

“For the Inspiration of the People of the United States...”

Tudor Place’s Scenic Easement at 50

Tudor Place Times Spring 2016

As we celebrate our Bicentennial this year, we are reminded of another milestone event significant both to Tudor Place and the field of historic preservation. Fifty years ago Armistead Peter 3rd, Tudor Place’s final private owner, donated a scenic easement to the United States providing for the perpetual preservation of the historic buildings and gardens at Tudor Place—the first such easement provided under the Historic Sites Act of 1935. At the ceremony commemorating this landmark agreement, Secretary of the Interior Stewart Udall referred to Peter’s easement as “a gift to the nation.”¹



Richard Wilmer (left), Armistead Peter 3rd, and Secretary of the Interior Stuart Udall announce the Tudor Place preservation easement at a ceremony at the Department of the Interior on U.S. Dept. of the Interior photograph no. 160-2 December 8, 1966

Inspired by Tudor Place’s designation as a National Historic Landmark in 1960, Armistead Peter 3rd contemplated additional ways Tudor Place could receive the recognition it deserved while ensuring it would be preserved for posterity. His partner in this endeavor was his friend and legal advisor, Richard Wilmer. By early 1966 they were discussing the possibility of an easement “for the benefit of the United States of America through the preservation of this historic site for the inspiration of the people of the United States.” Peter and Wilmer were furrowing new ground for preservationists. In a memo to his client, Wilmer acknowledged that buildings and grounds were “features not previously encountered in scenic easements.”²

The 1935 Historic Sites Act authorized the federal government to enter into cooperative agreements to preserve historic buildings and sites for public use but made no provision specifically for easements and did not explicitly define “public use.”

Peter desired that Tudor Place become a museum for the enjoyment of the public in the future, but did not wish to provide public access to the grounds or house while he resided there. While acknowledging uncertainty about a court challenge to the easement regarding the meaning of “public use,” Wilmer asserted that public use is defined by “public convenience, benefit or

advantage, none of which necessarily requires physical use.”³ Toward meeting the public use requirement and his desire for the property to remain a private residence, Peter maintained that the easement would preserve the house and grounds for future public use, while presently providing enjoyment to the public who passed on the street and sidewalk. Peter held fast to this position, causing National Park Service historian Robert Utley to characterize him in an internal memorandum as “a man of considerable force and firm opinions.”⁴

Despite their concerns, the Interior Department saw the advantages of accepting the easement and even considered amending the Historic Sites Act to facilitate it. Within the Department— especially the National Park Service—the environment was favorable toward historic preservation in 1966, the year the National Historic Preservation Act was signed into law. Ultimately Secretary of the Interior Udall consented to Tudor Place’s “public use” stance and accepted the easement on behalf of the nation at a ceremony in his office on December 8, 1966. The easement prohibits alteration of the main Photo at left: Richard Wilmer (left), Armistead Peter 3rd, and Secretary of the Interior Stuart Udall announce the Tudor Place preservation easement at a ceremony at the Department of the Interior on U.S. Dept. of the Interior photograph no. 160-2 December 8, 1966. Tudor Place Times | Spring 2016 2 house exterior and limits construction elsewhere on the site.

It provides that the Department of the Interior must approve removal of trees greater than eight inches in diameter and prescribes that the main house be used only as a private residence or museum. The terms of the easement continue to guide preservation of the house and management of the site. In a statement issued at the signing event, Secretary Udall declared, “Tudor Place is one of the most historic structures in the Nation’s Capital remaining in private ownership, and this easement will assure that its dignity and beauty will be preserved unimpaired for future generations.”⁵

The response to this announcement was favorable. A December 11, 1966 Washington Post oped, entitled “Tudor Place Saved,” hailed the easement and declared Tudor Place to be a fine example of early American architecture. The Citizens Association of Georgetown offered a resolution of support, as did the Virginia Garden Club. Mr. Peter also received numerous letters from owners of other historic properties, seeking advice on the use of scenic easements for preservation. Within a decade, the National Trust for Historic Preservation began accepting easements to protect historic properties. Its Preservation News article announcing this program lauded the Tudor Place easement for originating a new tool for historic preservation.⁶

Through his vision, persistence and devotion to the preservation of his home, Armistead Peter 3rd ensured Tudor Place would be preserved for the “inspiration of the people of the United States” and devised an instrument that has been vital to historic preservation in the decades since.

—Mark Hudson, Executive Director

1 Tudor Place Archive, Papers of Armistead Peter 3rd, MS 21, Box 43, Folder 7. United States Department of the Interior News Release, December 8, 1966.

2 Tudor Place Archive. Papers of Armistead Peter 3rd, MS 21, Box 43, Folder 1. Richard Wilmer to Armistead Peter 3rd, March 15, 1966, pp. 1 and 13.

3 Tudor Place Archive. Papers of Armistead Peter 3rd, MS 21, Box 43, Folder 6. Richard Wilmer to Armistead Peter 3rd, November 15, 1966.

4 Tudor Place Archive. Papers of Armistead Peter 3rd, MS 21, Box 43, Folder 1. Robert Utley to Stuart Udall, March 25, 1966.

5 Tudor Place Archive, Papers of Armistead Peter 3rd, MS 21, Box 43, Folder 7. United States Department of the Interior News Release, December 8, 1966.

6 Tudor Place Archive. Papers of Armistead Peter 3rd, MS 21, Box 43, Folder 7. Preservation News, January 1973, p. 1.