

Form 10-300
(July 1969)

UNITED STATES DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

**NATIONAL REGISTER OF HISTORIC PLACES
INVENTORY - NOMINATION FORM**

(Type all entries - complete applicable sections)

STATE: Massachusetts	
COUNTY: Essex	
FOR NPS USE ONLY	
ENTRY NUMBER	DATE

1. NAME

COMMON: **Caleb Cushing House**

AND/OR HISTORIC: **Caleb Cushing House**

2. LOCATION

STREET AND NUMBER: **98 High Street**

CITY OR TOWN: **Newburyport**

STATE: **Massachusetts** CODE: COUNTY: **Essex** CODE:

3. CLASSIFICATION

CATEGORY (Check One)	OWNERSHIP	STATUS	ACCESSIBLE TO THE PUBLIC
<input type="checkbox"/> District <input checked="" type="checkbox"/> Building <input type="checkbox"/> Site <input type="checkbox"/> Structure <input type="checkbox"/> Object	<input type="checkbox"/> Public <input checked="" type="checkbox"/> Private <input type="checkbox"/> Both	Public Acquisition: <input type="checkbox"/> In Process <input type="checkbox"/> Being Considered	<input checked="" type="checkbox"/> Occupied <input type="checkbox"/> Unoccupied <input type="checkbox"/> Preservation work in progress
PRESENT USE (Check One or More as Appropriate)			
<input type="checkbox"/> Agricultural <input type="checkbox"/> Commercial <input type="checkbox"/> Educational <input type="checkbox"/> Entertainment	<input type="checkbox"/> Government <input type="checkbox"/> Industrial <input type="checkbox"/> Military <input checked="" type="checkbox"/> Museum	<input type="checkbox"/> Park <input type="checkbox"/> Private Residence <input type="checkbox"/> Religious <input type="checkbox"/> Scientific	<input type="checkbox"/> Transportation <input type="checkbox"/> Other (Specify) _____ <input type="checkbox"/> Comments _____ _____ _____

4. OWNER OF PROPERTY

OWNER'S NAME: **Historical Society of Old Newburyport,
c/o Mrs. Wilhelmina Lunt**

STREET AND NUMBER: **98 High Street**

CITY OR TOWN: **Newburyport** STATE: **Massachusetts** CODE:

5. LOCATION OF LEGAL DESCRIPTION

COURTHOUSE, REGISTRY OF DEEDS, ETC.: **Essex County Courthouse**

STREET AND NUMBER:

CITY OR TOWN: **Newburyport** STATE: **Massachusetts** CODE:

6. REPRESENTATION IN EXISTING SURVEYS

TITLE OF SURVEY: **Historic American Buildings Survey**

DATE OF SURVEY: **1836; 1940; 1941** Federal State County Local

DEPOSITORY FOR SURVEY RECORDS:
Historic American Buildings Survey, National Park Service

STREET AND NUMBER: **1100 I. Street, N.W.**

CITY OR TOWN: **Washington** STATE: **D.C.** CODE:

SEE INSTRUCTIONS

STATE:

COUNTY:

ENTRY NUMBER

DATE

FOR NPS USE ONLY

7 DESCRIPTION

CONDITION

Excellent Good Fair Deteriorated Ruins Unexposed

(Check One)

(Check One)

 Altered Unaltered

(Check One)

 Moved Original Site

DESCRIBE THE PRESENT AND ORIGINAL (if known) PHYSICAL APPEARANCE

William Hunt began construction of the house sometime after he purchased the land in 1808 but died before it was completed. Purchased by John Cushing, it remained in that family for three generations. The square, three-story brick house with cupola is a fine example of Federal architecture. The skill of Newburyport craftsmen is evident in the elaborate and beautifully-carved wood cornice.

The house, which is five bays wide and five bays deep, has a standard center-hall plan with parlors to either side and rooms to the rear of the parlors. The basement, which has been partially modernized for civic gatherings, appears to have contained the kitchen. The second floor, reached by the stairway in the center hall, has a plan similar to the first floor. The third floor wings are reached separately by a split staircase from the second floor. The cupola was built in 1863 to provide a nursery.

The house in which Cushing lived from 1802 until 1849 is in fine repair and very well cared for by the Historical Society of Old Newburyport which uses the house as headquarters. The interiors, including the ornate mantels, woodwork, and paneling are intact. In 1849, when Cushing moved to another location in Newburyport, he continued to use the family house for social and political functions.

SEE INSTRUCTIONS

8. SIGNIFICANCE

PERIOD (Check One or More as Appropriate)

- | | | | |
|--|---------------------------------------|--|---------------------------------------|
| <input type="checkbox"/> Pre-Columbian | <input type="checkbox"/> 16th Century | <input type="checkbox"/> 18th Century | <input type="checkbox"/> 20th Century |
| <input type="checkbox"/> 15th Century | <input type="checkbox"/> 17th Century | <input checked="" type="checkbox"/> 19th Century | |

SPECIFIC DATE(S) (If Applicable and Known) **1802-1849**

AREAS OF SIGNIFICANCE (Check One or More as Appropriate)

- | | | | |
|---|---|---|--|
| <input type="checkbox"/> Aboriginal | <input type="checkbox"/> Education | <input checked="" type="checkbox"/> Political | <input type="checkbox"/> Urban Planning |
| <input type="checkbox"/> Prehistoric | <input type="checkbox"/> Engineering | <input type="checkbox"/> Religion/Philosophy | <input type="checkbox"/> Other (Specify) |
| <input type="checkbox"/> Historic | <input type="checkbox"/> Industry | <input type="checkbox"/> Science | _____ |
| <input type="checkbox"/> Agriculture | <input type="checkbox"/> Invention | <input type="checkbox"/> Sculpture | _____ |
| <input type="checkbox"/> Architecture | <input type="checkbox"/> Landscape Architecture | <input type="checkbox"/> Social/Humanitarian | _____ |
| <input type="checkbox"/> Art | <input type="checkbox"/> Literature | <input type="checkbox"/> Theater | _____ |
| <input type="checkbox"/> Commerce | <input type="checkbox"/> Military | <input type="checkbox"/> Transportation | _____ |
| <input type="checkbox"/> Communications | <input type="checkbox"/> Music | | _____ |
| <input type="checkbox"/> Conservation | | | _____ |

STATEMENT OF SIGNIFICANCE

SEE INSTRUCTIONS

During the germinal days of America's growth to world power, initialed in the generation before the Civil War, Caleb Cushing, diplomat and politician, played an instrumental role in securing the position of the United States in China. In negotiating the treaty of Wanghia in 1844, he secured for the United States diplomatic and trade privileges equal to that of every major colonial power recognized by China and in so doing laid the foundation for American imperial interests in the Far East. By recognizing that China herself favored equality of trade as a counter to the exclusive and extortionate privileges wrested from her by the British under the treaty of Nanking (1842), he obtained most-favored nation privileges and thus eliminated British hegemony in China. This first American treaty with China has been called by diplomatic historian Samuel Flagg Bemis, "the legal matrix of China's international relations for the next decade, until the treaties of Tiensten."¹ While this new policy of equality enabled China, to some extent, to play one county against another, it really became "a device by which every nation thereafter could secure for itself any privilege which had been extorted by some other power . . ."² Because this treaty and others for which it served as a model insisted on extra-territorial rights and tariff controls, these treaties came to be known as the "unequal treaties" and became a standing grievance of China against the West. The issue was unresolved until World War II when the western powers sought China as an ally.

In addition to this diplomatic success, Cushing pursued an active political and legal career. He is particularly noted for his pioneering insistence on preserving public office from the taint of conflict of interest and was the first Attorney General to sever all connections with his private legal practice. Emerson declared Cushing to be the most eminent scholar of his day and Wendell Phillips once said Cushing was the most learned man living at the time.

1. Samuel Flagg Bemis, A Diplomatic History of the United States (New York, 1938), p. 346.
2. Ibid., quoting Tyler Dennell, Americans in Eastern Asia (New York, 1927), p. 111.

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9. MAJOR BIBLIOGRAPHICAL REFERENCES

Bemis, Samuel Flagg, A Diplomatic History of the United States,
 New York, Henry Holt & Company, 1938.
 Pratt, Julius W., A History of the United States Foreign Policy,
 New York, Prentice-Hall, 1955.

10. GEOGRAPHICAL DATA

LATITUDE AND LONGITUDE COORDINATES DEFINING A RECTANGLE LOCATING THE PROPERTY			O R	LATITUDE AND LONGITUDE COORDINATES DEFINING THE CENTER POINT OF A PROPERTY OF LESS THAN TEN ACRES		
CORNER	LATITUDE	LONGITUDE		LATITUDE	LONGITUDE	
	Degrees Minutes Seconds	Degrees Minutes Seconds		Degrees Minutes Seconds	Degrees Minutes Seconds	
NW	° ' "	° ' "		42° 48' 24"	70° 52' 16"	
NE	° ' "	° ' "				
SE	° ' "	° ' "				
SW	° ' "	° ' "				

APPROXIMATE ACREAGE OF NOMINATED PROPERTY **less than one acre**

LIST ALL STATES AND COUNTIES FOR PROPERTIES OVERLAPPING STATE OR COUNTY BOUNDARIES

STATE:	CODE	COUNTY	CODE
STATE:	CODE	COUNTY:	CODE
STATE:	CODE	COUNTY:	CODE
STATE:	CODE	COUNTY:	CODE

11. FORM PREPARED BY

NAME AND TITLE:
 Benjamin Levy, Senior Historian

ORGANIZATION: Division of History, Office of Archeology and Historic Preservation, National Park Service

DATE: June 27, 1973

STREET AND NUMBER:
 1100 L Street, N.W.

CITY OR TOWN: Washington

STATE: D.C.

CODE: _____

12. STATE LIAISON OFFICER CERTIFICATION

NATIONAL REGISTER VERIFICATION

As the designated State Liaison Officer for the National Historic Preservation Act of 1966 (Public Law 89-665), I hereby nominate this property for inclusion in the National Register and certify that it has been evaluated according to the criteria and procedures set forth by the National Park Service. The recommended level of significance of this nomination is:

National State Local

Name _____

Title _____

Date _____

I hereby certify that this property is included in the National Register.

 Chief, Office of Archeology and Historic Preservation

Date _____

ATTEST:

 Keeper of The National Register

Date _____

SEE INSTRUCTIONS

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(Continuation Sheet)

STATE	
Massachusetts	
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(Number all entries)

8. Significance: (1) Caleb Cushing House
Biography

The American statesman, Caleb Cushing, was born in 1800, in Salisbury, Massachusetts. Two years later, the family moved to the prosperous shipping town of Newburyport, Massachusetts, where Caleb Cushing was to be the town's foremost citizen for half a century. He graduated from Harvard in 1817, spent a year at Harvard Law School and was admitted to the Massachusetts bar in 1821. While building his law practice in Newburyport, he edited the local newspaper, delivered many public addresses, mastered at least four modern languages and entered aggressively into politics. He served in the Massachusetts General Court as a state senator.

Cushing was elected to Congress in 1834--a time when the slavery question was being revived. He disliked slavery on moral grounds but, like many of his contemporaries, felt the Federal Government had no constitutional right to interfere with it. He believed it was more important to preserve the Union than to abolish slavery and his political career was based on this devotion to the Union.

He served four consecutive terms in Congress and during the first two he was an entirely orthodox and accredited Whig. His defense of President Tyler's veto of the National Bank in 1841 caused his alienation from the Whigs and his joining the Democrats until 1861, when he shifted to the Republican party.

Tyler appointed Cushing commissioner to China, where he arranged the Treaty of Wanghia. This treaty opened five major Chinese ports to American trade and authorized the stationing of consular officers at these ports. It authorized acquisition of property and granted Americans the right of extra territoriality which permitted an accused American citizen in China to be tried by an American official under American law.

Cushing, an apostle of "manifest destiny," favored the acquisition of Texas and Oregon and was, later, a strong advocate of the annexation of Cuba. In 1847, he raised a regiment with his own funds, and went to Mexico, but arrived after the fighting.

In 1851, after securing the incorporation of Newburyport as a city, he was elected its first mayor. A year later he resigned and entered President Pierce's cabinet as Attorney General. He elevated that office by being the first incumbent to hold strictly to its duties and refraining from private law practice.

With the outbreak of the Civil War he offered his services to Governor Andrew of Massachusetts, who rejected them. President Lincoln, however, accepted Cushing's legal assistance and, as the war progressed, entrusted him with important government affairs. In 1868 he was in Bogota,

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STATE Massachusetts	
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8. Significance: (2) Caleb Cushing House

negotiating a right of way for a ship canal across Panama with the Colombian Government. President Grant sent Cushing to Geneva as special agent to adjust the demands of the United States upon Great Britain arising from the Civil War. By tactful diplomacy he negotiated a compromise which evaded the issue of "indirect claims" and allowed both countries to continue with dignity. The decision, awarding 15.5 million dollars to the United States, was the culmination of Cushing's efforts over several years.

In 1873, Grant appointed him minister to Spain, but Cushing delayed his departure when he was nominated for Chief Justice of the Supreme Court. His nomination was rejected on purely partisan grounds and he arrived in Spain in time to avert conflict between the two countries over the Virginus Affair. In 1877, Cushing resigned and retired to Newburyport, where he settled down among his books in the library of his house on High Street. He died two years later.

Cushing was an extraordinarily versatile and well-rounded man with a naturally keen mind and insatiable curiosity which makes him one of the most picturesque and talented figures of the 19th century.