

UNITED STATES DEPARTMENT OF THE INTERIOR  
NATIONAL PARK SERVICE

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

SEE INSTRUCTIONS IN *HOW TO COMPLETE NATIONAL REGISTER FORMS*  
TYPE ALL ENTRIES -- COMPLETE APPLICABLE SECTIONS

**1 NAME**

HISTORIC

Henry D. Clayton House

AND/OR COMMON

Clayton Plantation

**2 LOCATION**

STREET & NUMBER

1 mile south of Clayton, off Ala. BYP 30

NOT FOR PUBLICATION

CITY, TOWN

CONGRESSIONAL DISTRICT

VICINITY OF Clayton

2

STATE

CODE

COUNTY

CODE

Alabama

01

Barbour

005

**3 CLASSIFICATION**

**CATEGORY**

- DISTRICT
- BUILDING(S)
- STRUCTURE
- SITE
- OBJECT

**OWNERSHIP**

- PUBLIC
- PRIVATE
- BOTH
- PUBLIC ACQUISITION**
- IN PROCESS
- BEING CONSIDERED

**STATUS**

- OCCUPIED
- UNOCCUPIED
- WORK IN PROGRESS
- ACCESSIBLE**
- YES: RESTRICTED
- YES: UNRESTRICTED
- NO

**PRESENT USE**

- AGRICULTURE
- MUSEUM
- COMMERCIAL
- PARK
- EDUCATIONAL
- PRIVATE RESIDENCE
- ENTERTAINMENT
- RELIGIOUS
- GOVERNMENT
- SCIENTIFIC
- INDUSTRIAL
- TRANSPORTATION
- MILITARY
- OTHER:

**4 OWNER OF PROPERTY**

NAME

Judge and Mrs. Preston C. Clayton

STREET & NUMBER

Clayton Plantation

CITY, TOWN

Clayton

VICINITY OF

STATE

Alabama

**5 LOCATION OF LEGAL DESCRIPTION**

COURTHOUSE,  
REGISTRY OF DEEDS, ETC.

Office of the County Clerk

STREET & NUMBER

Barbour County Courthouse

CITY, TOWN

Clayton

STATE

Alabama

**6 REPRESENTATION IN EXISTING SURVEYS**

TITLE

None

DATE

FEDERAL STATE COUNTY LOCAL

DEPOSITORY FOR  
SURVEY RECORDS

CITY, TOWN

STATE

## 7 DESCRIPTION

CONDITION		CHECK ONE	CHECK ONE
<input checked="" type="checkbox"/> EXCELLENT	<input type="checkbox"/> DETERIORATED	<input type="checkbox"/> UNALTERED	<input checked="" type="checkbox"/> ORIGINAL SITE
<input checked="" type="checkbox"/> GOOD	<input type="checkbox"/> RUINS	<input checked="" type="checkbox"/> ALTERED	<input type="checkbox"/> MOVED      DATE _____
<input type="checkbox"/> FAIR	<input type="checkbox"/> UNEXPOSED		

DESCRIBE THE PRESENT AND ORIGINAL (IF KNOWN) PHYSICAL APPEARANCE

The Henry D. Clayton House, situated on the original 1,000-acre plantation near Clayton, Ala., is a 1 1/2-story, gable-roofed, L-shaped, white-painted frame structure built about 1850. Henry D. Clayton, Sr. (1827-1889), who was a Confederate general, lawyer, judge, and president of the University of Alabama, built the house out of hand-sawn pine. The residence was both the birthplace and the childhood and adult home of Congressman Henry D. Clayton, Jr. (1857-1929). He made his Alabama home here during his years in Congress, and the dwelling is clearly the most appropriate structure for a landmark designation in his honor. There is an extant Clayton house in Montgomery, Ala., but he resided in it only briefly, and it is in a deteriorated condition.

On the five-bay-wide north facade the roof extends to form a porch. It is supported by six square columns of pine and stretches partway around the west side, where it is partially enclosed. A partially enclosed shed-roofed porch also extends across the rear of the main block and the west side of the rear or kitchen ell.

The house rests on a brick foundation and has two interior brick chimneys that pierce the east and west ends of the roof on the main block. There is also an exterior brick chimney on each side of this block. The west exterior chimney is stuccoed and painted white. Another brick interior chimney rises above the kitchen ell.

Windows on the north facade are six-over-nine sash, bordered by green-painted, louvered, wooden shutters. Most of the other windows are six-over-six sash with wooden lintels and sills. The main entry, located on the north facade, is a white-painted, wooden, double door with sidelights and a rectangular six-light transom. On the west side of the kitchen ell, a double door opens onto the porch. The other exterior doors are single, white-painted, and also constructed of wood.

Inside, a central hall, with a decorative center arch, bisects the main block of the first floor. To the left of the hall a 3-sided, paneled, folding door provides access to a parlor which features a wooden-mantled fireplace and contains many original furnishings. Behind the parlor is a

# 8 SIGNIFICANCE

PERIOD	AREAS OF SIGNIFICANCE -- CHECK AND JUSTIFY BELOW			
<input type="checkbox"/> PREHISTORIC	<input type="checkbox"/> ARCHEOLOGY-PREHISTORIC	<input type="checkbox"/> COMMUNITY PLANNING	<input type="checkbox"/> LANDSCAPE ARCHITECTURE	<input type="checkbox"/> RELIGION
<input type="checkbox"/> 1400-1499	<input type="checkbox"/> ARCHEOLOGY-HISTORIC	<input type="checkbox"/> CONSERVATION	<input type="checkbox"/> LAW	<input type="checkbox"/> SCIENCE
<input type="checkbox"/> 1500-1599	<input type="checkbox"/> AGRICULTURE	<input type="checkbox"/> ECONOMICS	<input type="checkbox"/> LITERATURE	<input type="checkbox"/> SCULPTURE
<input type="checkbox"/> 1600-1699	<input type="checkbox"/> ARCHITECTURE	<input type="checkbox"/> EDUCATION	<input type="checkbox"/> MILITARY	<input type="checkbox"/> SOCIAL/HUMANITARIAN
<input type="checkbox"/> 1700-1799	<input type="checkbox"/> ART	<input type="checkbox"/> ENGINEERING	<input type="checkbox"/> MUSIC	<input type="checkbox"/> THEATER
<input checked="" type="checkbox"/> 1800-1899	<input checked="" type="checkbox"/> COMMERCE	<input type="checkbox"/> EXPLORATION/SETTLEMENT	<input type="checkbox"/> PHILOSOPHY	<input type="checkbox"/> TRANSPORTATION
<input checked="" type="checkbox"/> 1900-	<input type="checkbox"/> COMMUNICATIONS	<input type="checkbox"/> INDUSTRY	<input checked="" type="checkbox"/> POLITICS/GOVERNMENT	<input type="checkbox"/> OTHER (SPECIFY)
		<input type="checkbox"/> INVENTION		

SPECIFIC DATES 1896-1929

BUILDER/ARCHITECT Henry D. Clayton, Sr.

## STATEMENT OF SIGNIFICANCE

Henry D. Clayton, according to his biographer Hallie Farmer, was "largely responsible for the amendment to the Sherman anti-trust law which bears his name."<sup>1</sup> Although the Clayton Act did not prove as effective as its sponsor had hoped--because of vagueness resulting chiefly from Senate amendments and because of the attitude of the Federal Trade Commission set up to enforce it--this measure, says distinguished historian Harold U. Faulkner, "represented the firm belief that the Sherman Act had failed and that further federal legislation was necessary if monopoly was to be prevented."<sup>2</sup> In addition, the Clayton Act, along with the bill creating the Federal Trade Commission, marked achievement of a major statutory goal of Woodrow Wilson's "new freedom."

Before turning his attention to antitrust legislation, Clayton won recognition in 1912 in his role as prosecutor at the impeachment trial of Commerce Court Judge Robert W. Archibald, who was accused of using his position and influence for personal profit. Archibald was eventually convicted by the U.S. Senate and removed from office. In part because of Clayton's skillful prosecution, the Commerce Court, says historian Charles R. Ashman, became the "focus of a bitter political controversy" and was abolished by the action of the Democratic Congress late in 1912.<sup>3</sup>

Clayton was also one of the leading supporters of William Jennings Bryan in the Democratic Party, serving as Permanent Chairman of the 1908 Convention which nominated him for the Presidency for the third time. Later, during a 15-year tenure on the Federal bench, Clayton was a widely recognized advocate of judicial reform.

(continued)

<sup>1</sup> Hallie Farmer, "Henry DeLamar Clayton," Dictionary of Biography, XI, Supplement One (New York, 1944), 179.

<sup>2</sup> Harold U. Faulkner, The Decline of Laissez Faire, 1897-1917 (New York, 1968), 184.

<sup>3</sup> Charles R. Ashman, The Finest Judges Money Can Buy and Other Forms of Judicial Pollution (Los Angeles, 1973), 58.

## 9 MAJOR BIBLIOGRAPHICAL REFERENCES

Ashman, Charles R., The Finest Judges Money Can Buy and Other Forms of Judicial Pollution (Los Angeles: Nash Publishing, 1973).

Farmer, Hallie, "Henry DeLamar Clayton," Dictionary of American Biography, XI, Supplement One, (New York: Charles Scribner's Sons, 1944), 179.

(continued)

## 10 GEOGRAPHICAL DATA

ACREAGE OF NOMINATED PROPERTY circa 51 acres

UTM REFERENCES

A 

1,6	64,6	36,0	35	2,6	7,80
ZONE	EASTING	NORTHING			

C 

1,6	64,6	56,0	35	2,6	4,80
ZONE	EASTING	NORTHING			

E	16	646,780	3,526,080
F	16	646,380	3,526,060
	<i>Zone</i>	<i>Easting</i>	<i>Northing</i>

B 

1,6	6	46	5,60	3,52	6	78,0
ZONE	EASTING	NORTHING				

D 

1,6	6	46	7,80	3,52	6	40,0
ZONE	EASTING	NORTHING				

VERBAL BOUNDARY DESCRIPTION

(See last page of description).

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

STATE	CODE	COUNTY	CODE
STATE	CODE	COUNTY	CODE

## 11 FORM PREPARED BY

NAME / TITLE Dorothy K. Dickens and Ralph Christian, Assistant Editors; and George R. Adams, Managing Editor

ORGANIZATION American Association for State and Local History DATE February 1976

STREET & NUMBER 1400 Eighth Avenue South TELEPHONE (615) 242-5583

CITY OR TOWN Nashville STATE Tennessee 37203

## 12 STATE HISTORIC PRESERVATION OFFICER CERTIFICATION

THE EVALUATED SIGNIFICANCE OF THIS PROPERTY WITHIN THE STATE IS:

NATIONAL  STATE  LOCAL

As the designated State Historic Preservation 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.

FEDERAL REPRESENTATIVE SIGNATURE

TITLE

DATE

FOR NPS USE ONLY

I HEREBY CERTIFY THAT THIS PROPERTY IS INCLUDED IN THE NATIONAL REGISTER

DATE

DIRECTOR, OFFICE OF ARCHEOLOGY AND HISTORIC PRESERVATION  
ATTEST:

DATE

KEEPER OF THE NATIONAL REGISTER

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CONTINUATION SHEET Description ITEM NUMBER 7 PAGE one

bedroom and a bath that was added in recent years by enclosing part of the east porch. To the right of the hall are two more bedrooms. Entry to the front bedroom is by a 3-sided, paneled, folding door. On its west side this room has a small dressing room which was added by Mrs. Henry D. Clayton, Sr. What is now the rear bedroom was once a separate pine structure that Henry Clayton, Sr., incorporated into the present dwelling. Adjoining this bedroom is a bath which was created by the enclosure of part of the rear porch.

Toward the front of the rear ell is a small room, once a summer dining room, that now serves as a den and trophy room. Behind it is the dining room, and to the rear of the dining room is the kitchen.

A winding pine staircase with white-painted banister leads from the back of the central hall to the second floor, where two large bedrooms flank a long central hall. Throughout the house, floors are original pine. Paint and wallpaper now cover many of the pine walls and ceilings. Original furnishings remain in many of the rooms.

The only alteration to the building's exterior is the enclosure of sections of various porches. Electricity and plumbing have been installed, but most of the rooms are used in the manner prescribed by the original plan. One exception is the summer dining room, now used as a den and study.

The Outbuildings. Directly behind the rear ell is the original smokehouse, a one-story, gable-roofed, white-painted frame structure. In the southwest corner of the fenced yard stands a one-story, white-painted, frame gable-roofed cook's house, which is part of the original plantation.

Outside the fenced yard and northeast of the house is a one-story, gable-roofed, white-painted frame building which was Clayton's office. It has a hip-roofed front porch supported by two posts and, on the north side, a two-room, shed-roofed addition.

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CONTINUATION SHEET Description ITEM NUMBER 7 PAGE two

To the south of the yard and beyond the fence is the original carriage house surrounded by several more recent buildings: two barns, a wood shed, corn crib, and hay shed. Another modern structure addition is a carport on the northwest side of the circular driveway. The only other original structure on the premises is a white-painted, gable-roofed, frame outdoor toilet located east of the house beyond the fenced-in yard.

All the outbuildings are included in the nominated property.

Boundary Justification: The boundary includes approximately 51 acres, the Clayton House, the Clayton Office, and all extant outbuildings.

Boundary Description: As indicated in red on the accompanying maps [(1) U.S.G.S. 7.5' Series, Ala., Clayton South Quad., 1967; and (2) AASLH Sketch Map, 1976], beginning at a point on unpaved Clayton Plantation Drive 200 feet south of Alabama Bypass 30, a line extending due east about 660 feet to an unmarked point; thence due south about 1,050 feet to the northern boundary of the NW 1/4 of NW 1/4 of sec. 9, R26E, T10N; thence southeastward about 600 feet to the eastern boundary of the NW 1/4 of NW 1/4 of sec. 9, R26E, T10N; thence southward about 1,050 feet along that same eastern quarter-quarter section boundary to the southern boundary of the same quarter-quarter section (NW 1/4 of NW 1/4 of sec. 9, R26E, T10N); thence westward about 1,340 feet along that same southern quarter-quarter section boundary to the western boundary of sec. 9, R26E, T10N; thence northward about 2,390 feet along the western boundary of sec. 9, R26E, T10N to the starting point.

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CONTINUATION SHEET Clayton House ITEM NUMBER 8 PAGE one

This 1½-story, gable-roofed, white-painted, frame house was both Henry Clayton's boyhood and adult home. It was built by his father about 1850, and it served as Congressman Clayton's home during the period of his greatest national significance. The nominated property includes 51 acres and several outbuildings. There is one other extant Henry Clayton residence--in Montgomery, Ala.--but he occupied it only briefly and it is deteriorating.

Biography

Henry DeLamar Clayton was born February 10, 1857, in Barbour County, Ala., to Henry D. and Victoria H. Clayton. His family was one of the most prominent in the State. During the Civil War, his father rose to the rank of major general in the Confederate Army, and after the war served as a State Circuit Court judge and as President of the University of Alabama. After young Henry received his basic education in the common schools, he entered the University of Alabama. Graduating in 1877, he began to study law at the same institution and received his degree 1 year later. He returned to Barbour County to start his practice, and he established his first office in Clayton, the county seat. Later he moved to Eufaula.

Clayton launched his political career in 1880 with election as registrar in chancery of Barbour County. By the late 1880's he had become an important figure in the Alabama Democratic Party. In 1888 and 1892 he served as a Presidential elector, and in 1888 began his 20-year tenure as the State's Democratic National Committeeman. Clayton also supported the Farmer's Alliance, and at the 1890 Democratic State Convention he served as one of allianceman Reuben F. Kolb's floor leaders in his unsuccessful attempt to win the party's gubernatorial nomination. That same year, Clayton was elected to the Alabama House of Representatives, where he worked for passage of the Alliance program. In 1893 he was appointed U.S. District Attorney for the middle district of Alabama and served in this position for 3 years.

In 1896 Henry D. Clayton served as a delegate to the Democratic National Convention, where he was described as one of the "most rampant, fire-eating, free silver delegates," and he came away as an

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CONTINUATION SHEET Clayton House ITEM NUMBER 8 PAGE two

enthusiastic supporter of William Jennings Bryan.<sup>4</sup> Later that same year Clayton won election to Congress from Alabama's Third District over strong Republican and Gold Democrat opposition. As a member of the House, he compiled a progressive record, supporting measures like popular election of U.S. Senators and Federal guarantee of bank deposits and opposing acquisition of the Phillipine Islands. He continued to support Bryan and in 1908 was Permanent Chairman at the Democratic National Convention, when the Nebraskan won his third Presidential nomination.

After the Democrats won control of Congress in the 1910 elections, Clayton became chairman of the House Judiciary Committee. In this capacity he served as chief prosecutor at the impeachment trial of Commerce Court Judge Robert W. Archibald, who was accused of using his position and influence for personal profit. Archibald was eventually convicted by the U.S. Senate and removed from office. In part because of Clayton's skillful prosecution, the Commerce Court, says historian Charles W. Ashman, became the "focus of a bitter political controversy" and was abolished by the action of the Democratic Congress late in 1912.<sup>5</sup>

In August 1913, Alabama Governor Emmet O'Neal named Clayton to the unexpired Senate term of Joseph F. Johnston. The appointment, however, was challenged in the Senate on the ground that under the newly adopted 17th amendment a Governor could not fill a Senate vacancy unless the State legislature had passed a resolution specifically giving him that power. Although Clayton pressed his claim to the seat, it soon became apparent that many members of the Senate Committee on Elections believed his appointment illegal. With Republicans threatening a fight over the matter and using it to delay tariff and currency legislation,

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4 Cited in Dewey W. Grantham, Jr., "Oscar W. Underwood and Henry D. Clayton: Leaders in Enacting the Tariff and Trust Legislation of the New Freedom," Alabama Historical Quarterly, VII (Winter, 1945), 592.

5 Ashman, The Finest Judges Money Can Buy, 58.



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CONTINUATION SHEET Clayton House ITEM NUMBER 8 PAGE three

Senate Democrats, according to historian Jack E. Kendrick, "were afraid to risk a fight for his seating."<sup>6</sup> As a result, Clayton withdrew his credentials and remained in the House.

In December 1913, Clayton began conferring with President Woodrow Wilson on antitrust legislation. The result of these deliberations was the Clayton Antitrust Act which was designed, says historian Arthur S. Link, to tighten the Sherman Act "by enumerating and outlawing a number of unfair trade practices and interlocking arrangements that had been the chief tools of monopolists."<sup>7</sup> The measure also declared that farm or labor organizations were not illegal combinations in restraint of trade, and restricted the use of injunctions in labor disputes. Actually, the Clayton Act proved largely ineffective because of its vagueness resulting chiefly from Senate amendments and because of the pro-business attitude of the Federal Trade Commission created to enforce it.

On May 25, 1914, Clayton resigned from the House to accept an appointment as Federal District Judge. During his 15-year tenure on the bench, Clayton became recognized as an advocate of judicial reform. He wanted legal procedures simplified, says his biographer Hallie Farmer, "in order that the administration of justice might be made comprehensive to the common man."<sup>8</sup> Clayton died December 21, 1929, of cancer of the liver in Montgomery, Ala., at the age of 72.

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6 Jack E. Kendrick, "Alabama Congressmen in the Wilson Administration," Alabama Review, XXIV (October, 1971), 253.

7 Arthur S. Link, Woodrow Wilson: A Brief Biography (Chicago, 1972), 77.

8 Farmer, "Henry DeLamar Clayton," Dictionary of American Biography, XI, Supplement One, 179.

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CONTINUATION SHEET Clayton House ITEM NUMBER 9 PAGE one

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Kendrick, Jack E., "Alabama Congressmen in the Wilson Administration," Alabama Review, XXIV (October, 1971), 243-60.

Link, Arthur S., Woodrow Wilson: A Brief Biography (Chicago: Quadrangle Books, 1972).

Rogers, William Warren, The One-Gallused Rebellion: Agrarianism in Alabama, 1865-1896 (Baton Rouge: Louisiana State University Press, 1970).