last issue of the *Spy*, printed at what is now Union Oyster House, was on April 6, 1775, three days prior to Lexington-Concord. Thomas abandoned his office on April 16, 1775.²¹

Ebenezer Hancock, paymaster for the Continental Army, had his headquarters here in 1775. Thomas Stoddard’s daughter, Patience, and her husband Hopestill Capen, inherited the property and operated a dry goods store known as “At the sign of the Cornfields.” Benjamin Thompson, of Woburn, apprenticed to Capen at the age of 16 in 1769, was charged in 1776 with being a Tory. He went to England as bearer of dispatches, and returned as Under-Secretary for the Colonies in 1780. Upon returning to England in 1783 he was knighted and later took the name Count Rumford. A scientist, Thompson lived in the attic of Capen’s house when he clerked there. He is reputed to be the first to use invisible ink during his spying activities for the British in 1773-1775. Capen’s son, Thomas, inherited the property in 1807, and continued to operate it as a shop until his death in 1819. It was Thomas who imported silks and fancy dress goods from London and Paris, giving the shop its well-known reputation.²² In 1796 the Duc de Chartres, later Louis Philippe, lived in exile at the property after the French Revolution before moving in 1800 to England and later becoming the “Citizen King” of France from 1830 until 1848. While living at Capen’s he taught French, and possibly dancing, to fashionable Bostonians. Another youth who clerked here was Thomas Parkman, who later became a famous Boston merchant. The first floor of the structure was altered in 1790 but the exact nature of that alteration is not known.²³

History of Union Oyster House

The year 2001 marks the 175th anniversary of the beginning of the Union Street Oyster House at 41 and 43 Union Street. Hawes Atwood founded the oyster house on October 7, 1826. His son, Charles F., was later associated with the business. The Atwood family is known to have operated oyster shops in Boston since at least 1818.²⁴ Originally known as Atwood’s Oyster

²¹ *Final Report of the Boston National Historic Sites Commission* (Washington, D.C.: U.S. Government Printing Office, 1961), 66-67; George F. Weston, Jr., *Boston Ways* (Boston: Beacon Press, 1957), 56.

²² Marjorie Drake Ross, *The Book of Boston: The Colonial Period, 1630-1775* (New York: Hastings House Publishers, 1960), photo p. 65; and Rev. Charles Albert Hayden, *The Capen Family: Descendants of Bernard Capen of Dorchester, Mass* (Minneapolis: Augsburg Publishing House, 1929).

²³ Lyndon, *City Observed*, 47.

²⁴ Hawes Atwood was the son of Stephen and Sally [Holbrook] Atwood. He was born in Wellfleet, September 20, 1811, and married Sarah S. Smith of Wellfleet on February 28, 1833. He resided at 305 Broadway, Boston, in 1893. Biographical information from nntitled 1893 source in files of Mary Ann Milano. The *Boston Directory* for the years 1818-1827 indicates a Stephen Atwood operated an oyster shop at 8 Water Street from 1818

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House, it became Atwood & Hawes from approximately 1842 to 1860, and Atwood & Bacon from circa 1880-1895 to 1916. At this point it is believed that the open coal range on which oysters were roasted was installed in the kitchen. In 1916 the establishment was referred to simply as Union Oyster House, the name it holds today.

An 1854 newspaper advertisement reads, "Prime Oysters at that old noted house of W. & H. Atwood, nos. 41 to 43 Union Street. At 50 cents per bushel; clear or solid \$1 per gallon; and their liquors 62½ cents per gallon." It is not understood today to what "clear" or "solid" referred to.

Circa 1890, Charles Forster introduced the toothpick to America at Union Oyster House. Forster noticed the natives of South America whittled slivers of wood to remove particles of food from between their teeth. Forster developed a toothpick machine and opened a plant, but he could not get restaurant owners interested in his invention. Tradition holds that he offered some Harvard scholars on limited budgets a fine meal if they would request toothpicks after they ate. Forster chose Union Oyster House to test his scheme. After five or six well-dressed Harvard men complained loudly for toothpicks the restaurant began to offer them on small trays after meals. The tradition spread to other Boston restaurants and finally to the rest of the country.²⁵

After 87 years, the Atwood family sold the oyster house in 1913 to the Fitzgerald family who owned the property until at least 1927. The Greaves brothers of Nova Scotia, Canada, owned the property by 1940. Frederick L. Greaves served as treasurer, Chester T. Greaves as manager of the Canal Street satellite restaurant, and Laurence A. Greaves served as general manager of the restaurant.

During the second quarter of the twentieth century, the Union Oyster House operated two satellite operations, one at 143 Stuart Street which opened in 1932, and a second at 122 Canal Street which opened in January 1940. Both of these operations lasted at least until 1962 although the Stuart Street establishment closed briefly after a fire in August 1961. Sometime during the 1960s the Stuart Street establishment enlarged into an adjoining building.²⁶

In 1933 the Union Oyster House expanded by opening a second floor dining room capable of seating 50 people. During the remodeling of this second floor, partitions were removed which

to at least 1825 [the 1818 directory lists the shop at 8 Water Street while the 1823 directory actually lists the address as 7 Water Street; the 1825 directory only states Water Street]. In 1823 a David Atwood operated an oyster shop on Wilson Lane. William Atwood operated an oyster shop at 23 School Street from at least 1823 to at least 1826. David Atwood operated an oyster shop on Devonshire Street from at least 1825 to 1827. In 1827 Ezekiel Atwood and his son operated an oyster shop at 143 Ann Street. A Joshua Atwood operated an oyster shop at 8 Elm Street in 1827. Stephen and William Atwood are listed as "oysters" Union Street in 1827. This is probably the same William that operated an oyster shop on 23 School Street from 1823 to 1826. It is not clear if this Union Street operation is the same as 41 Union Street, but likely.

²⁵ "Harvard University Students Made Toothpicks Respectable," n.d., Collection of Mary Ann Milano.

²⁶ John H. Fenton, "A Taste of Boston: Visitor to Hub City Has Wide Choice of Time-Proven Eating Places," *The New York...*, November 19, 1961.

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uncovered the fireplace now in the restaurant's Pine Room; a second fireplace is located above this one on the third floor in the office.²⁷

In 1941 the oyster house opened three new dining rooms on the second floor and installed a new kitchen and bakery with all new cooking and dishwashing equipment.²⁸ The oyster house sported sawdust floors as late as 1946. At one time the oyster house is reputed to have sold 35,000 oysters in one day; by 1949, only about 7,000 per day were sold.²⁹

In 1951 a three-alarm fire swept the second floor of the oyster house. Though three firemen were injured and the entire structure threatened, the original oyster bar and booths were unharmed. In that year the owners were Fred and Laurie Greaves. Laurie managed the Union Street establishment while nephews Robert P. and Russell managed the Stuart and Canal Streets establishments.³⁰ The Greaves sold the restaurant in 1970 to Joseph Milano, Sr., Joseph A. Milano, Jr. and Mary Ann Milano, the present owners. The Milano family expanded the restaurant in 1982 by purchasing the adjacent 14-22 Marshall Street property and in January 1995 by purchasing the adjacent 37 Union Street property. Today the restaurant complex can serve 1,000 meals a day.

Famous patrons at Union Oyster House include Senator Daniel Webster, who was a regular in the 1840s and 1850s. Webster reputedly drank a tall tumbler of brandy and water with each half dozen oysters and seldom had less than six plates at a seating. Presidents Calvin Coolidge, Franklin D. Roosevelt, John F. Kennedy, and William Clinton, as well as governors, athletes, and stage and screen stars visiting Boston, have all eaten at Union Oyster House.

Many members of the Kennedy family have been frequent patrons of the Union Oyster House over the years. When in Boston, President Kennedy visited the oyster house nearly every Sunday at noon to read the Sunday paper and eat lobster stew. He preferred the privacy of the upstairs dining room. His favorite booth, number 18, now has a dedication plaque which reads, "DEDICATED MAY 1977/ THIS WAS/ THE FAVORITE BOOTH OF/ JOHN F. KENNEDY/ WHEN HE DINED AT THE/ UNION OYSTER HOUSE." Sen. Edward M. Kennedy still frequents the restaurant about once a month.

Other famous patrons included both local and national figures; Theodore Whitney, who inaugurated the January clearance sale and introduced the first housemaid's uniform and Charles Hovey, who opened Boston's first department store, both ate here. Other visitors include Paul Newman, Steven Spielberg, Luciano Pavarotti, Robin Williams, Billy Crystal. Sammy Sosa,

²⁷ "The Roving Reporter: O Tempora, O Mores!-Change at Last Comes to the Union Oyster House - After 107 Years a Modern Section Is added - But There's Still the Sawdust," 1933.

²⁸ "Union Oyster House Doubles Capacity" newspaper clipping dated 1941, Collection of Mary Ann Milano.

²⁹ "Lister, Lady...Old Oyster House Has Best, And Last, Steak in Boston," *Times Herald*, September 8, 1946; "Union Oyster House," 1949, Collection of Mary Ann Milano.

³⁰ "Blaze Sweeps Hub Landmark: Union Oyster House in North End Damaged by Three-Alarm Fire-Several Firemen Injured," *Boston Post*, June 11, 1951; "Boston's Oldest Restaurant Celebrates 125th Anniversary," 1951, Collection of Mary Ann Milano.

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Larry Bird, Ted Koppel, Dan Rather, Meryl Streep, Robert Redford, Al Pacino, Wayne Newton, Ozzy Osborn, Alanis Morissette, and the entire 1999 Ryder Cup Team. Pavarotti sang “happy birthday” impromptu when he realized the group sitting next to him was so celebrating.³¹

Perhaps the most famous person associated with the oyster house was James “Jim” Farren, better known as “Pop,” who shucked oysters at the oyster bar for 65 years (from approximately 1869 to 1934).³² However, Jack Coleman, President of Pennsylvania’s Haverford College worked as a salad man here in total anonymity for a few months during his sabbatical so he could secretly sample one of America’s rigorous jobs and lifestyles.³³

Frank Kelleher (date unknown) ate a total of 120 oysters one evening at Union Oyster House, breaking the previous record of 84 oysters eaten by a Harvard student in 1916.³⁴ Thomas Marshall was the head chef from 1922 to at least 1957.³⁵ William E. Coyne is the current executive chef.

The Union Oyster House was listed in the National Register of Historic Places in 1973 as part of the Blackstone Block historic district. This 2.3-acre area contains the largest intact (unwidened and unstraightened) fragments of Boston’s original seventeenth-century street patterns. The present streets were virtually established by 1676. Union Street may date back to Boston’s first year of settlement, 1630, though it was only formally named in 1708.³⁶

³¹ Lucius Beebe, “Codfish Cathedral,” *New York Herald Tribune*, September 27, 1931; “Ye olde Union Oyster House; America’s Oldest Restaurant: Celebrating 175 Years,” promotional newspaper distributed by Union Oyster House, 2001, 14-15; photographs of former president Bill Clinton at Union Oyster House in *Boston Globe*, March 27, 2001.

³² “First Opened Doors in 1826: Three Places Now Under Same Ownership,” no date but 1940 or later, no source, Collection of Mary Ann Milano; Lucius Beebe, *Boston and the Boston Legend* (1936), 171.

³³ Union Oyster House, <http://www.nionoysterhouse.com>.

³⁴ “Eats 120 Oysters for Meal: A Brockton Man Is All-Time Champ In His Line,” n.d., Collection of Mary Ann Milano.

³⁵ Inne Green Cameron, no title, n.d. but it appears to be from 1957, Collection of Mary Ann Milano.

³⁶ Miguel Gomez-Ibanez, “Preserving Three Hundred Fifty Years of Change in the Blackstone Block,” *Old-Time New England* (Summer-Fall, 1977), 19-21; “Blackstone Block Street Network,” Boston Landmarks Commission, landmark nomination, 1983, 4, 17 and 20.

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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: #MASS 127
- Recorded by Historic American Engineering Record: #_____

Primary Location of Additional Data:

- State Historic Preservation Office
- Other State Agency
- Federal Agency, National Maritime Initiative, National Park Service, Washington, D.C.
- Local Government
- University
- Other (Specify Repository): Mary Ann Milano Collection, 41 Union Street, Boston.

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10. GEOGRAPHICAL DATA

Acreage of Property: less than one acre

UTM References:	Zone	Northing	Easting
A	19	4691903	330307

Verbal Boundary Description:

The boundary includes 3 buildings (37 Union Street, 41-43 Union Street, and 14-22 Marshall Street) located in the block bounded by Union Street, Marshall Street, Creek Square and Marsh Lane. The boundary, shown on the attached map, excludes the building located at 12 Marshall Street which is also located within the block.

Boundary Justification:

This boundary encompasses the original building, the 1851 south building addition, and the 1916 north addition. Neither the south addition (incorporated into the restaurant after 1995) nor the circa 1916 north building addition (incorporated into the restaurant after 1982) contribute to the national significance of the property.

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11. FORM PREPARED BY

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Date: May 31, 2001

This nomination was aided significantly by Arthur Krim, Survey Systems, Cambridge, and Anne Grady. Their contribution has added considerably to this nomination.

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DESIGNATED A NATIONAL HISTORIC LANDMARK
May 27, 2003