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# United States Department of the Interior National Park Service National Register of Historic Places Registration Form



This form is for use in nominating or requesting determination for individual properties and districts. See instruction in *How to Complete the National Register of Historic Places Registration Form* (National Register Bulletin 16A). Complete each item by marking "x" in the appropriate box or by entering the information requested. If an item does not apply to the property being documented, enter "N/A" for "not applicable." For functions, architectural classification, materials and areas of significance, enter only categories and subcategories from the instructions. Place additional entries and narrative items on continuation sheets (NPS Form 10-900a). Use a typewriter, word processor, or computer, to complete all items.

## 1. Name of Property

historic name Clayton, George W., Trust and College

other names/site number Clayton Center for Children and Youth; 5DV.310

## 2. Location

street & number 3801 Martin Luther King Blvd. [N/A] not for publication

city or town Denver [N/A] vicinity

state Colorado code CO county Denver code 031 zip code 80205

## 3. State/Federal Agency Certification

As the designated authority under the National Historic Preservation Act, 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. I recommend that this property be considered significant  nationally  statewide  locally. (  See continuation sheet for additional comments.)

*Suzanna Cortez* State Historic Preservation Officer 10/20/05  
Signature of certifying official/Title Date

Office of Archaeology and Historic Preservation, Colorado Historical Society  
State or Federal agency and bureau

In my opinion, the property  meets  does not meet the National Register criteria.  
( [ ] See continuation sheet for additional comments.)

\_\_\_\_\_  
Signature of certifying official/Title Date

\_\_\_\_\_  
State or Federal agency and bureau

## 4. National Park Service Certification

I hereby certify that the property is:

- entered in the National Register
  - See continuation sheet.
- determined eligible for the National Register
  - See continuation sheet.
- determined not eligible for the National Register.
- removed from the National Register
  - See continuation sheet.
- other, explain
  - See continuation sheet.

Signature of the Keeper

Date of Action

*Linda McCulland* 5-2-06

Clayton, George W., Trust and College  
Name of Property

Denver County, Colorado  
County/State

### 5. Classification

#### Ownership of Property

(Check as many boxes as apply)

- private
- public-local
- public-State
- public-Federal

#### Category of Property

(Check only one box)

- building(s)
- district
- site
- structure
- object

#### Number of Resources within Property

(Do not count previously listed resources.)

Contributing		Noncontributing	
9	5	buildings	
0	0	sites	
0	0	structures	
0	0	objects	
9	5	Total	

#### Name of related multiple property listing.

(Enter "N/A" if property is not part of a multiple property listing.)

N/A

#### Number of contributing resources previously listed in the National Register.

0

### 6. Function or Use

#### Historic Function

(Enter categories from instructions)

Education: school  
Education: education-related  
Domestic: institutional housing

#### Current Functions

(Enter categories from instructions)

Education: school  
Education: education-related

### 7. Description

#### Architectural Classification

(Enter categories from instructions)

Italian Renaissance  
French Renaissance

#### Materials

(Enter categories from instructions)

foundation concrete  
stone  
walls sandstone  
brick  
roof ceramic tile  
slate  
asphalt  
other wood

#### Narrative Description

(Describe the historic and current condition of the property on one or more continuation sheets.)

Clayton, George W., Trust and College  
Name of Property

Denver County, Colorado  
County/State

## 8. Statement of Significance

### Applicable National Register Criteria

(Mark "x" in one or more boxes for the criteria qualifying the property for National Register listing.)

- A** Property is associated with events that have made a significant contribution to the broad patterns of our history.
- B** Property is associated with the lives of persons significant in our past.
- C** Property embodies the distinctive characteristics of a type, period, or method of construction or represents the work of a master, or possesses high artistic values, or represents a significant and distinguishable entity whose components lack individual distinction.
- D** Property has yielded, or is likely to yield, information important in prehistory or history.

### Criteria Considerations

(Mark "x" in all the boxes that apply.)

Property is:

- A** owned by a religious institution or used for religious purposes.
- B** removed from its original location.
- C** a birthplace or grave.
- D** a cemetery.
- E** a reconstructed building, object, or structure.
- F** a commemorative property.
- G** less than 50 years of age or achieved significance within the past 50 years.

### Narrative Statement of Significance

(Explain the significance of the property on one or more continuation sheets.)

## 9. Major Bibliographical References

### Bibliography

(Cite the books, articles and other sources used in preparing this form on one or more continuation sheets.)

### 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

# \_\_\_\_\_

- recorded by Historic American Engineering Record

# \_\_\_\_\_

### Areas of Significance

(Enter categories from instructions)

Education

Social history

Architecture

### Periods of Significance

1911 - 1957

### Significant Dates

N/A

### Significant Person(s)

(Complete if Criterion B is marked above.)

N/A

### Cultural Affiliation

N/A

### Architect/Builder

Biscoe, Maurice B.

Hewitt, Henry Harwood

### Primary location of additional data:

- State Historic Preservation Office
- Other State Agency
- Federal Agency
- Local Government
- University
- Other

Name of repository:

Colorado Historical Society

Denver Public Library

Clayton, George W., Trust and College  
Name of Property

Denver County, Colorado  
County/State

## 10. Geographical Data

Acreage of Property 20.4

### UTM References

(Place additional UTM references on a continuation sheet.)

- |    |      |         |          |         |
|----|------|---------|----------|---------|
| 1. | 13   | 504706  | 4401323  | (NAD27) |
|    | Zone | Easting | Northing |         |
| 2. | 13   | 505117  | 4401323  |         |
|    | Zone | Easting | Northing |         |
| 3. | 13   | 505117  | 4401135  |         |
|    | Zone | Easting | Northing |         |
| 4. | 13   | 504915  | 4401112  |         |
|    | Zone | Easting | Northing |         |
| 5. | 13   | 504706  | 4401135  |         |
|    | Zone | Easting | Northing |         |

See continuation sheet

### Verbal Boundary Description

(Describe the boundaries of the property on a continuation sheet.)

### Boundary Justification

(Explain why the boundaries were selected on a continuation sheet.)

## 11. Form Prepared By

name/title Meera Mani, President  
organization The Clayton Foundation date April 19, 2005  
street & number 3801 Martin Luther King Blvd. telephone 303-355-4411  
city or town Denver state CO zip code 80205

## Additional Documentation

Submit the following items with the completed form:

### Continuation Sheets

#### Maps

- A **USGS map** (7.5 or 15 minute series) indicating the property's location.
- A **Sketch map** for historic districts and properties having large acreage or numerous resources.

### Photographs

Representative **black and white photographs** of the property.

### Additional Items

(Check with the SHPO or FPO for any additional items)

## Property Owner

(Complete this item at the request of SHPO or FPO.)

name The Clayton Foundation  
street & number 3801 Martin Luther King Blvd. telephone \_\_\_\_\_  
city or town Denver state CO zip code 80205

**Paperwork Reduction Act Statement:** This information is being collected for applications to the National Register of Historic Places to nominate properties for listing or determine eligibility for listing, to list properties, and to amend existing listings. Response to this request is required to obtain a benefit in accordance with the National Historic Preservation Act, as amended (16 U.S.C. 470 et seq.).

**Estimated Burden Statement:** Public reporting burden for this form is estimated to average 18.1 hours per response including time for reviewing instructions, gathering and maintaining data, and completing and reviewing the form. Direct comments regarding this burden estimate or any aspect of this form to the Chief, Administrative Services Division, National Park Service, P.O. Box 37127, Washington, DC 20013-7127; and the Office of Management and Budget, Paperwork Reductions Projects (1024-0018), Washington, DC 20503.

# National Register of Historic Places Continuation Sheet

United States Department of the Interior  
National Park Service

Clayton, George W., Trust and College  
Denver County, Colorado

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## DESCRIPTION

Located between downtown Denver and the former Stapleton Airport, the twenty-acre Clayton campus is home to The George W. Clayton Trust and College, also known as the Clayton Center for Children and Youth. The campus contains eight of the original nine 1911 college buildings. Six of these buildings are of red and buff sandstone and most have red tile, hipped roofs. The other two original buildings are of brick construction with red asphalt-shingled hip roofs. The 1913 two-story Clayton House is of dark red brick with a red tile roof. Four 1960 era red brick one-story cottages stand to the northwest of the Administration Building. The campus is landscaped in extensive lawns with groupings of mature deciduous trees and bushes.



*Figure 1. Administration Building in 1924.*

*Source: Western History and Genealogy Dept., Denver Public Library.*

## ADMINSTRATION BUILDING

(1911 – Contributing – Photos 5-15)

The largest of the buildings originally served as the administration offices, dining room, auditorium, and library for the boys who were students and residents of Clayton College. It now serves as the program building for some of the educational programs Clayton operates. The two-story building is a T-shaped plan with a west side kitchen extension yielding a total of 29,253 square feet. During the exercises at the laying of the cornerstone, Mosses Hallett referenced the kitchen and dining hall built "of capacity to care for more than four hundred children." The building has a steel frame with a stone exterior and a red ceramic-tiled, steeply pitched hip roof with flared and

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widely overhanging eaves. A large ornate wood cupola surmounted the middle of the ridge. Red sandstone forms the quoins, chimney, and window surrounds. The exterior stone is primarily smooth finish red sandstone with buff sandstone random ashlar panels mostly on the side and rear elevations.

The south facing symmetrical facade contains a recessed triple entry behind a semicircular arched arcade. The entry is flanked on both sides by two semicircular arch multi-light windows. A sill course and a belt course above the first-story window keystones runs across the facade. Five large, evenly spaced, multi-light windows with semicircular transoms fill the center of the second story. Three doors access the balcony that crosses below the three center windows. Four stone scroll brackets support the balcony which is protected by a decorative metal railing. Two smaller windows with semicircular transoms complete the fenestration.

The east and west elevations of the two-story portion of the building are identical. A central entry contains a pair of French doors in an opening with a semicircular arch. The entry is flanked on both sides by a multi-light window with a semicircular arch. The second story contains a centered twelve-light window inside an elaborate wood surround with a semicircular arch. To each side are smaller eight-light windows in recessed stone panels with semicircular arches.

The east and west elevations of the rear dining hall extension are nearly identical. Double doors provide access at each end of the building. Five multi-light semicircular windows fill the upper walls. On the west elevation, a narrow extension connects the dining hall to the kitchen. The kitchen is one-and-one-half stories with pairs of gable-roofed wall dormers on each elevation, except for the east which contains three dormers. The dormer windows are double-hung sash with semicircular arches. The first-story windows are multi-light double-hung sash with segmental arches. The north elevation contains a door at grade and another at the first-story.

Upon entering the building through the French doors of the main front entrance, one proceeds along a barreled-ceiling hallway leading into the former dining hall or to the east-west hallway (see photo 10). The east-west barreled-ceiling hallway accesses separate offices on both sides (see photo 11). Each office entrance has a recessed plaster archway entrance with solid hardwood doors inset with arched windows and brass hardware. All of the light fixtures are original copper with leaf designs and frosted glass globes. The dining hall has hardwood floors, semicircular divided arched windows on the east and west sides, and an elaborate wood coffered ceiling formed by large trusses and smaller cross members (see photo 12). Two black slate stairways with decorative metal balusters capped with solid wood railings lead to the theater and balcony. The theater entrance consists of two French doors and above them is a detailed, intricate plaster design with a George W. Clayton bronze bust atop the keystone. Lighting is provided by copper chandeliers with four frosted globes each that hang from the ceiling. Natural light enters through the divided semi-circular arched windows on the south and north side of the theater (see photos 13-15).

A utility tunnel underneath the building was used for conduits for heating, hot water, and electricity. The original cost of the building was \$132,690.

**DORMITORY BUILDINGS**

(1911 – Four Contributing Buildings – Photos 16-20)

North of the Administration Building, the four dormitories face each other in pairs. The Northeast and Southeast dormitories each contain 10,044 square feet while the Northwest and Southwest dormitories each contain 13,770 square feet. Despite the size difference, all the buildings use the same general plan.

The rectangular plan, two-story buildings have basements whose exterior is red sandstone. The quoins and window surrounds are also of red sandstone with red mortar. On the eastern dormitories, the quoins and window

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surrounds are smooth finish, like those on the Administration Building. The western dormitories utilize rock-faced stone. The remainder of the exterior is composed of buff sandstone laid in random ashlar bond. The steeply pitched hip roofs are of red clay tile with overhanging flared eaves. On the campus-facing elevations, the first story contains a center entry with double doors and semicircular transoms beneath a projecting sandstone arch. Three large, evenly spaced multi-light windows with semicircular transoms flank each side of the entry. The second story contains an oriel window in the form of a gable-roofed wall dormer above the entry. Smaller wall dormers are located directly above each of the first-story windows. Each dormer contains paired six-over-one double-hung sash. Tall rectangular stone chimneys flank the center dormer. The long sides opposite the campus repeat this fenestration with the center door and oriel window replaced by a tall arched mid-level window which illuminates the interior stair landing.

The short elevations on the eastern dormitories contain three small twelve-light sash on the first story and two six-over-one sash on the second floor flanking a balcony door with sidelights and multi-light three-part transom. The balcony entry forms a wall dormer with a gable roof. On the western dormitories, the short elevations each contain two large arched first-story windows flanking a center entry. The second story contains paired six-over-one sash flanking a recessed balcony entry in a gable-roofed wall dormer.

On the interior, the main level consists of a large central entry hall with the main staircase up to the second-floor hall and down to the basement. On the second floor, a central corridor extends north and south from the upper stair landing. In the western dormitories, dropped ceilings in the dorm rooms hide the decorative wood trusses and wood ceiling. The original ceilings in the east dormitories remain unobstructed.

The full basements have generous headroom and natural light from operable windows. The stone foundation walls are exposed and the floors are concrete. Each building has access to a utilities tunnel that once contained conduits for heating, hot water and electricity. An exit door and exterior stairwell provide access to grade.

Construction costs ranged from approximately \$45,000 to \$49,000 per building. These buildings served as the living quarters for the Clayton boys and now have varying educational programs operated by Clayton and other nonprofit organizations. The Northeast Dormitory building has not been in use for over fifty years.

**POWER HOUSE**

(1911 – Contributing – Photo 21)

The rectangular plan, 5,560 square foot, cut sandstone building rises from a stone foundation. It has a slate shingle roof on steel trusses, and a concrete floor. The hipped roof is topped by a hipped-roof monitor. The stone coursing is of varying widths. A narrow sill course and a wider belt course above the lintels wrap the building. The walls form short parapets above the edge of the roof. The main entry on the south elevation consists of double doors beneath a red sandstone arched hood. Large multi-light windows flank the entry. These windows as well as the three along each side of the building are covered by wood panels.

On the interior, a truss-high stone wall separates the north and south halves. Concrete walled tunnels transmitted heat, water, and electricity to all major buildings on the campus. This building is no longer in use.

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**INFIRMARY**

(1911 – Contributing – Photo 23)

The rectangular plan, one-story building contains 6,252 square feet and is constructed of brick on a stone foundation with steel columns and beams. The building has a hip roof with flared eaves covered with composite shingles. Four tall brick chimneys rise through the roof and a short gable roof monitor occupies the center of the ridge. The building's design uses brick to imitate the quoin, window surround and infill pattern of the larger campus buildings. Sandstone is used only for the window sills and the semicircular arch above the entry. The entry is off a stoop and contains double doors with a semicircular transom. The projecting entry bay rises through the eave to form a wall dormer containing a tripartite segmental arch window beneath a gable roof. The entry is flanked by single-light double-hung sash with transoms. These same type of windows are used on the other elevations. Each side elevation contains a projecting central bay. A gun shed was built in the 1930s connecting the Infirmary to the Laundry, using the exterior walls of the two buildings as common walls.

The infirmary building served the health needs of the boys. The building currently houses pre-school classrooms. Original cost of the Infirmary was \$20,137.

**LAUNDRY**

(1911 – Contributing – Photo 24)

The Laundry building matches the Infirmary in design. The original entry stoop has been replaced by a concrete ramp and stairs with metal railings. The building currently houses pre-school classrooms. Original cost of the Laundry building was \$18,931.

**CLAYTON HOUSE**

(1913 – Contributing – Photos 25-26)

The two-story, red brick Clayton House has an irregular plan yielding 5,982 square feet. The exterior bearing walls are of triple-wythe brick masonry. The hipped roof with flared eave is composed of red clay tiles. The building shares some of the design elements with the major campus buildings but it lacks the Renaissance Revival characteristics, such as arched windows. The building might better be described as Craftsman. The building served as the Superintendent's residence and currently houses some of the administrative functions of the foundation. The building's construction costs totaled \$15,709.

**COTTAGES**

(1959/1960 – Four Noncontributing Buildings – Photos 27-30)

Each of the four one-story, cross-shaped plan cottages contains 4,700 gross square feet. The exterior bearing walls are constructed of brick veneer on concrete masonry units. All four cottages have composite shingle roofs. The cottages were constructed in 1959-60 so that a set of house parents in each cottage could be responsible for the care of the 10-12 boys each housed. One of the cottages now contains the administrative office for the Early Head Start Program. Two of the cottages house a Child Development Center and one cottage is leased to a nonprofit organization serving vision impaired children. Because the cottages were constructed after the end of the period of significance, they are considered to be noncontributing resources.

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## EQUIPMENT GARAGE

(ca. 1980 – Noncontributing - Photo 22)

This is a gable-roofed, two-bay building containing 1,018 square feet. It has concrete foundations, brick walls, with asphalt shingles over wood roof joists and sheathing. It has a bituminous paved floor.

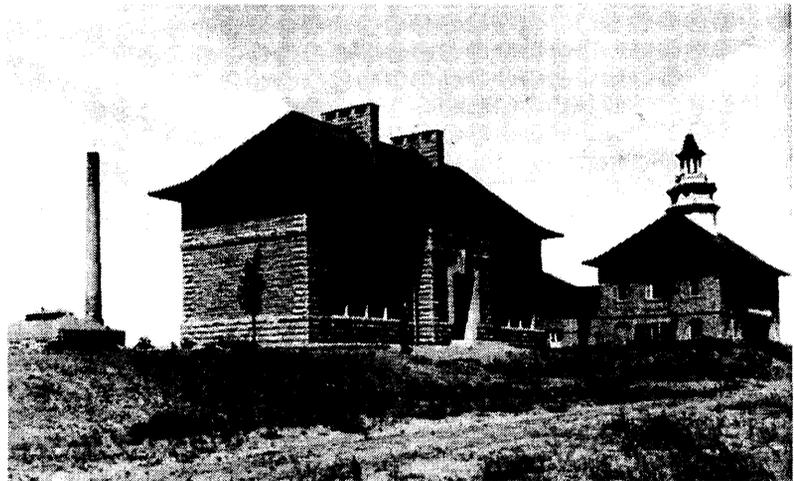
A cellular antenna tower and support structure are located just to the north of the northeast dormitory.

## ALTERATIONS

The single most significant loss to the integrity of the campus was the 1960 demolition of the 1911 School Building (see figure 2). This building, 6,891 square feet in size, had an original cost of \$31,518. It was two stories with a partial basement. Exterior walls were of cut stone with a red clay tile, steeply pitched hip roof. The building housed two classrooms and a gymnasium. It was torn down on the recommendation of the Child Welfare League of America in order to provide space for more suitable homelike facilities to house the boys in the care of Clayton College.

None of the original buildings had handicap accessible ramps. Ramps have been added to what was the Administration Building, the three dormitory buildings that are currently occupied, the Infirmary and the Laundry buildings.

The Power House was the central power plant for the campus and provided heat, water, and electricity to all of the major buildings on the campus. The coal storage bunkers, the concrete loading ramp, the brick chimney, and the hopper and elevator for ash disposal have been removed over the years and the building is no longer in use. A 1935 aerial photo shows a number of storage and service buildings around the Power House (see photo 2). None of these secondary buildings survive.



*Figure 2. Clayton School Building in foreground with Administration Building and Power House in background about 1911. Source: Western History and Genealogy Dept., Denver Public Library.*

The elevated steel water tank was removed at an unknown date.

## LANDSCAPE PLANTING

The existing campus landscaping is composed primarily of a variety of large trees and large expanses of lawn. Planting arrangements are generally informal, with somewhat more structure along the south edge of the campus. The general feeling is similar to a public park. Buildings typically lack extensive foundation planting. Planting species are a mix of non-native species typically found in Denver.

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Denver County, ColoradoSection number 8 Page 6**SIGNIFICANCE**

The George W. Clayton Trust and College is eligible for the National Register under Criterion A in the areas of *social history* and *education*. It represents the establishment of an institution that was both important and unusual in the social landscape of cities at the time it opened in 1911. George W. Clayton left the City of Denver a bequest, "to be devoted solely and exclusively to the founding, establishing, and forever maintaining a permanent College... for the better education, and more comfortable maintenance, than they usually receive from the application of public funds, of poor white male orphan children...." Clayton sought to provide a cost-free standard of care and education significantly beyond that typical of the time for boys whose fathers had died and whose mothers were unable to care for them. From 1911 through 1957, it is estimated that over 600 individual boys received shelter, care, and an education at Clayton College.

The campus is also eligible under Criterion C for the architectural significance of its initial buildings. The buildings are good examples of Renaissance Revival design and exhibit distinguished craftsmanship in their sandstone masonry.

The period of significance for the campus is 1911-1957, beginning with the admission of the first pupils and terminating with the decision to construct cottages to create a more homelike atmosphere for the boys. Although the period of significance technically extends into the less than fifty year old period requiring the use of Criteria Consideration G, the two-year period constitutes a very small portion of the overall 46-year period of significance. The 1957 closing date is well established in the documentary history of the facility. For these reasons, it is not necessary to demonstrate exceptional significance for the 1955-57 period.

**Historical Background**

George Washington Clayton spent his first twenty-two years in urban Philadelphia, where he apprenticed in his father's store, led a full social life, and developed what became a lifelong interest in education. He responded to the call to "go West" and by 1860 had established a very successful mercantile business in Denver. His marriage that year and the birth of a son in the late summer of 1861 brought him great happiness, but it was short-lived. The baby died in October and his wife died the following March.

Mr. Clayton apparently devoted the rest of his life to civic and business interests. His name can be found frequently in the records of a variety of organizations important to the growth of Denver—from banking institutions, railroads, and utilities to social clubs. He served as a county commissioner and later on the Denver City Council, helped organize the water company, and was an original stockholder of the Denver Gas Company. George Clayton was described as a "man of clear vision and excellent judgment; he gave personal attention to all details of his business; he was truthful and faithful in every transaction. These qualities enabled him to meet all vicissitudes of business through many years, and to succeed in a large way where many contemporaries failed." When he died in 1899, his estate was valued at approximately \$2 million.

**Mary Florence Lathrop and the Clayton Will**

When George Clayton died in 1899, he left an elaborate will, dedicating most of his estate (with the remainder going to heirs and other relatives) "unto the corporation of Denver, in trust, nevertheless, to be devoted solely and exclusively to the founding, establishing, and forever maintaining a permanent college ... [for] poor white male orphan children." In exchange for the gift of the \$2 million estate (over \$40 million in today's dollars) he stipulated that the college be named "The George W. Clayton College." He modeled his will after the

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“Girard Will” created by Stephen Girard that established a trust in the city of Philadelphia for a college for poor white male orphan children; the “Girard Will” was upheld by the United States Supreme Court.

George appointed his brother, William Clayton, and his “trusted friend,” Moses Hallett, a Federal District Court Judge, to be the joint executors of the will. William died before George, leaving only Hallett to execute the trust. Hallett accepted executorships and began making preparations for establishing the college. Thomas, George’s brother and one of five legal heirs, immediately challenged the will. He stood to receive one-fifth of the estate, about \$400,000. Thomas Clayton officially filed a complaint in the District Court of Arapahoe County on February 27, 1900, arguing that the education of orphans was not a recognized public charity in Colorado, that the beneficiaries of the trust were too vague and indefinite, and that the City of Denver, in its corporate capacity, had no power to execute the trust.

W.C. Kingsley, long time attorney for Hallett, suspected that the will might be challenged and began working on the potential case at Clayton’s death. He spoke with Denver probate attorney Mary Lathrop for the first time about the Clayton Will within a week of George’s death. Lathrop shared information with him about the similarity to the “Girard Will” and the research she had done regarding that case, including several relevant cases.

Attorneys Mary F. Lathrop of Denver and Mary B. Grossman of Cleveland became the first two women elected to membership in the American Bar Association (ABA) in 1918. Born in Philadelphia in 1865, Lathrop attended the Girl’s High School and the Girl’s Normal School where she earned a Principal’s certificate. For a number of years she worked as a journalist, eventually working for the McClure Syndicate where she traveled extensively world-wide.

In 1887, Lathrop joined the Women’s Christian Temperance Union (WCTU) and traveled the country giving lectures. In addition to its anti-drink message, the WCTU actively supported women’s suffrage. After an extended illness, she moved to the West for her health. After covering the region for the McClure Syndicate, Lathrop considered a career change, ultimately settling on the law. She graduated from the University of Denver Law School with high honors in 1896 and was admitted to the Colorado Bar the same year, the third woman admitted. After a year in Philadelphia studying probate law with John B. Johnson, she opened a law office in Denver.

Mary Lathrop’s 1897 office opening marked the first for a woman in Denver. With the assistance on John Johnson she began to find clients, particularly in the banking and trust industries. She was admitted to practice in U.S. District Court in 1898, another first for a woman in Colorado. Despite a growing degree of professional and financial success, she found it difficult to win acceptance from many of her male colleagues.

After her initial conversation with Kingsley, Lathrop immediately began her work on the *Clayton v. Hallett* case. She sent letters to the Girard College in Philadelphia requesting all of their founding documentation, met with Kingsley two to three times a week, and began working eight or nine hours a day exclusively on the Clayton Will case. Although both Lathrop and Kingsley viewed their work on this case as a collaboration, each later offered a very different account of the preparation for the hearing in the District Court. Lathrop viewed her work on the case of *Clayton v. Hallett* as one of true collaboration with Kingsley and as an employee of Judge Hallett, fully entitled to recover fees for services rendered. Kingsley viewed Lathrop’s work in preparation for the District Court argument as merely the helpful volunteer work of an interested party.

Kingsley and Lathrop divided the work on the District Court brief. When Lathrop completed the first 25 pages, Kingsley showed them to Hallett, who was very happy with the brief. Kingsley directed Lathrop to finish the District Court brief. In late 1900, Kingsley took the completed brief (stamped with Lathrop’s name on each page)

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to Hallett, who expressed astonishment that a woman could make anything so logical. Hallett was "so pleased with it, and so surprised that a woman had made it, and the ground was fully covered." During these months, Kingsley told Lathrop many times that Hallett was very pleased with her work.

The District Court argument proceeded in February 1901. Lathrop's brief was used in the argument. After the hearing, Kingsley gave the judge a copy of the "Girard Will" case containing Lathrop's detailed notes. According to Kingsley, the brief and all authorities used in the district court were his, and Lathrop was merely present out of her own interest. Kingsley claimed he allowed Lathrop to leave her brief and annotated "Girard Will" case with the judge after the argument had concluded. On March 5, 1901, the district court ruled to uphold the will, a temporary victory for Hallett. Thomas Clayton appealed to the Colorado Supreme Court; Lathrop and Kingsley's work on the case continued.

Again, later accounts differ as to the nature of the collaboration. Lathrop prepared one or more briefs in the matter. At the Supreme Court hearing, Lathrop spoke briefly to the court after Kingsley. By closing the argument for Hallett, she became the first woman to argue a case in the Colorado Supreme Court. The court upheld the will on June 30, 1902, a victory for Lathrop, Kingsley and Hallett.

Shortly after winning the case, a protracted dispute over fees between Lathrop, Kingsley, and Hallett eventually climaxed in a suit by Lathrop against Hallett. She lost in district court as well as on appeals to the Colorado Court of Appeals and the Colorado Supreme Court. By March 1905, Lathrop had spent over five years working almost exclusively on preparing the case of *Clayton v. Hallett* and in trying to recover her legal fees from that work.

Lathrop's involvement with the case was well known throughout Denver. As a woman lawyer, she was a novelty, and consequently, her actions were the subject of several newspaper articles. On February 21, 1901, Lathrop appeared as the central figure in a drawing that accompanied an article in the *Rocky Mountain News* headlined "Woman Lawyer Aids City in Clayton Will Case." This is just one example of the many stories that appeared in the papers openly discussing Lathrop's role in the case.

Following the Clayton case and its aftermath, Lathrop went on to develop a long and successful practice in probate law. In 1917 she was admitted to practice before the United States Supreme Court. She never married and in 1930 advised "any girl who contemplates entering law to stay away from marriage and concentrate on the legal business." At the 1938 ABA meeting in Cleveland, she warned young women not to enter the field of law. "For a young woman it would be pretty difficult. A boy can get along if he's just average. A woman has to know much more than that or she doesn't have a chance." Earlier, perhaps in reflecting on her own career decisions, she stated, "Marriage is the right career for a woman. Famous, rich women are paupers if they have no home, husband, no children to love them." Not one to focus on being a role model, she once declared, "I'm either a lawyer or I'm not, and don't go dragging my being a woman into it."

## WOMAN LAWYER AIDS CITY IN CLAYTON WILL CASE



MARY F. LATHROP.  
Woman Lawyer Who Appears in Suit With Counsel for City.

Figure 3. Sketch of Mary Lathrop accompanying an article in the *Rocky Mountain News* on February 21, 1901. Source: Marcy Cook, "Mary F. Lathrop and the Clayton Will." *Women's Legal History Biography Project*, Stanford University, 2004.

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Lathrop continued to practice law until her death in 1951. Her will bequeathed money for needy students at the University of Denver Law School. It also established a fund to continue her home dinners for military servicemen, a weekly practice she began during World War II. *Her* will was never challenged.

## Planning and Building Clayton College

The August 21, 1909, edition of *Denver Municipal Facts* noted the passing of an ordinance providing for a trust commission consisting of the Mayor, the president of the Board of Supervisors, and the president of the Board of Alderman to administer the Clayton estate in the name of the City and County of Denver. The ordinance also created a George W. Clayton Trust Fund with the city treasurer acting as trust treasurer with defined duties and reporting responsibilities. The December 1911 edition of the same publication noted that the management and supervision of the college itself was vested in a board of trustees consisting of the executor of the will, an appointee of the chief justice of the Colorado Supreme Court, two judges, and a mayoral appointee. The article described the campus as "a tract of twenty acres, at Thirty-second Avenue and Colorado Boulevard. All of the buildings are of substantial and permanent construction, the architecture being characterized by dignity and beauty. The chief buildings are constructed of stone, and are roofed with red tiles. The buildings of the main group are heated, lighted, and supplied with hot and cold water from the central power house, all pipes and wires being conveyed through concrete tunnels." An insert in the article stated: "The Clayton College for Orphan Boys is well worth a visit. The buildings are a marvel of beauty, both inside and out, and the thoroughly modern condition of everything connected with the place attracts attention...."

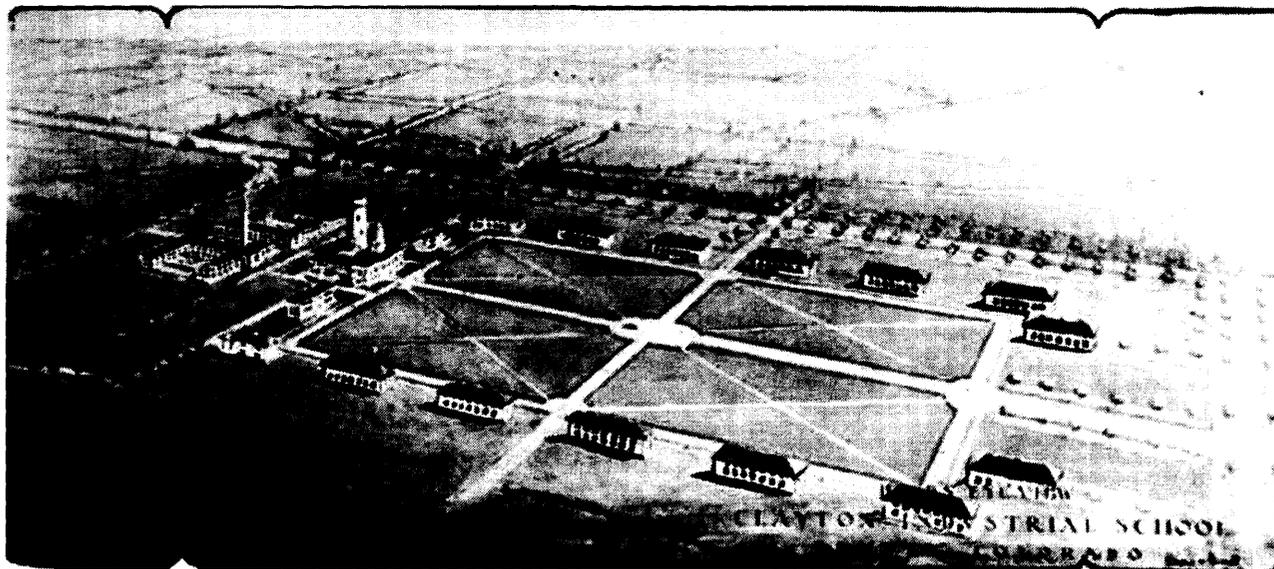


Figure 4. This undated drawing of the campus is labeled "Clayton Industrial School" and is signed by Biscoe and Hewitt. The drawing shows a much larger campus than was actually constructed.

Source: *Western History and Genealogy Dept., Denver Public Library.*

Denver architects Maurice B. Biscoe and Henry Harwood Hewitt designed the original nine campus buildings. Maurice B. Biscoe moved to Denver from New York in 1905 to supervise the construction of St. John's Episcopal Cathedral for the New York architectural firm of Gordon, Tracy & Swarthwout. Biscoe enjoyed immediate acceptance within the artistic and social circles of Denver. He helped organized the Denver Cactus Club, a male society with literary and artistic interests, and served as its president for the first three years. Biscoe also became the second president of the Colorado Chapter of the American Institute of Architects. He worked alone and in partnership with Henry Harwood Hewitt during his decade-and-a-half in Denver.

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Rutherford Witthus described Biscoe's work as exemplifying "some of the best elements of the design philosophy propounded by the Beaux-Arts Institute. His attention to detail, his thorough knowledge of historical styles, his awareness of the special needs of his clients, and his sense of beauty in architecture were the special aptitudes which brought him clients who demanded exacting architectural services."

While working in solo practice, Biscoe designed many Denver residences for fellow members of the Cactus Club. He created plans for the Dickinson Branch Library, one of Denver's eight Carnegie-funded branch libraries. Biscoe designed several college buildings, including Bemis and Cossitt Halls for Colorado College and the Physics Building on the campus of Colorado A&M in Fort Collins. Biscoe was also responsible for the Myron Stratton Home for children and the elderly in Colorado Springs.



*Figure 5. The Administration Building is nearing completion in this view to the northeast. Photographer: Louis C. McClure.  
Source: Western History and Genealogy Dept., Denver Public Library.*

Biscoe relocated his practice to Colorado Springs in 1917 and then returned to Boston in 1920 to join the firm of Andrews, Rantoul & James. A partnership between the Boston organization and the Denver architectural firm of Fisher & Fisher brought Biscoe back to Denver in 1921 for the design and construction of the University of Colorado School of Medicine and Hospital. He returned to Boston after the completion of the project where he remained in active practice until his death in 1953.

A native of Bloomington, IL, Henry Harwood Hewitt graduated from the University of Chicago at the age of eighteen. He received his architectural training at the Massachusetts Institute of Technology where he graduated in 1899. Hewitt traveled extensively in Europe and obtained a diploma in 1900 from the Paris Ecole des Beaux Arts. Returning to the United States, he first worked as an architect for the Western Electric Company in Chicago. By 1907 Hewitt moved to Denver and established his own practice. In 1908, he entered into a partnership with Maurice Biscoe. During its short duration, Biscoe and Hewitt designed Denver's Brecht Candy Company, the Wood-Morris-Bonfils House, and the nine-building campus of Clayton College for Boys. The partnership dissolved in about 1911 and by 1913 Hewitt reestablished his practice in Los Angeles. He specialized in school design but also completed a number of residential commissions. He died in Los Angeles.

Biscoe and Hewitt created a striking campus complex using Renaissance Revival styling. The revival style takes on a variety of interpretations originating in the Italian Renaissance, French Renaissance and English Renaissance. The Administration Building is the most formal on campus. It exhibits the symmetrical facade, elaborate belt course between stories, and quoins typical of the style. The hipped, ceramic-tiled hipped roof with widely overhanging eaves also typifies the style. The first-story is characterized by triple entry arches forming a recessed arcade. The second story with its tall multi-light windows with arched transoms dominates the facade, in the spirit of a piano nobile. The large cupola reflects English Renaissance influences.

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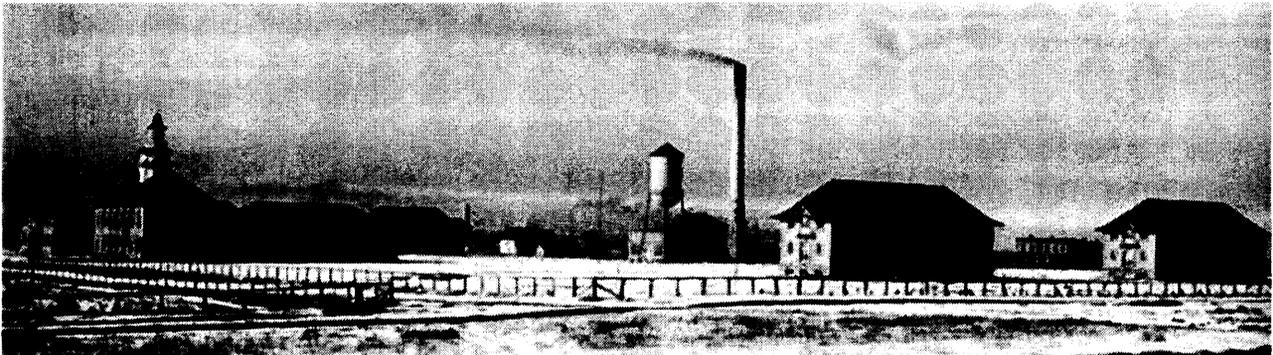
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The Dormitories present a more rural or domestic style, indicative of their use. The rectangular plan buildings retain the symmetrical facade of the Administration Building, along with the quoins, large semicircular arch windows, and the ceramic-tiled pavilion roof. The second-story windows are much smaller than those on the first, typical of the style. The use of rock-faced random ashlar with sandstone quoins and windows surrounds provides the buildings with a rural residential flavor. The other surviving stone building, the Power House, is of more utilitarian design. Ornamentation is limited to belt courses and an arched entry. The irregular width courses raise to a flat parapet behind which springs the low-pitched hipped roof.

The Infirmary and Laundry buildings are further simplified by the use of brick walls and quoins with stone employed only for the entry arch. The masonry pattern and the elaborate chimneys link these buildings stylistically to the primary campus buildings while clearly indicating their secondary status.

Taken together, the stone and brick buildings create a distinguished campus of formal design with a clear hierarchy expressed through Renaissance Revival styling, quality materials, and skilled craftsmanship.



*Figure 6. View of the college looking to the northwest prior to the construction of the 1913 Clayton House.  
Source: Western History and Genealogy Dept., Denver Public Library.*

## Operating Clayton College

Clayton intended his trust to serve Caucasian boys between six and ten years old, born in Colorado, of reputable parentage, in circumstances of need, and the children of fathers who were not living. Boys were, under normal circumstances, discharged from the college between fourteen and eighteen years of age. The will stated that the boys "shall be instructed in such various branches of sound education as will tend to make them useful citizens and honorable members of society." The boys were also to receive training in some trade or means of livelihood during the latter years of their stay. The legal custody of the boys was invested in the Board of Trustees as long as each boy was part of the College. In terms of life in the College, the boys were grouped by age in the dormitories and each dormitory had an adult supervisor assisted by a matron. The supervisor had charge of all the boys' activities except those in the schoolroom.

Clayton College admitted its first seven boys on October 7, 1911. At the end of the first twelve months of operation, forty youths had been admitted. The Superintendent's report included in the 1912 First Annual Report gave details about the operation of the College. He confirmed the College's focus on giving these boys a different experience from that common in other orphanages. The Superintendent wrote, "The manifest intention is to look upon [the College] as having inherited a portion of the means of a man who had no boys of his own and who desired to stand in the stead of a father for fatherless boys." In comparing Clayton to four other private

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institutions that also cared for young children in the early 1900s, a 1920 Russell Sage Foundation report noted that it should be "freely conceded that in many matters Clayton College is able to provide superior living conditions and give to its boys detailed care, supervision, and other advantages impossible to these other institutions" including individualized attention that the other institutions could not afford.

By the time the college was in full operation, other institutions began specializing in the care of dependent children. The State of Colorado built a state home for dependent children and eleven more private institutions had opened. The 1920 Russell Sage Foundation study noted that the numbers of boys cared for at Clayton never reached the 112 capacity the dormitories were able to accommodate. In 1913, Clayton housed 51 boys. An early undated photograph of lunchtime in the dining room shows approximately 90 boys, along with seven male and five women staff members, and two additional women on the kitchen staff. In 1918, 84 boys received care. During 1919, because of the high cost of running the plant and caring for the boys from the annual income of the endowment, the average number served was about 73. That number was reduced to 63 boys toward the end of the year to keep within available funds.

The institution provided a general education that included work at the elementary level with concentration on the common school subjects. More advanced instruction was given as needed for vocational training. The 1920 Russell Sage Foundation report indicated that two teachers provided classes from the first to the sixth grade. Boys who passed sixth grade were sent to public school. A special teacher instructed the boys in agricultural matters, teaching some of the older boys who wanted scientific training in farming. At that time, the boys had access to the farm property on George Clayton's former estate about two blocks from the campus. For economic reasons, this special training was discontinued in the early 1920s.

In its early years, the college developed a system of squares or units wherein a boy could earn a square by doing extra work of various kinds. He could use these squares for purchases, to pay a fine for inappropriate conduct, and, as the boy grew older, to pay for some of his necessities to learn the value of money. The College worked to strike an appropriate balance between work and play, as the 1912 Annual Report stated, with "abundant opportunities to play." In addition to the actual school work, the boys learned to make beds, clean and care for their own quarters, and help in the kitchen and dining room, as well as garden, shovel snow, and clean walks and drives to develop self-sufficiency in anticipation of leaving the College at age 18. As the boys grew older, the amount of work increased in relation to the amount of play.

The author of the 1920 study noted that "the food, clothing, housing, educational advantages, and social and moral influences of the institution are all that can be expected; but they are furnished at a per capita cost that uses the entire income of the Clayton Trust for a small number of boys, and thus largely nullifies the central purpose of this great benefaction." However, the 1936 Report indicated that the number of boys in residence was over 100, and that cumulatively, 359 boys had been enrolled in the College. The report went on to say that board, lodging, clothing, health care, supervision of work and play, and schooling were still part of the regimen for the boys. With regard to schooling, "every effort is made to assist [the boys] in advancing as far possible in their school work, with the aim that they may at least complete their high school course before it is necessary for them to leave the College. No formal vocational training is carried on within the College, although the varied employments in the different departments afford opportunities for real training value for all boys." According to the 1936 report, all of the boys were then attending public school.

A 1947 survey of Clayton College written by the City Survey Staff noted a population of 60 and offered three major suggestions. First, the method of providing electrical power to the college needed to change in order to

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*Figure 7. Boys and teachers participate in an Armistice Day flag ceremony on November 11, 1931.  
Source: Western History and Genealogy Dept., Denver Public Library.*

reduce expenses. Second, the personnel who deal with the boys should consist of individuals equipped to be foster parents. Finally, the program of Clayton College should be appraised to see how it can be coordinated with the overall community child welfare program. The survey noted that "the need for long-time institutional care of normal dependent children no longer exists." Assuming that an average of 14 boys enrolled each year, it may be assumed that prior to 1957 the College served close to 600 individual boys, some of whom stayed for several years.

By 1957, however, the Child Welfare League of America study found that the College continued to operate in a way typical of the 1890s and not in accordance to modern good practice in children's institutions. The recommendations in this study led to the decision to demolish the original school building and to construct smaller buildings to serve fewer children in a more family-like setting. The result was the building of the four residential cottages in 1959 and 1960.

### **Clayton After 1957**

Following various court proceedings, some of the restrictions of George Clayton's will were liberalized in 1969. Under the new provisions, children, without regard to color or gender, who were deprived of parental care or support by reason of the death of either parent, or who were otherwise in need of better care and training than the surviving parent can or is willing to provide were able to be admitted to Clayton. The Probate Court also ruled that children six years of age or older, up to the age of eighteen, could receive the benefits of the Trust for such period of time as would be required to restore them to their families or otherwise relocate them in the community.

In 1981 Colorado's attorney general filed a petition in Denver County Probate Court seeking the removal of the City as Trustee alleging mismanagement of funds resulting in the deterioration of the Clayton Trust and Clayton

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College. The City agreed to a stipulated settlement, and in April 1982, the City resigned as trustee and an interim trustee was appointed. His recommendations to the Court included the establishment of The Clayton Foundation as the trustee of the Trust. That governance structure is in place today.

In 1986 The Clayton Foundation again petitioned the Court for instructions regarding programs to be operated by the Foundation and the College. The Court's response gave the Foundation trustees much broader latitude in terms of the programs it could offer for children and their families either through direct or indirect services. The programs must give priority to economically deprived children and must be conducted in the name of George W. Clayton or the George W. Clayton College.

Today the mission of The Clayton Foundation is to be a leading resource in Early Childhood Education by:

- ❖ offering high quality programs through Clayton Family Futures which serves 308 children and families in northeast Denver through an Early Head Start and Head Start program;
- ❖ providing systematic and rigorous training, education, technical assistance, and evaluation services informed by research and practice to early education programs and professionals through The Clayton Early Childhood Resource Institute; and
- ❖ engaging in strategic public-private partnerships focused on the development of a cohesive system of early care and education.

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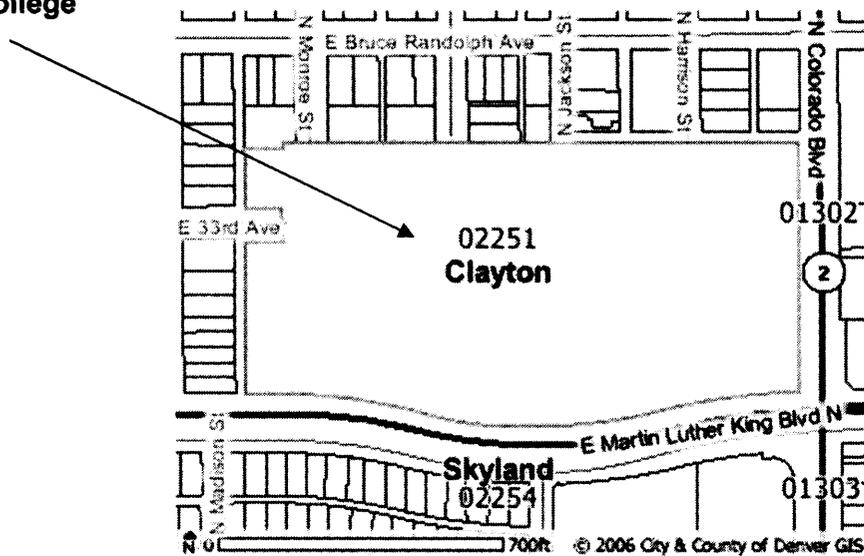
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**GEOGRAPHICAL DATA**

**VERBAL BOUNDARY DESCRIPTION**

The nominated property is defined as Parcel 0225148012000 in the City and County of Denver. The parcel is denoted below on the tax assessor's map.

**Clayton College  
Parcel**



**BOUNDARY JUSTIFICATION**

The nomination includes all the land historical associated with Clayton College during its period of significance.

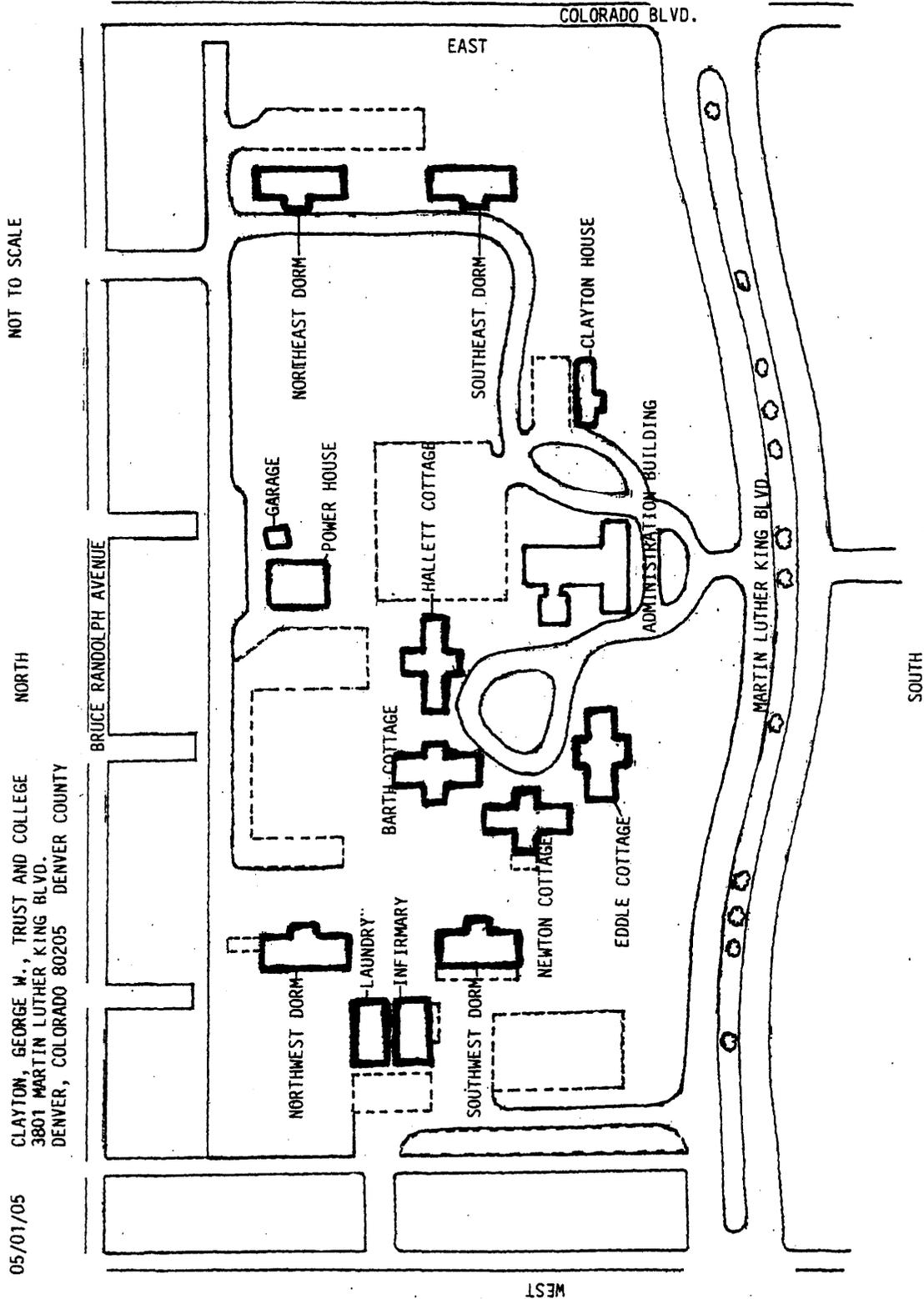
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## SITE PLAN



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### USGS TOPOGRAPHIC MAP

Commerce Quadrangle, Colorado

7.5 Minute Series, 1988

PLSS: 6<sup>th</sup> PM, T3S, R68W, Sec. S½ SE¼ NE¼

Elevation: 5,295 feet

Site Number: 5DV310

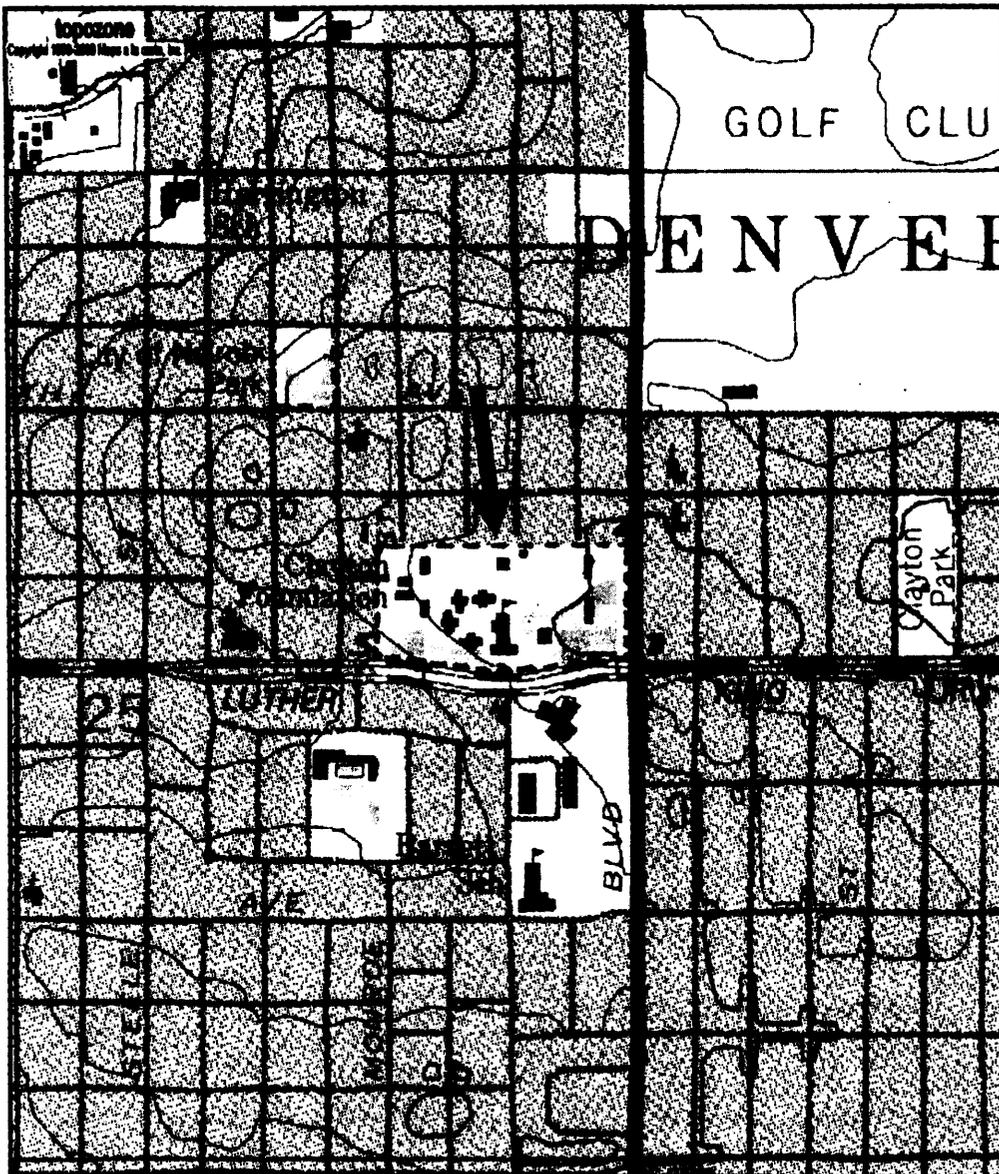
UTMs: 13 / 504706E / 4401323N (NAD27)

13 / 505117E / 4401323N

13 / 505117E / 4401135N

13 / 504915E / 4401112N

13 / 504706E / 4401135N



0 0.1 0.2 0.3 0.4 0.5 km  
 0 0.09 0.18 0.27 0.36 0.45 mi  
 Map center is UTM 13 504925E 4401240N (NAD27)  
**Commerce City** quadrangle  
 Projection is UTM Zone 13 NAD83 Datum

\*M  
  
 M=9.979  
 G=0.036

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## PHOTOGRAPH LOG

The following information pertains to photograph numbers 1-33 except as noted:

Photographer: Rita Young  
Date of Photographs: April 22, 2005  
Negatives: Clayton Foundation, 3801 Martin Luther King Blvd., Denver, CO 80205

Photo No.	Photographic Information
1	Clayton campus in 1912; view to the north (inverted print).
2	Clayton campus in 1935; view to the northwest.
3	Clayton campus boys in 1912.
4	Clayton Administration Building dining hall ca 1912.
5	Administration Building, facade; view to the north.
6	Administration Building, main entrance, view to the north.
7	Administration Building, west entrance; view to the east.
8	Administration Building, east side; view to the west.
9	Administration Building, west side; view to the southeast.
10	Administration Building, main entrance hall; view to the north.
11	Administration Building, east-west hall; view to the west.
12	Administration Building, dining hall, view to the north from second-floor balcony.
13	Administration Building, upstairs theater entrance; view to the northeast.
14	Administration Building, theater; view to the southeast.
15	Administration Building, theater; view to the southwest.
16	Northeast Dormitory; view to the east.
17	Southeast Dormitory; view to the east.
18	Southeast Dormitory; view to the south.
19	Northwest Dormitory; view to the west.
20	Southwest Dormitory; view to the northwest.
21	Power House; view to the north.
22	Garage; view to the north.
23	Infirmery; view to the west.
24	Laundry; view to the west.
25	Clayton House; view to the north.
26	Clayton House, east side; view to the west.
27	Eddie Cottage; view to the south.
28	Newton Cottage; view to the west.
29	Barth Cottage; view to the north.
30	Hallett Cottage; view to the north.
31	West campus overview; view to the west.
32	Clayton House and Administration Building; view to the south.
33	East campus overview; view to the east.

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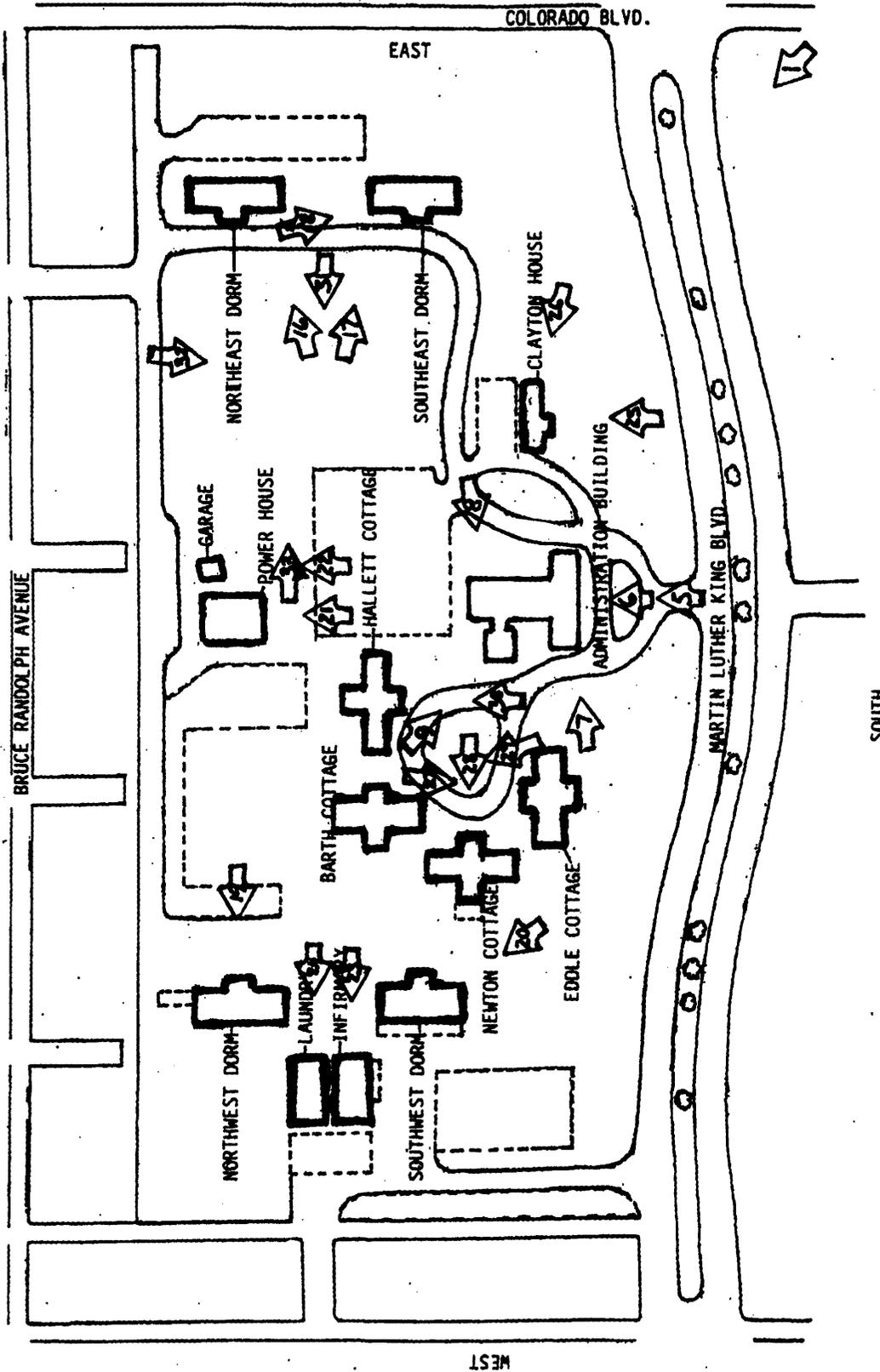
## PHOTOGRAPHIC VIEWS

NOT TO SCALE

NORTH

CLAYTON, GEORGE W., TRUST AND COLLEGE  
3801 MARTIN LUTHER KING BLVD.  
DENVER, COLORADO 80205 DENVER COUNTY

05/01/05



WEST